

‘Under Our Protection, That of the Church and Their Own’- Papal and Secular Protection of the Families and Properties the Crusaders Left Behind, *c.*1095-1226.

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Declaration of Authorship

I, Danielle Park, hereby declare that this thesis and the work presented in it is entirely my own. Where I have consulted the work of others this is always clearly stated.

Signed: \_\_\_\_\_

Dated: \_\_\_\_\_

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## Abstract

‘Ill-defined and incomprehensible to contemporaries’: these are two of the charges scholarship has levelled at the papal protection privilege for crusaders. Major innovations in this field have been attributed to Innocent III (1198-1216), yet many of these ideas can be identified as having developed much earlier. This thesis will demonstrate the profound originality of the protection initiated by Urban II in 1095, and discuss the role of the protection in recruitment as an added attraction or, at least, as a way for the pope to negate obstacles to taking the cross. Under Eugenius III (1145-53) this privilege took on a new formula that dominated papal missives beyond Innocent III’s pontificate. In essence, crusaders were differentiated from pilgrims, and that protection sharply delineated crusaders’ wives, families and possessions from those of the men-at-arms who did not take the cross.

During the Second Crusade (1145-49), the metaphor of the two swords of government took on a new centrality within the crusading context. This connection between secular and spiritual authority has not received adequate attention from scholars. Protected status is the starting point of the discussion of papal and secular guardianship over the crusaders’ lands and possessions. Crusaders and those remaining in the West were well aware of their status from the outset. This secular experience is determined through detailed discussion of the charters issued by crusade regents. The crusades have been interpreted as ‘windows of opportunity’ for wives otherwise excluded from politics, however demonstrably the women chosen for these roles were, in fact, already experienced in government. This thesis also compares and contrasts the effectiveness of papal and secular measures in protecting the crusader’s interests, and assesses the political impact of the crusaders’ departure on those they left behind. Invasion, rebellion and usurpation could and did occur during the crusaders’ long-term absence, but secular and papal protection might, in unison, combat exploitation by the crusaders’ enemies or other opportunists.

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\* All translations included in the thesis are the author's own, unless indicated otherwise in the footnote. The reader is directed to the Appendix to consult the sources in the original language.

## Abbreviations

- AA Albert of Aachen, *Historia Ierosolimitana*, ed. and trans. S.B. Edgington (Oxford, 2007).
- C.C.C.M. *Corpus Christianorum Continuatio Mediaevalis* (Turnhout, 1966-).
- DC *The Councils of Urban II, Vol. 1 Decreta Claromontensia*, ed. R. Somerville (Amsterdam, 1972).
- DEL *De expugnatione Lyxbonensi*, ed. and trans. C.W. David, with a new foreword and bibliography by J.P. Phillips (New York, 2001).
- FC Fulcher of Chartres, *Historia Hierosolymitana*, ed. H. Hagenmayer (Heidelberg, 1913).
- GN Guibert of Nogent, 'Dei Gesta per Francos et cinq autres textes', C.C.C.M., vol. 127A, ed. R.B.C. Huygens (Turnhout, 1996).
- JEH *Journal of Ecclesiastical History*
- Layettes *Layettes du Trésor des Chartes*, 5 vols., ed. A. Teulet (Paris, 1863-1909).
- MGH Const. *Monumenta Germaniae Historica Constitutiones et acta publica imperatorum et regum* (Hannover and Leipzig 1893-).
- MGH SS *Monumenta Germaniae Historica Scriptorum* (Hannover and Leipzig, 1871-).
- MGH SRG *Monumenta Germaniae Historica Scriptorum rerum Germanicarum in usum scholarum separatim editi* (Hannover and Berlin, 1871-).
- OV Orderic Vitalis, *The Ecclesiastical History of Orderic Vitalis*, 6 vols., ed. and trans. M. Chibnall (Oxford, 1969-80).
- PL *Patrologiae cursus completus latina*, 217 vols. and 4 vols. of indexes, ed. J.P. Migne (Paris, 1844-64).
- RHC Oc. *Recueil des historiens des croisades, Historiens occidentaux*, 5 vols. ed. Académie des Inscriptions des Belles-Lettres (Paris, 1841-95).
- RHGF *Recueil des historiens des Gaules et de la France*, ed. M. Bouquet *et al.*, 24 vols. (Paris, 1737-1904).
- WM William of Malmesbury, *Gesta Regum Anglorum*, 2 vols., ed. and trans. R.A.B. Mynors, R.M. Thomson and M. Winterbottom (Oxford, 1998).

## **Introduction**

### Historiography

This thesis is the first full scale study to assess the protection privileges granted to crusaders and their families and possessions. The research examines the origins of that privilege and, in a marked contrast to other work on the subject considers how that protection worked. This study builds on existing scholarship but goes beyond the perception of the protection privilege as a mere technicality.<sup>1</sup> Thus by concentrating on the consistent role of that pledge in papal preaching for the crusades, the protection will be established as an added attraction to take the cross because it gave the crusaders and their families a privileged status and removed an impediment – the potential exploitation of the crusaders’ absences. Unlike the other crusade privileges, protection is rarely recognised as part of the recruitment process.

These [crusaders] with the prospect of exile in front of them set aside that which they held in great favour leaving behind their most distinguished wives and most esteemed sons. Not to mention [their] estates and possessions which, though extraneous to ourselves yet make such an impression on us, how the affections of husbands and wives can be mutually torn apart without risk to either, thanks to their children being a link between them and even making them stick together.<sup>2</sup>

Thus Guibert of Nogent described the crusaders leaving behind their wives and children. This text casts into sharp relief the significance of the crusade in relation to familial bonds.<sup>3</sup> Clearly other issues were at play here, notably the monastic and sacrificial overtones of leaving all behind to follow Christ, which dominated First Crusade preaching and remained powerful images in the thirteenth-century.<sup>4</sup> Nonetheless, the language Guibert employed in this passage is telling, suggesting that beyond breaking emotional ties, wives and children were given relatively little

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<sup>1</sup> J.A. Brundage gives the protection privilege very little space in his seminal work *Medieval Canon Law and the Crusader* (Madison, 1969).

<sup>2</sup> GN, p.132; trans. M.A. Hall; Appendix, p.304.

<sup>3</sup> OV, vol. 5, pp.16-17; FC, pp.162-63; AA, p.3.

<sup>4</sup> J.S.C. Riley-Smith, ‘Crusading as an Act of Love’, *History*, vol. 65 (1980), pp.179-80.

consideration. Effectively they were both literally left behind and figuratively put aside in favour of the greater cause of the First Crusade. One purpose of this investigation is to consider how far this was the case. Thus my central research question emerges: ‘what happened at home once the crusader had departed on crusade?’

In fact, Urban II’s crusade privileges were sweeping in scale. Designed to have maximum effect on the recruitment of crusaders, these privileges encompassed: remission of sins, security over conquered territory in the East, and protection over the families and possessions that the crusaders left behind. Perhaps surprisingly the issue of protection rarely receives scholarly attention.<sup>5</sup> Villey argued in favour of protection as a new legal right that originated with the crusade.<sup>6</sup> More recently Villey’s argument was refuted and Brundage interpreted the crusade protection privilege as an extension of the pilgrimage protection privilege.<sup>7</sup> Riley-Smith demonstrated that provisions for pilgrims were far more independent; he did not mention papal protection comparable to that which pertained to crusading.<sup>8</sup> Riley-Smith’s view corresponds with my research, that the First Crusade marked the origin of the extension of protection over families and lands. Thus chapter one will assess the merits of these views to indicate whether there is adequate evidence to suggest that the protection existed pre-crusade or post-1095.

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<sup>5</sup> Reynold’s article concerning the prehistory of the crusades makes no mention of the protection clauses or their respective origins; B.W. Reynold, ‘The Prehistory of the Crusades: Toward a Developmental Taxonomy’, *History Compass*, vol. 6 (2008), pp.884-897. Protection is largely dismissed in Rousseau’s article, thus Urban II and Eugenius ‘took little notice of women except as inhibitors of the crusade’; C.M. Rousseau, ‘Homefront and Battlefield: The Gendering of Papal Crusading Policy (1095-1221)’, *Gendering the Crusades*, ed. S.B. Edgington and S. Lambert (Cardiff, 2001), p.31. Bird’s article is much later in focus, concentrating on Innocent III’s measures; J. Bird, ‘Crusaders’ Rights Revisited: The Use and Abuse of Crusader Privileges in Early Thirteenth-Century France’, *Law and the Illicit in Medieval Europe*, ed. R.M. Karras, J. Kaye and E.A. Matter (Philadelphia, 2008), pp.133-48.

<sup>6</sup> M. Villey, *La Croisade, essai sur la formation d’une théorie juridique* (Paris, 1942), p.151. More recently than Villey, Fried also suggested that there was no tradition of protection over the laity; J. Fried, *Der päpstliche Schutz für Laienfürsten* (Heidelberg, 1980), p.106.

<sup>7</sup> Brundage, *Medieval Canon Law and the Crusader*, p.31.

<sup>8</sup> J.S.C. Riley-Smith, *The First Crusaders, 1095-1131* (Cambridge, 1997), pp.38-39.



Bramhall's early study offered the thesis that custom, unwritten tradition, not legislation, written law, marked the origin of temporal privileges.<sup>9</sup> Almost contemporaneously Bridley took a similar line and argued that First Crusaders, vibrant with faith and religious enthusiasm, were hardly concerned with secular matters and the privileges only took on a role in custom, not legislation, when zealous piety was replaced by terrestrial concerns.<sup>10</sup> As we will see later the sources lend such views little credence. The evidence reveals a far more legalistic approach than Bridley and Bramhall's assessments allow and the fact that these privileges were apparently contemporary with the onset of the First Crusade effectively counters such arguments.<sup>11</sup>

Munro's work gave 'the acquisition of the enemy's country' as its only example of a temporal privilege.<sup>12</sup> More recently Cole made little mention of the protection privilege beyond citing Munro's argument that Urban preached temporal rewards.<sup>13</sup> Neither writer explicitly discussed protection of the crusaders' families and homes. Equally Mayer emphasised protection over prospective property rather than anything that the crusaders left behind.<sup>14</sup> To potential crusaders, however, the families and possessions that they left behind must have been of equal importance if not a greater concern than potential material gain, especially because it seems that most crusaders planned to return home. The fact that Urban wanted to alleviate the worries of potential crusaders must be considered.<sup>15</sup>

The fundamental connection between pilgrimage and crusading legislation is central to chapter one. This chapter will ask how much the protection over crusaders' families owed to pilgrimage legislation. Conversely, it will consider how far the new

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<sup>9</sup> E.C. Bramhall, 'The Origin of the Temporal Privileges of Crusaders', *The American Journal of Theology*, vol. 5 (1901), p.279.

<sup>10</sup> É. Bridley, *La condition juridique des croisés et le privilège de croix: étude d'histoire du droit français* (Paris, 1900), p.7.

<sup>11</sup> *Ibid.*, p.9.

<sup>12</sup> D.C. Munro, 'The Speech of Pope Urban II at Clermont, 1095', *The American Historical Review*, vol. 11 (1906), p.239, p.242.

<sup>13</sup> *Ibid.*, 239; P.J. Cole, *The Preaching of the Crusades to the Holy Land, 1095-1270* (Cambridge, MA, 1991), pp.2-3.

<sup>14</sup> H.E. Mayer, *The Crusades*, trans. J. Gillingham, 2<sup>nd</sup> edition (Oxford, 1988), p.21.

<sup>15</sup> J.S.C. Riley-Smith, *What Were the Crusades?*, 4<sup>th</sup> edition (Basingstoke, 2009), p. 67.

concept of armed pilgrimage prompted further change. Was this status purely reserved for crusaders' families and properties or had pilgrims enjoyed this protection earlier than 1095? Chapter one evaluates those arguments in favour of the continuation of the pilgrimage tradition combined with the novelty of Urban's ideas. To date scholarship makes no attempt to cross-reference Ivo of Chartres' questioning of the scope of the protection for the crusaders with the provisions made for pilgrims' homes and families.<sup>16</sup> My approach in chapter one casts the contrasts between pilgrimage and crusade protection into sharper relief and argues that the First Crusade established a fundamentally new protection over those left behind through Urban's use of the Peace and Truce of God in a crusader-specific context. This relationship between the Peace and crusader-specific protection is largely neglected in examinations of these issues.<sup>17</sup>

Bramhall defined the crusade protection privilege as the Church releasing crusaders from feudal ties.<sup>18</sup> Yet papal protection, under Urban and his successors, did not mention feudal obligations. The removal of an overlord's influence can be precluded as the point of this protection because such social relationships were not undermined by the crusades; instead these bonds underpinned recruitment for the crusade.<sup>19</sup> Instead the perception that the crusade would damage potential participants' interests at home provided a clear obstacle to recruitment. Thus protection was essential to Urban's wish to negate concerns over the impact of long-term absence and by addressing this point, the pope's speech appealed to both overlords and their knights and vassals. Protection should be identified alongside religiosity and material gain as an added attraction to take the cross. While it would be a grave exaggeration to claim that crusaders were solely motivated by protection, the

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<sup>16</sup> See pp.12-14.

<sup>17</sup> See for instance H.E.J. Cowdrey, 'From the Peace of God to the Crusade', *La Primera Cruzada, novecientos años después: el Concilio de Clermont y los orígenes del movimiento cruzado, Jornadas Internacionales sobre la Primera Cruzada*, ed. L. García-Guijarro Ramos (Madrid, 1997); M.G. Bull, *Knightly Piety and the Lay Response to the First Crusade, the Limousin and Gascony, c.970-c.1130* (Oxford, 1993); J. Flori, 'De la paix de Dieu à la croisade? Un réexamen', *Crusades*, vol. 2 (2003), pp.1-23

<sup>18</sup> Bramhall, 'Temporal Privileges of Crusaders', p.291.

<sup>19</sup> R. Hiestand, 'Kingship and Crusade in Germany', *England and Germany in the High Middle Ages*, ed. A. Haverkamp and H. Vollrath (London, 1996), p.257.

fact that their decisions – dependent on their wives’ consent - placed their families under the protection of the pope must have reassured crusaders about the security of their interests at home.

In contrast to the thesis suggested here, Adair argued that having fathered two sons Robert II of Flanders was willing to take the cross and risk his life.<sup>20</sup> While an assured succession affected his choice, up to a point, it will be shown in chapters two, four, five and seven that the protection privilege must be considered alongside the question of inheritance. The fact that Robert had heirs is noteworthy, but the crusade and the associated privilege of protection were first preached only in 1095, and as such that protection requires attention in the context of taking the cross. There was papal protection over the crusaders’ families and lands. Consequently the provision of heirs before a crusade may not figure so prominently in the decision to crusade, or even in facilitating participation in the crusade, compared to that privilege and the establishment of regents. In fact, the establishment of heirs may have affected the selection of regents because husbands might have taken their wives with them if they wanted to continue producing heirs. Adair notes that Thierry of Flanders waited until he had an heir before his first pilgrimage, suggesting that both Robert and Thierry followed a similar policy.<sup>21</sup> Yet by its nature the timing of a pilgrimage was far more personal, and their departure was, usually, decided by the pilgrim; in contrast the crusades were another matter, dependent on external factors.

It is important to give space to the composition of the protection privilege. The Peace and Truce of God were central to the earlier form of this protection but the use of the peace movement in this context has received little recognition. Recent scholarship on the Peace and Truce has not shared my research aims and the early timeframes of these works has removed the crusades from adequate consideration.<sup>22</sup>

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<sup>20</sup> P. Adair, ‘Ego et mea uxor...’: Countess Clemence and her role in the comital family and in Flanders (1092-1133)’, unpublished PhD dissertation (University of California, 1993), p.73.

<sup>21</sup> Ibid.

<sup>22</sup> T. Head, ‘The Development of the Peace of God in Aquitaine, (970-1005)’, *Speculum*, vol. 74 (1999), pp.656-86; T. Gergen, ‘Paix éternelle et paix temporelle, Tradition de la paix et de la trêve de Dieu dans les compilations du droit coutumier territorial’, *Cahiers de civilisation médiévale*, vol. 45 (2002), pp.165-71; and A. Grabois, ‘Les pèlerinages du XI<sup>e</sup> siècle en terre sainte dans l’historiographie

Instead scholarship on the formation of the crusade privileges has focused on Erdmann's thesis of the Peace of God as a precursor to the crusade movement because of the increasingly lengthy periods of Truce that the Church needed to provide an acceptable military outlet for the warfaring classes.<sup>23</sup> Cowdrey's reassessment concluded that the Peace movement provided a compatible ideology to crusading, but prioritised pilgrimage and holy war in the development of the crusade.<sup>24</sup> Erdmann's linear connection from peace to crusade has been convincingly challenged as an untenable link.<sup>25</sup> Instead it has been argued that a more peaceful Europe fulfilled a prerequisite for a crusade.<sup>26</sup> Nonetheless the work of Cowdrey and Mastnak has maintained an emphasis on some level of progression from Peace of God to Crusade.<sup>27</sup> To an extent such views have merit because Urban II, as both bishop of Ostia and a French Cluniac, was well-equipped to follow Gregory VII's plans of peace.<sup>28</sup> Gregory was clearly a tremendous influence, to the extent that direct development cannot be completely discounted.<sup>29</sup> Yet such work does not satisfactorily relate peace to papal protection of crusaders' lands and families, as this study will show in chapter one.

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occidentale de l'époque', *Revue d'histoire ecclésiastique*, vol. 101.2 (2006), pp.531-46; T. Head and R. Landes, 'Introduction', *The Peace of God, Social Violence and Religious Response in France around the Year 1000* (New York, 1992), p.8; F.S. Paxton, 'History, Historians, and the Peace of God', *The Peace of God, Social Violence and Religious Response*, p.33.

<sup>23</sup> C. Erdmann, *The Origin of the Idea of Crusade*, trans. M.W. Baldwin and W. Goffart (Princeton, 1977), p.57, p.62; F. Duncalf, 'The Councils of Piacenza and Clermont', *History of the Crusades, Vol. 1, the First Hundred Years*, ed. M.W. Baldwin (Philadelphia, 1955), p.321; Cowdrey, 'From the Peace of God', p.53; T. Mastnak, *Crusading Peace, Christendom, the Muslim World and Western Political Order* (Berkeley, CA, 2002), p.1, p.44, p.49; W.M. Aird, *Robert Curthose, Duke of Normandy, c. 1050-1134* (Woodbridge, 2008), p.154.

<sup>24</sup> Cowdrey, 'From the Peace', *La Primera Cruzada*, pp.56-61.

<sup>25</sup> Bull, *Knightly Piety*, pp.23-24, pp.57-69. Flori's challenge is unconvincing; J. Flori, 'De la paix de Dieu à la croisade?', pp.1-23.

<sup>26</sup> H.E.J. Cowdrey, 'The Genesis of the Crusades: The Springs of the Holy War', *The Holy War*, ed. T.P. Murphy (Ohio, 1976), p.16; L.C. MacKinney, 'The People and Public Opinion in the Eleventh-Century Peace Movement', *Speculum*, vol. 5 (1930), p.200; R. Somerville, *The Councils of Urban II, Vol. 1 Decreta Claromontensia* (Amsterdam, 1972), pp.102-4.

<sup>27</sup> Cowdrey, 'From the Peace', p.52, p.60; Mastnak, *Crusading Peace*, p.49.

<sup>28</sup> *Acta Pontificum Romanorum Inedita*, vol. 2, ed. J.v. Pfluck-Hartung (Stuttgart, 1884), nr. 161, pp.125-27.

<sup>29</sup> H.E.J. Cowdrey, 'The Reform Papacy and the Origin of the Crusades', *Le concile de Clermont de 1095 et l'appel à la croisade, Actes du Colloque Universitaire International de Clermont-Ferrand (23-25 juin 1995) organisé et publié avec le concours du Conseil Régional d'Auvergne* (Rome, 1997), p.75; Cowdrey, 'From the Peace', p.52, p.60.

Cowdrey's work examined the nature of the Peace of God in light of the social, economic and theological issues.<sup>30</sup> This did not fully examine its impact on the people and possessions that the crusaders left behind, focusing more on the Peace and Truce movements' relations to society as illustrative of a marked escalation in violence (reflecting the breakdown of centralised feudal government in tenth-century France).<sup>31</sup> Cowdrey commented that the Peace and Truce movements were designed to 'bring security to certain classes of persons and their goods'.<sup>32</sup> He argued that the Church provided protection of the lands and goods of the crusaders only 'as a special concern rather than as part of a wider peace.'<sup>33</sup> To an extent this can be refined, if not challenged given the fact that significant and continual emphasis was placed on the Peace and the Truce of God in crusader-specific protection of lands and families. This gave the crusades' new protection added authority, and possibly legitimacy, through direct association with a more established movement.

Significantly, research into both the Peace and Truce of God rarely draws an explicit relationship between the two movements and the crusade protection.<sup>34</sup> My argument is also independent of Riley-Smith's view that the Peace of God was designed 'partly to counter the problems expected while so many nobles were away.'<sup>35</sup> Riley-Smith cited only Fulcher of Chartres as a key witness to the association of the Peace and Truce with the First Crusade privileges.<sup>36</sup> Similarly

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<sup>30</sup> H.E.J. Cowdrey, 'The Peace and the Truce of God in the Eleventh Century', *Past and Present*, vol. 46 (1970), p.42.

<sup>31</sup> *Ibid.*, pp.46-47; Head, 'Development of the Peace of God', p.662, p.667; T.N. Bisson, *The Crisis of the Twelfth Century, Power, Lordship, and the Origins of European Government* (Princeton, 2009), p.49. Wallace-Hadrill concludes that the year 900 was far more violent than 500, warfare being more common and extensive. This is compatible with the first Peace council in c. 989; J.M. Wallace-Hadrill, *Early Medieval History* (Oxford, 1975), p.35.

<sup>32</sup> Cowdrey, 'The Peace and the Truce of God in the Eleventh Century', p.48.

<sup>33</sup> Cowdrey, 'From the Peace', p.61.

<sup>34</sup> Hoffmann made the point that Urban II had called for a general peace at the time of the First Crusade but did not address protection beyond the fact that it pertained to the security of families and homes. Thus no mention was made of the crusader-specific use of the Peace and Truce of God; H. Hoffmann, 'Gottesfriede und Truga Dei', *MGH Schriften XX*, p.158, p.223. While Fried refers to a particular enactment of the Peace of God, the crusader-specific nature of that peace is not given adequate attention; Fried, *Der päpstliche Schutz*, p.105.

<sup>35</sup> J.S.C. Riley-Smith, 'Erdmann and the Historiography of the Crusades, 1935-1995' *La Primera Cruzada*, p.20.

<sup>36</sup> *Ibid.*

Mayer stated that: the ‘Peace of God and the Church’s protection were extended to cover [the crusaders’] belongings’.<sup>37</sup> Mayer offered no further comment on this protective measure beyond the fact that it extended the protection over the goods the crusaders carried with them to their lands and families.<sup>38</sup> These notions can be taken much further, and benefit from deeper, more concentrated analysis, as will be shown in chapter one. In terms of the innovations of Urban’s measure Robinson argued that the decrees of 1095 marked a significant change in pilgrimage legislation because it was the first occasion that a timeframe of three years was stipulated as the duration of protected pilgrimage status.<sup>39</sup> Yet the timeframe was far from the only important innovation. Instead, comparative emphasis must be given to the fact that this was apparently the first time that families were included under this papal protection. The crusades necessarily entailed organisation on a far broader scale than pilgrimage because they affected a greater number of people and represented a substantial undertaking for both the papacy and the crusaders.

In the light of my claim that the protection privilege was extant from the First Crusade, the thesis must take into account the debate over the very existence of crusading in the twelfth century.<sup>40</sup> My conclusions regarding Urban’s status as the original architect of the protection privilege call Tyerman’s argument into question. The fact that the protection privilege can be seen as extant in three versions of the canons of Clermont and the prominence of the protection pledge in Guibert’s work, suggest that Urban was believed to have invented a pledge of protection for a new institution. Such evidence suggests that we should not question the existence of a movement that contemporaries could identify with relative ease. If we can suggest that the crusader-specific privileges were extant from 1095, then this would imply that the crusade movement was also established at this time. It would make little sense for a privilege to exist if the crusaders that the protection supported did not.

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<sup>37</sup> Mayer, *Crusades*, p.38.

<sup>38</sup> *Ibid.*, p.19.

<sup>39</sup> I.S. Robinson, *The Papacy, 1073-1198, Continuity and Innovation* (Cambridge, 1990), p.326.

<sup>40</sup> C.J. Tyerman, ‘Were There Any Crusades in the Twelfth Century’, *EHR* (1995), pp.553-77.

The pitfalls of the canons and the other evidence of the privilege are dealt with in detail in chapter one, but it bears repeating that if the protection associated with the movement existed in 1095, can we truly question the existence of the movement that protection pertained to? Equally if we can say that the protection was created by Urban, then we should also reassess another strand of Tyerman's argument. He suggests that the privileges escalated in the twelfth century and culminated in 'full elaboration' under secular rulers, and significantly, Innocent III. For Tyerman clarification, definition and uniformity were described as the achievements of Innocent III and his successors.<sup>41</sup> Constable stated that protection received 'definitive formulation' at the Fourth Lateran Council.<sup>42</sup> My intention is to test these assertions in chapters three and six. Hence it is important to place my work in terms of more recent historiography that sees Innocent in the context of the influences exerted upon him, rather than purely as an individual proponent of change. Bolton has drawn particular attention to the influence of Bernard of Clairvaux and Eugenius III on Innocent III.<sup>43</sup> The fact that both were so intrinsic to the Second Crusade is of the utmost significance to chapter six, particularly in light of the long-term influence of *Quantum praedecessores*. Likewise, Bird has stressed the importance of Innocent's contemporaries, especially Peter the Chanter and his circle.<sup>44</sup> How far Innocent III was influenced by earlier pontificates in terms of the crusades would affect the emphases placed on him as an innovator and suggest instead that he should be seen as an adapter of existing privileges.

It is of interest to this study that Innocent's responsibility for the first, so-called political crusade has recently been questioned. His predecessor Celestine III (1191-98) reacted to King Alfonso IX of León's alliance with the Almohads by promising crusading indulgences to those who fought against him. Ultimately this

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<sup>41</sup> C.J. Tyerman, *The Invention of the Crusades* (Basingstoke, 1998), p.56.

<sup>42</sup> G. Constable, *Crusaders and Crusading in the Twelfth-Century* (Farnham, 2008), pp.162-63.

<sup>43</sup> B. Bolton, 'Signposts from the Past: Reflections on Innocent III's Providential Path', *Innocenzo III, Urbs et Orbis*, vol. 1, ed. A. Sommerlechner (Rome, 2003), pp.24-25.

<sup>44</sup> J. Bird, 'Innocent III, Peter the Chanter's Circle, and the Crusade Indulgence: Theory, Implementation, and Aftermath', *Innocenzo III*, vol. 1, pp.503-24.

crusade did not materialise but its planning reveals that the crusade had already been taken into the political sphere.<sup>45</sup> Thus Innocent took such actions in the context of a very recent precedent and his innovations, in this regard, have been overestimated; it will be the purpose of chapter six to determine how far this was the case with the protection privilege. Likewise, Pennington called into question the significance of Innocent's legal education; he argues that Innocent III was not trained as a lawyer.<sup>46</sup> This position has been challenged by historians who consider Innocent a trained canon lawyer.<sup>47</sup> Pennington's work, however, may shed light on the changes in protection under Innocent III and the pope's lack of legal training would give reason to doubt his presumed legal expertise.

It has already been pointed out that this thesis is the first to deal with both the protection privilege and the impact of the crusaders' departure on their families and possessions. Here it is worth discussing the historiography to illustrate the context and contributions of my research. Papal guardianship was not the only protection for those left behind. Chapter two will demonstrate that Innocent III's seemingly novel emphasis on secular constables, in other words regents, was in fact only recognising an existing situation. Crusade regencies can be identified from the First Crusade, thus in chapters two, four, five and seven the case studies of Flanders, Champagne, the kingdom of France and the Holy Roman Empire will be directed to secular experiences of; first, that protection, and second, the political impact of long-term absence. The deeds of the crusaders in the Holy Land have received considerable attention; the same cannot be said for those they left behind. The case studies that I have selected reflect the existence of available evidence. The fact that we know more about the aristocracy determined the focus on both the nobility and royalty in these

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<sup>45</sup> D.J. Smith, 'The Iberian Legations of Cardinal Hyacinth Bobone', *Pope Celestine III, (1191-1198) Diplomat and Pastor*, ed. J. Doran and D.J. Smith (Farnham, 2008), pp.106-7.

<sup>46</sup> K. Pennington, 'The Legal Education of Pope Innocent III', *Popes, Canonists and Texts* (Aldershot, 1993), pp.1-10.

<sup>47</sup> B. Tierney, 'Innocent III as Judge', *Innocent III, Vicar of Christ or Lord of the World?*, 2<sup>nd</sup> edition, ed. J.M. Powell (Washington, 1994), p.100; J. Sayers, *Innocent III, Leader of Europe, 1198-1216* (London, 1994), p.22.



sections of the thesis. This is also in line with current trends in scholarship which have focused on the power of noble and royal women.<sup>48</sup>

The regents were both male and female. The implications of gender are dealt with in the methodology but here it is important to sketch out the historiography and what this means for the present study. Historians have previously seen medieval women as almost invisible; one historian even suggested that women represented a fourth estate.<sup>49</sup> Earlier in his career Duby stressed the subordinate position of medieval women.<sup>50</sup> In 1985 he revised this view to argue that women had great influence over their husbands through the power of the bedchamber and the nursery; as guardians of the bloodline such women held a different, but still potent power.<sup>51</sup> More recently the focus has shifted towards identifying the sources and stressing the extents of female power. Queens and noblewomen from a broad geographical range have attracted considerable scholarly attention and there has been much research into the authority that such women possessed. One aspect of this is the role of women as regents. Gerish recently assessed the progress of gender history and crusading.<sup>52</sup> In this article she listed a series of research topics pertinent to gender and crusader studies. One of these avenues is of relevance to this study since it dealt with women on the home front.<sup>53</sup> This topic has been dealt with in studies on noble women, mostly of a French background. The work on aristocratic women by de Hemptinne and Evergates, along with Lo Prete's monograph on Adela of Blois, included regencies.<sup>54</sup> These studies raised significant issues - most importantly that women, especially

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<sup>48</sup> For instance, K.A. LoPrete, 'Adela of Blois: Familial Alliances and Female Lordship', *Aristocratic Women in Medieval France*, ed. T. Evergates (Philadelphia, 1999), pp.42-43.

<sup>49</sup> S. Shahar, *The Fourth Estate, A History of Women in the Middle Ages* (London, 2003), pp.1-3.

<sup>50</sup> G. Duby, *The Knight, the Lady and the Priest: the Making of Modern Marriage in Medieval France*, trans. B. Bray (London, 1983), pp.45-47.

<sup>51</sup> G. Duby, 'Pour une histoire des femmes en France et en Espagne', *Mâle moyen âge de l'amour et d'autre essais* (Paris, 1990), pp.118-26.

<sup>52</sup> D. Gerish, 'Gender Theory', *Palgrave Advances in the Crusades*, ed. H. Nicholson (Basingstoke, 2005), pp.130-47.

<sup>53</sup> *Ibid.*, p.136.

<sup>54</sup> T. de Hemptinne, 'Les épouses des croisés et pèlerins flamands aux XI<sup>e</sup> et XII<sup>e</sup> siècles: L'exemple des comtesses de Flandre Clémence et Sibylle', *Autour de la première croisade: Actes du Colloque de la Society for the Study of the Crusades and the Latin East Clermont-Ferrand (22-25 juin 1995)*, ed. M. Balard (Paris, 1996), pp.83-95; *Aristocratic Women*, ed. Evergates; K.A. LoPrete, *Adela of Blois: Countess and Lord (c.1067-1137)* (Dublin, 2007).

female regents, were more powerful than previously suggested, and that they were vital in facilitating crusades.

Regency has also been identified as part of the perception of motherhood.<sup>55</sup> While this is an argument that clearly has merit, such a view does not explain the selection of Matilda, the childless second wife of Count Philip of Flanders, as regent. Nicholas advocated one explanation for the advance of female rulers. She ascribed the increase in female influence in Flemish government to the times of the Third and Fourth Crusades, and accounted for this by the twelfth and thirteenth-century escalation in importance of the ‘pen and pocketbook ... women were less disadvantaged in wielding these new weapons.’<sup>56</sup> This appears less convincing in light of the fact that two highly credible female regents, Clemence of Flanders and Adela of Blois, ruled before these ‘new weapons’ emerged. Thus I will argue that more was behind their political position than the levelling of the playing field through the written word. Such a view is diametrically opposed to Facinger, who postulated that for Capetian queens, regency was an exception to the rule of ‘marginalised queenship’, whereby queens had little political importance outside of the household.<sup>57</sup> Similar arguments have been applied to countesses – that they were their own mistresses at home.<sup>58</sup> I suggest in this thesis that we can take these works further. Consequently, in addition to these criteria the thesis will offer the view that prior experience in government was a vital prerequisite for a regent.

It is also interesting to note that in these studies only female regencies were compared, but regency was not only a female role as my study will show from the examination of younger sons and ecclesiastics as regents.<sup>59</sup> This concentration on both sexes gives this study another note of originality because my thesis moves beyond a

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<sup>55</sup> N.R. Hodgson, *Women, Crusading and the Holy Land in Historical Narrative* (Woodbridge, 2007), p.159; S. Geldsetzer, *Frauen auf Kreuzzügen, 1096-1291* (Darmstadt, 2003), p.63.

<sup>56</sup> K. Nicholas, ‘Women as Rulers: Countesses Jeanne and Marguerite of Flanders (1212-78)’, *Queens, Regents and Potentates*, ed. T.M. Vann (Cambridge, 1993), p.77.

<sup>57</sup> M. Facinger, ‘A Study of Medieval Queenship: Capetian France, 987–1237’, *Studies in Medieval and Renaissance History*, vol. 5 (1968), pp.3–47.

<sup>58</sup> M. Bur, *La formation du comté de Champagne, v. 950-v. 1150* (Nancy, 1977), p.428.

<sup>59</sup> de Hemptinne, ‘Les épouses des croisés’, pp.83-95; *Aristocratic Women*, ed. Evergates; LoPrete, *Countess and Lord*.

purely female focus to examine the experiences of both male and female crusade regents. This evaluation also reveals that some gender distinctions were less apparent and shows how most female regents could act as ordinary rulers without hindrance from either their sex or their temporary political status. Notably the papal protection offered to crusaders made no gender distinctions and covered wives and children (male and female) equally. Likewise while it was the norm for sons to engage in warfare it was not unheard of for women to take on military roles and the impediments of their sex could be overcome by relying on their husbands' men-at-arms.

My work contributes to the field by examining the protection that popes offered to crusaders and their families; in doing so this study is unique because it looks at both sides of the protection, the papal preaching of that promise and how the pledge worked in reality. The privilege was often tailored, at least by 1145, specifically to include wives and children. In the absence of their crusading husbands or fathers, it would fall to these young men and women to ensure that protection was upheld by the papacy. Thus, the thesis investigates the experience of regency and of that protection. Equally the focus on both male and female regencies, the assessment of their roles and the investigation into why these individuals were selected moves beyond current historiography and opens new ground in the political roles of wives, sons and ecclesiastics not only in the specific context of the crusades but also in everyday government at both comital and royal levels.

Thus chapters two, four, five and seven will argue that in Flanders, Champagne, the kingdom of France and the Holy Roman Empire crusade regents were experienced in at least some aspects of government and administration, and that this was a key element in their selection for the role. This view is in contrast to Duby's position that women were excluded from power, notwithstanding certain circumstances, because they could not wield the sword.<sup>60</sup> It has also been recently

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<sup>60</sup> G. Duby, 'Women and Power', *Cultures of Power, Lordship, Status, and Process in Twelfth-Century Europe*, ed. T.N. Bisson (Philadelphia, 1995), p.73.

argued that wives acted only with their husbands' express permission, set within strict parameters and did not share power.<sup>61</sup> In this thesis, by using extant charter evidence, it will be shown that even these actions gave future regents an insight into the wielding of comital power, if it was not theirs *per se*. Consequently, my study is by necessity limited to those regents who left surviving charters particularly those of the nobility and royalty such as the counties of Flanders and Champagne, the kingdom of France and the Holy Roman Empire.

My study refers only to those regents whose prior experience can be proven through the evidence. Nonetheless some general points can be made. First, the criteria that underpinned the choice of regents must have gone beyond the perception of someone who would act in a crusader's interests. Second, if potential regents lacked expertise then such appointments represented a risk that could compromise a crusader's preparations. Third, to assume, as Evergates has argued, that crusaders installed female regents with no prior experience of government before their regencies presupposes an unrealistic level of naivety: novices would exacerbate rather than alleviate concerns, and thereby hinder the crusade.<sup>62</sup> It must be remembered that crusaders left behind more than their loved ones and their lands, they also left behind enemies and rivals well-placed to take advantage of their absences. Therefore a key prerequisite is experience which should be seen alongside age, gender and status.

The crusaders' use of female, young male or ecclesiastical regents should not be so surprising. My work is framed in the context of more recent historiography; namely that women were not excluded from governmental roles to the extent that historians have previously assumed.<sup>63</sup> The subsequent chapters will assess the secular experience of papal protection and the temporal measures established to combat exploitation of crusaders' absences. The status of crusaders' wives is therefore of note. We have seen that from the outset of the crusade movement the families and

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<sup>61</sup> R. Le Jan, *Femmes, pouvoir et société dans la haut Moyen Age* (Paris, 2001), p.29.

<sup>62</sup> T. Evergates, 'Aristocratic Women in the County of Champagne', *Aristocratic Women*, p.88.

<sup>63</sup> See for example J.A. McNamara, 'Women and Power through the Family Revisited', *Gendering the Master Narrative, Women and Power in the Middle Ages*, ed. M.C. Erler and M. Kowaleski (London, 2003), pp.17-30.

possessions of the crusaders were under the new, crusader-specific protection of the papacy which threatened excommunication on anyone whom might infringe that privilege. As such these families were set apart from the families of ‘normal’ men-at-arms (non-crusaders), although they were left behind by their crusading kin these families now had a new defender - the pope - and a unique privilege. Thus through this dual focus on the privilege and the practice of it, the thesis will additionally challenge the prevailing idea that this protection privilege was impossible to uphold because the papacy had promised more than it could deliver.<sup>64</sup> The privilege was ambitious but this study will give key examples of where we can see that the protection was honoured by various popes across a broad geographical range.

### Methodology

In recent years crusading has been regarded as active in multiple arenas across a broad geographical range.<sup>65</sup> This pluralist approach predominates, and it is worth noting here why the present study follows a more traditional, Holy Land crusades, approach. First, the decision to focus on Jerusalem was determined not by the author’s ideology but by the sources. The project was based on the preaching of one privilege and the impact of that privilege on crusaders. To account for the success or failure of the protection certain criteria needed to be set for the selection of my case studies. In order to demonstrate change and stasis in both the privilege and its practice, it made sense to trace the preparations and experiences of crusading dynasties which left enough written records of their regents’ actions. The counties of Flanders and Champagne and the kingdom of France and the Holy Roman Empire fitted this bill and because these families mostly limited their crusading to the Holy Land, this study has done the same. Additionally this focus marks another area of my thesis’

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<sup>64</sup> A. Grabois, ‘Le privilège de croisade et la régence de Suger’, *Revue Historique de Droit Français et Étranger*, vol. 42 (1964), pp.458-59.

<sup>65</sup> For example the approaches taken by, Riley-Smith, *What Were the Crusades?*; W.J. Purkis, *Crusading Spirituality in the Holy Land and Iberia, c. 1095-c. 1187* (Woodbridge, 2008); J.P. Phillips, *The Second Crusade, Extending the Frontiers of Christendom* (New Haven, 2007).

originality; the study is the first to assess the papal protection and crusade regencies over such a geographical range and such a diverse period.

In chapter one a close reading of post-1059 pilgrimage and the canons of Clermont reveals an inextricable link between the Peace and Truce of God and this protection privilege. Nevertheless, any approach must reflect the problematic nature of the canons. The question of how far the canons reflected Urban's original sermon has been raised, given the lack of a surviving First Crusade bull.<sup>66</sup> It is noteworthy that in Somerville's analysis of Clermont the provisions for families are listed alongside the indulgence as measures readily apparent in the Clermont decrees represented in what Somerville terms 'the northern French tradition', an eleventh-century codex and in the *Polycarpus-Cencius* list.<sup>67</sup> The fact that these measures were so closely associated and that the Truce and Peace took on a double significance indicates that to an extent these concerns can be alleviated. Thus chapter one will make use of wider chronicle evidence and letters to determine how the protection was perceived in the years immediately following its inception. An investigation of the peace movement here will also facilitate discussion of later connections and evolution towards crusader-specific protection. In chapters three and six detailed examination of the papal bulls from 1145 to 1226 will determine how the papal protection privilege was developed and clarified.

The analyses of chapters two, four, five and seven are based on contemporary historical accounts and charter evidence. The latter material needs a careful introduction because it determines much of the focus of the research. First, survival is an issue, despite the fact that from 1066 a marked increase in charters has been noted.<sup>68</sup> There is a tendency for more charters from monastic houses to survive because these institutions took better care of their documents. It is important to

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<sup>66</sup> H.E.J. Cowdrey, 'Pope Urban and the Idea of Crusade', *Studi Medievali, Serie Terza* (1995), p.724; Mayer, *Crusades*, p.8; Cole, *Preaching of the Crusades*, p.5.

<sup>67</sup> R. Somerville, 'The Council of Clermont and the First Crusade', *Studia Gratiana*, vol. 20 (1976), p.325, p.327; R. Somerville, 'Clermont 1095: Crusade and Canons', *La Primera Cruzada*, p.74.

<sup>68</sup> M.T. Clanchy, *From Memory to Written Record, England 1066-1307*, 2<sup>nd</sup> edition (Oxford, 1993), pp.112-14; M.G. Bull, 'The Diplomatic of the First Crusade', *The First Crusade, Origins and Impact*, ed. J.P. Phillips (Manchester, 1997), pp.35-37.

remember that only a fraction of the diplomatic material is extant; Clanchy suggested that, based on the reign of Henry I of England, the output figures should be multiplied by 100 to estimate the original number of documents.<sup>69</sup> Similarly, while 93% of extant charters are directed towards the Church only 57% of charters that have been lost concerned the Church.<sup>70</sup> There is also the problem of forgery, although Constable suggested that, to an extent, this difficulty can be overcome by the use of cartularies.<sup>71</sup> The primary focus here is on the corpus of diplomatic sources from Flanders and Champagne, two areas with particularly rich collections of documents. The Flemish material in particular allows discussion of trends from the inception of the crusading movement to the Fourth Crusade; the Champenois sources allow similar study up until the termination point of this thesis, 1226. The royal counterparts are provided by French and German examples to give a point of reference for protection over royal realms.

Second, the formulaic composition of charters has been identified as problematic because these acts were written by clerics; the use of '*Dei gratia*' may not have signified the lay ruler's message. The factors of flattery and propaganda, as well as the use of biblical language to invoke divine aid, have all been identified as reasons to downplay the perceptions of status gauged from diplomatic evidence.<sup>72</sup> Bull challenged this, demonstrating that the personal details implicit in charters revealed the ideas of the individuals involved rather than 'religious spoon-feeding'.<sup>73</sup> The phrasing of these charters might also imply that these images of power could transcend both the spiritual and secular sides of the charter. While we should not completely abandon caution, equally there are reasons to argue that those responsible

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<sup>69</sup> Clanchy, *Memory to Written Record*, p.55.

<sup>70</sup> R.C. van Caenegem, *Guide to the Sources of Medieval History* (Amsterdam, 1978), p.91.

<sup>71</sup> G. Constable, 'Medieval Charters as a Source for the History of the Crusades', *Crusade and Settlement, Papers read at the First Conference of the Society for the Study of the Crusades and the Latin East and presented to R.C. Smail*, ed. P.W. Edbury (Cardiff, 1985), p.73.

<sup>72</sup> G. Koziol, *Begging Pardon and Favour, Ritual and Political Order in Early Medieval France* (Ithaca, N.Y., 1992), pp.86-87, p.90.

<sup>73</sup> Bull, *Knightly Piety*, p.156.

for composing the charter did so in a way that suited their perceptions and purposes and did not merely follow conventions.

Third, the (surviving) charters largely deal with the donation of land and rights. The giving of such gifts with the consent of relatives was an established practice of the knightly and ruling classes, but it remains unknown whether this was a legal condition, or a customary ritual performed before the alienation of land or resources. At any rate the significance of the formula shows that careful consideration by and of family members was necessary before land could be given away.<sup>74</sup> The fact that assent was standard practice is the fundamental point. Its prevalence demonstrates that this was a significant aspect of the ceremonial gift-giving process. The importance of the visual in government, especially through ceremonial rituals of gift-giving, has ramifications for this study.<sup>75</sup> Throughout the following examination it has been understood that the public association of comital families to confirm acts of donation and government gave the future regent invaluable experience and a thorough grounding in the visual and public aspects of government. The relatives of the donor who gave their consent would, additionally, have taken on the duty of defending the donation.<sup>76</sup> Their association in such acts may have given them a further responsibility in ensuring the permanence of the gift. It seems likely that their participation transcended the ceremonial and took on a practical function. Involvement in the ritual would further justify this theory because their role and status would be reinforced by it. It must be remembered that these ceremonial donations bolstered the images of the ruler and allowed the illiterate to comprehend the events taking place.<sup>77</sup> Of course daily life in the courts of their families probably gave these future regents experience in the running of these governments. However, as this is impossible to measure I have chosen to limit my study to cases where these

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<sup>74</sup> S.D. White, *Custom, Kinship, and Gifts to Saints, The Laudatio Parentum in Western France, 1050-1150* (Chapel Hill, N.C, 1988), pp.1-3, p.53, p.196.

<sup>75</sup> *Ibid.*, pp.31-34.

<sup>76</sup> *Ibid.*, p.36.

<sup>77</sup> Koziol, *Begging Pardon and Favour*, p.90.



individuals were mentioned in charters because such sources provide a tangible marker of their involvement.

The use of charters among modern crusade historians has been pronounced. Bull, for example, employed them to identify broader themes behind the ideas transmitted from the arms-bearing laity to religious institutions and the implications of this regarding their understanding of the crusade.<sup>78</sup> Charters have considerable value in prosopographical studies to determine who went on crusade, their familial connections, and insight into the preaching, financing and organisation of crusades.<sup>79</sup> Instead, my research uses the charters of crusade regents, rather than crusaders, to assess the decisions that had to be made in the absence of crusaders and the power regents had, or were believed to hold. Charters are used here because they provide a written record of acts of comital government and reveal the role of regents therein. The fact that crusade regents dispensed land and gifts with such regularity, whether dower or comital land, gives us a valuable insight into how they were perceived. As will be shown more fully below, they did not behave as transitory rulers; instead they acted in their tutelary capacity as defenders of all that the crusaders left behind. Their position reflected the permanence enshrined in the comital title. Long-term absence was a threat to the security of lands and families and any stress of the temporary nature of their function would undermine this. As such their subjects appear to have taken them seriously as representatives of the ruler.

My interest is to address the question: ‘what happened at home while the crusaders were on crusade?’ To answer this, attention will be given primarily to comital regencies to reflect the focus of the available documents: while the crusades undoubtedly affected those left behind lower down on the social strata, less evidence survives. A case in point *c.*1106-28 is provided by Hugh the Poitevin’s chronicle of the abbey of Vézelay.

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<sup>78</sup> Bull, *Knightly Piety*, pp.15-16, p.155.

<sup>79</sup> Bull, ‘The Diplomatic of the First Crusade’, p.35.

Stephen Aicaphit went to Jerusalem and since he was delayed there for seven years, his wife married another man. Later, however, Stephen returned and sought out his wife again. She denied him, whereupon he brought her before Abbot Reynald and there once the case was known she was restored to her husband and by the judgement and authority of Abbot Renaud and with the assistance of Peter, chaplain of Saint-Pierre-le-Haut, the adulterer and adulteress received penance from the abbot.<sup>80</sup>

Little information was given beyond the crusading husband's name – his wife and her second husband are anonymous. Instead the legal implications of long-term marital absence and the moral outcome of the tale were highlighted: the husband received back his wife and she and her second husband received the proper punishment.<sup>81</sup>

Hugh's second account of a spouse left behind while his wife made the journey to Jerusalem records only:

Alegreth, under oath, said the same concerning the matrimonial cases of Obert Saltareth and Elizabeth, and Aimeri the wax dealer and the daughter of Blanchard the tailor as Hugh of Souvigny and Benedict the cook had said, and he also said a certain woman went to Jerusalem and when she delayed there her husband sought another wife. The wife, returning, claimed her husband again, and when the case was made known in the presence of the abbot of Pons himself, she was returned to her husband by the judgement and authority of the abbot. He did not, however, remember the names of those concerned.<sup>82</sup>

The importance of corroboration in this account is telling: Alegreth confirms the version of Hugh and the cook, thereby providing a trustworthy authority. Yet the very fact that some names were not remembered neatly illustrates why I have limited my focus to those left behind by counts and kings because they represent the more well-known, and, crucially, better recorded cases. In contrast to these localised episodes, the counties of Flanders and Champagne, and the kingdom of France and Holy Roman Empire had major resources that needed guardianship, and by the same token they had the capacity to protect themselves. The following analysis will use chronicle and charter evidence to examine the regencies and the roles of wives and sons therein.

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<sup>80</sup> 'Chronique I', *Monumenta Vizeliacensia, Textes relatifs à l'histoire de l'abbaye de Vézelay*, C.C.C.M., vol. 42, ed. R.B.C. Huygens (Turnhout, 1976), p.400; trans. *The Vézelay Chronicle and other documents from MS. Auxerre 227 and elsewhere*, trans. J. Scott et al. (Birmingham, N.Y, 1992), p.137; Appendix, p.304.

<sup>81</sup> J.A. Brundage, 'The Crusader's Wife Revisited', *Studia Gratiana* 14 (Rome, 1967), pp.243-251.

<sup>82</sup> 'Chronique I', p.402; trans. *Vézelay Chronicle*, p.137; Appendix, p.304.

The approach will be chronological to better express the evolution of the secular protection.

Thus far the methodology has related the approach taken in this thesis with regard to diplomatic evidence, but it is also worth looking at the narrative sources. A large number of the regents discussed in this thesis were female and it is appropriate to review the role that gender plays in my methodology. Narrative sources have been employed alongside charter evidence to allow the reconstruction of various crusade regencies. The charters present female regents as legitimate and authoritative rulers irrespective of their temporary status and with little or no emphasis on their gender. While the charters give insight into male and female regents as gift-givers and law-makers, the narrative sources provide detail into the provisions for departure and acts of warfare that could arise in the crusaders' absences. These regents, especially if they were women, were described in specific ways by these chronicles. The sympathy or dislike of the author for certain regents could be expressed by the use of gendered language in letters and chronicles. For instance women were often depicted as taking on masculine attributes so that they fitted the ecclesiastical ideal of male rulership. This is evidenced by the well-known example of Queen Melisende of Jerusalem (1131-61). Bernard of Clairvaux's letter to Melisende advised her to take on male attributes to rule as a king rather than a queen, 'you must act as a man'.<sup>83</sup> This might suggest that Bernard saw an overtly female ruler as less palatable, and that such things as ruling were 'the duties of a man'.<sup>84</sup> Thus it was important for him that Melisende cultivated masculine qualities. However, Bernard did not only give this advice to women. One of his many letters to the regent Abbot Suger instructed him to 'play the man, then and keep your courage high, for the lord your God is with you in protecting

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<sup>83</sup>Nr. 354, Bernard of Clairvaux, *Sancti Bernardi Opera*, vol. 8, ed. J. Leclercq and H.M. Rochais (Rome, 1977), pp.297-298; trans. nr. 273, B.S. James, *The Letters of Bernard of Clairvaux*, (Stroud, 1998), p.346.

<sup>84</sup> Nr. 354, Bernard of Clairvaux, *Opera*, vol. 8, pp.297-298; trans. nr. 273, *Letters of Bernard*, p.346; Appendix, p.304.

the king in his exile.<sup>85</sup> Bernard clearly saw rulership and regency as male activities regardless of his audience.

In another gendered role many, although not all, of these female rulers were mothers. Thus the act of regency might be perceived by our authors as an extension of motherhood.<sup>86</sup> Equally some women took up arms to defend their husbands' interests; the authors of these narratives were keen to point out the moral superiority of these women's stance and the dishonour and shame of their attackers. In one case, Sibylla of Flanders was praised for taking up arms against an invader of her crusading husband's lands. We might expect her military role to be frowned upon, or at least attributed to divine intervention, as a parallel example from a different area demonstrates; in the Baltic when Latin chroniclers described fighting women in a miraculous context because such women were viewed as instruments of providence.<sup>87</sup> However, this was not the case with many of the western women considered here. Sibylla's gender was essential to the author's portrayal of her but it did not inhibit her ability to rule. Instead her femininity served to underline the justness of her action and to emphasise that just like a lioness, the female of the human species could be as deadly as the male and that a countess might command an army just as well as the count.<sup>88</sup>

### Definition of Terms

It is important to define my terms. Cowdrey has commented on the potential ambiguity of the phrase 'Peace movement'.<sup>89</sup> The use of the phrase in this study must be taken to mean the attempt to ensure a broad peace, albeit one less centralised and

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<sup>85</sup> Nr. 377, Bernard of Clairvaux, *Opera*, vol. 8, pp.340-41, p.341; trans. nr. 404, *Letters of Bernard*, p.476; Appendix, p.304.

<sup>86</sup> Hodgson, *Women, Crusading and the Holy Land*, p. 159; Geldsetzer, *Frauen*, p.63.

<sup>87</sup> R. Mazeika, "Nowhere was the Fragility of their Sex Apparent" Women Warriors in the Baltic Crusade Chronicles', *From Clermont to Jerusalem: The Crusades and Crusader Societies 1095-1500*, ed. A.V. Murray (Turnhout, 1998), pp.229-48.

<sup>88</sup> See below pp.184-86.

<sup>89</sup> Cowdrey, 'From the Peace', p.53.

far less standardised in its foundations and execution than a modern use of the ‘movement’ would indicate. Based on the evidence provided by the assimilation of the Peace and Truce in both papal promulgation and canon law the use of ‘movement’ in this context is appropriate. The term ‘movement’ seems more acceptable than Cowdrey suggested, because the Peace and Truce’s inclusion in canon law was so formulaic that both were often reissued verbatim. Recently the Peace movement has been seen as far less homogenous.<sup>90</sup> Yet when the Peace was incorporated into canon law, Lateran councils and papal bulls, it took on a far greater uniformity. This period can be contextualised as part of a programme intended to codify and centralise the Peace and Truce, especially as far as papal promulgation was concerned.<sup>91</sup> This is indicative of, to a degree, a concerted effort to implement methods that, as far as possible, remained uniform. Hence this aspect is given precedence here. In addition, in chapters two to seven when the exact terms Peace of God or Truce of God are not provided in the sources but the ideas and ideals of the movement are apparent then the phrase ‘the ideas of the Peace and Truce of God’ is used in the thesis to convey this meaning.

The term regent should also be clarified. Throughout this thesis I have consistently employed the term regent, although that precise word was not coined until the fourteenth-century.<sup>92</sup> Regent is intended to indicate a temporary ruler, acting in the place of the crusader. To this end these individuals are described as ‘crusade regents’ to differentiate from cases of minority succession. Regent is the preferred term because it best denotes the more official, governmental aspects of the function. Nonetheless, the use of ‘regents’ and ‘regencies’ is not intended to suggest these positions were already part of the established institutions that are now associated with these terms.<sup>93</sup> By its very nature regency was a transient role fundamentally dependent on the return of the ruler or the heir reaching majority. There were notable

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<sup>90</sup> Head, ‘The Development of the Peace of God’, p.657.

<sup>91</sup> Mastnak, *Crusading Peace*, p.49.

<sup>92</sup> J. le Goff, *Saint Louis*, trans. G.E. Gollrad (Notre Dame, IND, 2009), pp.45-46.

<sup>93</sup> Lindy Grant, private conversation, IHR, 22.02.2011.

exceptions to this when regents retained considerable influence beyond such termination points: Adela of Blois and Blanche of Castile to name but two. In contrast, our concern here - the crusade regency - was coterminous with the crusader's death or return. My analysis will determine that crusade regents acted for the ruler, governed in their place, and therefore took on both the latter's offices and almost, if not equal, status. It is important to note that the crusade regents examined here styled themselves as rulers with little or no sign of their temporary role – an indication of the authority they were assumed to wield and a means of assuring legitimacy. This can be explained by the lack of any formal, established regency, or even a term to convey that meaning.<sup>94</sup>

It is worth questioning whether this gap in the terminology reflected the non-existence of the position of regency or the fact that permanent rather than temporary power was deliberately expressed. Given that such regents had control over the chancery and that the officials responsible for writing their charters probably shared the perception that the regents held full comital authority, it seems that the latter interpretation has merit. Regents were not described as transient rulers because they were seen to be occupying a permanent office. It served no one's purpose to describe a regent as a stop-gap ruler because, potentially, this could undermine the regent's decisions, affect the permanence of their grants, and weaken the effectiveness of their governance. The issue of legitimacy points to the significance of the regent's closeness to the ruler and this probably explains why the crusader counts of Flanders and Champagne selected their wives and sons for such a task.

### Chapter Structure

This thesis investigates the origin and evolution of the protection privilege awarded by the papacy to crusaders. It will also consider the experiences of the crusaders affected by that privilege. The study uses a comparative focus to conduct a close

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<sup>94</sup> LoPrete, 'Familial Alliances', n. 71 p.189.

examination of both sides of this protection privilege, to better indicate whether or not that protection was upheld and to illustrate the secular measures employed alongside the crusaders' privileged status. In the absence of a ruler it was standard practice to appoint a regent, a measure that crusaders also adopted. This study will show that because of the regents' relationship to the crusader, often as wives or sons, crusade regents were distinguished from normal regents. To illustrate this point, two standard regents – one pre-crusade: Agnes of Poitou and two post crusade: Blanche of Navarre and the later stages of Philip of Namur's regency will inform the discussion. The thesis is designed so that the crusade regencies are bookended by standard regencies. The experiences of three 'normal' regencies will shed further light on how far the papacy and secular governments coordinated their efforts to defend the families and possessions that crusaders left behind. The comparison to wardship serves to illustrate the differences in the situations and to draw attention to the importance of papal protection. The thesis consists of seven chapters arranged in chronological order to better indicate the relationship between the papal message and secular experience. Chapters one, three, and six discuss how the papal protection was transmitted and what precisely was on offer. Chapters two, four, five and seven develop this theme by illustrating how that privilege worked on the secular level. These chapters explore the effectiveness of papal protection through a series of comital and royal case studies.

Chapter one deals primarily with the pre-crusade situation. This contextualises the discussion in the remainder of chapter one and chapter two, which concern the impact of the papal protection from its inception *c.*1095. These two chapters evaluate the early years of crusading *c.*1095-1110 in the counties of Flanders and Champagne. Chapters three to five build on this setting to highlight the importance of clarifying and implementing these protective measures in both spiritual and secular spheres. These chapters draw particular attention to Eugenius III's role in elucidating these protection privileges and to his close relationship with the crusade regents of the kingdoms of France and Germany and the counties of Flanders and Champagne. The period of coverage for chapter three is *c.*1123 to 1195 to show the developments that

characterised the period after the First Crusade. Chapters four and five discuss the years *c.*1138 to 1177 and highlight especially the contribution of Eugenius III. The final three chapters cover the period from 1187 to 1226. Chapter six introduces Innocent III to evaluate his reputation as the key proponent of development in the form of crusading privileges. Chapter seven discusses the increasing secular focus on law and the written record, and considers Innocent and his successor's contribution in the implementation of that protection. Through these chapters the thesis aims to determine how the papal protection was disseminated, to assess the crusaders' understanding of it and to evaluate what difference that protection made to the secular plans for long-term absence. The study will posit closer interaction between popes and crusade regents than would normally be the case in a traditional regency situation.



## **Chapter One: From Pilgrimage to the First Crusade Protection Privilege**

In any investigation of the origins of crusader-specific protection over crusaders' families and possessions, an assessment of pilgrimage protection is of value. Brundage has shown that the rudiments of protection for devotional travellers were present in the Old Testament admonition against harming either the person or possessions of a pilgrim.<sup>1</sup> Within the medieval context it is clear that other factors must be considered. Contemporaries of the First Crusade such as Guibert of Nogent and Ivo of Chartres perceived the crusades and by implication the protection privileges that emerged from that movement as fundamentally new.<sup>2</sup> This novelty was probably the reason behind the omission of the crusade privileges in canon law; essentially the canonists were confused by the ambiguity of these new provisions.<sup>3</sup> This study is not the first to recognise the perceived newness of the crusade privileges, however it is significantly different from Brundage's approach which favoured adaptation from pilgrimage. This chapter focuses on how Urban II expressed and explained his novel privileges.<sup>4</sup> In contrast, my research will demonstrate both continuity from pilgrimage privileges and, particularly, innovation in the papal protection that encompassed the crusader's families and possessions. This chapter will reassess how far the crusader-specific protection was an extension of pilgrimage protection. An examination of the origins of the papal legislation of the crusades will begin with a consideration of pilgrim-specific protection. To demonstrate how the status of pilgrims acted as a precursor to the crusade privileges this chapter will concentrate on the timeframe of 1000 to 1095.

The link between pilgrimage and the crusades is fundamental to the understanding of crusading as an institution. Pilgrimage, of course, has a much longer history than crusading and Jerusalem pilgrimage was tentatively established as early

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<sup>1</sup> Brundage, *Medieval Canon Law and the Crusader*, p. 4.

<sup>2</sup> GN, 87; nr. 173, *PL* 162, cols.176-77.

<sup>3</sup> J. Gilchrist, 'The Erdmann Thesis and the Canon Law, 1083-1141', *Crusade and Settlement*, p.41.

<sup>4</sup> Brundage, *Medieval Canon Law and the Crusader*, p.31.

as the second century.<sup>5</sup> The present chapter focuses first on the Peace of God and Truce of God, two religiously directed movements that encompassed protection of pilgrims, and second on the rise of the separate issue of papally endorsed warfare (the so-called ‘proto-crusades’) in order to consider the latter’s role in the development of crusading. The following discussion will establish the principles of the papal privileges granted to pilgrims and proto-crusaders from c.1000 onward. The major sources for the privileges attached to pilgrimage are the legislation recorded by Burchard of Worms and possibly by Ivo of Chartres. Burchard, who composed his *Decretum* c.1012-22, predated the crusade and his ideas dominated canon law in the eleventh century.<sup>6</sup> The dating and authorship of the canonical works attributed to Ivo is uncertain.<sup>7</sup> Nevertheless, the ‘Ivonian’ decretals do not contain any material dated later than 1094, despite the fact that the text circulated after the First Crusade; the *Decretum* was widely available by c.1115, and the *Panormia* was probably completed as late as 1118.<sup>8</sup> None of these sources contain the Clermont canons and thus Burchard’s *Decretum* and the ‘Ivonian’ decretals provide the basis for this examination of pilgrimage and its privileges because the use of these texts removes any potential confusion between the identity and status of pilgrims and crusaders. Alongside this analysis, discussion of the development of the Peace and Truce of God movements will further evaluate the guardianship provided for pilgrims. The purpose of this chapter is to distinguish between old and new provisions for the families and possessions left behind by pilgrims and later by proto-crusaders, and to consider how far the papacy provided for these individual groups. This investigation into the status of pilgrims before 1095 will demonstrate whether the First Crusaders’ protection

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<sup>5</sup> D. Webb, *Medieval European Pilgrimage, c. 700 - c. 1500* (Basingstoke, 2002), pp.1-2.

<sup>6</sup> C. Rolker, *Canon Law and the Letters of Ivo of Chartres* (Cambridge, 2010), p.51, p.61.

<sup>7</sup> The *Decretum* and *Panormia* are so different they are unlikely to be the work of the same author, although the *Decretum* rarely gives Ivo’s opinion as expressed in his letters, it does mirror his views on law and authority, suggesting that it can be attributed to Ivo whereas the *Panormia* can not. While Ivo knew the *Decretum* he did not use the *Panormia*, *ibid.*, pp.123-26, p.151, pp.160-62, p.171, pp.209-10, pp.248-54, pp.286-95.

<sup>8</sup> *Ibid.*, pp.106-7, pp.138-39, pp.277-85, p.279.

privilege that encompassed crusaders' families and properties left behind represented adaptation or novelty.

### Pilgrimage and the Peace of God, c.1000-1095

The Peace of God was possibly established as early as c.975 and more certainly by the Synod of Charroux (989). Formulated by southern French ecclesiastics the Peace encompassed councils, relic-gatherings, oaths, and excommunication to protect Church property, women, peasants and pilgrims.<sup>9</sup> It is unsurprising given its origins that the movement had its greatest resonance in France and the Low Countries. Nonetheless, this does not detract from the papacy's attempts at a wider peace. A broader pan-European prohibition of attacks against the vulnerable was evident in papal usage of both Peace and Truce of God legislation early on.<sup>10</sup> The sharp increase in the level of Church involvement in maintaining this peace reflected the need to protect the vulnerable sectors of medieval society, namely the Church, pilgrims, peasants and women.

It has been argued that in terms of the protection of lands and possessions 'the crusader was first and foremost a pilgrim'.<sup>11</sup> This idea suggests that the crusade extended a well-established legal right and appropriated it into the protection privilege for crusaders' families and possessions. Garrisson drew attention to eighth and ninth century pilgrimage rights of protection from confiscation of property.<sup>12</sup> It is not necessarily apparent, however, that the protection offered to crusaders over family and possessions was so clearly established before the First Crusade. Confiscation of property in the context of other privileges such as protection while travelling and

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<sup>9</sup> M.G. Bull, 'The Roots of Lay Enthusiasm for the First Crusade', *History*, vol. 78 (1993), p.357; Robinson suggests that it was first proclaimed in Aquitaine and Burgundy in 1000; Robinson, *Papacy*, p.325.

<sup>10</sup> 'Nicholai II - Synodica ad Gallos, Aquitanos, Vascones', *MGH Const. 1* (Hannover, 1893), pp.548-49.

<sup>11</sup> Brundage, *Medieval Canon Law and the Crusader*, p.31; Bridley, *Condition juridique*, p.110, p.112.

<sup>12</sup> F. Garrisson, 'A propos des pèlerins et de leur condition juridique', *Études d'histoire du droit canonique, dédiées à Gabriel le Bras*, vol. 2 (Paris, 1965), pp.1178-79.

exemption from arrest and tolls implies measures designed to protect the pilgrims themselves. Concerning protection of home and family, Garrison states that the pilgrims designated a regent to act in their place, in accordance with Anglo-Norman law.<sup>13</sup> This measure represents secular provisions rather than privileged status. Equally in the *Decretum* of Burchard of Worms pilgrims merited only four explicit mentions.<sup>14</sup> Two salient themes emerged from his work: first, prohibitions against clerical or episcopal pilgrims undertaking such journeys without their superior's permission; second the right of pilgrims to be tried in ecclesiastical courts.<sup>15</sup> Burchard did not discuss any privileged status pertaining to pilgrims' families and lands suggesting that this issue was not of prime concern to him, or those legislating at the time.

For the purpose of papal legislation the Peace movement is significant. Pope Nicholas II's promulgation of the Peace in 1059 established excommunication as the standard punishment; from this period the papal use of the peace was clearly established in terms of both precedent and formula.<sup>16</sup>

Those who rob pilgrims, or any kind of holy preachers, whether clerics or monks, women or unarmed paupers, ravage their goods, or turn them to evil use shall be bound with the chain of anathema unless they make worthy amends.<sup>17</sup>

Nicholas' promulgation of the peace implies that as unarmed travellers, in a society perceived as increasingly violent, these pilgrims were particularly at risk, hence their inclusion in protection.

That concern remained long after Nicholas' use of the peace. In marked contrast to Burchard, the *Panormia* attributed to Ivo of Chartres (possibly datable to

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<sup>13</sup> *Ibid.*, p.1181.

<sup>14</sup> For the construction and influence of Burchard's work see G. Austin, *Shaping Church Law Around the Year 1000: The Decretum of Burchard of Worms* (Farnham, 2009).

<sup>15</sup> Burchard of Worms, 'Decretum', *PL 140*, cols.537-1058, col.585, col.593, col.598, col.648.

<sup>16</sup> See *MGH Const. I* (Hannover, 1893); 'Nicolai II - Synodica ad Gallos, Aquitanos, Vascones', pp.548-49; 'Pax Sigiwini Archiepiscopi Coloniensis', pp.602-5; 'Pax Dioecesis Bambergensis', pp.605-8; 'Pax Bawarica', pp.609-10; 'Pax Alsatiensis', pp.611-13; 'Pax Alamannica', pp.613-15; 'Pax Dioecesis Constantiensis', pp.615-16.

<sup>17</sup> 'Nicolai II - Synodica ad Gallos, Aquitanos, Vascones', p.549; trans. H. Kleineke and D. Park; Appendix, p.305.

c.1093-4) provides considerably more detail about pilgrim protection, perhaps accounted for by his later perspective.<sup>18</sup> This would be in keeping with the increased number of pilgrims, and contemporaries' perceptions of the escalation of violence in society. The period c.1000 to 1095 encompassed, arguably, the greatest pre-crusade increase in Jerusalem pilgrimage, culminating in the group pilgrimage of 3000 in 1054 and the 7000 strong German pilgrimage of the 1060s.<sup>19</sup> Additionally the *Panormia*, written before the First Crusade, demonstrates the continued and long-term influence of Nicholas II's use of the Peace. The Church, the poor and pilgrims remained inextricably linked presumably to reflect their spiritual connections and vulnerability to attacks, but also because of their common protection privileges.

Those who rob pilgrims, or any kind of holy preachers, whether clerics or monks, women or unarmed paupers, ravage their goods, or turn them to evil use shall be bound with the chain of anathema unless they make worthy amends. The peace indeed, which we formerly called the truce, shall be observed as is decreed by the archbishops, bishops of each province.<sup>20</sup>

The basic point remained the same; this privilege related only to pilgrims themselves and had not changed between 1059 and 1093-4. The author particularly pointed to 1059 as an important date in the provision of protection over pilgrims. Citation of Nicholas II's use of the Peace of God suggests that, at least from the turn of the eleventh century, excommunication was the standard punishment.<sup>21</sup> This measure cannot be placed in the context of innovation because the Peace movement was certainly well known by 1027 and it was applied to the crusades.<sup>22</sup>

Yet this source raises further questions, especially as the protection over those left behind was not mentioned. Brundage considered Nicholas' promulgation an

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<sup>18</sup> As noted above the dating and authorship of the *Tripartita*, *Decretum*, and *Panormia* have proven problematic, J.A. Brundage, *The Medieval Origins of the Legal Profession, Canonists, Civilians, and Courts* (Chicago, 2008), pp.95-96.

<sup>19</sup> 'Annales Altahenses maiores', *MGH SS 20* (Hannover, 1868), pp.772-824, p.815; Brundage, *Medieval Canon Law and the Crusader*, p.4; Grabois, 'Les pèlerinages', pp.533-39; Webb, *European Pilgrimage*, p.17.

<sup>20</sup> 'Panormia', *PL 161*, cols.1037-1428, col.1238; trans. Kleineke and Park; Appendix, p.305.

<sup>21</sup> *Ibid.*

<sup>22</sup> Brundage, *Medieval Canon Law and the Crusader*, p.12.

affirmation that the peace movement ‘used its power to forbid attacks upon pilgrims and travellers of all kinds.’<sup>23</sup> This is the case but Nicholas did not seemingly include the people and property pilgrims left behind under this protection, although this has been the general conclusion.<sup>24</sup> Therefore the basic point is that protection over pilgrims apparently did not extend beyond their person. The protection entailed only what was carried with them, not what they left behind. A letter to Ivo from 1096 gives further insight into the mechanics of this pilgrimage protection, describing the excommunication of the king’s steward, Urso, who had seized a pilgrim, Roger, during Lent. Urso and his family and lands were excommunicated until he had released Roger, on the grounds that:

Roger for reasons of prayer was proceeding to St Mary Magdalene at Vezélay and to Saint-Gilles. You know, however, that not only during Lent but, in truth, at all times preachers and those making pilgrimages for God ought to be secure from all incursion of their enemies, and their disturbers, as is natural, not having the fear of God before [their] eyes ought to be punished by the severity of ecclesiastical discipline.<sup>25</sup>

This incident occurred after the launch of the First Crusade and it seems that the protection of pilgrims was unaltered. The letter did not mention Roger’s family or possessions only his person, possibly because this protection was designed to prevent any ill-treatment of unarmed pilgrims or the theft of the goods that they carried with them.<sup>26</sup> Such goods were prioritised, at least partly, because of the dangers to unarmed pilgrims on the roads.<sup>27</sup> Individuals such as Urso and the ‘robber-baron’ Crescentius (c.1010), a noble known to attack pilgrims travelling to Rome, lend further credence

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<sup>23</sup> Ibid.

<sup>24</sup> Ibid., p.13, p.31; J.G. Davies, ‘Pilgrimage and Crusade Literature’, *Journeys Toward God, Pilgrimage and Crusade*, ed. B.N. Sargent-Baur (Kalamazoo, 1992), p.15; Riley-Smith, *What Were the Crusades?*, p.68; Robinson, *Papacy*, pp.329-331.

<sup>25</sup> *PL 157*, nr. 17, col.520; trans. Kleineke and Park; Appendix, p.305.

<sup>26</sup> T. Reuter, ‘Die Unsicherheit auf den Straßen im europäischen Früh-und Hochmittelalter: Täter, Opfer und ihre mittelalterlichen und modernen Betrachter’, *Träger und Instrumentarien des Friedens im Hohen und Späten Mittelalter*, ed. J. Fried (Thorbecke, 1996), p.196. To argue based on this evidence that his family and possessions had been taken under this protection as well would be an argument from silence. It is conceivable, however, that had this privilege extended over Roger’s family too, this would have been mentioned in this letter, especially since it dealt with a general privilege granted to pilgrims and not just a reference to Roger’s specific case.

<sup>27</sup> Bisson, *Crisis of the Twelfth Century*, p.182.

to both the, perceived, threat and the need for protection over pilgrims and the goods that they carried.<sup>28</sup>

Ivo's *Decretum* also stressed pilgrims' itinerant status; they were not to be harried while on the move. Such measures reflected the frequent attacks on unarmed pilgrims.<sup>29</sup> Consequently, this privilege did not pertain to wives or families or, in fact, anything that pilgrims did not carry with them, their goods received little emphasis; injury or murder understandably represented the greater concern.

It is pleasing that none shall presume to harm travelling pilgrims ... if anyone presumes to make injury on those who are pilgrims, or assail them, steal plunder from them, hurt them, beat them, bind them, sell them, or kill them, shall doubly to the same pilgrim [make the settlement that he would to another man] ... he shall give over this pay a further 60 *solidi* ... since the Lord said: Thou shalt not vex pilgrims and strangers. [Exod. XII]<sup>30</sup>

The range of potential injury illustrates real fears for the pilgrims' safety at this time. It also shows punishment through the use of fines as a deterrent. By placing them into a biblical context, pilgrims were rendered deserving of heightened and protected status. Yet the protection offered here was only personal. It prohibited robbery, murder, capture and slavery of the individual pilgrim, rather than the broader inclusion of their families and properties. On the whole pilgrimage protection is perhaps best viewed as a stepping stone towards the level of protection that the crusaders would receive only a few years later, but in isolation the privilege offered to pilgrims can hardly be seen as comprehensive.

The experiences of Fulk Nerra support this interpretation of the limited scope of the pilgrimage privilege; none of his four pilgrimages in 1003-5, 1009-11, 1036-7 or 1040 appeared to ensure either his lands or his family papal protection.<sup>31</sup> Instead, Fulk was solely reliant on his own secular strategies to protect his realm, notably by

<sup>28</sup> D. Webb, *Pilgrims and Pilgrimage in the Medieval West* (London, 1999), p.16.

<sup>29</sup> D. Bartélemy, *L'an mil et la paix de Dieu, La France chrétienne et féodale, 980-1060* (Paris, 1999), p.130.

<sup>30</sup> 'Decretum', *PL 161*, cols.59-1039, col.957; trans. Kleineke and Park; Appendix, pp.305-6.

<sup>31</sup> B.S. Bachrach, *Fulk Nerra, the Neo-Roman Consul, 987-1040, A Political Biography of the Angevin Count* (Berkeley, 1993), pp.278-80.

appointing his brother Maurice as regent. Fulk's first pilgrimage in 1003 took place only after he was assured that a joint attack from the combined Capetian, Norman and Blesevin forces was unlikely. At this time Fulk's cousin, Constance of Arles, would shortly become the new queen of France, an affinity that Fulk could rely on to guarantee that his enemies would not exploit his absence. This marriage alliance probably afforded his lands greater security.<sup>32</sup> Thus Fulk was reliant on temporal alliances both familial and political. Fulk returned home to find that Bishop Renaud of Angers and Viscount Fulk had both defected to Blois. Despite their questionable acts the count apparently made no appeal to the papacy. This indicates that he had neither been granted, nor expected, any papal protection privileges concerning his land and possessions. Instead, it has been suggested that King Robert of France acted in Count Fulk's defence by protecting his lands and possessions, or that the king's marriage to Fulk's cousin, restrained the Blesevin-Norman alliance. Thus Fulk's royal overlord, rather than any papal or ecclesiastical authority, prevented the exploitation of his absences.<sup>33</sup>

William of Malmesbury, one of the foremost English historians of the medieval age, cited a similar case of a high status pilgrim and the lack of papal protection over him. Writing in the 1120s for Queen Matilda, William digressed here into Norman events probably because of the insight this gave into the early career of William the Conqueror.<sup>34</sup> When Duke Robert of Normandy left on pilgrimage in 1034, he appointed Count Gilbert as regent during the minority of Robert's illegitimate son, William. Despite oaths of allegiance to the minor duke, political stability was short-lived and after the regent's death: 'it was fire and sword everywhere. That country once so famous but now plagued by internal strife was parted by robbers'.<sup>35</sup> It would go too far to suggest that this situation was purely caused by Robert's pilgrimage, but it is arguable that his absence exacerbated the

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<sup>32</sup> Ibid., p.81.

<sup>33</sup> Ibid., p.84.

<sup>34</sup> R.M. Thomson, 'William of Malmesbury, Historian of Crusade', *Reading Medieval Studies*, vol. 23 (1997), p.121.

<sup>35</sup> WM, vol. 1, trans. Mynors, Thomson and Winterbottom, pp.426-27; Appendix, p.306.



issues of William's illegitimacy and youth. This episode serves as a reminder of the political instability of long-term absence, and the lack of papal protection offered – no mention was made of Robert's privileged status, instead the duke installed a regent to protect his lands until William came of age. Prior to the crusade, secular measures were the only recourse and existing political situations and alliances had to be exploited because papal protection over lands left behind was not, yet, in place.

### Pilgrimage and the Truce of God, c.1020-1095

The Truce of God developed c.1020 and its broader parameters have been interpreted as the climax of the Peace movement.<sup>36</sup> The Truce, rather than proclaiming that everyone must keep the Peace, promulgated periods when all acts of war were directly prohibited.<sup>37</sup> In reaction to such perceptions of endemic violence, the Truce was used to instil fear and to promote conformity.

We ask you and we order all you who fear God and believe in Him and were redeemed by his blood to take care and provide for the salvation of soul and body and to follow the footprints of God, having peace with each other, so that you may deserve to possess perpetual peace and tranquillity. Therefore receive and hold Peace and this same Truce of God which we also have accepted and firmly keep, it having been transmitted to us from Heaven by the inspiration of divine mercy, thus constituted and arranged, that is to say: from the evening hour of Wednesday there shall be firm Peace and stable Truce between all Christians, friends and enemies, neighbour and stranger, until the second day ... Those indeed who shall have promised this Truce, and will break it knowingly, shall be excommunicated by God, the omnipotent father, his son Jesus Christ and the Holy Spirit, and by all the saints of God they shall be excommunicated, cursed and hated, both here and in perpetuity they shall be damned, as Judas who betrayed the Lord, and they shall be drowned in insatiable Hell, just as the Pharaoh in the midst of the sea, unless they come to make amends as it is decreed.<sup>38</sup>

The Biblical examples of damnation provide insight into the importance of maintaining this Truce, although this emphasis was not consistently followed to such

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<sup>36</sup> MacKinney, 'The People and Public Opinion', pp.194-95.

<sup>37</sup> Bull, 'Lay Enthusiasm', p.357.

<sup>38</sup> 'Treuga Dei Archidioecesis Arelatensis, c. 1037-1041', *MGH Const. I*, pp.596-97; trans. Kleineke and Park; Appendix, p.306.

lengths. The stress on Judas and the Pharaoh would presumably have struck a powerful chord with contemporaries, instilling a need to maintain this arrangement. Aside from this the basic premises of prohibition and punishment remained constant.<sup>39</sup> The dates encompassed by the Truce: Thursday, Friday and Saturday, were imbued with considerable religious emphasis, representing respectively the Last Supper, the Crucifixion and the Entombment of Christ, which underpinned the notion that this was a renewal of Christ's peace and reinforced the need for compliance.<sup>40</sup>

Similarly to the Peace, the Truce was proclaimed by a pope, Leo IX, at the Council of Rheims in 1049. By 1054 the papacy had adopted the Truce and seemingly regarded that movement as the more important, and probably the most effective, measure to keep the peace. Thus the Reform Papacy, relatively early in the Truce of God's inception, expanded its range and influence from France to the wider reaches of Western Christendom.<sup>41</sup> This use of the Truce to prohibit acts of war is of relevance to the discussion of the crusader privilege. Once again the papal use of the Truce in 1049, long before the First Crusade, suggests adaptation, rather than clear-cut originality. There is a key difference; the Truce, at this point, did not apparently encompass pilgrims' lands or families. Akin to the protection offered by the Peace of God, only the pilgrims themselves were associated with the Truce of God, those they left behind fell outside the bounds of this protection, despite the fact that the return of a pilgrim was by no means guaranteed in this period.

Given that Urban II was the inventor of the crusade it is worth investigating his use of the Truce.<sup>42</sup> The *Annales Barenses*, possibly the work of Lupus Protospatrius according to a sixteenth-century manuscript, describes events of c.1082-90 and was composed close to this period c.1091-1102. It details Urban's pre-crusade Truce of God decrees, the first in 1089 at the synod held in Melfi: 'in which it

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<sup>39</sup> See *MGH Const. I*; *ibid.*, 'Treuga Dei Lombardica', p.598; 'Treuga Dei Bisuntinae et Viennensis Archidioeceseon', p.599; 'Treuga Dei Dioecesis Tervanensis', pp.599-601; 'Treuga Dei Dioecesis Augustae Praetoriae', p.602.

<sup>40</sup> Cowdrey, 'Peace and Truce of God', p.52.

<sup>41</sup> Robinson, *Papacy*, p.326.

<sup>42</sup> *Ibid.*

was ordered that the holy Truce of God be held by all subject to [the bishops].<sup>43</sup> The perceived value of the Truce of God can be gauged from the author's belief that it was a key reason behind the Council of Melfi (1089).<sup>44</sup> Similarly, 'in 1091 the Truce of God was sworn to by the Normans'.<sup>45</sup> As will be seen below, the Peace and Truce formed a vital part of the development of the crusader-specific protection, providing a partial answer in the construction of the crusade protection.

Thus far the papal peace and truce *c.*1054-91 do not explain the separation between the scope of protection over pilgrims and crusaders. In terms of pilgrimage protection, the emphasis was placed solely on the individual pilgrim.<sup>46</sup> To bridge the gap between crusade and pilgrimage protection, we might expect the military aspect of the so-called 'proto-crusades', a movement that was separate from pilgrimage, to have paved the way for the crusade protection. The impact of long-term, if not permanent, absence required particular attention which might provide insight into the change in crusader status and because the 'proto-crusades' were instigated by the papacy, in a way that group pilgrimage was not, it seems logical that the protection would be papally-directed. The following discussion will assess whether the proto-crusades affected the protection that the papacy offered.

#### The 'Proto-Crusades' and Protection Privileges, *c.*1061-1095

We have seen that the pilgrimage privileges alone did not adequately explain crusader-specific protection over families and lands, clearly other factors were at play. Consequently, this chapter will now consider the so-called 'proto-crusades'. The papacy's links to the 'proto-crusades' and its apparent endorsement of these military

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<sup>43</sup> 'Annales Baresnes – Lupus Protospatrius', *MGH SS 5* (Hannover, 1844), pp.51-63, p.62; trans. Kleineke and Park; Appendix, p.307.

<sup>44</sup> This represents the only surviving text of this Truce; R. Somerville in collaboration with S. Kuttner, *Pope Urban II, The Collectio Britannica, and the Council of Melfi (1089)* (Oxford, 1996), p.228.

<sup>45</sup> 'Annales Baresnes', p.62; trans. Kleineke and Park; Appendix, p.307.

<sup>46</sup> Guibert of Nogent depicts Urban describing the fate of pilgrims to the Holy Land, GN, p.116; similarly OV, vol. 5, pp.18-19; J. France, gives further accounts in *The Crusades and the Expansion of Catholic Christendom, 1000-1714* (Abingdon, 2005), p.48.

projects was significant in the development of crusading. The fact that participants carried a certain amount of papal protection seems noteworthy, for instance Norman activity in Sicily, between 1061 and 1091, merited papal approval in the form of a papal banner.<sup>47</sup> This did not bestow any protection of family or property. Such banners were liturgically blessed and provided symbols of the promise of victory and papal approval of the venture but they offered no protection outside of this.<sup>48</sup>

Gregory VII also gave papal backing to those who took up arms against the Muslims in Spain, in 1064 and 1074. Robinson suggested that Gregory made the most significant innovation through the use of papal legates.<sup>49</sup> Legates, however, had no influence on the protection of families and possessions left behind. Equally the status granted to the Pisans fighting against the Muslims in Mahdia in 1087 is telling; they received the remission of their sins and the privileges associated with pilgrimage but there was no protection for families or properties.<sup>50</sup> The absence of any legislation here suggests that the protection of families and lands left behind by 'proto-crusaders' was not widely broadcast by the sources, if indeed that protection existed.<sup>51</sup> Thus it seems that meritorious acts of war did not automatically provide protection for families. The precedent for protection over lands and families does not seem to be extant in either pilgrimage or the proto-crusades. What is clear is that this period, at least in part, inaugurated a greater stress on a general Peace of God, which now applied to the whole of Western Christendom rather than just particular bishoprics or regions. This emphasis on maintaining the Peace of God was largely contemporary with the increased numbers of pilgrims and the rise of papally sponsored warfare: both activities removed key individuals from the West. The need for papally endorsed Peace of God was also in accordance with the emergence of papal primacy.

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<sup>47</sup> Robinson, *Papacy*, p.324.

<sup>48</sup> Cowdrey, 'Genesis of the Crusades', pp.15-16; E. Delaruelle, *L'Idée de croisade au moyen âge* (Turin, 1980), p.88.

<sup>49</sup> Robinson, *Papacy*, p.324.

<sup>50</sup> *Ibid.*, p.325; H.E.J. Cowdrey, 'The Mahdia Campaign of 1087', *The English Historical Review*, vol. 92 (1977), p.18. These participants made a pilgrimage to Rome and consequently received papal protection over their person and the possessions that they carried with them.

<sup>51</sup> The preparations for the Mahdia campaign listed in the *Carmen in victoriam Pisanorum* made no mention of any privileges concerning the families and possessions that they left behind, *ibid.*, p.24.

Additionally, keeping good order fulfilled society's needs and papal interests in controlling what appears to have been perceived as a more violent milieu, given the increased interest in preventing attacks against the Church, the poor, pilgrims and women. Thus, from the evidence so far we might suggest that the papacy understood how to use these movements, and this might explain the pope's willingness to manipulate the Peace and Truce's functions, scale, and scope during the First Crusade.

Historians place considerable significance on the use of the Peace and Truce of God at Clermont in 1095. It has been suggested that Clermont marked the first papal endorsement of the Peace of God, broadening the peace from regional action to a pan-European level.<sup>52</sup> Arguably this idea ignores the Peace of God's promulgation under Nicholas II in 1059; the inclusion of his version of the Peace in canon law provided a clear formula for broader use of the movement. The present work will make a distinction here between Clermont and Urban II's earlier use of the Peace, and suggest that in 1083 and 1091 Urban followed Nicholas II's example and continued an established policy. In contrast, as we will see, in 1095 Urban used the Peace of God in two ways: to fulfil the Peace's normal function and to protect the families and possessions that the crusaders left behind.

### Urban II's Innovations and Adaptations

We have seen that pilgrimage and the 'proto-crusades' provide only partial answers to the origins of the protection privilege granted to crusaders. Consequently, attention must be turned to Urban II at Clermont. Indeed, we may question whether Villey's assessment went far enough when he argued that Urban's crusade privileges were entirely original because Villey did not adequately show the form that this newness

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<sup>52</sup> Duncalf, 'The Councils of Piacenza and Clermont', p.237; Bull, *Knightly Piety*, p.57; Robinson, *Papacy*, p.326; M. Stoll, *Calixtus II (1119-1124): A Pope Born to Rule* (Leiden, 2004), p.318.

took.<sup>53</sup> Villey's citation of the protection of the Peace and Truce did not allude to the crusader-specific nature of the protection measure, or its ramifications. Instead I will argue that Urban's protective measure, coupled with the record of that pledge in the canons, institutionalised the Peace and Truce as a crusader-specific form of protection that continued until 1123.

The argument that the crusade protection privilege was novel and owed its existence to Urban's innovation must be given credence. Here we must note the limitations of some of our sources; both Robert of Rheims and Baldric of Bourgueil, two eyewitnesses from the Council of Clermont, are silent regarding the protection Urban granted to crusaders at Clermont.<sup>54</sup> Despite this, the canons of Clermont and evidence from Fulcher of Chartres, a contemporary author and another eyewitness to the council provide considerable insight into this privilege. Thus it will be shown that the Peace of God and Truce of God were central to protection and were extended to encompass the lands and families whom the crusaders left behind. This marks a significant new area of research because historians' analyses of the Truce and Peace movements largely omitted the relevance or significance of these movements to the form that the crusade protection privileges took.<sup>55</sup> First, we must examine the evidence provided by the contemporary sources and their treatment of the protection privilege to demonstrate the novelty of this legislation. If pilgrims only received personal protection, not papal defence over the families and possessions that they left behind, this raises several questions: Why were crusaders different? Why did crusading prompt such innovation in terms of its privileges? A partial, if not the whole answer, might be provided by the increased scale of participation in the First Crusade. The high numbers of landed men who would be absent for years at a time, coupled with Urban's experience of the knightly classes, suggest that the logistics of the crusade demanded provisions for the families and possessions that the crusaders

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<sup>53</sup> Villey, *Croisade*, p.151.

<sup>54</sup> C. Sweetenham, *Robert the Monk's History of the First Crusade* (Aldershot, 2005), p.2, p.5, p.42.

<sup>55</sup> See pp.10-14.

left behind.<sup>56</sup> Perhaps we might even suggest that the security of those left behind took on a new significance as part of both the recruitment of crusaders and the facilitating of the crusade.

Many scholars have considered what motivated those taking the cross, for instance Riley-Smith argued against material gain in favour of religious motivation - above all, the offer of remission of sins.<sup>57</sup> The protection privilege has not, until now, received comparable examination as an added attraction for taking the cross, yet security for families and possessions formed part of that approach, even if this was not on the same scale as remission of sins. Urban had radically altered the nature of pilgrimage in his creation of the crusade. It would seem remarkable if this had not impacted upon the aspect of privileges, especially protection. In contrast to pilgrimage, the simultaneous involvement of many more landed participants represented a special case. Since so many crusaders carried considerable political, economic and social influence, the potential for exploitation was readily apparent. This threat demanded extensive protection, beyond that provided by the pilgrimage privilege.

Urban II wanted to elicit support for the crusade and to maximise recruitment, achieving this goal entailed a range of factors designed to entice potential crusaders to take the cross, there is no reason why protection should not also be highlighted in this context. The crusaders' privileged status suggests that Urban recognised large-scale absence as an impediment to recruitment. Calls to relinquish all and follow Christ struck powerful chords, but not to the exclusion of all concern for the families and possessions left behind. Instead these calls were more enticing because they offered spiritual privileges and protection of lands and families. We have seen that Guibert of Nogent described the renunciation of crusaders' wives.<sup>58</sup> Yet for the majority of

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<sup>56</sup> The 1054 pilgrimage numbered 3000 and the 1064 German pilgrimage was 'unprecedentedly large', F. Joranson, 'The Great German Pilgrimage of 1064-1065', *The Crusades and Other Historical Essays Presented to Dana C. Munro by his Former Students*, ed. L.J. Paetow (New York, 1928), p.3, p.12. This suggests that the First Crusade broke new ground in terms of the magnitude of its participants, hence the need for new protective legislation.

<sup>57</sup> Riley-Smith, *The First Crusaders*, pp.68-72.

<sup>58</sup> See p.7.

crusaders this was not intended to be permanent; it seems that most of them intended to return home.<sup>59</sup> Thus the novel pledge of protection ensuring the security of crusaders' homes and families may have alleviated some of their concerns.

### Dating the Crusade Protection Privilege

Historians such as Erdmann have called into question Urban II's originality in proclaiming the First Crusade.<sup>60</sup> Was Urban tapping into an established tradition of armed pilgrimage, or was he consciously aware that he had initiated a new institution? Guibert of Nogent, writing in c.1108 was apparently more certain. He described the First Crusade as a new way to attain salvation.<sup>61</sup> In other words Guibert had never seen anything quite like the First Crusade. He believed that this was the start of something unique. Modern historians, in light of the dating of such sources, have been more sceptical.<sup>62</sup> Tyerman has even questioned whether we can talk of crusading in the twelfth century.<sup>63</sup> Others have asked whether Jerusalem was the original goal, or if the contemporary historians, writing in retrospect, merely rewrote the final outcome as Urban's intention.<sup>64</sup>

There is a general consensus that Jerusalem pilgrimage was an important factor in the origins of the First Crusade.<sup>65</sup> However, it remains uncertain how far Jerusalem alone was intended as the goal of the First Crusade. On that basis one should exercise due caution with regard to the role of the holy city in our sources for the First Crusade, and similar issues may well arise concerning Urban's crusade privileges. This is particularly apparent regarding protection over the possessions and

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<sup>59</sup> Riley-Smith, *The First Crusaders*, p.14, p.19.

<sup>60</sup> Erdmann, *Origin*, p.86, p.144, p.171, p. 180, p.245-6, p.334. See also Gilchrist, 'The Erdmann Thesis', p.38, p.41, who argues that Urban was revolutionary because his idea of crusading was not based on canon law.

<sup>61</sup> GN, p.87.

<sup>62</sup> S.B. Edgington, 'The First Crusade: Reviewing the Evidence', *The First Crusade Origins and Impact*, ed. J.P. Phillips (Manchester, 1997), p.57.

<sup>63</sup> Tyerman, 'Were There Any Crusades', pp.553-77.

<sup>64</sup> Erdmann, *Origin*, p.333; for a reconsideration of the importance of Jerusalem see H.E.J. Cowdrey, 'Pope Urban's Preaching of the First Crusade', *History*, vol. 55 (1970), pp.177-88.

<sup>65</sup> Purkis, *Crusading Spirituality*, p.15.



families that the crusaders left behind. To return to Guibert, again, he was very definite in his portrayal of Urban's privilege. We are told that '[Urban] condemned with horrible anathema all those who might dare to harm the wives, children and possessions of those who departed on this journey for God throughout the next three years.'<sup>66</sup> The issue, of course, is that Guibert was writing roughly thirteen years after the Council of Clermont. If Guibert had portrayed the reality of the conquest of Jerusalem as Urban's original intention it might follow that the former's treatment of the protection privilege was much the same. If this was the case we must ask where this initiative came from. For reasons that will be shown below, the protection privilege was not Guibert's invention. In his portrayal of the penalties for failing to respect the crusaders' privileged status Guibert followed convention - the threat of excommunication and ecclesiastical censure but his focus was entirely on the crusaders rather than on a broad Truce. In order for the protection to work as an effective attraction it had to be stated clearly from the outset. The pope had to take the menaces to safety and stability seriously and make provisions for them. It is difficult to imagine a harsher papal line, illustrative of the importance of the issue of protection.<sup>67</sup>

In 1106 Bishop Ivo of Chartres, a prominent canon lawyer, called the status of crusaders into question. This was the earliest surviving legal case based on this privilege.<sup>68</sup> Count Rotrou had been called to Adela of Blois' comital court to answer for building a fortification on the lands belonging to Hugh le Puiset, a recently returned crusader.

We have called to justice Count Rotrou who is accused of fortifying the land pertaining to the rule of the aforementioned Hugh; he began to build [this fortification] after [Hugh] had assumed the cross, and he unjustly seized and

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<sup>66</sup> GN, p.117; Appendix, p.307.

<sup>67</sup> This excommunication presumably operated under the parameters of Gregory VII's *Quoniam multos*, 1078: contagious to all excepting immediate family, underlining the impact of this punishment; E. Vodola, *Excommunication in the Middle Ages* (Berkeley, 1986), p.24.

<sup>68</sup> Robinson, *Papacy*, p.337; Riley-Smith, *First Crusaders*, p.136; Constable, *Crusaders and Crusading*, p.162.

redeemed Ivo [of Courville], a knight of the same Hugh, who held the aforesaid land in fief from the same Hugh...<sup>69</sup>

Ivo's letter provides considerable detail into the problems of implementing the crusade protection privilege. The judges could not agree on the sentence because

...it is a new institution concerning the ecclesiastical protection that should cover the goods of the soldiers going to Jerusalem and they did not know whether this protection should pertain only to their possessions or whether it should also pertain to their tenures which powerful men hold and their goods.<sup>70</sup>

Bridley asserted that the reasoning behind his uncertainty hinged on the poor definition of the privilege.<sup>71</sup> Brundage argues that this letter was characteristic of Ivo's unfavourable view of the crusaders.<sup>72</sup> Yet a request for clarification does not, as a matter of course, indicate a negative attitude. Despite calls for Rotrou's excommunication, Ivo felt that he could not comply because he was unsure of the ramifications of the privilege in this particular case. What was at stake was how far the pledge extended. Ivo seemingly accepted the protection of 'the goods of the soldiers going to Jerusalem'.<sup>73</sup> Instead Ivo questioned if that protection encompassed fiefs even if the tenant was not a crusader and therefore capable of his own defence of the land. According to Ivo, therefore, the wider ramifications of the crusade privileges, as a new manifestation of such protection, clearly provoked problems among contemporaries of the new movement. Unfortunately Pope Paschal II's response does not survive and we do not know the outcome of the case. Yet it remains an interesting text for the insight that it provides into how the privilege was upheld; Ivo's letter makes it plain that we are dealing with a special case instituted for crusaders. They are described as soldiers going to Jerusalem – a phrase that would rule out traditional pilgrims.<sup>74</sup>

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<sup>69</sup> *PL* 162, nr. 178, cols.176-77; Appendix, pp.307-8.

<sup>70</sup> *Ibid*; trans. Constable, *Crusaders and Crusading*, p.163; Appendix, p.307.

<sup>71</sup> Bridley, *Condition juridique*, p.134.

<sup>72</sup> J.A. Brundage, 'St Anselm, Ivo of Chartres, and the Ideology of the First Crusade', *Les mutations socio-culturelles au tournant des XI<sup>e</sup>-XII<sup>e</sup> siècles: Études Anselmiennes (Ive session)*, ed. R. Foreville (Paris, 1984), p.179.

<sup>73</sup> *Ibid*.

<sup>74</sup> *Ibid*.

What also stands out here is that two years before Guibert's statement, Ivo raised his own concerns about the scope of this protection. Thus Ivo deliberately sought confirmation from Pope Paschal II (1099-1118). It seems clear from Hugh's case that only eleven years after Clermont the protection clause had gained considerable ground; enough to provide the basis for Hugh's law suit. As the author of at least one prominent canon law collection Ivo was, in all likelihood, well-placed to know if a now lost precedent for this protection existed. Ivo's confusion might therefore encourage a little less cynicism on our part here, especially regarding the originality of the protection clause. By looking to Pope Paschal II Ivo was not only pointing out his concerns to the head of the crusade movement, but also to the very pope who in 1101, just six years after Clermont, had reminded his ecclesiastical audience that Urban had instituted this protection at a synod. Paschal's letter called on the bishops and archbishops to ensure that all ought to be restored. In other words any damaged property belonging to crusaders must be returned.

Further to the brothers who return after accomplishing this divine victory [the First Crusade], we order that all be restored to them as we recall Urban, our predecessor of blessed memory solemnly ratified in the synod.<sup>75</sup>

We might consider the possibility that Paschal was following an established medieval trait of disguising his own originality by framing it as Urban's. Yet it is not beyond the realms of plausibility that Urban had invented this protection. After all six years was well within living memory, and it is possible that Paschal himself was present at Clermont.<sup>76</sup> We can also reasonably suggest that had Paschal passed off his creation as Urban's, the audience may have corrected him. After all a precedent for such action can be seen in Bishop Liemar of Bremen's letter that called into question Pope Gregory VII's claims that the pope had the right to depose any bishop

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<sup>75</sup> *Epistulae et Chartae ad Historiam Primi Belli Sacri Spectantes quae supersunt aevo aequales ac genuinae, Die Kreuzzugsbriefe aus den Jahren 1088-1100*, ed. H. Hagenmeyer (Innsbruck, 1901), nr. 19, pp.174-75, p.175; Appendix, p.308.

<sup>76</sup> Somerville, 'The Council of Clermont', p.80.

unilaterally. Liemar was attempting to save his own skin when he wrote this but he did so by implying that Gregory had trampled over ecclesiastical law: ‘I do not think that this should be done to any of the bishops, except by the judgment of his brothers in full synod.’<sup>77</sup> Liemar voiced his disapproval through the idea that this went against Church custom, keen to point out that the pope’s assumed power was not lawful; he needed the approval of a full synod. Thus Gregory was described by Liemar as ‘a dangerous man’.<sup>78</sup> We might then expect a similar, if not so strongly worded letter, had Paschal gone too far in his praise of Urban, particularly when it involved imposing further duties on his ecclesiastical audience, although such a document could have been subsequently lost. The closeness of Paschal II’s letter (1101) to the Council of Clermont might also allow for a reconsideration of Urban’s role here. In light of this letter perhaps we can be less sceptical of the evidence. While the earliest surviving versions of the canons are twelfth-century manuscripts, they were produced very early in that century and thus were not so very far removed from Clermont.<sup>79</sup> It is possible that they predate Guibert’s version, and they are also supported by his narrative and Paschal’s letter in their portrayal of Urban II as the originator of this privilege.

Three main traditions of the canons suggest that Urban rather than Paschal was responsible for the privilege. The first and most oft-cited one is from the *Liber Lamberti*, a record book of Bishop Lambert of Arras’ episcopate, including the councils that he attended, such as Clermont.<sup>80</sup> This recounts the proclamation of the crusade in its most basic form: ‘Whoever for devotion alone not to gain honour or money goes to Jerusalem to liberate the Church of God can substitute this journey for all penance.’<sup>81</sup> This is the earliest version of the canons and was written in the late eleventh-century. It hardly strains credulity to suggest that because a copy of this text

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<sup>77</sup> *MGH Die Briefe der deutschen Kaiserzeit* 5, nr. 15, pp.33-35, p.34; Appendix, p.308.

<sup>78</sup> *Ibid*; Appendix, p.308.

<sup>79</sup> DC, pp. 53-54, p.108, p.120.

<sup>80</sup> *Ibid.*, p.53.

<sup>81</sup> *Ibid.*, p.74; trans. L. and J.S.C. Riley-Smith, *The Crusades, Idea and Reality, 1095-1274* (London, 1981), p.37; Appendix, p.308.

was brought to England by 1100, that it was largely completed soon after Clermont perhaps even before the conquest of Jerusalem.<sup>82</sup> Thus the *Liber Lamberti* is not so far removed as the four accounts of Urban's speech, which may allay some of our concerns about its dating. This canon continues that a Peace of God was proclaimed alongside the crusade. 'It was established that on every day both the monks, clerics, merchants and women and those who would be with them should remain in peace ... if anyone should do injury to somebody else [during the Peace] he should be held guilty of a breach of the holy peace and punished according to his guilt.'<sup>83</sup> While the Peace movement had by this point become both commonplace and relatively well-known (especially in northern France), its reissue here additionally catered for the crusaders. The proximity of these two canons suggests a close relationship between the two clauses, one that is more readily apparent in two further cases, the 'northern French tradition' and the *Cenciis Baluze* version.

These canonical collections also stem from the twelfth century but in both cases Somerville is convinced that they are only a few times removed (three at most) from the autographs.<sup>84</sup> The *Cenciis-Baluze* tradition survives in a twelfth-century manuscript from the monastery of St Saveur, near Montpellier. As a possible fragment or synopsis of Urban II's registers, this tradition offers the first recension of the *Polycarpus* (a twelfth-century canonical collection).<sup>85</sup> The so-called 'Collection in Nine Books', a version from 'the northern-French tradition', was made at Arras by the archdeacon John of Mont-St-Éloy who accompanied Bishop Lambert of Arras to Clermont. This copy survives in one twelfth-century manuscript (c.1120).<sup>86</sup>

These canons had their origins in circulated notes of the Clermont proceedings and were consequently contemporary with the council. The 'northern French tradition', in this case from the *Codex Laurentianus*, can be dated to Paschal's

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<sup>82</sup> DC, pp.73-74.

<sup>83</sup> Ibid. p.73; trans. Kleineke and Park; Appendix, p.309.

<sup>84</sup> Ibid. p.53.

<sup>85</sup> Ibid., pp.119-21.

<sup>86</sup> Ibid., pp.56-58.

pontificate (which ended in 1118) and is not, therefore, too distant from 1095 and Clermont.<sup>87</sup>

These are the orders of Pope Urban, given in the Council of Clermont.

1. It is ordered that the Truce of God be held, as it was sworn.
2. The people were to be advised of the journey to Jerusalem and whosoever shall go by way of penitence both he and his possessions shall be under the Truce of God for always.<sup>88</sup>

The stipulation that these men were travelling to Jerusalem marks this as a specific case because it suggests that pilgrims journeying to other places were not included. In other words, like the crusade itself, the protection that went alongside it was also a special case.

The same pattern is evident in the *Cenci* *Baluze* tradition. The fact that Paschal II cited this version in his letter to Ivo of Chartres dated 1100 puts it even closer in time to the Council of Clermont.<sup>89</sup> Consequently it may even have been extant before 1099. In these letters Paschal wrote to Ivo concerning the standard Peace of God. The first, dated February 1100, stated:

...when in the Council of Clermont in counsel with twelve archbishops, [and] eighty-two bishops, it was correctly laid down by our predecessor of blessed memory Lord Urban: 'If anyone seizes the possessions of absent bishops or preachers, or any other clerics, he shall be excommunicate until he gives satisfaction.'<sup>90</sup>

Paschal had some familiarity with this version and as mentioned above he was a possible attendee at Clermont which probably explains why he credited Urban with the invention of the protection privilege. Setting aside his possible personal knowledge of the Clermont proceedings, because Paschal had seen and used this text one year before his letter that invoked the protection privilege, we might reasonably argue that he could not have invented it. Calixtus II (1119-24) and Eugenius III

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<sup>87</sup> Ibid., p.108.

<sup>88</sup> Ibid., trans. Kleineke and Park; Appendix, p.309.

<sup>89</sup> Ibid., p.119, R. Somerville, *Pope Urban II's Council of Piacenza, March 1-7, 1095* (Oxford, 2011), p.72.

<sup>90</sup> *PL 163*, nr. 8, cols.35-36, col.35; trans. Edgington, Kleineke and Park; Appendix, p.309.

(1145-53) were also aware of this version of the Clermont canons and used this same text which may shed further light on their own citation of Urban as the originator of the privilege.<sup>91</sup> The *Cenci-us-Baluze* manuscript is the most detailed of the canons, a fact that plausibly informed the three popes' choice of this account. Unlike the other versions this is not an abbreviation, thus it provides further confirmation of the original pledge.<sup>92</sup> Additionally it may give an indication into the origins of Guibert's stipulation that the protection lasted for three years.<sup>93</sup>

9. Then the expedition was made and it was decreed for the knights and foot soldiers should go to rescue Jerusalem and the other churches in Asia from the power of the Saracens. And for their goods until their return continual peace is not to be disturbed.<sup>94</sup>

The next clause refers once again to a less specific peace:

10. And because many of the regions of Gaul laboured under a want of food it was ordered that the truce was to be continual for three years ... for [the protection of] clerics however and monks for all time, just as for the pilgrims travelling to holy places.<sup>95</sup>

In both the 'northern French tradition' and the *Cenci-us Baluze* version, the Peace of God and Truce of God were mentioned alongside the expedition decreed by the pope. Both alluded to the crusaders rather than standard pilgrims because there is a plain reference to fighting, armed men in the first peace - a clear contrast to the unarmed monks, pilgrims and clerics in the second peace. The knights and foot soldiers here merited an independent and separate treatment. As fighting men the crusaders were marked as significant because they were on the receiving end of this privilege, while their counterparts who did not take the cross were called on to uphold the peace for others; 'for the knights indeed it is to be observed'.<sup>96</sup> The crusaders' goods were

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<sup>91</sup> DC, p.119, p.141.

<sup>92</sup> Ibid., pp.21-2.

<sup>93</sup> GN, p.117.

<sup>94</sup> DC, pp.124; trans. Kleineke and Park; Appendix, p310.

<sup>95</sup> Ibid.; trans. Kleineke and Park; Appendix, p.310.

<sup>96</sup> Ibid; trans. Kleineke and Park; Appendix, p.310.

mentioned explicitly, unlike the goods of the pilgrims and clerics. There is no mention at all of the goods belonging to pilgrims.

Fulcher of Chartres' status as an eyewitness to the Council of Clermont means that his testimony is of considerable importance in any discussion of Urban's crusade proclamation. Somerville argues that Fulcher was part of the 'northern French' tradition of late eleventh-century and twelfth-century transmissions of the canons of Clermont.<sup>97</sup> In light of the issues that surround the canons, it is arguable that Fulcher's status as an eyewitness to the Council of Clermont might allay some of these concerns. In the opening pages of his account of Clermont, notably before any discussion of the First Crusade, Fulcher stated:

Whosoever shall have seized a bishop, let him be accursed. Whoever shall have seized monks or priests or nuns, and their servants, or pilgrims and traders, and despoiled them, let him be accursed. Let thieves and burners of houses, and their accomplices, be banished from the Church and excommunicated.<sup>98</sup>

This appears symptomatic of general Church reform, suggesting that this use of the peace had little bearing on the First Crusade and corresponded more with Fulcher's concern over the restoration of law. The emphases on merchants and pilgrims might imply that these people were travelling and therefore their own persons were at risk. This reflects the concerns that earlier popes had expressed. Fulcher seems unaware of any protection extending beyond their person or the goods carried with them. The only mention of homes related to arson but this was part of an attempt to prevent crime and breaches of the peace. Along similar lines Fulcher described the implementing of a truce at this time.

...the truce, as it is commonly called ... should be renewed. I earnestly admonish each of you to strictly enforce it in your diocese. But if anyone, smitten by greed or pride, willingly infringes this truce, let him be anathema...<sup>99</sup>

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<sup>97</sup> Ibid., p.38, p.41.

<sup>98</sup> FC, p.128; trans. F.R. Ryan, *A History of the Expedition to Jerusalem, 1095-1127* (Knoxville, 1969), p.64; Appendix.p.310.

<sup>99</sup> FC, pp.129-30; trans. Ryan, *History*, p.65; Appendix, p.310.



As in the canons, Fulcher recorded a broad and standard use of the Peace and Truce with no emphasis on the crusade. In contrast Fulcher's second use of the Truce and Peace of God followed the same pattern as the canons though a focus on the relevance of these movements to the First Crusade. Fulcher described Urban concluding his crusade sermon in the following terms: 'When the edict of the council had been proclaimed everywhere through the provinces, they agreed under oath to maintain the peace which is called the Truce.'<sup>100</sup> Fulcher described this truce as part of the First Crusaders' preparations after taking up the cross and his description of provinces is in contrast to all the episcopates which a standard truce would encompass by this point.<sup>101</sup> The framing of the Peace and Truce of God within this context of preparations for the crusade, rather than the broader peace that Fulcher related earlier, suggests that this peace was designed and designated to underpin the First Crusade protection privilege, and reflected the protection detailed by Guibert, Ivo of Chartres, Paschal and the Canons of Clermont.<sup>102</sup>

Brundage was especially cautious in his analysis, stating that Fulcher, who wrote in 1101, did not report a link between the crusaders' privileges and the Peace of God in his account of Clermont.<sup>103</sup> Brundage argued that neither the chronicles nor the canons represented any protection, although this interpretation might be reassessed through close analysis of the dating of the canons.<sup>104</sup> As shown above, Urban II's privileges concerning the families of crusaders can be reconstructed to a greater extent than Brundage allowed. More recently Brundage nuanced his approach when he suggested that although Fulcher did not 'specify clearly that crusaders in particular qualify for protection ... it does include among them *peregrinos*, which Fulcher probably construed to include crusaders, since that is the term he habitually

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<sup>100</sup> FC, p.140; trans. Ryan, *History*, p.68; Appendix, p.310.

<sup>101</sup> FC, pp.129-30.

<sup>102</sup> Ibid., p.139, p.143. Somerville concludes that the second use of the peace pertained to a local synod, such as Tours, such a council was probably enacting Urban's calls for peace and truce for the protection of crusaders. The basic point remains that Fulcher was aware of the need for two uses of the Peace of God; the standard and the crusader-specific. DC, p.103.

<sup>103</sup> Brundage, *Medieval Canon Law and the Crusader*, pp.161-65.

<sup>104</sup> Ibid., p.165.

employed when he referred to them.’<sup>105</sup> However, given the comparison to the canons, I would suggest that Urban’s intention was to separate the crusaders from pilgrims.<sup>106</sup>

In each case the peace was repeated twice: one a broad, standard Peace of God; the type enacted far earlier than the First Crusade. The second mention of the Peace focused more on the unique situation of the crusaders and was tied to the crusade by the focus on the expedition or the liberation of the churches in Asia. These sources represent the earliest surviving version of the protection privilege. Guibert was more liberal in his interpretation, and added a three-year period and wives and children but this probably reflected his understanding of the privilege in practice. In contrast, the canons and Fulcher give us insight into what Urban might have said at the time. While we have seen that Paschal II was keen to show that he was following Urban’s precedent, no such example is given here. The implication is that just as our sources describe Urban as the originator of a new salvation, the same pope was equally responsible for this novel form of protection. His contemporaries were keen to portray him in this way and if a canon lawyer of Ivo’s calibre could provide no earlier reference to such a privilege then it seems unlikely that Urban was not its architect.

Soon after the Council of Clermont Urban acknowledged the crusade’s potential impact on marriages. He was at pains in his letters to clarify the issue of the wifely consent in his letter to the people of Bologna in 1096. Urban stated: ‘You must also see to it that young married men do not rashly set out on such a journey without the agreement of their wives.’<sup>107</sup> Here Urban placed the crusade in the context of established tradition – the need for uxorial consent before the pilgrimage vow could

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<sup>105</sup> J.A. Brundage, ‘Crusaders and Jurists: The Legal Consequences of Crusader Status’, *Le concile de Clermont*, p.143.

<sup>106</sup> The idea of a broad peace in addition to a crusader-specific peace also featured in Orderic Vitalis. However, because Orderic was writing retrospectively at a much later date than the sources used here, his account will not be employed in this chapter. See OV, pp.14-15, pp.20-21 William of Malmesbury although he wrote earlier than Orderic is also too late to inform this discussion and it is notable that he used a version of the canons other than Fulcher of Chartres, Thomson, ‘William of Malmesbury, Historian of Crusade’, p.123 .

<sup>107</sup> *Kreuzzugsbriefe*, nr. 3, pp.137-38, p.138; trans. Riley-Smith and Riley-Smith, *Idea and Reality*, p.38; Appendix, p.310.

be considered legitimate.<sup>108</sup> Urban had also adapted the idea of crusade from the earlier papally-sanctioned expeditions such as the Mahdia campaign in 1087. Such adaptation is equally evident in what we have seen of Urban's protection clause. The Peace of God and Truce of God were employed in specific, crusading contexts; they were entirely separate from the broader use of the Peace and Truce in the same source. It seems entirely plausible that Urban intended to create a clear relationship between the crusade and his specific use of the Peace of God and Truce of God. Equally we could say that this fitted Urban's habit of adapting legitimate, established movements to new uses, a case in point being the First Crusade itself – an amalgam of pilgrimage and papally-sponsored warfare.<sup>109</sup> By tying the seemingly-new protection privilege to the Peace of God and the Truce of God, institutions that resonated with at least some of Urban's intended knightly audience; he was tapping into the ideals of an existing privilege. Thus Urban had once again grounded his originality in a tried and tested movement. If we suspend our scepticism and focus on both the creation of the crusade and its protection privilege, the links between continuity of intention and method are apparent. In both cases a familiar movement was employed in a novel fashion to serve a new goal.

To return to the evidence of the canons and the issues of their dating and reliability: despite the problems noted they can be used more confidently to identify Urban II as the architect of the protection than we have previously allowed.<sup>110</sup> These canons were completed very early on in the twelfth-century and seem to predate both Hugh's legal case (c.1106) and Guibert's account (c.1108). They support the notion that innovation through adaptation of established movements was a trademark of Urban's creation of the crusade movement. The fact that this technique marked both the military aspect and the protection privilege suggest a shared author. They also indicate that if we have crusade privileges extant in the twelfth century then, logically, crusading also existed at this time. Thus on the basis of these canons, Paschal II's

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<sup>108</sup> See pp.60-61.

<sup>109</sup> Riley-Smith, *What were the Crusades?*, p.7

<sup>110</sup> Brundage, *Medieval Canon Law and the Crusader*, p.31.

letter, Ivo of Chartres' correspondence and Guibert's chronicle it is Urban and not Paschal who seems to emerge as the likeliest candidate to have created this protection over the crusaders' possessions and families.

### The Perception and Influence of Urban II's Crusade Protection

Urban developed the Peace of God and the Truce of God to protect the crusaders. An examination of the new legislation he originated is therefore essential to the understanding of the origins of this protection. Brundage concluded that Urban II was responsible for the protection, although he provided the caveat that Urban's letters to the people of Flanders and Bologna made no mention of privileges pertaining to property. Likewise, we have seen that the mention of wives, though significant in terms of an awareness of the need for their protection, has an entirely different purpose; the wives' right to veto their husbands' decision to crusade.<sup>111</sup> The need to protect the wives' interests is notable and does reveal a degree of the stress that Urban's papal protection placed on families and homes. It is clear that this was not entirely the same. It is far more representative of issues of the sacrament of marriage, involving issues such as conjugal debt and young, inexperienced wives who, in their husbands' absences, might be tempted to commit adultery, rather than the political ramifications of an absent lord.<sup>112</sup> Yet the fact that Urban expressed a need for consent had considerable ramifications for the protection of the families of crusaders. Contrary to Brundage's view that the wives of First Crusaders were no different than the wives of fighting men-at-arms (non-crusaders), Urban explicitly set them apart.<sup>113</sup> The crusade vow's parity to the vows associated with monasticism and pilgrimage is of considerable importance. The fact that the crusaders took a vow that required

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<sup>111</sup> *Kreuzzugsbriefe*, nr. 3, pp.137-38, p.138; The same idea is in 'Decreti Secunda Pars Causa XXXIII Quest. V.C.I', *Corpus Iuris Canonici*, vol. 1, ed. A. Friedburg (Leipzig, 1879), p.1250. The same idea is embodied in Burchard of Worms, 'De viro qui sine uxoris permissu monasticum vitam susceperit', *PL 140*, cols.822-23.

<sup>112</sup> Hodgson, *Women, Crusading and the Holy Land in Historical Narrative*, p.109.

<sup>113</sup> Brundage, *Medieval Canon Law and the Crusader*, p.161.

uxorial consent markedly distinguished the crusader from a standard warrior who did not need marital permission to depart for war. This probably gave the crusaders' wives far greater prominence and therefore protection than wives of men-at-arms who did not take the cross.

For Brundage the problem posed by the canons was only partially lessened by Pope Paschal II's references to Urban in his letter that detailed the victory of the First Crusade and the responsibility of the archbishops and bishops of France to uphold Urban's protection over the crusaders.<sup>114</sup> Similarly Somerville states that Paschal's letter is problematic; it was not explicit which council it referred to, although the council of Clermont is perhaps the most likely one given that the crusade is the subject of the text.<sup>115</sup> It is possible to offer a different interpretation, to suggest that the emphasis placed on this perception of Urban II as an innovator is significant, and to argue that Urban was the instigator of this new privilege. The fact that this protection continued to be such an intrinsic part of crusade preaching and organisation after 1095, and that the sources particularly cited Pope Urban's example support a less cautious conclusion. No precedent had existed on this scale therefore Urban had established this protection. This evidence potentially assuages the concerns that underpinned Brundage's work. Brundage has emphasised that Urban's own letters provide no insight into the issue of protection.<sup>116</sup> Can this be explained? It would appear from Urban's letters that the vow and the offer of remission of sins took precedence. Possibly his emphasis reflected that the indulgence was most in need of clarification to potential preachers or crusaders.<sup>117</sup> Thus, in complete contrast to Bramhall's view that Eugenius III's reiteration of this protection in 1145-46 did not stem from 'any definite decree', analysis of the canons and chronicles invalidates her assertion that the protection privilege existed only in custom.<sup>118</sup> Urban II's privileges began as decrees initiated very deliberately at the time of the First Crusade.

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<sup>114</sup> Ibid.

<sup>115</sup> R. Somerville, 'Clermont 1095: Crusade and Canons', pp.64-65.

<sup>116</sup> Brundage, 'Crusaders and Jurists', p.143.

<sup>117</sup> *Kreuzzugsbriefe*, nr. 2, pp.136-37.

<sup>118</sup> Bramhall, 'Temporal Privileges of Crusaders', p.285.

## Conclusion

We have seen that crusader-specific papal protection owed much to pilgrimage; most notably it was the adaptation of the Peace and Truce of God which provided a precedent for the form of protection over the First Crusaders' homes and families. The scope of the Peace and Truce was extended to include families and properties, and that action required greater impetus than the more personal protection granted to pilgrims and the proto-crusaders. Rather than a sole focus on the travelling pilgrim or warrior, Urban II's measures additionally encompassed the families and possessions that crusaders left behind. Previously the peace and truce had reflected an escalation in violence, and both movements were symptomatic of the Reform Papacy's attempts to increase its influence. If the crusade protection that Urban offered was not unique, then a direct precursor to the crusade, or at least a precedent, might be seen in the corresponding pilgrimage legislation. Yet while it seems evident that the Peace of God and the Truce of God provided considerable protection for pilgrims on the home front, this was not on a comparable scale to that of the crusader-specific protection. By 1095 pilgrimage protection was fairly well-established, yet the same cannot be argued for crusader privileges, hence the confusion apparent in Ivo of Chartres' letter. The sudden appearance of the crusader-specific legislation implies that the First Crusade provided the incentive for this change. This suggests that the increase in the scope of the Peace and Truce of God movements, through Urban II's novel separation into two: one broad Peace and Truce and one crusader-specific Peace and Truce, was the result of the crusaders' needs both in practical and recruitment terms. The relocation of the Peace and Truce of God from France to wider Europe required the stimulus provided by a stronger ecclesiastical body than that previously in existence. It seems that, unlike the crusade protection, the pilgrimage protection provided by the Peace and Truce was primarily a deterrent against theft of the pilgrims' possessions on his or her person while they were travelling, although this did not entail any corresponding legislation on the home front. On that basis, however, given the

contemporary evidence of the canons, Guibert, Ivo, Fulcher and Paschal, it seems reasonable to propose an alternative to Brundage's suggestion that the First Crusaders' protection was not fundamentally different from that of pilgrims.<sup>119</sup>

From this material it seems that during the First Crusade it had become normal practice to affirm a crusader-specific Peace or Truce that excluded traditional pilgrims. To achieve this Urban II had built on the foundations of the Reform Papacy by extending the parameters of the Peace and Truce of God movement - encompassing a wider sphere of influence and subsequently broadening the remit to include Western Christendom. An increasingly vigorous papacy would certainly have contributed to, if not provided, this essential driving force. There was now a body of ecclesiastical government capable of developing and implementing this agenda - enforcing the protection of crusaders' lands and possessions.

This new emphasis on protection of what remained in the West reflected the broader nature of the crusades, both through the greater numbers involved, and the fact that the crusades were a product of the Reform Papacy which was extending its authority at the time of the Investiture Contest. The sources analysed here suggest that the First Crusade and the Reform Papacy provided more for the people and possessions that the crusaders left behind. Thus, alongside the emphasis historians have placed on remission of sins, the protective measures described here must also have played a part as an added attraction for taking the cross, or at the very least, removing one barrier from doing so. This explicit relationship between the crusade and specific cases of the Peace and Truce of God is of the utmost significance in this. Clearly the novelty of Pope Urban's crusade extended beyond the offer of full remission of sins.

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<sup>119</sup> Brundage, *Medieval Canon Law and the Crusader*, p.161, pp.191-92.

## **Chapter Two: Comital Regencies of the First Crusade: the Cases of Flanders and Champagne**

The previous chapter examined the origins and scope of the crusade protection privilege. This chapter will focus on the First Crusade regents to determine the effect of that privilege and the impact of the crusaders' absence on those left behind, in this case the wives and sons of two prominent First Crusaders, Robert II of Flanders and Stephen of Blois. It is important to outline the structure of this discussion. First, this study will consider wardship, a measure that predated crusading and was the usual secular practice for protecting minor heirs. Second, the chapter will examine a female pre-crusade regency to illustrate the issues of female power and the problems that could occur. This will prepare the ground for a discussion on why insiders were important. The phrase 'comital insiders' is used here to indicate people who were close members of the court's inner circle, and had a familiarity with the court and, at least, the basics of government. This section will focus on two case studies, Adela of Blois and Clemence of Flanders, and their roles before, during and after the First Crusade. This section will consider why Adela and Clemence were selected as regents and how far they were prepared for those roles.

The potential disorder caused by the crusaders' departure required a strong secular guardian. In this sense perhaps it is surprising that both crusaders chose their wives, rather than a male candidate. We have seen that rulership was viewed as an essentially male task, so there must have been compelling reasons to appoint women as regents.<sup>1</sup> It will be argued below that given the potential repercussions of a long-term absence, the relationship of a regent to the absent count and the familiar face that they presented to a ruler's subjects plausibly ensured more stability than the appointment of an outsider (non-family member) to that position. In terms of military experience, the problems of the female crusade regent could have been mitigated by the use of experienced advisors. In addition, it is important to note that as the wives of

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<sup>1</sup> See p.27.



crusaders and the custodians of their lands and heirs, these women were under the crusader-specific protection privilege.

This new privilege was very different from the standard practice of wardship. In medieval Europe, wardship was the principal method for protecting minor heirs. The criteria for wardship were different from that of crusade protection over wives and families in a number of ways. First, wardship usually only encompassed the first born son.<sup>2</sup> In contrast the papal protection was extended over the whole family including younger children. Second, children were normally made wards only if their father was deceased, whereas papal protection ended once news of the crusader's death reached home.<sup>3</sup> Also, dower lands were excluded from wardship but papal protection did not make that distinction.<sup>4</sup> At its most basic level wardship was a financial transaction, albeit one that was expensive to manage. The custody of a ward or their lands was a form of moveable property that could be sold, leased, bequeathed or used as collateral.<sup>5</sup> Medieval England provides much of the evidence for wardship thus it is worth considering the English practice of wardship. In England wardship was also an important tool of patronage to reward loyal service, especially after the losses of Normandy, Anjou and Touraine in 1204.<sup>6</sup> Wardship brought revenue for the English crown, notably from the sale of the custody and lands and marriage rights of these children.<sup>7</sup>

As such wardship was open to abuse. King Henry II (1154-89) kept a list of widows and orphans to maintain his control of this institution; a process that escalated under his sons Richard I and John, and his grandson Henry III. As part of this contract the ward's mother promised not to contravene these rights by marrying off or knighting her child without royal permission.<sup>8</sup> This reflected a mistrust of widows and

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<sup>2</sup> S.L. Waugh, *The Lordship of England, Royal Wardships and Marriages in English Society and Politics, 1217-1327* (Princeton, NJ, 1988), pp.152-53.

<sup>3</sup> S.S. Walker, 'Widow and Ward: the Feudal Law of Child Custody in Medieval England', *Women in Medieval Society*, ed. S.M. Stuard (Pennsylvania, 1976), p.160

<sup>4</sup> Waugh, *Lordship of England*, p.145.

<sup>5</sup> *Ibid.*, pp.221-23.

<sup>6</sup> A. Harding, *England in the Thirteenth Century* (Cambridge, 1993), p.197.

<sup>7</sup> Waugh, *Lordship of England*, p.106.

<sup>8</sup> *Ibid.*, p.105.

a need for suitable male protection to defend the lands held from the king.<sup>9</sup> The protection of the child underpinned the laws of wardship. Henry I prohibited other potential heirs from acting as guardians of minors. Similarly the *Tres Ancien Coutoumier* (1194-1204) advised against leaving minor heirs in the sole care of their family.<sup>10</sup> Until the reign of King John (1199-1216) this did not prevent large numbers of families securing the custody of their children. The key change came under John when the custody of wards and their lands and marriage rights became tools of patronage.<sup>11</sup> Thus in thirteenth-century England only twenty of 477 baronial wards were in the families' custody. More pointedly concerns that the system was being abused came to the fore under John, hence the condition in the Magna Carta that families would be informed before a marriage was proposed for a ward. The situation in France was different because wards more often remained in their families' custody.<sup>12</sup> In the specific case of Champagne the High Court ruled that unmarried widows retained custody of their children in return for homage, until her eldest son came of age at which point he would give homage.<sup>13</sup> Thus, in Champagne abuse of custody was less common because the children stayed with their families. Evergates states that there was no evidence of either the husband's relatives or overlord preventing the widow from taking custody of the wards.<sup>14</sup> However, wardship was still a lucrative measure for the French crown, Blanche of Navarre, discussed below, paid 15000 *livres* to ensure royal protection over her children.<sup>15</sup>

The purpose of wardship was to secure the lands for the next in line. It had a longer-term goal than the papal protection over families and possessions. We have also seen that it was open to abuses, especially economic in form, something that was not the case with papal protection. Thus Joanne and Marguerite of Flanders were

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<sup>9</sup> N.J. Menuge, 'A Few Home Truths: The Medieval Mother as Guardian in Romance and Law', *Medieval Women and the Law*, ed. N.J. Menuge, (Woodbridge, 2000), pp.77-105.

<sup>10</sup> Waugh, *Lordship of England*, p.196.

<sup>11</sup> Harding, *England in the Thirteenth Century*, p.251.

<sup>12</sup> Waugh, *Lordship of England*, p.108.

<sup>13</sup> T. Evergates, *The Aristocracy in the County of Champagne, 1100-1300* (Philadelphia, 2007), p.98.

<sup>14</sup> *Ibid.*

<sup>15</sup> *Littere Baronum, the Earliest Cartulary of the Counts of Champagne*, ed. T. Evergates (Toronto, 2003), appendix nr. 2, pp.161-62; see below pp.261-65.

made wards only after the death of their father Emperor Baldwin of Constantinople in c.1205 because as orphaned heiresses to a powerful title there was little option but to place them under the protection of the French king.<sup>16</sup> After the death of her husband Thibaut of Champagne in 1201, Blanche of Navarre was left a widow. The crusade protection over her ended with Thibaut's demise and because Blanche had two minor children it made sense to ask King Philip Augustus to give her and her children added status and protection. While the differences noted here between papal protection and wardship did not prevent them from coinciding, these distinctions possibly explain why papal protection and wardship were not often used simultaneously between c.1095 and 1222. The viscount Raoul of Saint-Suzanne provides a rare example of a crusader who also left his first-born son Richard in the care of Philip Augustus and the seneschal of Anjou before he went to Jerusalem in 1217.<sup>17</sup> The fact that this referred only to his first born son implies that he had other children who were provided for elsewhere. He had taken the cross therefore all his children would be under papal protection. While the fact that Raoul used both wardship and papal protection might suggest that he was hedging his bets, there is not enough evidence to suggest that the use of wardship by crusaders was common. Most crusaders seem to have left their children under the care of a regent – usually their wife – who for reasons of legitimacy often acted alongside the eldest child. Next, some observations on a pre-crusade female regency will contextualise my later investigation, especially concerning the problems of regency government and wardship.

#### Agnes of Poitou: 1043-1077 (Regent of Germany 1056-1062)

Regencies could be disastrous, evidenced by the experiences of Agnes of Poitou. Not only was her regency a failure but her case also reveals the problems associated with wardship. Yet in some ways, as we will see below, Agnes was not too dissimilar from

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<sup>16</sup> See pp.259-64.

<sup>17</sup> *Layettes*, vol. 5, nr. 1197, p.438.

Adela of Blois and Clemence of Flanders. Agnes was descended from an illustrious family – her father, Duke William V (993-1030), held both Aquitaine and Poitou and throughout the reign of her husband Emperor Henry III of Germany (1017-56) Agnes appeared at his side, with the exception of her five confinements, one might expect, therefore, that she was aware of his political strategies. After Henry's death she retained his advisors and followed his policies of monastic donations and pacification of former rebels. She depended on the counsel of archbishops Luitpold of Mainz, Adalbert of Bremen, Anno of Cologne and Bishop Henry of Augsburg.<sup>18</sup> Their loyalty was questionable; at least two of these men plotted against her while Bishop Henry of Augsburg attracted considerable hostility from the magnates, not least because Lampert of Hersfeld, a contemporary chronicler who supported Anno of Cologne and was openly hostile to Henry, suggested that the later may have had an affair with the queen.<sup>19</sup> This sexual slur may say more about Lambert's view of female power than real events, but it also reveals a perception that Henry had too much influence. At any rate such unfavourable views indicate that political tensions were emerging.

Adalbert of Bremen did not apparently join the conspiracy but he served Agnes no better. He exploited his influence over Agnes to further weaken her politically, notably through her frequent gifts to the church of Bremen, grants made at the expense of both royal property and her political credibility.<sup>20</sup> Agnes alienated Bishop Gunther of Bamberg when she failed to support his claim to the monastery of Bergen against Bishop Gundechar of Eichstätt. The resulting dispute culminated in Gunther leaving her court and he returned only after Agnes was ousted.<sup>21</sup> Agnes' regency was not without some success; she nullified the menace posed by Godfrey of Verdun and his allies, who included Baldwin V of Flanders and his son.<sup>22</sup> Success came at a high price; Agnes was forced to recognise Baldwin's acquisition of

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<sup>18</sup> I.S. Robinson, *Henry IV of Germany, 1056-1106* (Cambridge, 1999), pp.19-30.

<sup>19</sup> *Ibid.*, p.31, p.67.

<sup>20</sup> *Ibid.*, pp.57-58.

<sup>21</sup> *Ibid.*, p.30.

<sup>22</sup> *Ibid.*, p.31.

Hainault.<sup>23</sup> Her programme of dispensing imperial property to elicit political support proved catastrophic and its failure can be seen in the conspiracy of Anno of Cologne and Otto of Northeim against Agnes and their role in her removal from power in 1062.<sup>24</sup>

It is important to note that other issues were at play alongside the potential problems provoked by a woman in power. Robinson identified the precursors of the coup in Germany's defeat by the Hungarians in 1060 and the Papal Schism of 1061-2.<sup>25</sup> Nonetheless, the primary aim of the conspirators was Agnes' removal. The plot entailed the kidnapping of the twelve-year-old Henry IV which negated Agnes' political *raison d'être* in consequence, Anno became the dominant force until 1064.<sup>26</sup> Here we can see the underlying problem of wardship. Agnes' power stemmed from the custody of her son; once he was no longer under her control she was politically bankrupt. Aside from the issue of wardship, Agnes' case provides us with other some interesting discussion points. We have seen that the men she relied on exacerbated, rather than alleviated these issues; evidently she put her faith in the wrong counsellors, alienated potential supporters and she fell afoul of the political and material ambitions of Anno and Otto. Agnes' return to power was achieved only after her son had come of age, three years later, thus once again she was dependant on his presence. As such, when we examine other regents it is worth bearing in mind Agnes' example to determine which elements were conducive to a successful regency and also what she tells us about some perceptions of female power.

### The Comital Insider: An Ideal Choice?

If Agnes provided an example of a disastrous regency, can we surmise the qualities of the ideal comital choice? Experience in politics through association in pre-crusade

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<sup>23</sup> Ibid.

<sup>24</sup> Ibid., pp.33-36.

<sup>25</sup> Ibid., p.36, p.42.

<sup>26</sup> Ibid., pp.52-53.

acts probably provided future regents with insight into political policies and practices. As wives, countesses were comital insiders, part of the count's inner circle and as such well-placed to acquire exposure to their husband's government. Aware of their husbands' policies they could probably be trusted to follow any instructions that these men left behind. We have seen that Agnes had a high level of political involvement prior to her regency, yet she did not seemingly make the wisest decisions and was plagued by sexual slurs. Likewise an 'ideal regent' required access to court and an awareness of the key political players who could form her power base: those most loyal to the count, both ecclesiastical and secular men. An ability to inspire and retain those loyalties and to foster new ones, and possibly to use their own family members would also seem valuable; Agnes apparently lacked these talents.

Logically, the ideal regent would remain loyal to the count and protect his possessions. Hodgson and Geldsetzer argue that wives were chosen because regency was viewed as an extension of the perceived ideals of motherhood; she should act for the well-being of her children, and her lands.<sup>27</sup> As a wife it was in her interests to maintain hers and her husband's lands and status, something which would impact on her own. As a mother she was guardian of her husband's bloodline and of the next generation of his dynasty, thus it was advantageous for a countess to ensure that her husband's standing and possessions remained intact so that her own children could inherit, although Agnes' policies demonstrate that this was not always possible. Potentially, therefore, wives were far more suited to this role than an outsider. A known, established figure reinforced ties to the crusading ruler. An authoritative personality with the ability to use power and, in extreme cases to lead a military force may seemingly exclude wives but it will be shown below that this was not the case.

We should also remember that the wives and families of crusaders were under crusader-specific papal protection. This may have provided a further incentive to install family members, especially wives, as regents. The early crusade regencies under scrutiny here occurred in the context of untried papal privileges in

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<sup>27</sup> Hodgson, *Women, Crusading and the Holy Land*, p.159; Geldsetzer, *Frauen*, p.63.

circumstances where large-scale involvement in the First Crusade, particularly by noble families, left lands and possessions exposed to potential invasion and usurpation. The crusaders must have been aware of this threat; Helias of la Flèche, a potential First Crusader, refused to depart because he feared that his land would be invaded by the king:

“My lord king, on the Pope’s advice I have taken the cross of the Lord in his service, and vowed myself before God to go on crusade to Jerusalem with many noble pilgrims. As your liegeman I ask for your friendship hoping to begin my journey with your guarantee of peace.” The king replied to him, “Go where you choose but surrender the city of Le Mans and the whole county of Maine to me, for I intend to hold all that my father held.” ... Helias said “My desire was to fight against the infidel in the name of the Lord, but now it appears I have a battle nearer home against the enemies of Christ ... I will not abandon the cross of our Saviour which I have taken up as a pilgrim, but will have it engraved on my shield and helmet and all my arms; on my saddle and bridle also I will stamp the sign of the holy cross, and all the foes who attack me will fight against a soldier of Christ ... I put my trust in him who knows the secrets of my heart, and wait for a better time when through his mercy I may fulfil my vow.”<sup>28</sup>

Purkis demonstrates that this illustrated the ease of transferring the votive goal from Jerusalem to his own lands, without releasing Helias from his original vow.<sup>29</sup> For our purposes, it shows that papal protection was not enough for all; in addition, regents would be vital secular tools to maintain order and to ensure that no possessions were lost. Others looked to both supplementary secular and ecclesiastical protection; in 1100 a knight named Milo arranged to leave his lands in his wife’s care while he lived; if he died he made provision for his wife to enter the monastery at Larrey if she so wished.<sup>30</sup>

There were probably pressing reasons behind such provisions; Robert of Rheims, a monk and eyewitness to Clermont, might indicate that France was unstable at the time; his version of Urban’s speech stated:

<sup>28</sup> OV, vol. 5, trans. Chibnall, pp.228-30; Appendix, p.311.

<sup>29</sup> Purkis, *Crusading Spirituality*, p.126. For the view that ‘Orderic rhetorically transformed ... Christendom into the Holy Land’, see A.J. Hingst, *The Written World, Past and Place in the Work of Orderic Vitalis* (Notre Dame, IND, 2009), pp.79-80.

<sup>30</sup> *Cartulaire du prieuré de Saint-Étienne de Vignory*, ed. J. d’Arbaumont (Langres, 1882), nr. 34 bis, pp.82-84.

...you fight and tear at each other, are constantly at war and wound and kill each other. So let all feuds between you cease, quarrels fall silent, battles end and the conflicts of all disagreement fall to rest.<sup>31</sup>

Here we might be wary of Robert's agenda; he reworked the material of the *Gesta Francorum* and as such he was keen to present the crusade as a papal institution and to establish the conquest of Jerusalem as the primary aim.<sup>32</sup> Like Guibert of Nogent Robert wrote for an ecclesiastical patron.<sup>33</sup> Thus his intended audience might also explain the papal focus of Robert's text, and perhaps the inherent disapproval of warfare in the West that the passage above illustrates. This emphasis on secular acts of violence was not exclusive to Robert. Baldric of Bourgueil, another eyewitness to Clermont, likewise used the *Gesta* as his main source and had a similar intention to Robert regarding the writing of the crusade. Robert and Baldric's shared aim of 'theological refinement' perhaps reflects their pupil-teacher relationship; Robert may have been Baldric's pupil.<sup>34</sup> Baldric presented the case for taking the cross by contrasting Jerusalem to the political turmoil in France.<sup>35</sup> 'You have strapped on the belt of knighthood and strut around with pride in your eye. You butcher your brothers ... you oppressors of orphans, you robbers of widows, you homicides, you blasphemers, you plunderers of others' rights.'<sup>36</sup> Fulcher of Chartres described the crusaders as those 'who have long been robbers ... who once fought against brothers and relatives', indicating the endemic violence and turmoil in France.<sup>37</sup> These passages were clearly designed to juxtapose the crusade cause with Western, sinful violence, and thus motivate knights to fight in a spiritual arena. Despite this it is noteworthy that some historians have considered the First Crusade as a means to

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<sup>31</sup> Robert of Rheims, 'Historia Iherosolimitana', *RHC. Oc*, vol. 3 (Paris, 1884), p.728; trans. Sweetenham, *Robert the Monk's History*, p.81; Appendix, p.311.

<sup>32</sup> Sweetenham, *Robert the Monk's History*, pp.14-16.

<sup>33</sup> *Ibid.*, p.14.

<sup>34</sup> J.S.C. Riley-Smith, *The First Crusade and the Idea of Crusading* (London, 1993), p.139.

<sup>35</sup> *Ibid.*

<sup>36</sup> Baldric of Bourgueil, 'Historia Jerosolimitana', p.14; trans. Riley-Smith and Riley-Smith, *Idea and Reality*, p.51; Appendix, p.312.

<sup>37</sup> FC, p.136; trans. Ryan, *History*, p.67; Appendix, p.312.



remove the violent members of society from the West and relocate warfare to the East.<sup>38</sup> Thus historians have suggested that the papacy wanted to reform the knights' behaviour and the only solution was to send these knights to the East, thus leaving the West in relative peace.<sup>39</sup> Such arguments indicate that the knights' open hostility and willingness to shed blood was a factor in the run up to the crusade. We might also suggest that this state of affairs informed Urban's new protective legislation, the removal of feudal lords and knights could be a serious problem. Thus Urban II's new measure was designed to help maximise recruitment and to remove the impediment of potential invasion.

The implications of the crusaders' long-term absence demanded competent regents. The fact that women took the helm of government might surprise modern historians because research suggests that medieval women were thought to be ill-suited to rulership because their gender denied them a military role.<sup>40</sup> However, that perception is less noticeable in the contemporary sources as my study will indicate. The need to reconcile perceptions of the power that medieval women held has resulted, understandably, in comparison of women as crusade regents to Second World War women. One historian recently postulated 'a medieval Rosie the Riveter syndrome ... the crusades provided a window of opportunity for the women of northern Europe'.<sup>41</sup> The metaphor of Rosie is problematic, notably because it imposes the imagery of World War Two onto the middle ages, namely the idea that the regents involved lacked experience in government and took on male labour roles with no knowledge of what the job entailed. The following chapter will argue that the appointments of wives as regents reveal how it was more acceptable than Nicholas allows for countesses to wield political power. We have already underlined the importance of these women as comital insiders; their position as such negates the

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<sup>38</sup> J.M. Powell, *Anatomy of a Crusade, 1213-1221* (Philadelphia, 1986), p.68.

<sup>39</sup> Erdmann, *Origin*, p.57, p.62; P. Rousset, *Les origines et les caractères de la Première Croisade*, (Neuchâtel, 1945), pp.68-109; Duncalf, 'The Councils of Piacenza and Clermont', p.321; Cowdrey, 'From the Peace of God', p.53; Mastnak, *Crusading Peace*, p.1, p.44, p.49.

<sup>40</sup> See M.R. Evans, "'Unfit to Bear Arms": The Gendering of Arms and Armour in Accounts of Women on Crusade', *Gendering the Crusade*, pp.45-58.

<sup>41</sup> Nicholas, 'Women as Rulers', pp.77-78.

inexperience that Nicholas posits. The hypothesis considered here is that, in the cases of Flanders and Champagne, the window of opportunity to participate in government was open before 1095 and this determined the appointment of these women as regents during the crusades.

We have identified the inherent risk in taking the cross for the families and possessions of crusaders. Thus Nicholas' implicit assumption that the crusading counts installed inexperienced women seems unlikely given the paramount concern of protection for the families and possessions left behind by crusaders. Women were, in most cases, excluded from battle by their gender, but powerful and loyal men remained in the West capable of fulfilling military functions. A female regent was more acceptable because due provision was made for the non-crusading men-at-arms to offer appropriate expertise and support. Hence, as regents, these women were better prepared than historians, such as Nicholas, previously considered. We should not be surprised at these examples, nor should we interpret the crusade as the primary catalyst. The distinction should be made that the crusade did not provide the opportunity for their initial experience in government; in fact, these women had performed such roles before 1095. Instead the crusade allowed women like Clemence of Flanders and Adela of Blois to rule alone without their husbands, albeit alongside their husband's trusted men, barons and ecclesiastics alike. Through a combination of these factors, their status as wives and mothers, the advent of papal protection and their previous experience in government, crusading husbands saw their wives as viable leaders, even if only in the short-term. As crusade regents, Clemence and Adela both followed their husbands' wishes and their own interests, suggesting more than nominal authority as will be examined below. To illustrate this, the next section will begin with an assessment of Clemence and Adela's pre-regency actions to see how they fitted the pattern of selection discussed here.

### Countess Clemence of Flanders: 1092-1133

We have noted earlier the importance of political familiarity to future regents. Thus it is notable that, according to Adair, wives became ‘insiders of an especially powerful sort.’<sup>42</sup> Clemence and Robert of Flanders married in 1092, four years before his departure on the First Crusade in 1096, thus it is arguable she had already received a fair, if not firm, grounding in comital government.<sup>43</sup> Her familial connections, particularly through her father Count William Tête-Hardi of Burgundy, provided her with a ‘network of potential allies’.<sup>44</sup> Likewise, it is possible that her marriage brought legitimacy to Robert II’s claim to Flanders.<sup>45</sup> This would fit with the importance of nobility in Flanders, which underpinned the status of the ruling elite in Flanders because only nobles could fulfil key political positions.<sup>46</sup> Thus from the outset she was well-placed to be fully involved in Flemish government. Robert stipulated that Clemence’s dower would be one-third of the county, as was standard practice in Europe.<sup>47</sup> Robert followed Flemish custom, granting the marriage portion from the North Sea coastal towns and the south-western regions; although such a deposition was conventional, Clemence was exceptional in actually receiving control over this area.<sup>48</sup> This partially explains her political importance because it gave her greater input in comital rule.

Clemence is significant for another reason - she appeared in over half of Robert’s charters and all of her son Baldwin’s charters in the first year of his rule (1111).<sup>49</sup> Robert’s charters demonstrate that Clemence had comital responsibilities before the First Crusade. Her involvement increased noticeably when Robert prepared

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<sup>42</sup> Adair, ‘Ego mea uxor...’, p.62.

<sup>43</sup> T. de Hemptinne, ‘Clementia van Bourgondië, gravin van Vlaanderen’, *Nationaal Biografisch Woordenboek*, vol. 9 (Brussels, 1981), p.148.

<sup>44</sup> P. Adair, ‘Countess Clemence: her Power and its Foundation’, *Queens, Regents and Potentates*, p.64.

<sup>45</sup> H. Sproemberg, ‘Clementia, Gräfin von Flandern’, *Revue Belge de Philologie et d’Histoire*, vol. 42 (1964), p.1205.

<sup>46</sup> E. Warlop, *The Flemish Nobility before 1300*, vol. 1 Text (Kortrijk, 1975), p.104.

<sup>47</sup> R. Fossier, ‘The rural economy and demographic growth’, *The New Cambridge Medieval History*, vol. 4, part 1, ed. D. Luscombe and J.S.C. Riley-Smith (Cambridge, 2004), p.19.

<sup>48</sup> Adair, ‘Ego et mea uxor...’, p.167, p.172, n. 8 p.176.

<sup>49</sup> Nicholas, ‘Countesses as Rulers in Flanders’, *Aristocratic Women*, pp.117-18.

to depart, particularly in charters that encompassed restitution to claimants, preparation for Robert's absence and religious donations. In February 1096 she witnessed a charter that recognised Robert's unlawful levy of ten *livres* and returned it to the canons of St Martin of Tours.<sup>50</sup> This did not relate to her dower which means that we must discount her marriage portion as the sole reason for her inclusion in this charter. By settling this issue prior to his departure, Robert demonstrated a trend by which crusaders resolved outstanding legal disputes before the crusade.<sup>51</sup> By associating Clemence in a charter that negated his earlier offence, Robert included her in an action that affirmed his right intent to crusade and made sure that the complainants swore to resolution with Clemence too. This latter point probably provided further incentive against violation of these acts in his absence.<sup>52</sup> Robert was probably aware of the issues relating to regency because he had acted as his father's co-regent during Robert I's pilgrimage to Constantinople c.1090.<sup>53</sup> Thus it would seem logical that Robert II would choose a legitimate, experienced regent. Clemence's role in government before her crusade regency again indicates that the opportunity for her political involvement already existed.

In the same vein, and for the same reasons, Robert's charter from before September or October 1096 made clear reference to his impending crusade:

I therefore at the instigation of the divine admonition, promulgated by the authority of the apostolic see, [am] about to go to Jerusalem to free the church of God that has long been oppressed by barbaric peoples, in order that almighty God may give effect to the exercise of my labour by which the blessed honour of His name may be spread and the gift of the coin which never fails [that is salvation] may be granted to me.<sup>54</sup>

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<sup>50</sup> *Actes des comtes de Flandre, 1071-1128*, ed. F. Vercauteren (Brussels, 1938), nr. 19, pp.60-62, p.61.

<sup>51</sup> *Ibid.*, nr. 25, p.239; C.S. Slack, *Crusade Charters, 1128-1270* (Tempe, AZ, 2001), p.x.

<sup>52</sup> Restitution as an act of piety before a crusade has been accepted by collective wisdom but its role in preventing exploitation of absence is less apparent in scholarship. See for instance Riley-Smith, *First Crusaders*, p.21.

<sup>53</sup> Warlop, *Flemish Nobility*, vol. 1, p. 429.

<sup>54</sup> *Actes des comtes de Flandre*, nr. 20, pp.62-63; trans. G. Constable, 'Charter Evidence for Pope Urban II's Preaching of the First Crusade', *Canon Law, Religion and Politics, Liber Amicorum Robert Somerville*, ed. U.R. Blumenthal, A. Winroth and P. Landau (Washington D.C, 2012), p.230; Appendix, pp.312-13.

Robert made this grant to the church of St Peter at Lille ‘with the assent of my wife, Clemence, with our sons Baldwin and William.’<sup>55</sup> Adair stated that Robert ‘made a deliberate effort to display family solidarity and to gain public recognition of Clemence’s position in the family’.<sup>56</sup> The mention of his crusade here confirms that she was involved in comital affairs, thereby providing the requisite wifely consent. Yet the crusade was not his only action in this charter that required her agreement. Clemence’s assent was also of note in the grant to the church, and the countess’ involvement in the resolution of this matter provided her with further insight into the mechanics of government, as well as Robert’s final decisions before his departure. Her experience should not be overlooked or underestimated. Thus, between September and October 1096, Clemence consented to Robert’s restitution of his sister Adela’s donation. Robert’s imminent departure dominated this charter. This emphasis on right intent and piety informed his decision to return the donation and it also provides further opportunity to observe Clemence’s position. While the charter initially portrayed Robert as acting alone, later Clemence was given greater prominence.

...for the remission of my sins and mine and my wife Clemence’s safety ... I did this with the approval of my wife, the aforementioned Clemence, to whom I have directed letters about this corroborated by my seal, that she might prevent the foresters from doing any injustice or violence against either those of sanctity or their servants.<sup>57</sup>

Clemence was intrinsically linked to maintaining this grant. Her role, therefore, went beyond traditional wifely consent. The stress on her safety possibly underlined her future role as crusade regent in addition to a need to ensure her spiritual security. Further emphasis her role can be seen in another of Robert’s charters: ‘Be it known to all the servants of Christ that I, Robert the younger count, and my wife Clemence, have bestowed certain lands which are adjacent to the territory of Aire ... to the

<sup>55</sup> *Actes des comtes de Flandre*, nr. 20; Appendix, p.312.

<sup>56</sup> Adair, ‘Ego et mea uxor...’, p.81.

<sup>57</sup> *Actes des comtes de Flandre*, nr. 22, pp.65-67, p.67; trans. Kleineke and Park; Appendix, p.313.

churches of St George of Hesdin and the abbey of Anchin.<sup>58</sup> Clemence's prominence in religious donations to the churches of St Mary and St Eloi at Noyon adds further credence to this argument that she was experienced in matters of government before her regency.<sup>59</sup> Her marked involvement across the sample of surviving charters reveals that Robert brought Clemence much more to the fore; while this fulfilled a conventional familial consent her presence also served a further, practical purpose in giving her a view of the mechanics of comital government. The sudden rise in her prominence in Robert's charters suggests that more was at play than the need for her consent. Instead it reflected the need for stability and a regent familiar with current affairs. By stating that he made his decisions with Clemence, Robert demonstrated that continuity of government could be expected from her. For Clemence, it seems likely that this was designed to ensure her ability to rule alone and to provide her with a legitimate power base, because although she was by no means invisible, before Robert took the cross her presence in the charters was not on the same scale as Adela of Blois', as will be discussed below. Bisson stated that Clemence made no pretence of joint rule.<sup>60</sup> Nonetheless after Robert took the cross she was apparently in a well-informed position and if any of the situations dealt with in these charters required further comital participation Clemence would be the obvious comital official to turn to. Based on her marked role in the charters which were, after all, records of Robert's government, Robert was not leaving his county in the hands of an untried woman.

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<sup>58</sup> Ibid., nr. 23, pp.68-70, p.69; trans. Kleineke and Park; Appendix, p.314.

<sup>59</sup> The manuscript reads Cecilia, although in my translation I have followed the editor in correcting this to Clemence. Ibid., nr. 21, pp.64-65, n. 2 p.64. Adair explains this through the distance between Flanders and Noyon, Adair, 'Ego et mea uxor...', pp.82-83.

<sup>60</sup> Bisson, *Crisis of the Twelfth Century*, p.145.

Countess Adela of Blois: 1083 – 1137

Champagne was akin to Flanders in terms of its burgeoning economy and proximity to the royal domain. The count of Blois held considerable (and growing) influence through territorial aggrandisement. Adela's strength as regent reflected this power because her sphere of influence was substantial; Thibaudian lands extended over thirteen dioceses.<sup>61</sup> Adela also had considerable status in her own right through her impressive royal lineage; Ivo's letters detailed the pre-regency roots of her authority: 'Royal blood in your excellency from both lines of descent'.<sup>62</sup> Thus she had brought both wealth and status to her marriage.<sup>63</sup> Like Clemence, before her regency, Adela was not politically inexperienced; she had been associated in Stephen's charters from early on in their marriage despite, or even as a result of, the difference in the couple's ages (he was in his early forties when they married, she was twenty-two).<sup>64</sup> In one 1092 charter Adela was second only to Stephen in the witness list emphasising her status. This charter acknowledged that Stephen had ended the dispute between Hugh the provost of Blois and the monks of Marmoutier, concerning the monastery's justice rights and property stolen from the monks' lands at Rhodon, giving Adela valuable insight into his feudal court long before the First Crusade.<sup>65</sup> Comparably, between 1090 and 1101 the couple issued a donation which presented her as very much involved in the action:

To the communal chapter of the church of Notre Dame of Chartres, from Count Stephen and Countess Adela greeting. We wish it to be known to you that we have granted to the church of Notre Dame and [to] you, the land of Hervé, the son of Arnald, that is to say, that which he has at Bullainville.<sup>66</sup>

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<sup>61</sup> K.A LoPrete, 'Adela of Blois and Ivo of Chartres: Piety, Politics, and the Peace in the Diocese of Chartres', *Anglo-Norman Studies, XIV Proceedings of the Battle Conference, 1991*, ed. M. Chibnall (Woodbridge, 1992), p.133.

<sup>62</sup> *PL 162*, nr. 5, col.15; trans. Edgington; Appendix, p.314.

<sup>63</sup> K.A. LoPrete, 'The Anglo-Norman Card of Adela of Blois', *Albion*, vol. 22 (1990), p.571.

<sup>64</sup> LoPrete, 'Familial Alliances', pp.16-25; LoPrete, *Countess and Lord*, p.71, p.89.

<sup>65</sup> *Cartulaire de Marmoutier pour le Dunois*, ed. É. Mabille (Châteaudun, 1874), nr. 145, pp.133-34.

<sup>66</sup> *Cartulaire de Notre-Dame de Chartres*, vol. 1, ed. E. de Lépinos and L. Merlet (Chartres, 1862), nr. 21, pp.98-99; trans. Kleineke and Park; Appendix, p.314.

Stephen was often associated with Adela; after the proclamation of the First Crusade, the countess continued to act at Stephen's side. Thus in 1096 Bishop Hugh of Soissons acknowledged Adela's significance:

... Indeed, having been asked and even requested through many prayers by our lord king Philip and also by Lord Isembard, the venerable abbot of Saint-Germain-des-Prés, and also persuaded by the prayers brought forth by Count Stephen and his wife Adela, I have determined to acquiesce to their requests, since it was worthy ... so that the holy church of Saint-Germain-des-Prés should freely possess an altar, in the town of Nogent, which is situated on the river Marne, in perpetuity with all its appurtenances, free from the intervention of any person excepting the rights of the bishops and the archdeacons.<sup>67</sup>

In giving counsel to the bishop of Soissons, Adela was in exalted company, she ranked alongside King Philip I of France and Abbot Isembard of Saint-Germain-des-Prés. She was evidently more than a wifely intercessor here; she was described as one of those who advised Bishop Hugh, whose charter described her advice as instrumental to his decision; he tells us that he was 'led by counsel'.<sup>68</sup> Given the stature of her fellow councillors it seems likely that Adela's presence was recorded because her influence was recognised. As Stephen had taken the cross and she was his regent this may have further warranted her inclusion, but this may also reflect Stephen's practice. LoPrete notes that in this period Adela appeared in fifteen of his charters, often as an 'equal partner' whether the lands were part of her dower or not.<sup>69</sup>

As in Clemence's case, the crusade was not the only reason to include these women in acts of government. Stephen's alms to Marmoutier required his wife's consent but this was not merely conventional, because in his absence it would fall to Adela both to defend the permanence of this act and to implement the donation they had made.

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<sup>67</sup> *Recueil des chartes de l'abbaye de Saint-Germain-des-Prés*, vol. 1, ed. R. Poupardin (Paris, 1909), nr. 70, pp.114-15; trans. M. Ciuca and Park; Appendix, pp.314-15.

<sup>68</sup> *Ibid*; Appendix, p.314.

<sup>69</sup> LoPrete, *Countess and Lord*, p.74.



At this time, however, I was at the castle which is called *Columbarium* together with my aforesaid wife, and I was wishing to go to Jerusalem with the army of the Christians against the pagans, going on the order of the pope of Rome, Urban, that is to say the second of that name; I was preparing what was necessary for my journey. Therefore the monks came to me, as I had ordered, through whom I gave [the Long Forest] to God and to my protector, Blessed Martin, and to the monks of the great monastery, particularly for the soul of Thibaut, my father, and then for my soul and Adela, my wife's soul, not only with [Adela's] assent and admonition but also [her] prayers and also for the souls of our parents and the ancestors, and sons and also our successors. And so that God, by the intervention of Blessed Martin and his monks might indulge me, however much I had transgressed against him, and lead me and return me to my own country safe and sound on my aforementioned journey, and that he might safeguard Adela, my oft-mentioned wife and our children [we gave] a certain amount of a certain allod of ours, that is the wood which is called Long Forest, free from all future taxes. I have also ordered my same wife, who remained behind, that she shall cause the said part to be determined and measured...<sup>70</sup>

Stephen made frequent allusions to his wife here, stating that he made this donation 'together with my wife, by name Adela, the daughter of William, the illustrious king of England and the most noble duke of the Normans'.<sup>71</sup> He referred pointedly to her noble Norman and royal blood, perhaps to appeal to potential allies. This emphasis on her lineage is not noted in the earlier charters, suggesting that Stephen deliberately mentioned her status to underline her authority because he was on the point of departure and could not see this act through to its conclusion. By alluding to Adela's family Stephen drew attention to her royal parentage and position, which she held independently of their marriage, probably to further highlight the legitimacy of her position as his regent. Despite their tradition of co-rule, Adela's political profile may have benefited from bolstering at this point, because she was about to rule alone for the first time. Thus, to draw this section to a close the fact that both Clemence and Adela were on seemingly equal footing with their crusader husbands is striking. The importance of both of these future regents in the pre-crusade charters of their husbands, suggests that both were familiar with acts of government. Clemence and

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<sup>70</sup> *Cartulaire de Marmoutier*, nr. 92, pp.79-82, pp.79-81; trans. Kleineke and Park; Appendix, pp.315-17.

<sup>71</sup> *Ibid.*, Appendix, p.315.

Adela were apparently through their involvement in these charters crusade regents with at least some understanding of the governments left in their charge.

Having considered the pre-regency situation, we must now focus on events during Clemence and Adela's crusade regencies. The experiences of these two crusade regents will be measured through the charters of Adela and Clemence and the narrative accounts that describe their regencies to determine what actions had to be taken in the absence of their crusading husbands. First, the discussion will concentrate on the regency duties of Clemence and then focus on Adela, these sections will consider the use of ecclesiastical advisors, and the donations and decisions that both regents made. A final section will discuss how the papal protection operated during their regencies.

### Clemence's Regency

Only a small number of Clemence's charters survive, but these sources, in addition to her letters to and from Lambert of Arras allow for analysis of her regency. These diplomatic materials did not unsurprisingly refer to her political role as a temporary aberration. She was portrayed as 'Clemence, through the hand of God, countess of Flanders.'<sup>72</sup> The First Crusade pervaded the tone of Clemence's 1097 charter detailing the reasons for her position, namely her husband's departure and displays considerable understanding of his and his fellow-crusaders' motivations. She described Robert's visit to Italy and his acquisition of relics (including a hair of the Virgin Mary) which he dispatched to Clemence with instructions for their translation. Additionally and independently from Robert, Clemence emerged as a key player in the election of the vacant see of Thérouanne and the donation of lands to the same church. The charter also provides insight into her religious duties as regent first, distributing relics according to her husband's wishes, second acknowledging a vacant see. These tasks affected the pastoral care of her subjects. Likewise, in this same

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<sup>72</sup> *Kreuzzugsbriefe*, nr. 7, pp.142-43, p.142; Appendix, pp.317-18.

charter spiritual and temporal issues were combined in her alienation of Flemish lands through a donation to the Church. The witness list of this act was entirely comprised of ecclesiastics who reflected the charter's spiritual nature and also, potentially, the need for spiritual defenders in the light of the crusader-specific protection privilege that she was under. Thus the list informs us of her support base; Bishop Lambert of Arras was clearly a well-placed ally, as evidenced by his confirmation of her actions and his threats to excommunicate potential infringers of her act. Lambert's malediction clause is striking: 'Bishop Lambert of Arras, in the presence of the holy confessors Adhemar, Maximus and Folquin, whose bodies had been brought together here, at my request confirmed [this] and in perpetuity exercised the sword of anathema against violators not only of this our gift, but also of all the benefices of this same church'.<sup>73</sup> Such use of churchmen to support any regent was an important political tool, marrying the secular and ecclesiastical sides of government and providing vital reinforcement, especially to a female regent, and also in retaining the church's consistent involvement in comital affairs.

Nicholas argued that Clemence 'exercised power as a lord'.<sup>74</sup> This view is amply supported by Clemence's promotion of the Cluniac Rule and her displacement of Obert, the bishop of Thérouanne – she installed the reformer John of Warneton in his place, in 1099.<sup>75</sup> Clemence emerges as the instigator of these events, through her letters, counsel and her requests.<sup>76</sup> Simon of St Bertin, who wrote his monastic history at the command of Abbot Lambert, 1095-1123, described how these events took place at the time 'Robert the younger was then delayed at Jerusalem.'<sup>77</sup> Thus Robert had little, if any, input here, although Adair suggested that Robert left instructions for Clemence about the regency or placed power in the hands of others.<sup>78</sup> While this is a

<sup>73</sup> Ibid., p.143; trans. Kleineke and Park; Appendix, pp.317-8.

<sup>74</sup> Nicholas, 'Women as Rulers', p.76.

<sup>75</sup> D. Nicholas, *Medieval Flanders* (London, 1992), p.58; de Hemptinne, 'Les épouses des croisés et pèlerins flamands', p.90; de Hemptinne, 'Clementia van Bourgondië', p.148.

<sup>76</sup> *Kreuzzugsbriefe*, nr. 7, pp.142-43

<sup>77</sup> 'Simonis Gesta Abbatum S. Bertini Sithiensium', *MGH SS 13* (Hannover, 1881), pp.600-73, p.647; Appendix, p.318.

<sup>78</sup> Adair, 'Ego et mea uxor...', p.81.

credible proposal, Clemence's charter and Simon's account created a far more powerful image of the countess, with little stress placed on other figures.

Clemence's influence was reflected in other diplomatic evidence. Lambert of Arras sent the countess two letters during her crusade regency. The first of these letters, dated 1098, provides considerable insight into the need for spiritual and secular co-operation in protecting the rights of pilgrims (as distinct from crusaders).

We wish to make it known to your noble self that certain pilgrims, our parishioners, coming to Rome from our parishes, had travelled in peace across all foreign lands, but coming into your lands they were plundered by your provost G. at Bapaume ... Now, however, we entreat your mercy so that in accordance with the peace you deal with this man and cause their [the pilgrims'] property to be returned to the pilgrims. Because if it should not be returned, we, not wishing to change the statutes of peace, shall place under ban the whole castle in which this outrage and many other crimes were committed.<sup>79</sup>

For Adair this letter could be read either as the words of a churchman filling a political vacuum or it could be interpreted as evidence of the bishop's perception of Clemence as a powerful ruler.<sup>80</sup> I favour the latter interpretation. This letter is imbued with Lambert's awareness and acknowledgement of Clemence's authority; the onus was plainly on her to restore peace. Her nobility, mercy and ultimately her political power were called upon to rectify this situation. No mention was made of her husband, understandably since he was on crusade. Had Lambert found her authority incongruous, we might expect him to have mentioned Robert. On the contrary, Lambert offered implicit, if not explicit, acceptance of her right to wield that power. While Lambert threatened excommunication it was equally plain that he required the secular ruler, Clemence, to restore peace and secure the pilgrims' safety. Interestingly, these events combined both ecclesiastical and secular matters: the protection of pilgrims and the punishment of an errant provost. On a side note, this illustrates the pilgrimage protection (rather than the crusade protection) in action against those who impeded travelling pilgrims via the threat of excommunication. The fact that even this tried and tested privilege required the support of the secular power provides insight

<sup>79</sup> *RHGF*, vol. 15 (Paris, 1878), nr. 12, p.183; trans. Kleineke and Park; Appendix, p.318.

<sup>80</sup> Adair, 'Ego et mea uxor...', pp.84-85.

into potential ramifications for the crusader-specific protection privilege. Given the difficulties in upholding the long-established pilgrimage protection, this underlines the point made earlier that an experienced temporal agent was essential alongside the new crusade privilege, especially in these first years of its existence.

We have seen that Clemence's duties encapsulated both secular and ecclesiastical justices. Another letter from Lambert called on Clemence to defend the Church from Robert, one of her vassals:

Lord Manasses, archbishop of Rheims, recently sent letters to me about the church of Th rouanne, in which the accusation was reported to you through us and through our letters concerning Robert and his supporters, through whom [his supporters] he has not ceased to loot and to lay waste to the aforementioned church and the goods of the clerics ... We ask, therefore, your Excellency and your honourable self to take counsel, so that you might respond to the just and honest archbishop...<sup>81</sup>

Lambert's frustrated tone suggested that an urgent response was required from Clemence and revealed her significance in maintaining peace. In Robert's absence Lambert perceived her as the highest authority. Clemence's answer provided insight into her self-perception; she stressed her own issue - punishment of the unjust - at the expense of Lambert's focus on Robert's actions. Her reply was a cogent counter-argument that revealed her authority. While Lambert's standing was acknowledged through Clemence's emphasis on his importance as an ally, she was not to be swayed by the bishop's entreaty.

Since the cause which was being treated between me and the clerics of the church of Th rouanne is known to you, I hold it unnecessary to tell you further about it. Truly, however, since I trust greatly in you, I ask, instruct, and as a friend, I admonish you that you send to the archbishop a message or letters [along] with mine, warning and advising that he bring to full justice those who do me injury and not to refrain from giving counsel in this matter worthy of me and my honour. Concerning this he should not delay to give [justice] lest if his justice fails, it be up to me to vindicate myself by my own hand.<sup>82</sup>

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<sup>81</sup> *RHGF*, vol. 15, nr. 18, p.185; trans. Kleineke and Park; Appendix, p.319

<sup>82</sup> *Ibid.*, nr. 24, p.187; trans. Kleineke and Park; Appendix, p.319.

This was a firm declaration of her personal power and status. If the crusade alone provided her with the opportunity to flex her political muscles in this way then Clemence was indeed a fast learner. As Adair stated that ‘this is not the letter of a woman who was easily intimidated’.<sup>83</sup> While we must bear in mind that a cleric drafted her charters and letters, it is conceivable that this response reflected her self-image. At the very least her diplomatic materials provide insight into the cleric’s view of her status and attitude. We have already seen that her involvement in Robert’s government pre-dated the crusade and increased dramatically once he took the cross.<sup>84</sup> Thus she already had some experience in the mechanics of government before these letters were sent, which perhaps informed the projection of her authority in this charter.

Yet this perception was not shared by all. In 1096 in Bruges there was a violent attempt to exploit Robert’s absence. The author of the ‘Miracles of St Donatian’ believed that this insurrection was because of Robert’s departure on the crusade. The account, written shortly after 1096 by a canon of St Donatian’s church in Bruges, described Flanders as ‘void of [Robert’s] rule and protection’ illustrative of the political repercussions of the count’s absence.<sup>85</sup> As this account forms part of a miracle narrative it is unsurprising that the solution was spiritual rather than temporal, it was in the author’s interest to highlight the power of his patron saint. Nonetheless the text neatly illustrates the manifest difficulties provoked by long-term absence on crusade.

...great discord arose from the least [cause] so that by no means might a brother recoil from extending his hand against [his] brother, or son against father. They also made great domestic war from one iniquity, alas! Once [these conflicts] were begun they could not be brought to rest without great effusion of blood ... [At] the order of the provost of the church ... with great devotion and supplication the people gathered in the street [outside] the church [and blessed Donatian was brought forth] ... thus through blessed Donatian God deemed it worthy to spare [them] from the destruction

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<sup>83</sup> Adair, ‘Ego et mea uxor...’, p.135.

<sup>84</sup> See above pp.77-78.

<sup>85</sup> ‘Ex Miraculis S. Donatiani Brugensibus’, *MGH SS 15 part 2* (Hannover, 1888), pp.854-58, p.858; Appendix, pp.319-20.

and bonds of all discord and the incitement of hate; all together as one they entered into peace.<sup>86</sup>

These powerful images of violent discord, particularly the fraternal and filial conflict, reveal one consequence of Robert's decision to crusade. Adair suggests that Clemence was behind the quashing of this rebellion because the provost of the church was a comital official who restored peace through the procession of St Donatian's relics. Thus for Adair this episode represented Clemence's cooperation with comital officials, in this case the provost, rather than a power vacuum.<sup>87</sup> While the government of Flanders was far from a power vacuum at this point, Adair's emphasis on Clemence's role may, in this instance, overstrain the evidence. This source suggests that Clemence had no direct role here because the countess was not mentioned by name, and the focus was necessarily on the ramifications of the absent lord and the fact that peace was restored by the procession of relics.

This was an internal revolt rather than an invasion, although it still represented a breach of the peace and was against Robert's interest. No mention of papal protection in this context survives, if indeed the issue was raised at all. If Clemence and her officials were behind the termination of the revolt, perhaps through the intervention of the church provost, it is interesting to note that they looked to Church ritual rather than papal protection to deal with the problem. Thus the principle of spiritual and secular co-operation was upheld even if the stipulated crusade mechanisms were not. The source does not suggest that those responsible were excommunicated or given penance for their insurrection. It appears that on this occasion, no one turned to the new legislation. This would correlate with the test case in Adela's court (1106) discussed in chapter one. On the other hand this image of Flanders deprived of rule and protection encapsulates the potential political uncertainties for those left behind, and the rebellion was not a good reflection on Clemence's rule. For the author of this account at least, these events were connected

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<sup>86</sup> Ibid; Appendix, pp.319-20.

<sup>87</sup> Adair, 'Ego et mea uxor...', p.86.

wholly and unequivocally to Robert's departure, although the violence may have been exaggerated to illustrate the power of the saint in vanquishing it. The fact that this occurred so early in Clemence's regency implies that certain Flemish subjects perceived Robert's departure as an opportune time to rebel – potentially judging a female regency, and Robert's absence, as a moment of weakness. Aside from this event, Clemence's regency appeared largely successful. Visual markers of her prestige amongst contemporaries included pen portraits and the fact that she minted her own coins, show the considerable resources and authority at her disposal.<sup>88</sup> Like seals, discussed below, coins embodied political representation of the actual ruler, and were widely disseminated to provide a physical symbol of the ruler.<sup>89</sup>

### Adela's Crusade Regency

Adela of Blois further illustrates the importance of a regent having an ecclesiastical ally through her closeness to Ivo of Chartres. First it is important to contextualise Ivo's role. Back in 1090 Adela may have recruited Ivo on her own initiative because he could aid the countess during her cousin's adultery case. Later, in 1092, when Ivo was imprisoned by the king of France, Adela swore that both she and her husband would protect Ivo.<sup>90</sup> This clear political statement involved Count Stephen, almost to the point of violence, in an action directed against Philip I of France. Similarly, during her crusade regency she replaced Seneschal Gourmand with Godfrey.<sup>91</sup> These actions speak volumes of the joint rule she enjoyed; her word could bind her husband.

Ivo repeatedly acted as an advisor to Adela in a capacity comparable to the relationship between Lambert of Arras and Clemence. It is worth noting that Ivo had influenced Stephen's policies, hence Adela's regencies illustrated continuity through her reliance on him. Despite this, the decisions and policies during the crusade

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<sup>88</sup> Ibid., pp.87-88.

<sup>89</sup> A.M. Stahl, 'Coinage in the Name of Medieval Women', *Medieval Women and the Sources of Medieval History*, ed. J.T. Rosenthal (Athens, GA, 1990), p.321.

<sup>90</sup> *PL* 162, nr. 17, cols.29-31.

<sup>91</sup> LoPrete, *Countess and Lord*, p.77, p.98, p.235.



regency were Adela's alone. Thus in his letters Ivo appealed to Adela and the bishop asked and warned rather than demanded, illustrating that he dealt with an authoritative and powerful countess and that he respected her position as Stephen's wife.<sup>92</sup> It seems that Ivo acted on Adela's requests, for example in 1098 he had offered aid in the reform of the convent of Faremoutiers because he had heard of the nuns' behaviour from 'the letters of the lady Adela' and that the convent was 'now not a place of holy nuns', which suggests that she had brought the matter to his attention.<sup>93</sup>

Count Stephen's letters to Adela provide an implicit recognition of her abilities in both governance and the raising of their children. The fact that such open letters were probably designed to be read aloud provided a further means of legitimising her rule by emphasising her status and relationship to him. The beginnings of these letters conformed to convention by emphasising her position as his beloved wife.<sup>94</sup> Equally such references reveal the extent of her authority. Stephen referred to her as countess, as well as his dearest love and wife, which implies that he also intended to convey her political importance.<sup>95</sup> His second letter revealed that Adela had been instrumental in financing his crusade; 'Know for sure, my beloved, that I now have twice as much gold, silver, and other riches as your love gave me when I took leave of you.'<sup>96</sup> The fact that she had funded his crusade might have partly informed her (alleged) exhortation for Stephen to return to the Holy Land in 1101.<sup>97</sup> Stephen gave few explicit instructions for the government of his county but in this letter he highlighted her ideal conduct: 'I ask that you behave well and make excellent arrangements for your lands and your children and your men, as befits you'.<sup>98</sup> The fact that he asked her to act in a way that befitted her, may have been a

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<sup>92</sup> *PL* 162, nr. 91, col.112.

<sup>93</sup> *Ibid.*, nr. 70, cols.89-90, col.90; trans. Kleineke and Park; Appendix, p.320.

<sup>94</sup> *Kreuzzugsbriefe*, nr. 10, pp.149-152, p.149; J. Leclercq, *Monks on Marriage, A Twelfth-Century View* (New York, 1982), p.5; K.A LoPrete, 'Adela of Blois as Mother and Countess', *Medieval Mothering*, ed. J.C. Parsons and B. Wheeler (New York, 1996), p.316.

<sup>95</sup> *Kreuzzugsbriefe*, nr. 10, p.149.

<sup>96</sup> *Ibid.*, pp.149-52, p.149; trans. trans. S.B. Edgington ; Appendix, p.320.

<sup>97</sup> See p.97.

<sup>98</sup> *Kreuzzugsbriefe*, nr. 10, p.152; trans. M. Barber and K. Bate, *Letters from the East: Crusaders, Pilgrims and Settlers in the 12-13<sup>th</sup> Centuries* (Farnham, 2010), p.22; Appendix, p.320.

warning but it might also reflect the political experience that Stephen knew she had; he had seen that she was capable of ruling in this way, the letter served to underline that she should continue to do so.

Stephen had already given Adela some limited instructions in his 1096 charter to the monks of Marmoutier. We have seen that, in part, this donation was made to ensure Stephen's safe return alongside protection for her and their children, and gave the countess a direct role in establishing this gift to ensure divine providence and to fulfil Stephen's and her own wishes.<sup>99</sup> The emphasis on his safe return, however, may have provided her with another incentive to ensure that this donation was followed through:

Therefore, after the departure of my husband, as was ordered by the one going to Jerusalem I, Countess Adela, not unmindful of his instructions have caused the aforementioned part of the said wood, that is Long Forest, to be determined as the same [Stephen] instructed me and to be measured through the hand of William *Villariis* as the same had ordered him and boundaries to be made and placed everywhere, and I have surrendered it to the aforementioned monks of the great monastery, as is above said, in every way released and entirely free from taxes owed to anyone. Thereof I also hand over to them, that is the monks of the great monastery, the present charter and order of protection and immunity corroborated and sealed on the authority of my husband and by my [authority] and with the assent of our children...<sup>100</sup>

LoPrete suggested that Adela had her own seal but the dating of this is problematic.<sup>101</sup> Adela's seal does not survive but LoPrete argues that there is evidence that the countess possessed a seal, at least after her retirement. Stephen's seal was certainly applied to the donation of the Long Forest and LoPrete suggests that slits in the manuscript demonstrate that another seal was attached to this same document, which has not survived.<sup>102</sup> It is unlikely that the now missing seal belonged to the monks because the abbot or abbey of Marmoutier did not seal any other documents.<sup>103</sup> Even

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<sup>99</sup> See pp.80-81.

<sup>100</sup> *Cartulaire de Marmoutier*, nr. 92, p.82; trans. Edgington; Appendix, p.317.

<sup>101</sup> LoPrete, *Countess and Lord*, p.534, p.538.

<sup>102</sup> LoPrete, 'Adela of Blois', p.22.

<sup>103</sup> LoPrete, *Countess and Lord*, p.543.

if the missing seal was not Adela's, as seems to be the case, the countess clearly had use of Stephen's seal for this same document.<sup>104</sup> Possession of any seal implies that Adela met the prerequisites for the pivotal position of regent because she was worthy of this public expression of a legal commitment and power.<sup>105</sup>

In keeping with the high level of her involvement notable in this and the other pre-crusade charters, the final line of the charter is imbued with their joint, rather than separate, authority emphasising the fact that both had been closely involved in this donation.<sup>106</sup> Equally, in other cases Adela was in little doubt as to the extent of her authority, for example she abandoned Stephen's rights as viscount over St Gemme in Tardenois to the abbey of St Germain in Auxerre.<sup>107</sup> Notably, between 1097 and 1098, she exercised her feudal rights to judge, in her comital court, the case of Viscount Hugh of Châteaudun who was accused of slandering the monks of Marmoutier.

...when Countess Adela, the wife of Count Stephen then remaining in the army of the Christians that was going against the pagans in Jerusalem, ordered and compelled him [Viscount Hugh of Châteaudun] to stand trial so that in her court thenceforth he should plead before us ...<sup>108</sup>

Adela's authority was manifest here; the decision was made in her court and both the plaintiffs (the monks) and the accused (Hugh) met at her request. Her impartiality was commended and also added to the security of the monks' case; her judgement was final.

...in the court of the countess, then held at Châteaudun, it was judged that before the court he ought to return to us, with his rights, all that he had seized ... Thenceforth the same viscount [Hugh] asked her to do justice between us and himself about this same case.<sup>109</sup>

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<sup>104</sup> LoPrete, 'Adela of Blois', p.22.

<sup>105</sup> B. Bedos-Rezak, 'Medieval Women in French Sigillographic Sources', in *Medieval Women and the Sources of Medieval History*, ed. J.T. Rosenthal (Athens, GA, 1990), p.1.

<sup>106</sup> LoPrete has identified only three cases where Stephen acted alone, of which one is potentially inauthentic while other accounts of the remaining two suggest Adela was present, *ibid.*, p.84.

<sup>107</sup> Bur, *La formation*, p.226.

<sup>108</sup> *Cartulaire de Marmoutier*, nr. 161, pp.146-47; Appendix, p.320.

<sup>109</sup> *Ibid.*; Appendix, p.320.

### Papal Protection in Practice in Blois and Flanders

We have seen that the bishop of Chartres was a useful ally before Adela's regency but he came to the fore during the First Crusade when he enacted Urban's protection pledge by repeatedly proclaiming the Peace of God. LoPrete has highlighted the importance of these calls for Peace to Adela personally; he bolstered her position by giving her the full support of the Church, which was critical since she ruled alone for the first time.<sup>110</sup> LoPrete did not consider that this use of the Peace was the fulfilment of Urban's initiative at Clermont, which as we have already seen Ivo was familiar with.<sup>111</sup> More pressingly, the Peace and Truce had accelerated in Flanders and Blois at this time because Robert and Stephen had taken the cross; by implementing the Peace they imposed papal protection over their lands. This has not been recognised in scholarship but the Peace's remit should be broadened to account for its role during the First Crusade. This use of the Peace was designed to encompass the families and possessions of the First Crusaders and was therefore of greater significance than LoPrete, Koziol and Bonnaud-Delmare allowed.<sup>112</sup> The timing of Ivo's Peace, after Stephen had taken the cross, was indicative of the crusader-specific peace, and therefore Urban's protection privilege.<sup>113</sup> Ivo was not alone in this, Flemish enthusiasm for the Peace of God after the Council of Clermont should not be viewed only as the result of papal endorsement.<sup>114</sup> Manasses of Rheims proclaimed a Peace of God in Flanders in 1095 after Robert took the cross, which suggests that the crusade may have been the catalyst.<sup>115</sup> Lambert of Arras was another important ally for

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<sup>110</sup> LoPrete, 'Adela of Blois and Ivo of Chartres', p.141, p.152; LoPrete, 'Familial Alliances', p.23. See Rolker, *Canon Law*, p.241 for the view that these promulgations of the peace were political and designed to bring about a reconciliation with Adela of Rochefort and later, Adela of Blois.

<sup>111</sup> See pp.40-50.

<sup>112</sup> See chapter one.

<sup>113</sup> *PL 162*, nr. 90, col.111. LoPrete, suggests that Ivo may have issued this peace before Clermont, however, a pre-Clermont date seems unlikely. LoPrete later dates this peace to October 1096 which better fits the alternative I have expressed here. LoPrete, *Countess and Lord*, p.237, p.428.

<sup>114</sup> For this view see R. Bonnaud-Delmare, 'La paix en Flandre pendant la première croisade', *Revue de Nord*, vol. 39 (1957), p.149, p.151 and G.G. Koziol, 'Monks, Feuds and the Making of Peace in Eleventh-Century Flanders', *Historical Reflections*, vol. 14 (1987), p.547.

<sup>115</sup> Bonnaud-Delmare, 'La paix en Flandre pendant la première croisade', p.149.

Clemence, countess of Flanders especially because he too was an eyewitness to Clermont. Thus both Lambert and Ivo were aware of what Urban's protection entailed. In the case of Blois the peace legislation allowed for the comital-episcopal co-operation and was to the advantage of both Ivo and Adela.<sup>116</sup> Ivo's use of the Peace in his letter to the archbishop of Sens made the importance of both the Clermont legislation and Urban's role clear:

Of the rest, by the apostolic authority conceded to us we set about by declaring the excommunication of Adelia, the lady of le Puiset and her son, Hugh, with the rest of her supporters on account of the tyranny which they exerted against us ... This [peace] indeed was instituted of old, recently confirmed in the Council of Clermont, and all the bishops who were present confirmed [their] consent...<sup>117</sup>

While Ivo pointed out that this was an old institution, there was a marked reliance on the papal role here. The stress that Ivo placed on the apostolic authority was not an intrinsic part of the Peace of God and the emphasis on Clermont perhaps signalled that this was a special case in light of Stephen's absence on the crusade. The bishops present would have confirmed their consent to both the original Peace and the crusade-specific version. A further letter from Ivo dealt with another instance of Hugh's excommunication, 'concerning the injury brought forth by Hugh le Puiset having been committed against me and my church.'<sup>118</sup> Hugh's despoiling of Church property and his disruption of the Peace of God were both committed in Adela's county and consequently they may have taken on greater significance by virtue of her status as a crusader's wife. No peace statutes have survived and consequently we cannot be sure of the exact wording Ivo employed, but it is clear that by attacking Adela's county and her bishop, Hugh was not only breaching the Peace of God, he was infringing upon the privilege that Urban had granted to crusaders. Hugh was Adela's vassal, thus his disruption of the Peace of God was of prime concern to her especially in her husband's absence.

<sup>116</sup> LoPrete, 'Adela of Blois and Ivo of Chartres', p.152.

<sup>117</sup> *PL* 162, nr. 76, cols.97-98; Appendix, p.321.

<sup>118</sup> *Ibid.*, nr. 111, cols.129-30, col.129; Appendix, p.321.

### After the Crusade: Robert and Stephen's Return

Having discussed the key events of Clemence and Adela's regencies it remains to consider the long-term influence of these women. If they were inexperienced women then we might expect both Adela and Clemence to fade into obscurity after their husbands returned but this was not the case. Indeed, after the First Crusade Clemence retained a lasting influence. From surviving evidence, when Robert arrived home in early 1100, he only reissued one of her donations; when her transfer of land, from St Bertin to Cluny, was reduced not revoked.<sup>119</sup> This implies that Robert approved of the rest of her decisions. In 1106 he confirmed her earlier grant that gave Abbot Hugh of Cluny authority over the abbey of St Bertin, more significant in this charter is the phrase that encapsulated her regency in which Robert describes his appointment of his regent and the scope of her power:

...having set out to Jerusalem after the Lord's wars, my wife Clemence by name, whom I had put in charge of my lands and of everything which was under my rule, while I was away...<sup>120</sup>

This clause is particularly meaningful; the stress placed on the degree of the power she held is telling. In other words Robert recognised that Clemence acted as comital lord during the First Crusade. In this period Clemence also retained considerable influence in the promotion of the Cluniac Rule throughout Flanders, and the Cluniacs continued to gain prominence even after Robert's return.<sup>121</sup> We are told that Robert established their rule 'through countess Clemence', in itself indicative of her role in Flanders after his return.<sup>122</sup> Despite Clemence's importance to comital government there was an anomaly in the charter evidence because Robert's two surviving charters,

<sup>119</sup> Adair, 'Ego et mea uxor...', 136-40; *Recueil des chartes de l'abbaye de Cluny*, ed. A. Bruel, vol. 5 (Paris, 1894), pp.836-38.

<sup>120</sup> *Actes des comtes de Flanders*, nr. 34, pp.99-101, p.100; trans. Ciuca ; Appendix, pp.321-22.

<sup>121</sup> de Hemptinne, 'Clementia van Bourgondië', p.148; H.E.J Cowdrey, *The Cluniacs and Gregorian Reform* (Oxford, 1970), p.106.

<sup>122</sup> 'Simonis Gesta', p.648; Appendix, p.322.

1100-5, made no mention of his wife.<sup>123</sup> Following his return from Jerusalem, Clemence's function was, perhaps, less necessary, both her regency and the papal protection over Flanders were coterminous with her husband's homecoming. Adair suggests that Clemence's lack of influence here demonstrated Robert's need to 're-establish his authority'.<sup>124</sup>

The sample size is too small to make firm conclusions because only two legitimate charters inform this argument. In any case, Robert's return did not negate her political role. In 1101-5 Clemence signed a grant to the priory of St Peter, acting jointly with both Robert and their son Baldwin.<sup>125</sup> Strikingly Anselm of Canterbury believed that Clemence remained influential after Robert's return, particularly regarding lay investiture. He cast Clemence's role into sharp relief through his emphasis on her as both joint ruler and intercessor: 'just as it could not be achieved without [Robert's] prudent mercy, I determine it could not be done without your prudent mercy'.<sup>126</sup> De Hemptinne stressed the language that Anselm employed, '*domina et filia charissima*' to illustrate Clemence's importance.<sup>127</sup> Her on-going role after the regency implies that her influence was far from short-lived; a fact that argues against Nicholas' 'window of opportunity' theory.<sup>128</sup>

After the return of Count Stephen of Blois, Ivo accused him of failing to charge those who had violated the Peace, suggesting that this measure not only protected the crusaders' interests but was, additionally, intended to be upheld by secular authority. Ivo stated: 'Therefore I warn your Excellency now a third time who have offended the peace, I tell you to bring the men to justice for the peace, of which you have said the same and you have promised you would come to do'.<sup>129</sup> Ivo chastised Stephen for failing to keep those promises and threatened to remove the

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<sup>123</sup> I have not included *Actes des comtes de Flanders*, nr. 24, pp.70-75, because the editor considered it suspect. However, *ibid.*, nrs. 25-26, pp.75-82 do not mention Clemence.

<sup>124</sup> Adair, 'Ego et mea uxor...', p.93.

<sup>125</sup> *Actes des comtes de Flanders*, nr. 33, pp.97-99, p.98.

<sup>126</sup> *PL 159* (Paris, 1864), nr. 59, cols.92-93; Appendix, pp.322-23.

<sup>127</sup> de Hemptinne, 'Les épouses des croisés et pèlerins flamands', p.91.

<sup>128</sup> See pp.73-74

<sup>129</sup> *Ibid.*, nr. 86, col.107; trans. Edgington; Appendix, p.323.

protection over him. An added incentive for Stephen may have been that he still needed to fulfil his crusade vow and would shortly be in need of the protection that Ivo offered again. Ivo hinted to work properly this needed ecclesiastical and secular co-operation, he stated ‘if you disprove this, we know that your power and your principality does not lack ecclesiastical peace’.<sup>130</sup> Despite Ivo’s apparent confidence, Adela’s regency was not a complete success; Hugh II le Puiset was excommunicated on four occasions for breaching the Peace during Adela’s regencies in 1097, 1098, and after Stephen’s death in 1102 and 1104.<sup>131</sup> Nonetheless, these instances of the crusade protection in practice are interesting. They reveal the mechanics of Urban’s privilege at a local level.

Adela retained her position as co-ruler alongside her husband. Their charters from 1100 attest this fact, although after this time they also associated their sons much more fully in their acts.

I, Count Henry, also known as Stephen, and Adela my wife, with our sons, wish to make it known to all the faithful of the holy Church of God, both laity as well as clerics, in the present and future ... at the worthy petition of such a great man [Ivo], judging [it] to be unworthy to frustrate [it] and knowing that ecclesiastical things ought to be increased, rather than diminished ... we redeem [the church of Notre-Dame] freely from wicked taxes...<sup>132</sup>

Stephen added his own seal to this charter to ensure its permanence, while Adela signed alongside their children William, Stephen, and Thibaut. The other witnesses represented both the count and the countess, showing that their joint authority was reflected in the witness list.<sup>133</sup> This was probably done, as LoPrete argues, to prepare for the succession but it also reflected Adela’s continued role in comital government.<sup>134</sup>

Orderic Vitalis’ well-known anecdote about Adela’s response to the return of her husband from the First Crusade epitomises her continued involvement in the

<sup>130</sup> Ibid.; trans. Edgington; Appendix, p.323.

<sup>131</sup> LoPrete, ‘Adela of Blois and Ivo of Chartres’, p.149.

<sup>132</sup> *Cartulaire de Notre-Dame de Chartres*, nr. 24, pp.104-6; Appendix, pp.323-24.

<sup>133</sup> Ibid., p.106-8.

<sup>134</sup> LoPrete, *Countess and Lord*, p.102, p.111.



government of Blois to many.<sup>135</sup> Adela's influence during the imagined scene (written thirty-five years later) was considerable. After Stephen's ignoble return Orderic presented Adela as intrinsic to upholding her husband's honour in his lands:

“Far be it from you, my lord, to lower yourself by enduring the scorn of such men as these for long. Remember the courage for which you were famous in your youth, and take up the arms of the glorious crusade for the sake of saving thousands, so that Christians may raise great thanksgiving all over the world, and the lot of the heathen may be terror and the public overthrow of their unholy law.” These speeches and many others were uttered by the wise and spirited woman to her husband; but he, knowing the perils and difficulties, shrank from undertaking such hardships for a second time. At length he recovered his courage and strength...<sup>136</sup>

Adela acted on multiple levels here; not just alleviating Stephen's dishonour but effectively, sermonising - exhorting him to retake the cross by appealing to the religious zeal and motivations of the First Crusade, alongside the secular motifs of dishonour and recapturing his youthful courage.<sup>137</sup> Aspects of crusade recruitment centred on both the spiritual and temporal ideals that appealed to the warfaring classes. Robert of Rheims, an eyewitness to Clermont, wrote in the circle of the royal French court and this, coupled with Urban's own knowledge of the knightly classes, probably gives us a good insight into the secular ideas that motivated contemporary warriors.<sup>138</sup> Hence Robert's version of Urban's speech stated ‘Oh most violent soldiers, and descendants of victorious ancestors, do not fall short of, but be encouraged by the courage of your forefathers.’<sup>139</sup>

Orderic presented Adela as capable of intellectual argument, rather than merely as a nagging wife. The fact that she frequently made this speech reveals the

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<sup>135</sup> Orderic presents a rapid commentary and a series of epithets of different types of women, thus it is difficult to discern his true opinion of powerful women. See P. Rousset, ‘La femme et la famille dans l'«histoire ecclésiastique» d'Orderic Vital’, *Zeitschrift für Schweizerische Kirchengeschichte*, vol. 63 (1969), p.62

<sup>136</sup> OV, vol. 5, trans. Chibnall, pp.324-25; Appendix, p.324.

<sup>137</sup> LoPrete emphasised the feudal nature of her ‘speech’, however, the crusade components such as her emphasis on casting down the infidel and saving the Christian brotherhood should also be noted. LoPrete, *Countess and Lord*, p.112.

<sup>138</sup> Sweetenham, *Robert the Monk's History*, p.6; France, *Crusades and the Expansion of Catholic Christendom*, p.45.

<sup>139</sup> Robert of Rheims, ‘Historia Iherosolimitana’, p.728; trans. Sweetenham, *Robert the Monk's History*, p.80; Appendix, p.325.

shame he had brought on himself and his county.<sup>140</sup> This passage may also have been intended as a comic episode to ridicule Stephen.<sup>141</sup> Orderic continuously stressed both Stephen's failure and the count's intention to crusade again to emphasise even more his earlier cowardice and failure to complete his vow. Adela's wisdom and courage was juxtaposed against her husband's fear and weakness. This may reflect Orderic's agenda as a Norman historian because Adela fitted neatly into this context as the daughter of William I and the mother of Stephen, one of the heirs to the English throne.<sup>142</sup> Her advice was in the vein of a command rather than counsel.<sup>143</sup> This portrayal of Adela may have been borne out of Orderic's admiration for her political acumen. Notably, for Orderic, Adela not Stephen acted in the best interests of the county.

When Stephen returned to the crusade in 1101, despite the increased emphasis on their sons in his and Adela's charters, the count appointed his wife as crusade regent. This time her role required her to fulfil the knight-service owed to the King of France.<sup>144</sup> Orderic described Adela as the countess and the knights as hers. We have seen that Adela was an established regent who could be relied upon to take on those responsibilities a second time and capitalise on her working relationship with Bishop Ivo. When Orderic wrote he was aware that Stephen would not return, but such interpretations are lent further credence by the monks of Marmoutier, whose 1101 charter was written before Stephen's death.

Therefore, following the life-giving decision we communicate to our successors in the present writing how the most illustrious countess, Adela, daughter of William, the elder king of England, and, moreover, wife of Stephen, renowned count palatine, a most fervent friend of the cathedral chapter, has acquitted to us from the canons of St Carileph of Blois, the tenth from the parish of the Francheville which, together with her husband, she had given to us, the monks of Marmoutier. When, therefore, her most noble husband Count Stephen had gone to Jerusalem a second time, that is to say

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<sup>140</sup> OV, vol. 5, pp.324-25.

<sup>141</sup> Hodgson, *Women, Crusading and the Holy Land*, p.116.

<sup>142</sup> L. Shopkow, *History and Community, Norman Historical Writing in the Eleventh and Twelfth Centuries* (Washington, D.C, 1997), p.104.

<sup>143</sup> Riley-Smith emphasised her unique nature as a promoter rather than inhibitor of the crusade. J.S.C. Riley-Smith, 'Family Traditions and Participation in the Second Crusade', *The Second Crusade and the Cistercians*, ed. M. Gervers (New York, 1992), p.105.

<sup>144</sup> OV, vol. 6, pp.156-57; Suger, *Vie de Louis le Gros*, ed. and trans. H. Waquet (Paris, 1929), p.130.

in the one thousand one hundred and first year since the incarnation of the Lord, she the same most illustrious countess of Blois our lady and sister, came and between us and the aforesaid canons made concord concerning the aforesaid tenth.<sup>145</sup>

Once again we see Adela acting in a ruling context in full possession of Stephen's comital powers.

Adela's actions during her second crusade regency revealed the turbulence of her relationship with Ivo. In 1102, before news of Stephen's death reached Adela, Ivo and Adela were locked in a bitter dispute resolved in 1103 by the papal legate.<sup>146</sup> The date of summer 1103 is significant because it was probably around this time that she learned of her husband's death.<sup>147</sup> The need for reconciliation with Ivo must have gained further importance because after Stephen's demise she needed allies rather than animosity because her rule would extend beyond a crusade regency until the succession of one of her sons and she no longer enjoyed papal protection. During this dispute Ivo expressed his hope that Adela would safeguard the church of St Jean-en-Vallée and an individual convert to this same church, Haimeric. Ivo urged Adela to protect both the church and its possessions 'against the insidious and insurgents'.<sup>148</sup> Tellingly, this letter asked Adela 'that you defend according to your capability against plotters and attackers, and especially that you make the small possessions of a certain Haimeric, formerly a servant at the monastery of St. Marie of Jouarre a convert in that same church, to possess peacefully from the attacks of your men ... [In return] for this you shall have the grace of prayer from the brothers of the aforesaid church and faithful servitude from us'.<sup>149</sup> The fact that Ivo phrased this in terms of a bargain: her protection and the cessation of violence in exchange for prayer, shows that the churchmen needed her support. Equally Adela's spiritual responsibilities required her action against false preachers. The pseudo-monk Radulf was of particular concern to Ivo. The bishop stressed that it was Adela's duty to prevent Radulf's injury to the

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<sup>145</sup> *Cartulaire de Marmoutier*, nr. 67, pp.60-62, pp.60-61; trans, Ciuca and Park; Appendix, p.325.

<sup>146</sup> LoPrete, *Countess and Lord*, pp.255-58.

<sup>147</sup> *Ibid.*, p.118.

<sup>148</sup> *PL 162*, nr. 91, col.112; Appendix, p.325.

<sup>149</sup> *Ibid*; trans. Ciuca and Park.

Church and to remove his ilk from Blois. In his letter to Adela to reinforce this point Ivo illustrated the endemic nature of such pseudo-monks, indicating not only the prevalence of the problem but also the mechanisms to remove his ilk:

For all pseudo-preachers, and pseudo-monks and pseudo-clerics, fornicators, adulterers ... and all others who offend the most Christian [people], (excepting those who are to be punished by the capital penalty), are to be distrained and corrected ... by us. And this is an ancient and undisturbed custom not only of the church of Chartres but of all the Church through the whole realm of Gaul and we are prepared to affirm this...<sup>150</sup>

Ivo clearly perceived the countess as capable of carrying out this action but also revealed his own role in correcting her; Ivo advised Adela in his letter (dated 1102) to make restitution of stolen goods to the Church. This particular problem had arisen from Ivo's attempts to raise low-born members of Adela's entourage to the priesthood. When Ivo applied for a papal dispensation, Adela believed that the bishop had abandoned her cause. In retaliation for this perceived slight, Adela sanctioned robbery and violence towards the canons. Ivo resolved to come to a peaceful solution rather than excommunicating her and her lands, hence his repeated messages to encourage her to make amends.<sup>151</sup>

And because justice cannot be found wanting ... I now send a third letter, and I remind your Excellency about the correction of that which was wrongly done. Therefore I warn and I advise that you should make restitution to the clergy, lest on holy days the aforementioned church [at Châteaudun] be deprived of divine office...<sup>152</sup>

The letter continued 'if you do not wish to acquiesce to my many repeated warnings and petitions and you reject just satisfaction you should not wonder if I grieve'.<sup>153</sup> Evidently despite three missives, Adela's contrition was still not forthcoming, implying that she did not perceive herself entirely dependent on the good will of the

<sup>150</sup> Ibid., nr. 101, col.120; trans. Kleineke and Park; Appendix, pp.325-26.

<sup>151</sup> LoPrete, 'Adela of Blois and Ivo of Chartres', p.147.

<sup>152</sup> *PL 161*, nr. 121, cols.134-35; Appendix, p.326.

<sup>153</sup> *PL 161*, nr. 121, cols.134-35; Appendix, p.326.

Church. Perhaps ‘close co-operation with the bishop’ was not always ‘the order of the day’.<sup>154</sup> While the Church protected Adela because of her status as a crusader’s wife and regent, it could also be a victim of her strength. This letter illustrates that Ivo and others held her in high regard, although this appeal may have been an authorial device to present her actions against the Church as uncharacteristic and to encourage her to repent. The grief of so many people at her misdeeds might suggest that she generally had the support of the Church. Likewise, in 1102, Ivo provided timely reminders of the need for justice and the necessity for both peace and mediation. He was particularly keen to continue in his role as her ally - his letter implies that he delayed judgement to please her and allow her time to act justly and restore peace.<sup>155</sup> Broadly speaking, for Ivo, Adela’s duties constituted an overarching responsibility; to protect the institutions of the Church. This need was so strong that Ivo was prepared to risk, for a short time, delaying punishment to convince Adela of the correct course of action and to facilitate peace between himself and the countess.

Further support for this idea is lent by the description of her in 1101 as the ‘prudent countess [who] was ruling the county of Blois’ during Stephen’s absence on crusade and his capture and after his death.<sup>156</sup> The foundation charter of the priory of St Pathus stated that it was ‘done in the one thousand one hundred and second year from the Incarnation of the Lord ... in which ... Count Stephen and Adela, his wife, were ruling.’<sup>157</sup> Thus the dating clause for the inauguration of the priory suggests that the perception of her as a joint-ruler was well-attested and an effective means of communicating the priory’s establishment. Similarly, c.1102, Adela confirmed a donation to the abbey of Molesme at her court in Epernay. Her authority was further

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<sup>154</sup> LoPrete, *Countess and Lord*, p.247 presents less friction in their relationship.

<sup>155</sup> *PL* 162, nr. 136, col.145.

<sup>156</sup> ‘Gesta Ambaziensium Dominorum’, *Chroniques des comtes d’Anjou et des seigneurs d’Ambroise*, ed. L. Halphen and R. Poupardin (Paris, 1913), pp.74-132, p.109; trans. Kleineke and Park; Appendix, p.327.

<sup>157</sup> *Cartulaires de l’abbaye de Molesme, ancien diocèse de Langres, 916-1250*, vol. 2, ed. J. Laurent (Paris, 1911), nr. 143, pp.139-41, p.141; trans. Kleineke and Park; Appendix, p.327.

augmented by reference to her royal status: ‘Adela, countess, daughter of the king of England’.<sup>158</sup>

Adela additionally revealed the extent of the authority that could manifest in a female regent. Bishop Hildebert of Lavardin’s letter expounded his beliefs by citing Seneca to encourage Adela to exercise restraint in the power that she wielded. The fact that he urged her to learn from Seneca and suggested that she remember her past actions might imply that she had lapsed:

Therefore take [Seneca] up for your own benefit and take to heart what you once learned both from yourself and for yourself. These are a few [words]: ‘It is in the nature of mercy to subtract something from a vengeful sentence, for the one who leaves nothing unpunished on purpose commits a mistake. Guilt is always followed by guilt. Speak out against the unmerciful, to whom whatever is allowed is pleasing’. The same ‘It is a glorious virtue for a prince to punish less rather than what is lawful. It is a virtue to be dragged to vengeance when necessary, [it is not a virtue] to be willing to [come to vengeance without necessity]. The merciful, [having been] offended, savours great and divine good taste.’ The same ‘the good prince thus punishes no one without pain to himself, proscribes punishment to no one without grief, the good prince thus pursues the crime so that whoever is punished, the man is remembered.’ The same: ‘the good prince rules himself but serves the people. He condemns the blood of no one whether it be that of an enemy [because an enemy] might become his friend ... For that reason when there is effusion [of blood] there is confusion.’ This suffices for receptive souls and [those who] love studentship, from which the more diligent will easily perceive how greatly cruelty does harm while the power of mercy does good. Farewell.<sup>159</sup>

Duby interpreted this text as a fawning letter designed to show Adela as a good ruler and to illustrate her successes in following Hildebert’s ideal. However, I am inclined to agree with LoPrete’s reading that in this letter Hildebert was ‘urging her to cultivate clemency when exercising her princely power to punish others.’<sup>160</sup> Hildebert’s letter to Adela bears comparison with Bernard’s letters to Queen Melisende of Jerusalem which urged her to be a good widow in the light of rumours to the contrary.

<sup>158</sup> *Ibid.*, nr. 18, *ibid.*, pp.25-26.

<sup>159</sup> *PL 171* (Paris, 1893), nr. 3, cols.144-45; trans. Ciuca, Edgington, Hall and Park; Appendix, p.328.

<sup>160</sup> LoPrete, ‘Famial Alliances’, p.27.

I have heard certain evil reports of you, and although I do not completely believe them I am sorry nevertheless that your good name should be tarnished either by truth or by falsehood ... It is not beneath your dignity as a queen to be a widow and you need not be one if you do not wish it ... you are a widow whose concern it is to please not a man but God ... you cannot be a good queen unless you are also a good widow...<sup>161</sup>

Hildebert's use of an exemplary conduct to illustrate the power of mercy might suggest that Adela was lacking in clemency. The implication is that she was perceived to be capable of misusing her authority.<sup>162</sup> Clearly Hildebert was keen to advocate the virtues of mercy as opposed to cruelty. Her gender apparently did not limit her power, although she was exceptional in her ability to practice both chastity and clemency, suggesting that Hildebert believed she was superior to normal women.<sup>163</sup> Nonetheless his reiteration of clemency and the instruction to read Seneca suggest that, for Hildebert, she had not consistently upheld mercy and was in need of a timely reminder. Her recent actions towards Ivo and the Church may have reached his ears and in light of such facts Hildebert could have concluded that Adela ruled too strongly and exerted authority too vigorously. Nowhere, here, was she accused of misplaced authority – her right to rule was accepted; only her manner was, at times, contested.

The idea that regents could exploit their position was not exclusive to Hildebert. The wife of Narjot, a crusader from Auxerre, was summoned to court in 1110 for misusing her authority and was condemned for behaving like a tyrant because of her prolonged oppression of the Church through excessive taxes, despite the fact that her crusading husband, writing to her from the East, had instructed her to desist.

Therefore, I, Humbald, by the grace of God bishop of Auxerre, wish to make it known to those, both present and future, [that] legal suits often reached us from the monks of St Benedict related to the unjust taxes which the lord of Toucy castle was exacting in their town called Villiers. That is to say what Narjot the first inflicted on the same town, who, so we believe, touched by divine mercy, having set off on the journey to

<sup>161</sup> Bernard of Clairvaux, *Opera*, vol. 8, nr. 289, p.205; trans. *Letters of Bernard*, nr. 274, pp.347-48; Appendix, pp.328-29.

<sup>162</sup> Duby, 'Women and Power', p.77.

<sup>163</sup> *PL 171* (Paris, 1893), nr. 3, col.144

Jerusalem. And seized by illness on his way, reaching his last moment, he confessed his sins to the same [the patriarch of Jerusalem] but hearing that repentance was pointless unless things were put right [Narjot] sent letters to his wife and people for the relaxing of the same onerous taxes, by grace ordering and requesting that for the sake of his immortal soul the [taxes] be returned to [the monks] and not be exacted again in any way by any [of his] successors. In truth not only had [his wife and son] refused to give back the same taxes but had added even more onerous ones [and in doing so] they had piled greater evils on evil.<sup>164</sup>

Adela predated this regency in Auxerre but it is not implausible that Hildebert had reason to fear a woman like Adela overstepping her feudal authority. Such cases illustrate that Clemence and Adela were not exceptions in the power that they exerted. Narjot's wife ignored the instructions of her husband to desist and, in fact, she increased the unfair services that she exacted from the abbey and citizens. For Heidecker, Narjot's wife demonstrates that written instructions could be ignored.<sup>165</sup> In addition, the episode indicates the extent of the regent's authority and the scope of their influence further down the social scale.

Thus far we have examined the shorter-term influence of both Adela and Clemence after their husbands returned. In the longer term both Clemence and Adela continued to be associated with comital government; Clemence in her husband's charters and Adela in her son's.<sup>166</sup> Consequently, their political significance was not finite but on-going. In 1116, a charter described Baldwin acting 'together with my mother, the most glorious Countess Clemence'.<sup>167</sup> This superlative clearly conveys filial affection; but arguably it also points to her active involvement because a couple of decades later, in the reign of Charles the Good (1119-27), this perception of Clemence remained current. Charles' charter from 1121 confirmed Robert and Clemence's donation to the abbey of Bourbourg. In addition, the abbey received from Charles the right to practise justice in their own lands with the exception of repression of theft, homicide, arson and rape. These concessions were cited as having been made

<sup>164</sup> *Recueil des chartes de l'abbaye de Saint-Benoit-sur-Loire*, ed. M. Prou and A. Vidier, vol. 1 (Paris, 1907), nr. 107, pp.267-69; trans. Hall; Appendix, p.229-30.

<sup>165</sup> K. Heidecker, 'Communication by Written Texts in Court Cases: Some Charter Evidence (ca. 800-ca. 1100)', *New Approaches to Medieval Communication*, ed. M. Mostert (Turnhout, 1999), p.124.

<sup>166</sup> Adair, 'Ego et mea uxor...', p.79; LoPrete, *Countess and Lord*, p.309.

<sup>167</sup> *Actes des comtes de Flanders*, nr. 78, pp.175-76, p.176; Appendix, p.330.



at Clemence's request.<sup>168</sup> Charles underlined her noble lineage and her continued comital presence. Her involvement in government continued into Thierry of Flanders' rule where Clemence appeared in his witness list in 1128.<sup>169</sup> Another of Thierry's charters was made 'at the request of Countess Clemence.'<sup>170</sup> Clemence was of further importance to Thierry because as a new ruler, after a civil war, he needed political continuity and to keep her on side because initially she had supported his rival.<sup>171</sup> Her successful regency may have facilitated her long-term prominent position in government.

To return to Adela, following her husband's death on crusade in 1101 her role shifted because her regency would now last until her son came of age. In terms of her continued political importance, Orderic portrayed Adela not only as a mother but in a political context as a regent. Orderic saw her as worthy of praise in familial terms for bringing up her children as defenders of the Church, and in comital terms for governing Blois.<sup>172</sup> The chronicler viewed the countess as successful beyond the crusade regency; her actions were to her husband's credit and ensured that her children would continue to defend the Church. He made little attempt to conceal which ruler of Blois he felt to be most worthy of his accolades. Equally Guibert believed that Adela's achievements might overshadow those of her crusading husband.<sup>173</sup>

## Conclusion

We saw in chapter one that the papacy had probably put in place a new system of protection for the crusaders and, crucially, those left behind. This papal pledge was

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<sup>168</sup> Ibid., nr. 100, pp.228-31, p.230.

<sup>169</sup> *De Oorkonden der Graven van Vlaanderen, (juli 1128-september 1191), II. Uitgave-Band I Regering van Diederik van de Elzas*, ed. T. de Hemptinne and A. Verhulst (Brussels, 1988), nr. 5, pp.21-22, p.22.

<sup>170</sup> Ibid., nr. 12, pp.35-36, p.35; Appendix, p.330.

<sup>171</sup> Adair, 'Countess Clemence', pp.66-67.

<sup>172</sup> OV, vol. 6, pp.42-43.

<sup>173</sup> GN, p.132.

not the only form of protection available to people and possessions of the First Crusaders, but the secular approach, the tried and tested method of regency, was not as novel as Urban's crusade-specific protection. Clemence and Adela differed from standard regents because as wives of First Crusaders they were under direct papal protection, as were the counties of Flanders and Blois, and this may have further influenced crusaders' decisions to appoint their wives as regents. Thus the secular and spiritual forms of guardianship over crusaders' lands and possessions were linked and enhanced by the novelty of both the crusade as an institution, and the crusaders' privileged status. These First Crusade regencies were the testing-ground for both the papal privilege and the long-term absences of many nobles. These absences allowed an opportunity for potential exploitation of the crusaders' rights, despite the secular and spiritual forms of protection, as demonstrated by the rebellion in Bruges very shortly after Robert of Flanders' departure. The timing implies that this revolt stemmed from Robert's rule, but the urban insurgence did not show Clemence in a good light. Such events cast Ivo's actions in Blois into sharp relief; Flanders looked to Church ritual and relics to assuage rebellion rather than papal protection. Urban's privilege appears to have been more explicit under Adela, as Ivo repeatedly promulgated the Peace of God. Both examples show that despite spiritual and temporal protection, calculated exploitation of crusaders' absences was a distinct possibility. While the pope was not directly involved in either, the protection could still have operated.

That protection manifested in the calls for peace by Ivo of Chartres and Manasses of Rheims in both Flanders and Blois. While historians have not associated this peace with Urban's protection, it is not a coincidence that both Flanders and Blois used the Peace of God from the time that both counts took the cross. This use of the Peace was not a complete success, hence the instances of rebellion in Bruges and Hugh le Puiset's frequent excommunications for breaching that Peace. It is clear that maintaining good order was a prime concern. The protection was not ignored by the First Crusade regents, even if it was not relied upon as explicitly as it would be under

subsequent popes.<sup>174</sup> Nevertheless, the later deployment of the protection should not detract from its first incarnation here and the evident use of it by the regents of Blois and Flanders. Unlike Agnes, who was betrayed by the leading ecclesiastical figures around her, Clemence and Adela had the support of key churchmen who were duty-bound to help protect these women and their respective counties; not only because this was a norm for female rulership but because of the crusader-specific protection. Standard regents such as Agnes did not benefit from this status, a fact that should be recognised in scholarship.

A further line of inquiry was to question how and why wives met the prerequisites for crusade regency. A crusade represented a long-term commitment. Self-evidently, the distance between a crusader and those he left behind was far greater than those engaged in local warfare and the risks of exploitation rose accordingly. Clemence's officials successfully quashed a rebellion and the countess minted her own coins. Adela may have used a seal, and even against the Church she maintained an authoritative stance. None of these incidences suggest that these women were inexperienced. Adela acted twice as Stephen's crusade regent, suggesting that she represented the best political option. The crusades have been interpreted as a window of opportunity for these women; in part this was the case, but the capacity to seize that chance and to fulfil the requisite tasks was vital. It is notable that the regents' authority was rarely expressed in a transitory fashion; they took on the mantle of comital government and the permanence that position implied.

Examination of both Clemence and Adela's pre-crusade responsibilities revealed that, as wives and countesses they had, at least, a basic grounding in government. The crusade was not the only factor in their appointments because earlier charters demonstrate that they performed familiar duties. More than right intent and piety, the inclusion of crusaders' wives in donations and acts of restitution should be seen as a deliberate policy to render the regent as the defender of the crusader's acts and their consequences. This gave added insight into the regents' comital duties of

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<sup>174</sup> See especially chapters three, four and five.

enforcing the crusaders' charters, continuing governmental policies, and keeping disobedient vassals in check. The regents also assumed the spiritual responsibilities incumbent on the counts: filling vacant sees, protecting pilgrims, defending the Church, and distributing relics.<sup>175</sup> The fact that both Clemence and Adela had strong associations with prominent ecclesiastics, such as Lambert of Arras and Ivo of Chartres, bolstered their sole authority. Neither regent was afraid to state her own claims to power, nor to make important decisions.

Clemence's regency was not universally viewed as desirable or stable, but nor was it catastrophic. She survived a rebellion and there appears to have been no further uprising, indicative that she rose to the challenges that Robert's absence posed. In Adela's case the breaching of the Peace and the need for Stephen's intervention on his return appeared to have little negative impact on her rule. Under both Clemence and Adela's regencies spiritual and secular authority acted in tandem, preventing lasting damage to their respective counties. As these crusade regents represented the early cases of papal protection, it must be the purpose of the following chapter to determine how their experiences informed the next generation of the crusader-specific papal protection privilege.

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<sup>175</sup> For the distribution of relics see p.82.

### **Chapter Three: The Consolidation of Protection, 1123-95**

#### Following Urban II's Lead

The previous two chapters explored the First Crusade and its immediate aftermath; the focus of this chapter is the development of the papal protection privilege from 1123-95, to illustrate the pronounced emphasis on Urban II as the originator of the crusades. The study will also examine the shifting formula of protection as part of a process of clarification. This period of over seventy years emphasises changes in the form of the protection and also the continued stress placed on that privilege within crusade appeals. The discussion will draw attention to the evolution in language and the use of letters detailing this protection. A pertinent issue is whether or not the crusade bulls entered a period of stasis or consolidation following the publication of Eugenius III's bull, *Quantum praedecessores*, in 1145. The analysis will be chronological in approach with a terminal date of 1195 because Innocent's pontificate will be treated separately in chapter six. This timeframe has been specified in order to illustrate development in the context of the pivotal events that shaped the preaching of the crusades, namely the fall of Jerusalem to Saladin. The year 1187 has been identified by Cole as a turning point in the preaching of the crusades.<sup>1</sup> This, therefore, raises the question of whether this disaster had ramifications for the content and form of the protection privilege. It is worth noting that Cole's work is more focused on the theology of the preaching rather than the privileges, thus my investigation of the privilege in this time period is an original line of enquiry.<sup>2</sup>

After the return of First Crusaders such as Stephen of Blois and Robert of Flanders, the papal protection privilege remained important to Urban's successors. The long-term use of this privilege appears to illustrate the enduring significance attached to both the protection and its instigator. The fact that popes deliberately referenced Urban II when citing the protection privileges of the families and lands of

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<sup>1</sup> Cole, *Preaching*, p.63.

<sup>2</sup> Ibid.

crusaders demonstrates the overriding importance of establishing him as the progenitor of such legislation. Tyerman stated that ‘the crusader, like the pilgrim, was withdrawn from a purely secular condition and was placed under the protection and authority of the Church, as if he had taken the holy orders, was established at the Council of Clermont itself in 1095, as were many of the prescriptions for protection’.<sup>3</sup> This explanation is inadequate; I have already argued that the emphasis on pilgrimage is detrimental to our understanding of the profound distinctions between pilgrim privileges and crusader-specific protection. The evidence discussed in chapter one does not seem to support this blurring of the protection privileges.

In his discussion of the events of 1107-8 Rowe called attention to an account of Bohemond’s crusade. Historians disagree on whether this was technically a crusade. For Rowe, Bohemond had perverted the idea of crusading by duping the pope into targeting Byzantium while McQueen argues that Bohemond received papal backing and that Paschal was well aware of the destination of the 1107 expedition.<sup>4</sup> The perception among contemporaries seems to have been that Bohemond was continuing the crusade movement; Orderic Vitalis described it as the third expedition.<sup>5</sup> While the lack of surviving source material makes it difficult to determine the precise privileges that the 1107 crusaders received, Paschal’s appointment of Bruno of Segni as legate may be significant because Bruno had preached the First Crusade, which might suggest that Paschal was deliberately seeking continuity.<sup>6</sup> The Chronicle of Saint-Pierre-le-Vif of Sens states that in 1107 ‘the venerable pope Paschal II held a council at Troyes, in the course of which he applied himself above all to the crusade and the Truce of God’.<sup>7</sup> Rowe doubted the reliability of this evidence, but because his research parameters were different from my own, his

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<sup>3</sup> C.J. Tyerman, *England and the Crusades, 1095-1588* (Chicago, 1988), p.218.

<sup>4</sup> J.G. Rowe, ‘Paschal II, Bohemond of Antioch and the Byzantine Empire’, *Bulletin of the John Rylands Library Manchester*, vol. 49 (1966), p.202; W.B. McQueen, ‘Relations between the Normans and Byzantium, 1071-1112’, *Byzantion* vol. 56 (1986), pp.458-63.

<sup>5</sup> Phillips, *Second Crusade*, p.5; OV, vol. 3, pp.183-84.

<sup>6</sup> Phillips, *Second Crusade*, pp.6-9.

<sup>7</sup> *Chronicon Sancti Petri Vivi Senonensis*, ed. and trans. R.H. Bautier (Paris, 1979), pp.146-47; Appendix, p.331.

reasons for caution (the formality of the source and the fact that it does not show Paschal's approval of the crusade) are less relevant.<sup>8</sup> This text is a compilation rather than the work of a unique author and the editor established four principal elements of composition. The account of Bohemond's crusade falls into the third of these: 1096-1124, which Bautier argued was probably composed c.1108-9, under the abbacy of Arnaud of Saint-Pierre, close to the events described here.<sup>9</sup> This source is important because it provides a further indication that the crusade and a specific proclamation of the Truce of God remained closely associated. This lends further verisimilitude to the thesis encapsulated here that successive popes followed Urban's plan in joining the Truce of God to the specific protection of the crusaders' lands and families. We have already seen that Paschal was aware of Urban's policies; it would make sense for Paschal to implement the protection when another crusade was called during his pontificate.

#### The Longevity of Urban's Model

The First Lateran Council in 1123 illustrates how significant Urban II continued to be to the crusade movement and the protection privilege. The dissemination of the crusader-specific protection privilege placed the emphasis firmly on following Urban. There is, however, an additional advantage to the First Lateran Council material; it can be attributed to Pope Calixtus II without the dating issues that surround the canons of Clermont considered in chapter one. The First Lateran Council (1123) decreed:

To those who are about to set out for Jerusalem ... we grant the remission of their sins, and we place their houses and families and all their goods under the protection of blessed Peter and the Roman church, just as has been decreed by our lord Urban.

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<sup>8</sup> Rowe, 'Paschal II, Bohemond of Antioch and the Byzantine Empire', p.196.

<sup>9</sup> *Chronicon Sancti Petri Vivi Senonensis*, pp.ix-xi.

Whoever dares to distraint or carry off their houses, families and goods, while they are on their way, shall be punished with excommunication.<sup>10</sup>

If we take custom to mean a traditional or habitual usage as opposed to legislation, sanctioned and approved law, then Bramhall's argument that the protection was not legislation but a recognised custom would be negated by the evidence here.<sup>11</sup> We might ask if, by 1123, the crusade had been in existence long enough to become tradition. In the light of the written records discussed in chapter one, it appears more likely that the crusade protection was assimilated into legal record, hence the stress on precedents in the First Lateran Council. It is important that the First Lateran Council legislation concretely established families as viable recipients of the protection privilege. It is from this point that families can definitively be seen as included under this privilege, although the canons, Fulcher of Charters and Guibert of Nogent suggest that this was already the case.<sup>12</sup> The stress on Urban in relation to the protection of families should not be ignored; for Pope Calixtus II (1191-98), as for Paschal, Urban was unequivocally the instigator of this protection. Thus the protection privilege and the focus on Urban were contemporary with the earliest, major evolution of the movement. The importance of providing legislation for this privilege can be gauged from the proliferation of the issue in these canons. This palpably precludes custom.

The originality of Urban II's crusader-specific protection privilege is cast into sharp relief through comparison to a canon of the First Lateran Council, this canon being pilgrim-specific:

If anyone tries to attack pilgrims to Rome and foreigners visiting the shrines of the apostles and the oratories of other saints, or to rob them of the things they bring, or to trouble merchants with new exactions of tolls and fees, let him be deprived of Christian communion until he makes reparation.<sup>13</sup>

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<sup>10</sup> 'Lateran I, 1123', *Decrees of the Ecumenical Councils, Vol. I, Nicaea I to Lateran V*, ed. and trans. N.P. Tanner (London, 1990), pp.187-94, pp.191-92; Appendix, p.331.

<sup>11</sup> Bramhall, 'Temporal Privileges of Crusaders', p.292.

<sup>12</sup> See chapter one.

<sup>13</sup> 'Lateran I, 1123', p.193; trans. Tanner; Appendix, p.331.



This Lateran decree threatened aggressors with excommunication only if they exacted tolls, did harm, or stole from the pilgrims. As in the earlier pilgrimage privileges examined in chapter one, no mention was made of pilgrims' homes, families, or possessions. It seems reasonable that in this context a pilgrim cannot be identified with a crusader - these pilgrims travelled to Rome and other shrines but there was no mention of Jerusalem. This distinction between privileges according to destination does not seem to have been drawn before the advent of the crusade, thus implying that Calixtus and his advisors framed the canon in this form to prevent confusion between crusade and pilgrimage and to convey the marked differences between the two movements. Thus the extension of papal protection to home and family was the exclusive privilege of the crusader, despite crusading's irrefutable links to pilgrimage.<sup>14</sup>

In addition to continued emphasis on Urban, a greater degree of independence of the crusade protection privileges from the Peace of God and Truce of God is evident from the First Lateran Council onwards. Urban II apparently had no precedent for protection privileges over families and possessions left behind, and thus the Peace of God provided an invaluable buttress to his new measure. In contrast to Urban, Calixtus was able to adapt the model that Urban had innovated and Paschal had continued. Thereafter the crusader-specific protection was more clearly defined as an individual privilege distinct from that of pilgrimage. The protection was no longer reliant on the legitimacy leant by the Peace of God and the Truce of God, instead the privilege was supported by association with the legacy of Urban II. Consequently, the protection of the crusaders' lands and families was placed outside the sphere of the Peace of God and Truce of God and the purpose of these two movements shifted to facilitation of the crusade by removing the potential impediments and creating a political atmosphere more conducive to the long-term absence of the crusaders. While both the peace and the truce were promulgated in the 1123 Lateran Council, the

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<sup>14</sup> The question of whether the protection of home and families also pertained to female or infirm crusaders is an important one; this will be the subject of further research.

explicit link between the peace movement and the crusader-specific protection did not last this long.<sup>15</sup> The period immediately after the First Crusade (1099-1123) appears to be better categorised as one of consolidation. In 1123 essentially nothing more was added to Urban's innovations but the inclusion of families and possessions was much clearer. Urban II provided the requisite authority and little other change was made, aside from largely removing the prop provided by Peace and Truce of God.

### The Impact of Change c.1145-95

Pope Calixtus II was to some extent innovative because he shifted the focus away from the crusader-specific Peace and Truce of God towards more a specific, independent privilege. The surviving papal bulls from 1145 onwards provide further testimony of the twelfth-century development in papal administration, especially under the pontificates of Eugenius III (1145-53), Adrian IV (1154-59) and Alexander III (1159-81).<sup>16</sup> The remainder of this chapter will demonstrate that changes in the language of protection had a considerable effect on furthering Urban's original innovation. This aspect of crusading has not sufficiently registered in scholarship, for example Mayer and Berry largely ignored the later changes under Eugenius III and Innocent III.<sup>17</sup> Thus another contribution of this study is that it provides deeper and more detailed examination of the crusader-specific protection privilege.

Having considered the evidence of the First Lateran Council, attention will now be given to *Quantum praedecessores* because this clearly represented the next major step in the protection of crusaders' properties and families. This bull is all the more significant because of its importance to the further development of the preaching of the crusades.<sup>18</sup> *Quantum praedecessores* is particularly noteworthy in terms of its emphasis on clarification of the crusade privileges; it provided such an effective

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<sup>15</sup> '1123 Lateran I', p.193.

<sup>16</sup> R. Somerville, *Pope Alexander III and the Council of Tours (1163), A Study of Ecclesiastical Politics and Institutions in the Twelfth Century* (Berkeley, 1977), p.6.

<sup>17</sup> Mayer, *Crusades*, p.95; V.G. Berry, 'The Second Crusade', *A History of the Crusades, Vol. 1*, p.467.

<sup>18</sup> G. Constable, 'The Second Crusade as Seen by Contemporaries', *Traditio*, vol. 9 (1953), p.253, p.265.

precedent that it heavily influenced Alexander's bull *Cor nostrum* (1181), Lucius III's reissue of the latter (1184), and Gregory VIII's *Audita tremendi* (1187).<sup>19</sup>

### Eugenius III: Consolidation and Clarification

From the outset Eugenius' bull *Quantum praedecessores* was imbued with references to the success of the First Crusade.<sup>20</sup> Equally there was a need to identify a clear link to First Crusade precedents, including Urban II as the originator of the movement.<sup>21</sup> This is not surprising; we have already seen that Paschal II and Calixtus II both attributed the crusade to Urban II. Likewise, to return to *Quantum praedecessores*, Eugenius' explicit association of the crusade movement with Urban could also pertain to the protection of the crusaders' families and lands:

...by the authority given to us by God we concede and confirm to those who, inspired by devotion, decide to take up and complete so holy and necessary a work and labour that remission of sins which our aforesaid predecessor, Pope Urban, instituted. And we decree that their wives and children, goods and possessions should remain under our protection and that of the archbishops, bishops and other prelates of the Church of God.<sup>22</sup>

The ecclesiastical and temporal privileges appear in the same clause, suggesting that Eugenius intended to maintain this connection with Urban in both the remission of sins and the protection of families. Yet Eugenius also went beyond Urban and Calixtus. In a further instance of clarification, Eugenius stated precisely that the responsibility of implementing the privilege lay with archbishops, bishops and other prelates; he emphasised the role of the elite members of the Church hierarchy. Eugenius stressed this practical issue far more than his predecessors, thereby

<sup>19</sup> *PL* 200 (Paris, 1844), nr. 360, cols.384-86; 'Cor nostrum', *Papsturkunden für Templer und Johanniter*, ed. R. Hiestand (Göttingen, 1972), pp.352-56; 'Audita tremendi', *Gesta Regis Henrici Secundi Benedicti abbatis*, vol. 2, ed. W. Stubbs (London, 1867), pp.15-19; Phillips, *The Second Crusade*, p.37, p.59; Brundage, 'Crusaders and Jurists', p.148.

<sup>20</sup> Eugenius III, 'Überlegungen zum Kreuzzugsaufruf Eugens III von 1145/46, Mit einer Neuedition von JL 8876', ed. R. Grosse, *Francia*, vol. 18 (1991), pp.90-92.

<sup>21</sup> Purkis, *Crusading Spirituality*, pp.86-87.

<sup>22</sup> Eugenius III, 'Überlegungen zum Kreuzzugsaufruf Eugens III', p.91; trans. Riley-Smith and Riley-Smith, *Idea and Reality*, p.58; Appendix, p.331.

extending the process of elucidation of the protection. The fact that Eugenius' approach represents any degree of change at all suggests that the composition of the crusader-specific protection privilege was not static; it also indicates that more attention should be given to Eugenius III as an innovator.

There is another important difference in the terminology which has received markedly less emphasis in scholarship.<sup>23</sup> Eugenius effectively changed the formula of the protection from covering families and homes to a definition that included crusaders' wives and children in addition to families, goods, and possessions. This appears a far more specific term of reference, indicative of the legal significance of this privilege. While Guibert of Nogent also mentioned wives and children and Urban referred to wives in his letter to Bologna, it is noteworthy that Eugenius III was the first pope known to have made this distinction.<sup>24</sup> It is not implausible that Eugenius was aware of court cases such as Hugh le Puiset's.<sup>25</sup> The remit of this privilege had previously confused prominent canonists such as Ivo, and this might, at least partly, account for the emphasis that Eugenius placed upon clarification here.

Following the trend established at the First Lateran Council, *Quantum praedecessores* further explains the widening gap between crusader and pilgrim protection. Eugenius made no mention of a timeframe along the lines of the three-year period expounded in Guibert's account of Urban's protection privilege.<sup>26</sup> Rather, the privileges were coterminous with the crusader's death or return: 'by apostolic authority we forbid that any legal complaint be brought thereafter concerning all the possessions they hold peacefully when they take the cross until there is absolutely certain knowledge of their return or death.'<sup>27</sup> We might suggest that the crusaders return or demise additionally impacted on the privilege of protection, since both

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<sup>23</sup> For instance G. Ferzoco, 'The Origin of the Second Crusade', *The Second Crusade and the Cistercians*, p.91.

<sup>24</sup> See p.49; p.58.

<sup>25</sup> See pp.49-50.

<sup>26</sup> See p.49.

<sup>27</sup> Eugenius III, 'Überlegungen zum Kreuzzugsaufruf Eugens III', p.91; trans. Riley-Smith and Riley-Smith, *Idea and Reality*, p.58; Appendix, p.331.

potential outcomes were relevant to the crusade protection privilege and the immunity from law suits.

It is also worth examining the structure of this bull; the privilege of protection is located towards the conclusion of *Quantum praedecessores*, a formula which remained dominant. When read aloud, it might be expected that considerable stress would be placed on the protection privilege and this positioning probably made the *privilegia* one of the most memorable and compelling components of the appeal, and ensured that the basic organisational information would be memorable. Clearly this was a rhetorical device designed to maximise recruitment of potential crusaders. The fact that, alongside remission of sins, the protection privilege was placed in this context suggests that this document displayed continuity of intent. Protection remained vital not only as a practical element but additionally as a means to further recruitment by drawing attention to the generous temporal benefits granted to the crusaders.

A similar emphasis can be identified in *Divina dispensatione I* (October 1146). This provides far more details into the precise mechanisms of the protection privilege. Directed towards the recruitment of Italians to the Second Crusade, the bull stipulated exactly what was offered to those who took the cross.

...to those who have decided to take up and to complete this holy journey and necessary work and labour for the sake of devotion, by our authority and by God we concede and confirm the remission of their sins that our predecessor of pious memory, Urban, founded. And we decree, also, that their wives and children, and also their goods and possessions are to remain under our own protection, that of the holy Church, ours besides, and that of all the archbishops, of all the bishops and that of the other prelates of the Church of God. By apostolic authority too, we ordain so that all those who shall have taken the cross, shall have peace, no [legal] complaints may be moved against them in succession until there is certain knowledge of their return or death ... for their own peace and quiet, also for that of their wives and their children and families, it was decreed by us, that you should firmly make them be observed just as they are comprised in our writings. And if any of your diocesans attempts to go against them, and infringe our statutes, and when warned by you does not repent, bind them publicly with the chain of excommunication, and make sure that their excommunication should be observed firmly, until they have made satisfaction.<sup>28</sup>

<sup>28</sup> Eugenius III, 'Divina Dispensatione I', *Papsturkunden für Kirchen im Heiligen Lande*, ed. R. Hiestand (Göttingen, 1985), pp.193-95, pp.194-95; Appendix, p.332; trans. Ciuca and Park.

This was apparently the first time that a satisfaction clause was preached in connection with the crusade protection; previous bulls had only sanctioned the punishment of excommunication for infringers of the protection, and Paschal's 1101 letter was written after the end of the crusade not as part of a preaching campaign.<sup>29</sup> To categorise this bull as innovation through exposition might seem a contradiction in terms, but it has merit. Throughout this bull Eugenius constantly relied on repetition as a tool to consolidate specific aspects of these privileges. The first mention of wives and children was later elaborated on to encompass wives and children and family. The language of this bull demonstrates further emphasis on these privileges. There was also some emphasis on peace which Eugenius probably invoked to reinforce contemporary understanding of the implications of the privilege. Eugenius' maintained a constant emphasis on this protection; *Divina dispensatione II* (April 1147) decreed: 'Those, however, who have assumed the cross for this holy expedition, we decree that [they and] their goods remain under the protection of blessed Peter and our own [protection].'<sup>30</sup> Eugenius' emphasis on protection was consistent throughout his crusade missives. Consequently the focus of our next section will determine how far this policy continued during the pontificates of his successors.

#### Adrian IV's Pontificate: the Establishment of Eugenius' Formula

In keeping with the increasing institutionalisation of the papal pledge Brundage has emphasised the importance of letters to individual crusaders guaranteeing this protection.<sup>31</sup> The earliest surviving examples of individual grants of crusader-specific protection pertain to the pontificates of Adrian IV and Alexander III and were addressed to, respectively, a crusader and his brothers (1157-9), a certain crusader

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<sup>29</sup> See p.51.

<sup>30</sup> *PL 180*, nr. 166, cols.1203-4; Appendix, p.333.

<sup>31</sup> *Ibid.*, cols.166-67.

from Rheims (1171-2), and Henry of Champagne and his wife Maria in 1179.<sup>32</sup> Brundage cited the third of these examples; however, he did not provide any contextual analysis.<sup>33</sup> This imbalance will be redressed below. Eugenius' expression of the protection privilege is repeated, admittedly in markedly less detail than in *Divina dispensatione I*, in Adrian IV's letter concerning the protection of crusaders c.1156-9. However, the document is worthy of attention because it is one of the earliest surviving examples of a papal letter about individual crusaders. The letter to William the lord of Montpellier and his brothers detailed the papal protection that they received and threatened excommunication against anyone who invaded their lands.<sup>34</sup> Here Adrian followed Eugenius' policy of communicating the task of protection and its remit to those immediately responsible.<sup>35</sup> Adrian probably initiated a more specific form by naming the individual crusaders receiving that protection. Aside from this, Adrian added little to the 'Eugenius model'; therefore the letters to individual crusaders were probably intended to further support the existing crusader-specific protection privilege. The specific letters left the recipient of the protection - and potential infringers of it - in little doubt of the ramifications of the papal protection. Such letters not only stipulated the pope's responsibilities for the crusaders' homes and families but provided clear evidence of that privileged status. The onus was thereby placed on the crusader to complete the vow.

### Alexander III's Pontificate - Revolution through Restitution

Alexander III is also worthy of attention here, Roscher argued that although Church protection of the crusaders had been established at Clermont, Alexander III's elaboration of its terms was the most precise to date; prior to his pontificate the

<sup>32</sup> *Regesta Pontificum Romanorum ab condita ecclesia ad annum post Christum natum MCXCVIII*, vol. 2, ed. P. Jaffé (Leipzig, 1888), nr. 10514, p.140, nr. 12028, p.252, nr. 13445, p.348. For the view that Eugenius should also be seen in this context see chapter four.

<sup>33</sup> Brundage, 'Crusaders and Jurists', p.148.

<sup>34</sup> *Regesta Pontificum Romanorum*, vol. 2, ed. Jaffé, nr. 10514, p.140.

<sup>35</sup> See chapter four.

formula for protection had not yet been created.<sup>36</sup> Yet Alexander's protection privilege continued to follow the policy set by Eugenius III. In '*Inquantis pressuris*' (1166) Alexander was at pains to acknowledge the influence of his predecessors.<sup>37</sup> Thus Alexander's bull retained the essence of *Quantum praedecessores*. Fønnesberg-Schmidt states that Alexander and his curia ignored Pope Adrian's more recent bull, *Quantum strenui et egregii* and it is difficult to argue with her point that Alexander and his advisors believed that *Quantum praedecessores* was the superior crusade bull.<sup>38</sup> Alexander addressed *Inquantis pressuris* to a secular audience comprising kings, princes, dukes, marquises, counts, viscounts and all the Christian faithful, and Eugenius' importance was again established in the *privilegia*.

...to those who for the sake of devotion have decided to take up and to complete this holy and vital work and labour, by the authority given to us by God we concede and confirm that remission of sins which our predecessors of pious memory Pope Urban and the same Eugenius our predecessor instituted and we decree also that their wives and children, goods and possessions are to remain under the protection of the blessed Peter and ourselves, also the archbishops and bishops and the other prelates of the Church of God.<sup>39</sup>

Alexander identified Urban as the originator of the crusade movement, but he placed Eugenius on a level of parity with Urban, a decision we might question. The Second Crusade failed and in the aftermath the papal curia's influence declined, none of which reflected well on Eugenius.<sup>40</sup> Thus it seems more likely that Alexander included Eugenius because of the latter's contribution to the organisation and preaching of the crusades, notably in the clarification shown through Eugenius' bulls. Alexander may also have recognised that Eugenius had moved far enough away from Urban's statute of the crusade privileges to warrant this added stress on Eugenius.

<sup>36</sup> H. Roscher, *Papst Innocenz III und die Kreuzzüge* (Göttingen, 1969), p.74.

<sup>37</sup> Alexander III, '*Inquantis pressuris*', *Papsturkunden für Templer*, pp.251-53.

<sup>38</sup> I. Fønnesberg-Schmidt, 'Alexander III and the Crusades', *Pope Alexander III (1159-81), The Art of Survival*, ed. P.D. Clarke and A.J. Duggan (Farnham, 2012), pp.343-44.

<sup>39</sup> Alexander III, '*Inquantis pressuris*', *Papsturkunden für Templer*, pp.252-53; Appendix, p.333.

<sup>40</sup> Phillips, *Second Crusade*, p.273.



The fact that Urban had initiated the privilege of protection for crusaders was a fundamental step. Eugenius, however, had altered its shape and structure. His specific language in *Quantum praedecessores* was a step beyond the First Lateran Council. He had enshrined the protection in a form that demonstrated its remit and indicated who bore the responsibility. This, as has been argued above, must have been invaluable to both recipient and benefactor. It further defined the separation between pilgrim and crusader. Thus it is unsurprising that despite the failure of the Second Crusade, Eugenius emerged in exalted company as a predecessor of pious memory whom Alexander wanted to emulate. The most effective means to achieve this was the continued reliance on Eugenius' language. The clarification of key clauses and the removal of potential confusion could have far reaching ramifications in the scope of these privileges; the process of elucidation continued to add greater authority to the crusader-specific protection privilege.

Rowe suggested that *Inter omnia* (1169) was a key part of this clarification process; he also concentrated largely on the remission of sins.<sup>41</sup> Yet in this bull the protection remained an important component:

...we take their families and their possessions under the protection of the blessed Peter, and we decree that they should remain under our protection and that of the prelates of the Church, determining by apostolic authority, that for all those who have taken up the cross, no legal suit will be brought concerning things they hold peacefully up to the time of their taking the cross, until there is absolutely certain knowledge of their return or death.<sup>42</sup>

Alexander's bull was more narrowly concentrated on the prelates in contrast to Eugenius' focus on the upper echelons of the Church hierarchy, the archbishops, bishops, and prelates. Alexander additionally returned to the less specific language of families noted under Urban, Paschal and Calixtus. Thus it is evident that the earlier language of protection remained in use.

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<sup>41</sup> J.G. Rowe, 'Alexander III and the Jerusalem Crusade: An Overview of Problems and Failures', *Crusaders and Muslims in Twelfth-Century Syria*, ed. M. Shatzmiller (London, 1993), pp.124-26.

<sup>42</sup> *PL* 200, nr. 626, cols.599-601, col.601; Appendix, p.334.

This was not the only instance where Alexander looked to his predecessors. In his preaching of the crusades, alongside the separate Lateran canon that instigated a general Truce, Alexander III's bulls offered a further period of consolidation, rather than clear-cut innovation. The historical background of the rise in crime and disorder in the 1160s and tension between England and France during the 1180s would provide suitable explanations for Alexander's usage of Truce; not, therefore, to provide protection but to ensure political stability in order to maximise participation in the crusades.<sup>43</sup> The conflict between Louis VII and Henry II, and Frederick I's support of anti-popes had previously frustrated attempts to aid the Holy Land, while the death of Thomas Becket had further jeopardised Henry's departure.<sup>44</sup> In 1172 papal legates secured an agreement that Henry would provide 200 knights and take the cross but his departure was further impeded by revolt in England in 1173, the uprising of his sons, the spreading of hostilities to Normandy, and insurgence in France. Despite the non-aggression pact between Louis and Henry in 1177, neither king's participation in a crusade was forthcoming. The 1180 Treaty of Ivry between Philip and Henry did not resolve this situation; the crusade clause remained conditional not absolute. The conflict between King Philip of France and Count Philip of Flanders exacerbated political disharmony and caused further damage to the prospects of the crusade.<sup>45</sup> Independent of this use of the Truce, the crusader-specific protection privilege instead stressed the process of restitution and satisfaction.

Meanwhile we receive under the protection of the Church, as we do those who visit the Lord's sepulchre, those who fired by their faith have taken upon themselves the task of driving out these heretics, and we decree that they should remain undisturbed from all disquiet both in their property and persons. If any of you presumes to molest them, he shall incur the sentence of excommunication from the bishop of the place, and let the sentence be observed by all until what has been taken away has been restored and suitable satisfaction has been made for the loss inflicted. Bishops and

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<sup>43</sup> R.I. Moore, *The Formation of a Persecuting Society: Authority and Deviance in Western Europe, 950-1250*, 2<sup>nd</sup> edition (Oxford, 2007), p.100, p.146.

<sup>44</sup> E. Siberry, *Criticism of Crusading, 1095-1274* (Oxford, 1985), p.51.

<sup>45</sup> J.P. Phillips, *Defenders of the Holy Land, Relations between the Latin East and the West, 1119-1187* (Oxford, 1996), p.174, p.195, pp.214-15, p.238, p.248.

priests who do not resist such wrongs are to be punished by loss of their office until they gain the pardon of the apostolic see.<sup>46</sup>

The main thrust of this privilege was geared towards anti-heretical measures, which lie outside the scope of this study, but it did mention crusades to the Holy Land hence its inclusion here. The text is far more detailed in terms of what the protection entailed, an explicit statement was given that stolen goods must be returned and the owners compensated. While Eugenius stipulated a need for satisfaction, Alexander III went beyond this by further explaining the mechanics of the satisfaction clause. The weight placed on correction indicated the limitations and practicalities of the privilege. It also placed added stress on the reach of the ecclesiastics and the papacy in enforcing this privilege; perhaps this was a deliberate policy to underline ecclesiastical responsibility and the extent of the privilege to the crusaders. This new clause had a bearing on the formation of the privilege of protection. The existence of any change makes a more effective case for clarification and evolution than it does for stasis, and shows a need for constant elucidation regarding the matter of protection. Alexander made it plain that the responsibility for this protection and restitution rested with bishops and priests, to the extent that less vigilant bishops were held accountable and could be punished by loss of office, presumably to ensure their compliance.

The practice of this measure under Alexander is evident; one letter from 1171-2 to Abbot Peter of St-Remi discussed the protection of a crusader. The pope ordered the abbot to compel a certain Gerard to give back the land stolen from O. a citizen of Rheims, who had gone on crusade.<sup>47</sup> Alexander's letter about this non-noble citizen reveals that the protection did operate across the social spectrum, although we know more about the effects of this privilege on higher profile crusaders. As under the crusade regencies of Clemence of Flanders and Adela of Blois, it was a local ecclesiastical authority that upheld the pledge, the impetus behind the restitution did not necessarily have to come from the pope. The fact that Abbot Peter's letter was

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<sup>46</sup> 'Lateran III', *Decrees of the Ecumenical Councils*, p.225; trans. Tanner; Appendix, p.334.

<sup>47</sup> *Regesta Pontificum Romanorum*, vol. 2, ed. Jaffé, nr. 12028, p.252.

recorded in the papal register suggests that Alexander was overseeing, or at least involved in, this process. Alexander III had a strong legal background as a former pupil of Gratian and a former master of theology and canon law, which suggests that he was capable of providing further clarity for the crusade privileges.<sup>48</sup>

Alexander furthered Eugenius' practice of issuing individual letters to prelates by directly expounding to these ecclesiastics at his Lateran Council, a move that may suggest that these privileges were not being adhered to uniformly.<sup>49</sup> Consequently this can be summarised as a period marked by constant, subtle embellishments to the crusader-specific protection privilege, seemingly propelled by the goal of establishing a clear, tightly focused body of legislation. Following Adrian IV's example, Alexander III's pontificate provided a further example of letters to individual crusaders. These specific letters detailing the protection offered appear to have been rare in both pontificates. We might question whether this scarcity is representative of the survival of these documents, or if these letters were a response to a particular crusader's request and therefore these missives were only issued in a few specific cases. In the example that dates from Alexander's pontificate, Countess Marie of Champagne had petitioned the pope. Thus Alexander's letter was addressed to a crusader's wife, the recipient of this protection rather than the prelates responsible for its upkeep. Countess Marie of Champagne was taken under papal protection from May-June until Henry's return from Jerusalem.<sup>50</sup>

The need to clarify the privilege determined much of the focus of Alexander III's bull *Cor nostrum* (16 January 1181). The importance of establishing precedents remained predominant. In all likelihood this emphasis on legality was driven by Eugenius' model. This interpretation is given further credence by the fact that

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<sup>48</sup> W. Ullmann, *A Short History of the Papacy in the Middle Ages*, reprinted with additions (London, 1974), p.180; A.J. Duggan, 'Alexander ille meus: The Papacy of Alexander III', *Pope Alexander III*, p.16; for the most recent appraisal of Alexander's contribution to canon law and the circulation of his decretals as a reaction to complex petitions rather than a deliberate policy to alter existing canon law see A.J. Duggan, 'Master of the Decretals: A Reassessment of Alexander III's Contribution to Canon Law', *Pope Alexander III*, pp.365-417.

<sup>49</sup> See chapter four.

<sup>50</sup> *Regesta Pontificum Romanorum*, vol. 2, ed. Jaffé, nr. 13445, p.348.

Alexander, continued to place Eugenius in a similar context to Urban as a proponent and progenitor of the crusade privileges.<sup>51</sup>

We concede and confirm by apostolic authority, to those who have assumed this way of work for Christ, the same remission of sins that our fathers and predecessors, the Roman Pontiffs, Urban and Eugenius decreed. Also we decree that their wives and their children and their goods and possessions remain under the protection of the blessed Peter and our own and that of the archbishops and bishops and all other prelates of the Church.<sup>52</sup>

Notably this bull is later than *Inter omnia* and the Third Lateran Council canons, and as such it is not inconceivable that it was addressed to a different audience. This may be reflected in the return to the formula ‘wives and children goods and possessions’ and the more specific terms of archbishops, bishops and prelates. The latter phrase underlined the involvement of both the upper and lower echelons of the ecclesiastical hierarchy, and possibly, a preference for Eugenius’ more specific, detailed formula. Thus it remains to be determined how far Eugenius continued to dominate this privilege in the longer term under Lucius III.

#### Lucius III (1184): Reissue Not Revolution

The longevity of the Eugenius model is perhaps nowhere better illustrated than in Lucius III’s reissue of Alexander’s bull *Cor nostrum*:

We concede and confirm by apostolic authority, to those who have assumed this way of work for Christ, the same indulgence of sins that our fathers and predecessors the Roman Pontiffs, Urban and Eugenius, decreed. Also we decree that their wives and their children and their goods and possessions remain under the protection of the blessed Peter and our own and that of the archbishops and bishops and the other prelates of the Church.<sup>53</sup>

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<sup>51</sup> See Fannesberg-Schmidt for the view that Alexander was becoming less dependent on his predecessors by this point. It is worth noting that her analysis does not include the protection privilege, Fannesberg-Schmidt, ‘Alexander III and the Crusades’, *Pope Alexander III*, pp. 348-55.

<sup>52</sup> *PL* 200, nr. 1504, col.1295; Appendix, p.334.

<sup>53</sup> Lucius III, ‘Cor nostrum’, *Papsturkunden für Templer*, pp.355-56; Appendix, pp.334-35.

The emphasis on Eugenius' language is notable. The continued presence of the corrective role of the ecclesiastics provides further evidence of a lack of innovation during Lucius' pontificate, perhaps because by this point there was a clear model of the protection privilege, the elements of which covered wives, children, goods, and possessions. What can be termed the 'Eugenius model' had elucidated the privilege far beyond Urban's original proclamation. Consequently, it remained the foremost form of the protection privilege. It remains to be determined whether the loss of Jerusalem in 1187 and Gregory VIII's pontificate prompted further change.

#### Gregory VIII: After the Fall of Jerusalem

In order to consider how far the fall of Jerusalem affected the crusade privileges on offer, *Audita tremendi* will be our next focal point. The scant attention paid to the crusader-specific protection remains evident in scholarship concerning crusading in the wake of the fall of Jerusalem. Cole's detailed analysis of *Audita tremendi* omitted the issue.<sup>54</sup> Tyerman argued that 1187, not 1095, marked the beginning of the crusade movement, yet the lack of originality, or even further clarification, in the crusader-specific protection after 1187 would seem to counter Tyerman's view that the protection privilege was less advanced than 'the rhetoric of holy war.'<sup>55</sup> In fact, as has been posited earlier, we should not disregard the place of the protection privilege in that rhetoric. It is equally clear that the influence of Eugenius continued to be felt in this period.

Also let their goods and families stand under the protection of the Holy Roman Church and also of the archbishops and bishops and other prelates of the Church of God from when they have taken the cross. And let no law suit be brought concerning things they hold peacefully up to the time of their taking the cross until there is absolutely certain knowledge of their return or death, let their goods remain in the meantime undiminished and unmolested.<sup>56</sup>

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<sup>54</sup> Cole, *Preaching*, pp.63-65.

<sup>55</sup> C.J. Tyerman, *God's War: A New History of the Crusades* (Cambridge, MA, 2006), p.483.

<sup>56</sup> 'Audita tremendi', p.19; trans. Riley-Smith and Riley-Smith, *Idea and Reality*, p.67; Appendix, p.335.

This privilege was part of a broad message intended to encourage the taking of the cross. The refining of the privilege's language pertained equally to the remission of sins and crusader-specific protection, thus, here Tyerman's point is less convincing.

Consequently, in addition to defining the mechanics of the privilege and to ensure the protection's viability, the formulation of clear legislation had a role to play as an added attraction for potential crusaders. Papal crusade bulls were designed to appeal on a mass level, and we have seen that the period from *Quantum praedecessores* onwards marked the advent of carefully defined protection. The absence of any distinct change to Eugenius' formula under Gregory VIII casts *Quantum praedecessores*' lasting influence into sharp relief. By the 1180s Eugenius' name may not have been essential but his influence evidently endured through the continued reliance on relevant ideas and phrases from his pontificate. Gregory VIII's bull remained couched in Eugenius' formula to such an extent that Tyerman's conclusion that it 'took about a century for the full panoply of temporal privileges to be constructed', can be reassessed.<sup>57</sup>

Tyerman also drew attention to the importance of Alexander III's usage of Eugenius' language and the fact that Gregory VIII followed Eugenius closely, but he argued that the distinction between pilgrim and crusader was only concrete after 1187 and that the protection predating this was rudimentary and unsystematic.<sup>58</sup> Yet the earlier separation of pilgrimage and crusading, coupled with the continued and profound stress placed on Eugenius by his successors and the lasting influence of the latter's crusade bull do not support Tyerman's conclusion. While we must employ the caveat of subtle nuances in language to add further elucidation to the privilege, the fact that Eugenius III, and to a lesser extent Adrian IV and Alexander III, dominated the protection justifies this earlier date. Indeed we have seen that the crusader-specific protection might be dated as early as 1095. At the very least the evidence indicates

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<sup>57</sup> Tyerman, *England and the Crusades*, p.218.

<sup>58</sup> Tyerman, *Invention*, pp.20-28.

that at this point in crusading history the further development of crusade privileges, rather than their initial construction, should be emphasised.

In addition to *Audita tremendi* Pope Gregory VIII sent several further letters to muster support for the Holy Land. In these it is noteworthy that the pope not only stressed the role of potential crusaders but significantly he attempted to involve a wider spectrum of society. In one such letter, addressed to all the faithful, Gregory called for abstinence from meat on Wednesdays and Saturdays and instructed the clergy and their families to forego meat on Mondays. The overarching aim of this programme was to ensure providential favour for the recovery of the Holy Land. Gregory explicitly stated that through this action he was ‘hoping that thus the Lord will forgive us and afterwards himself bequeath blessings.’<sup>59</sup>

Likewise, Eugenius’ influence is plain in a letter to all the bishops concerning fitting attire an attempt to negate the sins of vanity and pride. Gregory VIII ordered that mantles of red or green should not be worn, nor could silken cloth or rings, including the rings that bishops held from their office. Dice games, dice players and those of hunting occupation were to be shunned. This dress code was widened to encompass not only crusaders, but, additionally, women who were not to wear sumptuous or ostentatious clothing exceeding body length. Instead they were to wear modest and humble habit.<sup>60</sup> The underlying agenda appears consistent - involving other members of society in the crusade movement through an emphasis on fasting, appropriate clothing and conduct. This was a vital step towards the programme that Innocent III would establish.

Continuity is further evident in Gregory VIII’s promulgation of the seven-year truce between the kingdoms of Europe. This reprise of a broader, supplementary Truce has been dismissed as ‘unrealistic’ by Mayer.<sup>61</sup> While this is likely, our aim is to investigate the intention that such measures reveal, rather than their success or failure. This seven-year measure was probably designed to alleviate any political

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<sup>59</sup> *PL* 202, nr. 3, col.1539; Appendix, p.335.

<sup>60</sup> *Ibid.*

<sup>61</sup> Mayer, *Crusades*, p.139.



problems that could impede the planning of a crusade. The fall of Jerusalem increased the urgency of promulgating peace, at the time of Gregory's call for the Third Crusade, England and France remained in conflict.<sup>62</sup> As under the earlier popes discussed here it was vital to remove impediments to taking the cross. The Peace of God and Truce of God had been largely eclipsed by the crusader-specific protection, thus the emphasis remained on using the Peace as both a papal programme and as a secular tool to promote conformity and stability. This applied equally to both the crusades and to medieval society as a whole. Thus it appears that despite the pressing concern presented by the fall of Jerusalem no drastic change was made to the protection privileges. Eugenius III's policy remained central to papal defence over crusaders in this epoch; his formula retained a clear dominance. Thus continuity in the further development of the privilege can be identified. Celestine III's pontificate provides an epilogue to the crusader-specific protection.

#### Celestine III: Continuity Not Construction

In his letter to the archbishop of Canterbury, Celestine III's protection clause (1195) followed Eugenius' formula almost exactly:

Also let their goods and families stand under the protection of the Holy Roman Church and also of the archbishops and bishops and other prelates of the Church of God from when they have taken the cross. And let no legal suit be brought concerning things they hold peacefully up to the time of their taking the cross until there is absolutely certain knowledge of their return or death, let their goods remain in the meantime undiminished and unmolested.<sup>63</sup>

While it lacked the detail of *Divina dispensatione I*, this measure effectively ensured that the upper echelons of the Church remained involved and clarified that the accountability for the protection privilege rested with the highest available Church authorities. The significance attached to such ecclesiastics in upholding this protection

<sup>62</sup> C. Morris, *The Papal Monarchy: the Western Church from 1050 to 1250* (Oxford, 1989), p.228.

<sup>63</sup> *PL* 206, nr. 224, col.1107-10, col.1109; Appendix, p.335.

could also have been another reason to take the cross, and by implication receive this protection; certainly their inclusion provided another prop to the protection privilege. The continued reliance on elements of Eugenius' model suggests that this was the most effective version of the protection and the most efficient means of presenting protection as an added attraction for potential crusaders. The context of Celestine's protection is striking; this letter was written after Richard's capture and ransom while returning from the Third Crusade - a contravention of the papal protection that the king was, in theory, entitled to. Richard's imprisonment while under protected status and the exploitation of the king's lands in his absence diminished his fervour to crusade again.<sup>64</sup> Celestine was probably aware of this; and it is not implausible that Richard's high-profile case affected perceptions of the privilege, especially in England. These factors, alongside the privilege's traditional role in the preaching of crusades, might also explain the pope's reiteration of the protection in this letter. Celestine's letters show that his responses were largely derivative and dependent on his predecessors, for instance he used the peace movement to facilitate political stability and create an atmosphere conducive to taking the cross. He stressed the need for political peace: 'let there be none who wages war against another'.<sup>65</sup> There was nothing original in his call for peace.

Finally, Celestine provided an example of vow commutation which was possibly a precursor to the ideas of Innocent III. Celestine granted penance to those who 'through poverty, infirmity of body or other just impediment shall not be able to complete their vow ... let them send one suitable person, or many, according to their abilities, with their expenses, for one year or more'.<sup>66</sup> The provision of suitable men to relieve the Holy Land in return for penance is striking. This marked a change in the institutionalisation of the crusade as a broader movement that was beginning to encompass those unable to complete their vow. The extension of the spiritual crusade privileges to wider society, under Innocent III, will be examined in chapter six.

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<sup>64</sup> J.P. Phillips, *The Fourth Crusade and the Sack of Constantinople* (London, 2004), pp.2, 8-9.

<sup>65</sup> *PL* 206, nr. 102, cols.970-73, col.973; Appendix, p.335.

<sup>66</sup> *Ibid.*, nr. 238, col.1135; Appendix, p.336.

## Conclusion

After the First Crusade, Urban was identified by his successors as the originator of both the crusade expedition and the protection over the crusader's families and possessions. In other words, the distinctions between pilgrim and crusader were not as blurred as might be supposed. Under Urban's successors the pilgrimage protection continued to be seen as personal; only the pilgrim and their goods were safeguarded from robbery or violence while on the pilgrimage. No real indication was given regarding any impact of this status on pilgrims' families and possessions. The enshrining of the crusade protection in specific terms had resulted in the Peace and Truce becoming increasingly irrelevant to the privilege. This is not to undermine the distinct use of the Truce and Peace as an auxiliary aid to facilitating the crusade, a practice that continued throughout the seventy-year period, 1123-95, discussed here. In addition to the crusader-specific protection privilege a broad truce would benefit the homes and families of crusaders, but analysis of the use of such clauses in papal documents denotes that this was not the overriding motive behind their inclusion. Instead, inherent political concerns that might impede a crusade underpinned the papacy's separate usage of the Truce and Peace. In the light of these papal crusade bulls various trends and themes have been identified. First, it is evident from *Quantum praedecessores* that, as originator of the crusade movement, Urban II continued to hold overwhelming influence over the preaching of the crusades. Arguably, in terms of the privileges, Eugenius came to be presented on an almost, if not, equal footing. This has significant ramifications in terms of the privileged status of crusaders' families and possessions. From 1145 onwards, Eugenius' formula was defined by his specific emphases that this protection extended over wives, children, families and possessions until the crusader's death or return.

This process of clarification and consolidation seemingly began in earnest in 1145. The papal bulls placed the emphasis more squarely on clear expression and the importance of communicating exactly what these privileges meant to crusaders and

their families and this probably contributed greatly to the institutionalising of the crusade movement and the appeal to potential crusaders. More pressingly, for Eugenius and subsequent popes, it must be stressed that the *raison d'être* of these crusade bulls was to recruit for the crusade. Thus any changes to the privileges must have been made with that goal in mind. The aim to maximise appeal and implement redefined privileges are not mutually exclusive, at least in part, the one may have directly influenced the other. The fact that preachers had access to these bulls may have enabled greater confidence in the still relatively new privileges in comparison to the ambiguity evident after the First Crusade.

The evidence suggests that the real difference in the institutionalisation of this crusade privilege was not one of drastic change, but refinement. The increased usage of dedicated crusade bulls made the explicit explanation of these 'temporal' privileges a clear priority in the eyes of crusaders. The fact that these privileges were promulgated at the start of each major crusade and in certain cases in letters to individual crusaders to the Holy Land rendered this protection far more tenable and permanent. The added emphasis placed on the practicalities of these privileges is significant, particularly regarding the involvement of the uppermost echelons of the ecclesiastical hierarchy in this process. Alexander III emphasised that anyone who infringed papal protection should make restitution to the crusader and his continued emphasis on Eugenius' call for absolute proof of a crusader's death or return shows that there was a distinct necessity for these privileges to be adhered to. Restitution may also reflect the experiences of the Second Crusaders, discussed in the two following chapters, and the need to better express the legal practicalities of the privilege. Despite the significance of the formula that Eugenius had innovated, promises were not enough. The mechanics of exactly how this privilege was to work and the placing of the elite ecclesiastics in the position of ultimate responsibility show the gaps present even in *Quantum praedecessores*. Hence the emphasis placed here on protection as an added attraction, and the further development of the restitution clauses as another means of ensuring the privilege's efficacy.

The analysis here has also demonstrated that protection privileges in post-1187 bulls have not received adequate investigation. Despite the loss of Jerusalem and the urgency of the situation in the Latin East the protection clauses did not change much. This suggests that the most crucial stages of development of the protection privileges - the critical foundations of the legislation - had already been laid. The fine distinctions endemic in this seventy-year period were limited to style, emphasis and establishment of responsibility. In spite of Eugenius' dominance it remained open to influences and further development according to context and contemporary concerns, but the very predominance of the Eugenius model precludes Tyerman's argument that the construction of the privileges should be dated later.

To return to the question that underpinned this chapter, it would appear incorrect to categorise this as a period of stasis. It is evident that the papacy's attempts to clarify and consolidate resulted in subtle but no less significant nuances in the language of protection. This is particularly evident first, in the emphases on families, wives and children, and satisfaction by Eugenius, second, in the letters of Adrian IV and Alexander III to individual crusaders. Third, Alexander instructed prelates to ensure that restitution was made to returned crusaders even at the lower echelons of society and fourth, Gregory VIII and Celestine III emphasised peace. Finally, Gregory and especially Celestine provide precursors to some of the issues that were to dominate Innocent III's pontificate, such as vow commutation. The foundations on which Innocent would build were thus in evidence here. It remains to consider the impact on the crusade regents of the considerable changes put in place by Eugenius III.

## **Chapter Four: Royal Crusade Regencies in France and Germany: the Second Crusade**

Chapter three assessed the changes in crusader-specific protection over the crusaders' families and possessions. This present chapter will examine how that protection worked in practise during the Second Crusade. The main change was that the papal protection was extended not only over counties but over the kingdom of France and the Holy Roman Empire.<sup>1</sup> Given the sacral nature of kingship and the fact that kings were anointed we might expect the defence of people and property to operate differently. Yet papal guardianship encompassed the royal realm in the same way as a comital domain.<sup>2</sup> The critical difference between the protection offered to comital and royal crusaders was the crown's regal and sacred status, and this meant an intensification of papal effort to uphold that protection.<sup>3</sup> Royal and comital methods of ensuring peace, or at least negating disruption of political stability, were markedly similar; kings installed ruling bodies of several key, experienced and influential individuals to fill the king's place. A crucial contrast between royal and comital government was that royal regencies placed a marked emphasis on installing representatives of 'the two swords'; spiritual and secular spheres of authority. In France, the regents were Abbot Suger of St Denis, Archbishop Samson of Rheims and Count Ralph of Vermandois. In Germany the young prince Henry represented secular might and he was next in line to the throne, while Abbot Wibald of Stablo provided the requisite ecclesiastical authority.

In the light of the magnitude of the task of protecting kingdoms, we might ask whether the papacy promised more than it could reasonably deliver. To an extent it is tempting, as has been argued by others, to answer in the affirmative: Grabois declared

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<sup>1</sup> For comital regencies see chapter two.

<sup>2</sup> Hiestand argues that the lack of German and French, royal involvement in the First Crusade, reflected the problems that would be caused if the kings left their kingdoms, Hiestand, 'Kingship and Crusade in Germany', p.238.

<sup>3</sup> This is in opposition to Horn who argues that papal protection over kingdoms was not new, pointing to Alfonso I of Portugal, M. Horn, *Studien zur Geschichte Papst Eugens III (1145-1153)* (Frankfurt, 1990), pp.109-10.

that although papal protection was vital to recruitment, implementing this privilege was an impossible task especially when the crusader was a king.<sup>4</sup> Yet we must bear in mind what the papacy had offered and what the pope had at his disposal to protect the interests of royal crusaders. Chief among papal punishments was excommunication, which was sanctioned against violators of crusaders' privileged status. Consequently, for the military protection and continuation of secular government, we must look to the temporal authorities installed by Louis VII and Conrad III. This chapter will illustrate Eugenius' marked success in fulfilling that protection pledge. In order to show the successes of both regents and papacy this chapter will compare the experiences of Louis VII and Conrad III to determine what impact the absences of these two kings had on their respective realms. First, this chapter will examine how they selected their regents and why these individuals were chosen. Second, this investigation will focus on the regencies themselves by using contemporary narrative sources and correspondence to reconstruct the main events of the regencies, and to determine how far the papal protection was upheld by Eugenius III. This analysis will also draw attention to the co-operation between the regents and the papacy, the problems that could occur and the measures that were taken to combat exploitation of the kings' absences.

#### Selection, Installation and Acclimatisation of Royal Regents in France and Germany

Chapter three drew attention to the papal protection in this period and how the papacy disseminated that message. It is worth considering the reception of that message by the Second Crusaders. Odo of Deuil, Louis VII's chaplain, described the reception of crusade appeals such as *Quantum praedecessores* in France.

[Eugenius sent] letters sweeter than any honeycomb, which enjoined obedience to the king and moderation in arms and clothing, which promised those taking the easy yoke of Christ the remission of all sins and the protection of their wives and children, and

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<sup>4</sup> Grabois, 'Le privilège de croisade et la régence de Suger', pp.458-59.

which contained certain other provisions that seemed advisable to the pope's holy wisdom and solicitude.<sup>5</sup>

Odo of Deuil demonstrates the intrinsic value of the protection clause to the crusaders. Odo listed it as one of the foremost themes and pledges of the papal bull, underlining its significance to potential crusaders. Odo viewed papal protection as one of the essential crusade privileges, alongside the remission of sins. *Quantum praedecessores*' numerous references to ancestral pride and family honour are absent from Odo's version. Despite Hugh of Vermandois' participation and reputation as a crusading hero, Odo may have omitted any reference to fathers because Louis VI had not gone on the First Crusade.<sup>6</sup> Aside from his discussion of the protection privilege, Odo also gives us valuable insight into assembly of Étampes (18 February 1147) most notably the selection process for royal regents and the election of Suger of St Denis and William of Nevers. Odo presented an explicit connection between the two swords' ideology and the crusade regency.<sup>7</sup>

Now the king, limiting his power out of fear of God, as was his wont, gave the prelates of the Church and the nobles of the realm the privilege of election... [Bernard of Clairvaux] said: "Behold, here are two swords. It is enough", pointing out you, Father Suger, and the count of Nevers. This would have pleased everyone a great deal if only it had pleased the count, but he had vowed himself to Chartreuse and he could not be recalled from it by the prolonged prayers of the king or of all the others. Then on you alone was placed the burden assigned to both, and you bore it in unruffled peace and felt that it was the easy burden of Christ.<sup>8</sup>

Thus Bernard of Clairvaux had a central role in all aspects of the crusade, including the election of crusade regents.<sup>9</sup> The lack of a representative for the secular sword

<sup>5</sup> Odo of Deuil, *De Professione Ludovici VII in orientem*, ed. and trans. V.G. Berry (New York, 1948), pp.8-9; Appendix, p.337.

<sup>6</sup> Ibid. For a literary interpretation that Odo used *Quantum praedecessores* to underpin the structure of his narrative see B. Schuster, 'The Strange Pilgrimage of Odo of Deuil', *Medieval Concepts of the Past, Ritual, Memory, Historiography*, ed. G. Althoff, J. Fried and P. Geary (Cambridge, 2002), p.274. For Hugh of Vermandois see M.G. Bull, 'The Capetian Monarchy and the Early Crusade Movement: Hugh of Vermandois and Louis VII', *Nottingham Medieval Studies*, vol. 40 (1996), pp.25-46.

<sup>7</sup> J. Van Engen defined the Two Swords as 'two forms of coercion ... two ways of making lordship effective', 'Sacred Sanctions for Lordship', *Cultures of Power*, p.221.

<sup>8</sup> Odo of Deuil, *Professione Ludovici*, pp.14-15; trans. Berry; Appendix, p.337.

<sup>9</sup> L. Grant, *Abbot Suger of Saint Denis, Church and State in Early Twelfth-Century France* (London, 1998), p.157.



increased the onus on Suger because the count of Nevers' vow diminished the symbolism of the two swords, and removed the practical influence of William's temporal authority.

At first glance the reasons for Suger's installation appear dissimilar from those of the regents favoured by Flanders and Champagne. No immediate family member was selected because Louis' wife, Eleanor of Aquitaine, accompanied him, and his mother Adele was passed over. It was vital for Louis that the regency reflected Bernard's original plan of joint ecclesiastical and secular rule. Despite the former's apparent passivity in the selection of the regents, it is hard to believe that the king had no say in this event. While an argument from silence should be avoided if possible, it may be that Louis had already made it plain that his mother should be excluded from regency, particularly because she had remarried to Matthew Montmorency, a family with whom Louis VI had been in conflict during the early 1100s.<sup>10</sup> Adele's intriguing had also proved her to be untrustworthy.<sup>11</sup> Louis initially shared power and a palace with Adele, but Suger of St Denis, a vital contemporary source and a central figure in Louis' administration, observed that Adele was more likely to exert animosity than wisdom.<sup>12</sup> Her alleged scheming is also attested to by the Chronicle of Morigny, which was written close to the royal court at Étampes, thus the chronicle's authors were well-placed to gauge the political situation. This suggests that Adele's actions were widely known, which may also have counted against her potential regency.<sup>13</sup> Suger had his own reasons for distrusting Adele, in 1128 she had conspired with Ralph of Vermandois to remove Suger's mentor, the seneschal Archdeacon Stephen of Garlande, from power and more recently in the early 1140s she had been one of Suger's rivals for royal influence.<sup>14</sup> In the light of such accusations and contemporary

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<sup>10</sup> M. Bur, *Suger, abbé de Saint-Denis, régent de France* (Paris, 1991), p.25, p.217, p.275.

<sup>11</sup> Grant, *Abbot Suger*, p.145.

<sup>12</sup> Suger, 'De Glorioso Rege Ludovico, Ludovici Filio', *Oeuvres*, vol. 1, ed. and trans. into French F. Gasparri (Paris, 1996), pp.156-77, p.163.

<sup>13</sup> Grant, *Abbot Suger*, p.48; *La chronique de Morigny (1095-1152)*, ed. L. Mirot (Paris, 1909), p.43.

<sup>14</sup> Grant, *Abbot Suger*, pp.127-28, pp.142-45.

perceptions about her, Adele was unlikely to inspire confidence and her remarriage introduced a potential conflict of interests, moving her away from the royal sphere.

Instead Suger was chosen because of his close connections to the royal court, under both Louis VI and Louis VII by virtue of his experience as ambassador to Pope Gelasius in 1118 and Pope Calixtus in 1121-22 and because of his administrative background.<sup>15</sup> As abbot of St Denis, an independent abbey with strong connections to the Capetian dynasty, Suger's many responsibilities entailed putting in order old rights and recovering properties. His authority encompassed twelve estates, fifteen churches, priories and justice rights. He had initiated a programme for the restoration of agricultural buildings that had made the abbey's possessions more efficient.<sup>16</sup> He had reformed the abbey and controlled its nine priories and one castle.<sup>17</sup> Suger had been one of the old guard of advisors from the reign of Louis VI and despite the increasing influence of newer and younger advisors during the reign of Louis VII, the abbot had retained his position through a difficult period. By 1144 he was, once again, held in the highest regard by Louis VII. All of this meant that he was well-placed to be regent.<sup>18</sup> Similarly, Count William II of Nevers was seen as capable of supplying the essential temporal authority through his high political status. He was a long standing supporter of the French monarchy.<sup>19</sup> William had been on the 1101 crusade and was related by marriage to Hugh of Vermandois. He was an influential magnate who had held the comital title since 1089. He was an experienced ruler, an accomplished warrior and thus he met the requirements for the regency.<sup>20</sup> This thesis has argued that experience was a vital prerequisite for regents and as such both Suger and William fitted the bill.

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<sup>15</sup> F. Gasparri, 'L'abbé Suger de Saint-Denis et la papauté', *Suger en question, regards croisés sur Saint-Denis*, ed. R. Große (Munich, 2004), pp.69-80.

<sup>16</sup> G. Constable, 'Suger's Monastic Administration', *Abbot Suger and Saint-Denis, A Symposium*, ed. P.L. Gerson (New York, 1986), pp.17-18, pp.22-23.

<sup>17</sup> Bur, *Suger*, pp.138-39, p.164, p.172, p.178.

<sup>18</sup> Grant, *Abbot Suger*, pp.109-10, p.129, p.142, p.147, p.154.

<sup>19</sup> V.G. Berry, *De Profectione Ludovici*, no. 38 p.14.

<sup>20</sup> Phillips, *Second Crusade*, p.100, pp.117-18.

William's earlier vow precluded him from taking up the regency but Odo informs us that the principle of the two swords held true because a tripartite team of secular and ecclesiastical co-regents replaced William. '[Louis] made the archbishop of Rheims your associate in the administration of the realm ... Count Ralph [of Vermandois] ... was added as the third administrator, lest you two should not lack a temporal sword, so that "a threefold cord should not be quickly broken".'<sup>21</sup> This careful and deliberate involvement of the secular and spiritual arms of government in the regency was a symptom of Louis' fastidious and lengthy fifteen-month preparation for the crusade.<sup>22</sup> The election was another means of ensuring the regents' authority and legitimacy, through the visual confirmation and the seemingly unanimous selection of the regents; such validation might have rendered challenges to Suger's position more difficult. Stability was essential and it is worth remembering that France had not needed a regency since 1060, thus there was no official mechanism for government without a king, and Suger was on relatively new ground for his generation.<sup>23</sup> This in itself might explain why William of St Denis, another contemporary author and Suger's secretary, expressed similar ideals to Odo in his portrayal of the Council of Étampes. He presented the regent as a king-like figure - divinely appointed by an unanimous vote.

[Louis] entrusted to the best noblemen and ecclesiastical persons of highest rank the most important matters [to whom] to entrust the government of the realm. And it happened that by divine inspiration all acting in accord decided on this glorious man and compelled him to take up the care and administration [of the kingdom]. He considered this charge to be a burden rather than an honour, he refused it, as much as it was right ... until he was forced to that by Pope Eugenius, who was present for the king's departure and whom it was neither right nor possible to resist.<sup>24</sup>

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<sup>21</sup> Odo of Deuil, *Profectione Ludovici*, pp.20-21; trans. Berry; Appendix, p.337.

<sup>22</sup> Phillips, *The Second Crusade*, p.128.

<sup>23</sup> A. Poulet, 'Capetian Women and the Regency: The Genesis of a Vocation', *Medieval Queenship*, ed. J.C. Parsons (Stroud, 1994), 106; Grant private conversation, IHR, 22.02.2011.

<sup>24</sup> William of St Denis, 'Vie de Suger', *Oeuvres*, vol. 2, ed. and trans. into French F. Gasparri (Paris, 2001), pp.332-33; trans. Ciuca and Park; Appendix, p.337.

The theme of divine inspiration is unsurprising given William's agenda but it is interesting. After all if the king was chosen by providence why not the temporary holder of his royal office? This would have meant Suger added legitimacy; we have already noted that he was not of royal blood. Indeed, Suger was not even a bishop hence Grant suggests that had Bishop Geoffrey of Chartres been well, he may have been the ideal choice having already performed a similar role in Aquitaine after Louis' succession.<sup>25</sup> Suger's view of the regency as a burden is corroborated by Odo, but the role that William assigned to Eugenius is more striking. The fact that the pope was central to Suger's acceptance is notable, especially in light of the papacy's position as the architect of this protection. While William intended to show that Suger was not looking for glory, and the refusal of power was a well-known *topos* of rulership, on a practical level papal support was instrumental.<sup>26</sup> It would hardly have been prudent to allow two potential regents to refuse the post, and the papal backing bolstered Suger's status.

In Germany similar measures were employed. King Conrad installed churchmen such as Bishop Bucco of Worms, Bishop Anselm of Havelberg and Abbot Wibald of Stablo as his regents alongside Henry, Conrad's ten-year-old son.<sup>27</sup> The latter was elected and crowned to reinforce his legitimate authority. As with the case of Suger, there were sound reasons for appointing Wibald who was also an experienced diplomat.<sup>28</sup> He had been involved in Lothar III's second Italian expedition in support of Pope Innocent II against Roger of Sicily and the antipope, Anacletus II, in 1136-7. In 1138 he was closely associated with the men who elected Conrad, he had become an important functionary in Conrad's court, and by October 1146 he was the abbot of Corvey.<sup>29</sup>

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<sup>25</sup> L. Grant, 'Geoffrey of Léves, Bishop of Chartres: »Famous Wheeler and Dealer in Secular Business«, *Suger en question*, pp.54-55.

<sup>26</sup> B. Weiler, 'The *Rex Renitens* and the Medieval Ideal of Kingship, CA.900-CA.1250', *Viator*, vol. 31 (2000), pp.1-42.

<sup>27</sup> Horn, *Papst Eugens*, p.53.

<sup>28</sup> *Ibid.*, pp.59-60.

<sup>29</sup> M. Hartmann, 'Timothy Reuter and the edition of Wibald of Stavelot's letter collection for the MGH', *Challenging the Boundaries of Medieval History, The Legacy of Timothy Reuter*, ed. P. Skinner (Turnhout, 2009), p.186; T. Reuter, 'Briefsammlung des Abtes Wibald von Stablo und Corvey',

Eugenius' very presence in France at this potentially difficult time was of considerable importance and demonstrated his commitment to this pledge. Additionally, his letters to Conrad and the dispatch of legates to Germany reveal much about his own determination to guard the lands, possessions, and families that royal crusaders left behind. Before the crusaders departed, Louis and Eugenius set in order the French kingdom's affairs. Odo tells us that the king 'ensured future peace for his subjects'.<sup>30</sup> Likewise, 'the pope moreover confirmed the arrangements which were satisfactory and corrected the many irregularities while waiting for the king to arrive'.<sup>31</sup> As far as Odo was concerned, Eugenius' role was indispensable. Thus ten days before the agreed departure date of the Second Crusaders (15 June 1147) Eugenius confirmed the pact between Louis and Bishop Thibaut of Paris: 'concerning the place situated in the suburbs of Paris which is named *Campellius*'.<sup>32</sup> Under the terms of this agreement Thibaut received one third of the revenues from this area, while the remaining two thirds were returned to the king's coffers. As no secular lord outranked Louis VII, it is understandable that he looked to Eugenius to provide added security, and the king's impending departure and papal protection informed the pope's decision to confirm this agreement. This letter confirms Odo's reference to Eugenius improving Louis' preparations.

The situation in the empire was similar, the pope had earlier sent his legate to Germany, namely the German Cardinal-bishop Theodwin of Santa Rufina, who was experienced in imperial affairs and had crowned Conrad as king. Theodwin had been in Germany since 11 March 1147, and both Bernard of Clairvaux and Peter the Venerable had been at the assembly held in Frankfurt where Conrad had settled matters such as Henry's succession in preparation for the crusade. Furthermore, on 30 March Eugenius met Conrad's delegation at Dijon, a group which included Wibald

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*Heinrich der Löwe und seine Zeit, Herrschaft und Repräsentation der Welfen, 1125-1235, Katalog der Ausstellung Braunschweig 1995*, vol. 1, ed. J. Luckhardt and F. Niehoff (Munich, 1995), pp.561-62; F.J. Jakobi, *Wibald von Stablo und Corvey (1098-1158), Benediktinischer abt in der Frühen Stauferzeit* (Aschendorff, 1979), p.79.

<sup>30</sup> Odo of Deuil, *Profectione Ludovici*, pp.12-13; Appendix, p.337.

<sup>31</sup> *Ibid.*, pp.16-17; Appendix, p.338.

<sup>32</sup> *PL 180*, nr. 191, cols.1234-36, col.1235; Appendix, p.338.

and Anselm.<sup>33</sup> Thus Eugenius ensured that his pronounced presence was felt in both kingdoms during their final preparations. To ensure the effectiveness of Conrad's appointments, the king proclaimed peace throughout his lands.<sup>34</sup> In keeping with the close contact between regents and pope, Conrad recounted his provisions to Eugenius:

...we commend Bucco, that is to say the bishop of Worms; Anselm, bishop of Havelberg, and Wibald, abbot of Corvey, to your sincerity so that you hear what they say to you just as if it was from our own mouth and do not refuse to treat with them formally and to manage the affairs of the Holy Roman Church and of the kingdom.<sup>35</sup>

Thus Conrad fulfilled the requirements that Eugenius probably insisted upon in his lost letter.<sup>36</sup> In addition, the king established his own conditions possibly because the king recognised the protection that Eugenius had promised and that the most effective regency government would entail a close relationship between pope and regents. Reuter suggested that Bucco and Anselm were Wibald's close friends; this again illustrates the regents' experience because the three co-regents had previously worked together.<sup>37</sup> It seems that these men were chosen because they were part of Conrad's circle and had the capacity to work together in his absence. Like Louis' regents, Conrad's choices needed papal backing. In his letter to Eugenius, dated March 1147, Conrad detailed the circumstances of Wibald's election following the deposition and death of the simoniac Abbot Henry of Corvey.<sup>38</sup> Clearly, Conrad wanted to ensure that Wibald was of legitimate status before the king departed on the Second Crusade. Wibald needed papal endorsement because it was against Church law to hold two abbacies simultaneously and this issue clearly remained pressing because in December 1147, Duke Henry of Saxony and Count Herman of Weißenburg wrote to

<sup>33</sup> Phillips, *Second Crusade*, pp.128-129, p.133.

<sup>34</sup> Nr. 3, 'Variorum ad Eugenium Papam Epistolae', *PL 180*, cols.1616-17, col.1617.

<sup>35</sup> *Ibid.*; trans. Kleineke and Park; Appendix, pp. 338-39.

<sup>36</sup> Phillips, *Second Crusade*, p.129, p.131.

<sup>37</sup> T. Reuter, 'Gedenküberlieferung und -praxis im Briefbuch Wibalds von Stablo', *Der Liber Vitae der Abtei Corvey*, vol. 2 *Studien zur Corveyer Gedenk-überlieferung und zur Erschliessung des Liber Vitae* (Reichert, 1989), pp.173-74.

<sup>38</sup> Jakobi, *Wibald von Stablo*, pp.74-75; Horn, *Papst Eugens*, p.56.

Eugenius to praise Wibald.<sup>39</sup> In the same year and in similar circumstances, Henry of Germany wrote to Wibald expressing his confidence in the abbot as a regent and the young king outlined the remit of that role.<sup>40</sup> In his own letter Conrad stressed Wibald's duty to care for the ten-year-old Henry, 'we commit our beloved son to your fidelity'.<sup>41</sup> This message was repeated again in 1148.<sup>42</sup>

Alongside the induction of regents, other acts took on marked importance. Louis' preparations before his departure entailed familiar acts of restitution, although it must be noted that in this case a fortress at Corneille was restored to Louis by Bishop Peter of Le Puy, whereas in previous instances we have seen that it was the crusader who made amends.<sup>43</sup> In Louis' case this return to the *status quo* was a further means of ensuring greater stability for the regent. By ironing out such issues before his departure the French king made the transition slightly easier for his representatives. Louis also delegated the reform of the convent of St Geneviève to Suger, but this issue did not pertain to papal or royal protection of crusaders' interests, thus it is not discussed here.<sup>44</sup>

In 1147 the French king also gave more explicit orders on matters that affected the crusade regency more directly.

We have made clear our business to you and once again we make it known to you that according to the statement of our will, you should hasten to fulfil them to the best of your ability. Furthermore, we command that, as our dearest friends and faithful men, you cause our house of Gisors to be preserved and provide care [for it] diligently from this time.<sup>45</sup>

Gisors was identified as a key issue from the outset of the regency, probably because Louis was concerned for its safety, given Geoffrey of Anjou's interests there.<sup>46</sup> A

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<sup>39</sup> *Bibliotheca Rerum Germanicarum, vol. 1, Monumenta Corbeiensia*, ed. P. Jaffé (Berlin, 1864), nrs. 70-71, pp.146-47; Horn, *Papst Eugens*, p.57.

<sup>40</sup> *Bibliotheca Rerum Germanicarum, vol. 1*, nr. 41, p.120.

<sup>41</sup> *Ibid.*, nr. 48, p.126; Appendix, p.339.

<sup>42</sup> *Ibid.*, nrs. 78, 144, pp.152-53, pp.225-26.

<sup>43</sup> *Études sur les actes de Louis VII*, ed. A. Luchaire (Paris, 1885), nr. 185, pp.158-59. See above p.76.

<sup>44</sup> Constable, 'Suger's Monastic Administration', p.18; Horn, *Papst Eugens*, p.111, p.115, p.131.

<sup>45</sup> *RHGF*, vol. 15, nr. 11, p.487; trans. Kleineke and Park; Appendix, p.339.

<sup>46</sup> Grant, *Abbot Suger*, p.161. Geoffrey of Anjou had recently ceded Gisors to Louis VII.

second letter addressed only to Suger dealt with Louis' most pressing concern – provision of funds for the crusade.<sup>47</sup> Another letter from 1147 set the tone for the bulk of his correspondence instructing Suger to collect money for Louis and the crusade, 'having collected [it] you should work diligently to send [it] quickly without delay.'<sup>48</sup> The fact that Louis did not address this to all of his three regents may indicate a hierarchy: perhaps Archbishop Samson was less of a key player as far as Louis was concerned. Bournazel noted that Louis often communicated only with Suger, but did not suggest that Louis gave him any sense of heightened status. Nonetheless the evidence also indicates that the king perceived Suger as the senior partner.<sup>49</sup>

In both the empire and the kingdom of France, Eugenius took action. He applied himself zealously to the defence of the crusaders' lands and possessions. He wrote, in 1147, to Bishop Henry of Mähren in the Rhineland concerning the recently departed crusaders, and urged the bishop to watch over the Holy Roman Church.<sup>50</sup> Such concerns are understandable because under the terms of the crusader-specific protection privilege, it was the pope's responsibility to defend the two kingdoms. In the same year, this time for a French audience, Eugenius wrote to Archbishop Adalbert of Trier concerning the peace and concord between Adalbert and Count Henry of Namur.<sup>51</sup> Eugenius instructed that this peace should remain firm and undisturbed; anyone who infringed this settlement would be 'a stranger to the most sacred body and blood of God and Jesus Christ our lord redeemer'.<sup>52</sup> This partnership of temporal regents and ecclesiastical punishment underlined the importance of peace at this critical juncture.

In both kingdoms, the secular and spiritual spheres united to secure the crusader kings' lands and possessions. Eugenius made a point of contacting the

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<sup>47</sup> *RHGF*, vol. 15, nr. 12, p.487.

<sup>48</sup> *Ibid.*, nr. 13, p.488; Appendix, p.339.

<sup>49</sup> E. Bournazel, 'Suger and the Capetians', *Abbot Suger of St Denis: A Symposium*, p.59.

<sup>50</sup> *PL 180*, nr. 204, cols.1251-52.

<sup>51</sup> *Ibid.*, nr. 174, cols.1212-13.

<sup>52</sup> *Ibid.*, col.1213; Appendix, pp.339-40.



archbishops and bishops – those responsible for his crusader-specific privilege to make this link unmistakable:

... our dearest son, Conrad, king of the Romans, aroused by the flames of divine love, after taking up the sign of the life-giving cross, prepared himself manfully and vigorously for waging war against the insanity of the idol-worshippers, and for the propagating of the worship of the Christian name ... Thus in the present letters to your fraternity we exhort and we command by exhorting that you diligently and faithfully assist our dearest son Henry the younger king, son of Conrad the illustrious king of the Romans ... We do not wish at any rate that, under the protection of the blessed Peter, in the absence of his father, he should by any means meet with failure or detriment to his honour.<sup>53</sup>

Eugenius appears more fully engaged in this process than his predecessors and some of his successors. This may reflect the fact that he was the first pope to cope with kings departing on crusade. The severity with which Eugenius viewed breaches of this peace can be identified in his letters to Conrad and his son Henry. Eugenius urged Henry to follow his father's pious example in his devotion to and dealings with the Roman Church.<sup>54</sup> Thus from the outset of the Second Crusade, Eugenius set the standard for the fulfilment of the protection pledge.

### The French Royal Regency

The Second Crusade removed several potential troublemakers but also many of the law-keepers.<sup>55</sup> Thus, contrary to Odo, William of St Denis attributed a rise in dissent and crime to the departure of the king and the barons.

... After the king had already departed abroad, when that eminent man had taken the power in his hands, brigands began to attack the kingdom here and there and gangs that had been created a long time before began to appear in daylight, as if they had taken their freedom of raging around from the absence of the prince. Among them some were pillaging the goods of the Church and the poor by open violence. Others to the contrary were perpetrating their larceny in even more obscure places. To punish them the new leader [Suger] was immediately provided with both swords, the one

<sup>53</sup> Ibid., nr. 272, cols.1320-21; trans. Ciuca and Park; Appendix, p.340.

<sup>54</sup> Ibid., nr. 245, cols.1299-1300, col.1300.

<sup>55</sup> Grant, *Abbot Suger*, p.159.

material and royal, the other spiritual and ecclesiastical, each of which, however, the holy Pontiff, by divine inspiration, had armed him with...<sup>56</sup>

The absence of the crusaders did not make the regents' jobs easier, hence for Grant, Suger was reliant on Eugenius and Bernard's backing to bolster his position.<sup>57</sup> For Grabois, Eugenius' role as protector was indispensable to Suger.<sup>58</sup> Yet we should also stress the obligation that Eugenius had to the abbot. The pope was crucial to William's account; Eugenius provided the source of Suger's authority but, for William, the abbot was the heroic figure. William ignored Ralph of Vermandois; Suger wielded both swords with marked success, quelling violence without bloodshed because 'he was a lion on the outside but a lamb on the inside'.<sup>59</sup> Clearly there is a hagiographical undertone to this work and it must be used with caution, but the basic premise, that the lords' departure created a ripe opportunity for exploitation of the crusaders' absence appears well attested. It must be remembered that in both France and the empire the stakes were high for Eugenius because he had promised such a degree of security. The pope's letters notably advocated the use of excommunication against transgressors, and Eugenius' actions reflected the need to ensure peace and tranquillity in the absence of so many crusaders. Eugenius was providing more than a bolster to these regents; he was upholding the pledge set out in *Quantum praedecessores*.<sup>60</sup>

Papal involvement in royal policies clearly predated Suger's crusade regency; this reliance on Eugenius began with Louis rather than Suger. This close contact between pope and regent during the Second Crusade is cast into sharp relief by the lack of surviving correspondence between Suger and Eugenius before 1145, although Suger had been in contact with earlier popes such as Calixtus II in 1123.<sup>61</sup> Eugenius and Suger's shared status as guardians of France informed the abbot's request to the

<sup>56</sup> William of St Denis, 'Vie', pp.334-35; trans. Ciuca and Park; Appendix, p.340.

<sup>57</sup> Grant, *Abbot Suger*, p.161.

<sup>58</sup> Grabois, 'Le privilège de croisade', p.462.

<sup>59</sup> William of St Denis, 'Vie', pp.336-37; Appendix, p.340.

<sup>60</sup> See p.115.

<sup>61</sup> Grant, *Abbot Suger*, pp.105-6.

pope 'let us know if you hear for sure about [Louis].'<sup>62</sup> This reflected their new relationship; just as Louis' absence rendered Suger the regent, the crusade protection privilege made the pope a defender of the kingdom. Suger used councils to underpin his government and he appears to have escalated their frequency. This possibly reflected the abbot's ecclesiastical background rather than royal example; although Louis VII attended the Council of Sens in 1140, royal councils were less common even after Louis' return from the Second Crusade; Beaugency (1152) and Soissons (1155) are noted and rare cases.<sup>63</sup> Suger's regency made great use of councils to further impress his authority and to express his intent.<sup>64</sup> In 1147, Suger organised a council and informed the pope that the bishop of Paris had refused to attend. Eugenius responded with characteristic vigour: 'Concerning the bishops indeed who for the defence of the kingdom refuse to serve and aid you ... by apostolic addresses we accuse them and we exhort [them] to the end that they be ready more promptly for the conservation of the estate of the kingdom, and devote their strength and counsel for the honour and advantage of the kingdom.'<sup>65</sup> The enforcing of crusader-specific protection was evident at this time; Eugenius informed Suger that he had excommunicated the duke of Lotharingia.<sup>66</sup>

Suger's royal and spiritual duties coincided once again in the issue of the regalian abbeys. In June 1148, Bishop Ulger of Angers asked Suger to acknowledge the election of the new abbot of Bourgueil.<sup>67</sup> Repeated requests along these lines were sent to Suger asking that he act in the place of the king, and acknowledge Robert's election.<sup>68</sup> The community of Bourgueil argued that Suger had the right to act after the manner of the king, which was probably indicative of this abbey's agenda, they

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<sup>62</sup> *Oeuvres*, vol. 2, nr. 4, pp.14-25, pp.24-25; trans. Edgington; Appendix, p.341.

<sup>63</sup> Y. Sassier, *Louis VII* (Paris, 1991), p.98, p.237; Y. Sassier, 'Louis VII et la pénétration de la paix royale et Nivernais et Auxerrois', *Structures de pouvoir, royauté et res publica (France, IX<sup>e</sup>-XII<sup>e</sup> siècles)* (Rouen, 2004), p.139; Y. Sassier, 'Les progrès de la paix et de la justice du roi sous le règne de Louis VII', *Structure de Pouvoir*, pp.177-80.

<sup>64</sup> For further councils in Beaugency and Verberie see nrs. 29, 31, *RHGF*, vol. 15, pp.493-94.

<sup>65</sup> *PL 180*, nr. 229, col.1283; trans. Kleineke and Park; Appendix, p.341.

<sup>66</sup> *Ibid.*

<sup>67</sup> *RHGF*, vol. 15, nrs. 23-26, 63, pp.492-93, p.507.

<sup>68</sup> *Ibid.*, nrs. 18-19, pp.490-91.

wanted and needed Suger to return the regalia without caveat. This was evidently a common request, throughout his regency several institutions called on Suger to ratify elections and bestow the regalia.<sup>69</sup> Additionally, these incidences point to a discrepancy between the perception of the role of regent in the wider political sphere and Suger's own ideas.<sup>70</sup> Suger emphasised his capacity as regent, expressing his own lines of demarcation between the approval of an election and the granting of regalia:

... We gave assent to their election, subject to the rights of the crown, on condition that if anything arising from it was poorly done contrary to the dignity of the king's majesty, they shall be answerable to the lord king if it pleases him, just as if he were present at the time, when, God willing, he has returned, through the judgment of his court, or to us who make provision in his place if we wish to take action arising from this.<sup>71</sup>

The hint that Suger might act according to their wishes at a later date probably depended on Louis' approval. Suger's paramount concern was to preserve the royal lands and the king's dignity in Louis' absence. Suger was allegedly on a level of parity with the king through his status as crusade regent. Nevertheless, the abbot firmly believed that in this instance, it was for Louis to ratify the election by returning the regalia.

In the case of the regalian church of Chartres there was another complication; Thibaut of Blois held its regalia in fief and refused to co-operate with Suger. Thibaut's letter to him issued a stark warning: 'I request that you do not ask the bishop for the [regalia pertaining to] the office of the vestry keeper because that regalia is mine, but if by the pleas of the bishop, you shall seek it then I will not send it.'<sup>72</sup> Both Thibaut and Suger judged that more permanent decisions did not fit the abbot's protective capacity. Hence Suger's letter: 'We are in complete agreement with the choice you have made, unanimously and in general peace, that Lord Goslin, archdeacon, should be your bishop ... Concerning the regalia indeed, according to

<sup>69</sup> *Ibid.*, nrs. 23-26; nr. 63, pp.492-93, p.507.

<sup>70</sup> *Oeuvres*, vol. 2, nr. 3, pp.12-15.

<sup>71</sup> *Ibid.*; trans. Edgington and Hall; Appendix, pp.341-42.

<sup>72</sup> *RHGF*, vol. 15, nr. 65, pp.507-8, p.508; trans. Edgington, Hall and Park; Appendix, p.342.

ancient custom which we know existed in the law of the lord kings of the Franks, after a bishop has been consecrated [he is] introduced into the palace according to canon law ... let the bishop take an oath of fidelity to the king and the kingdom, and then he may receive the regalia.<sup>73</sup> The abbot's missive gives us a clear indication of Suger's view of this aspect of his regency and the limits of his powers. For Suger, while the regent represented the king and took on royal powers and functions, in some cases it was the person of the king rather than his office that was essential. In another letter Suger made it unequivocal that although he ruled in Louis' absence the abbot could not bestow the regalia.

...Louis our dearest lord having taken up his renowned pilgrimage for the love of God committed the care and administration of his kingdom to us with the assent of the archbishops, bishops and noblemen of the kingdom, not without the consent of the Lord Pope. And because it is the duty of our office to diligently watch over and faithfully preserve that which pertains to the kingdom, on behalf of the king we have sent the bearers of the present [letter], our messengers, to receive and keep the regalia...<sup>74</sup>

Suger remained consistent in refusing to bestow the regalia, the appointment of the bishop was one thing, but he could not sanction the conferring of the regalia without the customary oath of fidelity to Louis.<sup>75</sup> This would have undermined the king and potentially impaired the kingdom's security. Suger had no pretensions to permanent powers but took on a status that was owed purely to the king's absence, and in these terms it was Suger's function to decide what was best for the kingdom and the dignity of the crown in a temporary capacity.

We have seen that Suger enjoyed the support of the pope but he also had the backing of other high status ecclesiastics. Chief among these was Bernard of Clairvaux who, in 1147, was keen both to offer advice on the key issues of the regency and to remind Suger of his spiritual duties. Thus Bernard wrote: 'the care of all the religious houses has been committed to you. But more care is needed for those

<sup>73</sup> *Oeuvres*, vol. 2, nr. 13, pp.52-53; Appendix, p.342.

<sup>74</sup> *Ibid.*, nr. 12, pp.50-51; Appendix, p.342.

<sup>75</sup> Nr. 13, *ibid.*, pp.52-53.

houses in which the observances of religion are known to leave more to be desired.<sup>76</sup> In addition to spiritual concerns, Bernard's letters encapsulated the removal of secular threats to both the kingdom and royal honour, exhorting Suger to fulfil the remit of his regency: 'You must discharge the duties of the king who has left you as his regent, or rather of God himself who has chosen you for this task.'<sup>77</sup> Evidently, Bernard believed that Suger should embrace all the royal duties and powers entrusted to him. In 1149 he contacted Suger regarding the dwindling supplies of the monastery of Maison-Dieu in Bourges. Bernard emphasised their plight as part of Suger's obligations as a regent. 'The king used to help them when he was in the district.'<sup>78</sup> Bernard's message was plain; it was the regent's duty to continue royal policies.

Suger was the recipient of several such letters from other sources, which referred to the various duties incumbent on him. Hugh of Lusignan wrote to the abbot to gain a written response 'about the business of Poitiers'.<sup>79</sup> Seneschal William of Poitiers addressed Suger about this same episode, and the conflict between William and Lord Ebro of Mauléon over a tower necessitated Suger's involvement: 'I beg your highness to send men of such kind by whom I shall return the tower [and] who might faithfully preserve it, for now I am about to journey to Jerusalem, I cannot protect it.'<sup>80</sup> Suger's involvement here was twofold, first, to send men to take back the tower and second, to provide a sufficient force to ensure that the tower remained in William's possession. In the light of the recent contest over this structure it was vital that Suger furnished defence in addition to papal protection.

Archbishop Samson of Rheims wrote along similar lines, regarding the burghers' actions against the churches of St-Remigius and St Mary which had suffered 'atrocious injuries and severe detriment' because the same burghers had also

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<sup>76</sup> Bernard of Clairvaux, *Opera*, vol. 8, nr. 369, p.328; trans. nr. 402, *Letters of Bernard*, nr. 369, p.475; Appendix, p.343.

<sup>77</sup> Bernard of Clairvaux, *Opera*, vol. 8, nr. 370, p.329; trans. *Letters of Bernard*, nr. 403, p.475; Appendix, p.343.

<sup>78</sup> Bernard of Clairvaux, *Opera*, nr. 378, p.342; trans. *Letters of Bernard*, nr. 406, p.471; Appendix, p.343.

<sup>79</sup> *RHGF*, vol. 15, nr. 8, p.486; Appendix, p.343.

<sup>80</sup> *Ibid.*, nr. 9; Appendix, p.344.

rebelled against the archbishop.<sup>81</sup> Samson was one of Louis' three crusade regents, yet the archbishop could not combat this insurrection without Suger's aid. At a similar time, Samson wrote to Ralph of Vermandois about the capture of knights, suggesting that such cases required the response of all three regents.<sup>82</sup> Likewise, Bishop Odo of Beauvais informed Suger that he had also turned to Ralph for aid following these disturbances to the peace, demonstrating how the regents' duties coincided.<sup>83</sup> However, Suger evidently retained his senior position because Odo's letter to the regent continued to say that at 'a meeting at a place and on a day you nominate ... in your presence this tumult shall be pacified'.<sup>84</sup> As a further testimony to Suger's heightened hierarchical position, it was Suger's presence not Ralph's advice that was essential to prevent war. Along similar lines, Cadurc's machinations in Poitou, required Suger's involvement. Geoffrey of Rancon alerted Suger to the issue in 1148. 'We notify you that Chancellor Cadurc, whom you sent to that land, has disturbed it exceedingly and taken a great deal of money for himself'.<sup>85</sup> In an earlier attempt to relieve this situation Suger sent Cadurc to administer Poitou but this only exacerbated the issue, in this case Suger was unsuccessful.<sup>86</sup>

This chapter has examined the correspondence to the regents from those who remained in France, but it is worth considering Louis VII's letters. The recurrent theme of funding the crusade informed the king's message in 1148. Louis called on Suger to collect and send the requisite funds as swiftly as possible.<sup>87</sup> This same message was reinforced in Louis' letter to all three of his crusade regents, underlining the difficulty of Suger's task – Louis needed financial aid that was not forthcoming.<sup>88</sup> Fulfilment of this duty was all the more difficult in the light of Bishop Thierry of Amiens' response to Suger, hinting that the abbot had compiled a list of potential

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<sup>81</sup> *Ibid.*, nr. 15, p.489; Appendix, p.344.

<sup>82</sup> *Ibid.*, nr. 16, p.490.

<sup>83</sup> *Ibid.*, nr. 30, p.494.

<sup>84</sup> *Ibid.*; Appendix, pp.344-45.

<sup>85</sup> *Ibid.*, nr. 45, pp.499-500; Appendix, p.345.

<sup>86</sup> Grant, *Abbot Suger*, p.166, p.171.

<sup>87</sup> *RHGF*, vol.15, nr. 36, pp.495-96, p.496.

<sup>88</sup> *Ibid.*, nr. 37, p.496.

contributors: ‘I beg you, my lord, efface me from the book which you have written ... I speak the truth to my friend, I do not speak falsely, and for this reason my Lord will spare me’<sup>89</sup> Thierry was not alone in this aversion to Suger’s tax collecting, Abbot John of Ferrières also complained of oppressive taxation.<sup>90</sup> Yet, for Louis, the resources that Suger sent were inadequate.

Another financial matter that called for Suger’s intervention was inheritance. In 1148 Drogo of Mouchy died on the crusade; his death removed the crusader-specific protection that extended over his family and possessions. Louis ordered Suger to offer Drogo’s inheritance the same protection that Suger had afforded to Louis. ‘With regard to Drogo of Mouchy who is dead, we similarly instruct you to make sure his inheritance is preserved as our own, of course for our own benefit.’<sup>91</sup> Louis’ same letter related that Renaud of Bulles, who was still on the crusade with Louis, had inherited lands from his brother Manasses. According to Louis, Suger was responsible for defending Renaud’s inheritance: ‘provide care for the patrimony and all the men pertaining to him ... which [Renaud] ought to obtain’.<sup>92</sup> This letter reveals how the French crusade regent took on protective duties for other absent crusaders. A similar missive instructed Suger to pay special attention to Adam of Villeron’s lands and possessions; ‘we command that you work diligently to defend and to protect our vassal Adam of Villeron with all belonging to him, as we are accustomed, since in his devotion to us, he has always worked diligently to assist us in foreign lands.’<sup>93</sup> This added protection was apparently a reward for Adam’s devoted service. It provides another indicator of the value that crusaders placed on the protection of their lands and possessions; it is possible this letter was written at Adam’s request. Thus Suger’s remit as regent was extended to include the possessions of crusaders besides Louis.<sup>94</sup>

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<sup>89</sup> Ibid., nr. 38, pp.496-97; trans. Ciuca and Park; Appendix, p.345.

<sup>90</sup> Ibid., nr. 39, p.497.

<sup>91</sup> Ibid., nr. 47, p.500; trans, Ciuca; Appendix, p.345.

<sup>92</sup> Ibid.; Appendix, p.345.

<sup>93</sup> Ibid., nr. 54, p.502; Appendix, p.345.

<sup>94</sup> Louis had confirmed Adam’s sale of land and donation to the abbey of Chaalis, c. 1147, Louis’ request to Suger, however, was a marked escalation of that act, *Études sur les actes de Louis VII*, nr. 195, pp.161-62.



Such protection additionally extended over the churches under crusade regents' care. In Germany Eugenius continued to exert influence, intervening in cases of arson and theft against the German Church. He ordered the bishop of Liège to bring the culprits, Eustace and Macharius, to justice and commanded that the criminals make restitution.<sup>95</sup> Clearly it was to the benefit of royal and papal interests to prevent further breaches of the peace. Hence in 1148-9 the community of Beauvais alerted Suger to the crimes and plundering of Waleran of Léveumont. 'We call upon you [Suger,] just as to the Lord and we complain because we were committed into your hands and your protection by the lord king.'<sup>96</sup> The people of Beauvais had a firm understanding of the nature and obligations of Suger's position. The language of this appeal is striking in the urgency placed on that protection. Notably the community of Beauvais' understanding of regency denoted that Suger had taken on all of Louis' jurisdictional functions.<sup>97</sup>

Suger was personally obliged to uphold royal law and this was a widespread perception of his authority that extended into international state-craft, for which he was well-prepared through his previous role as ambassador.<sup>98</sup> In 1147-8 Bishop Henry of Winchester wrote to Suger regarding the effects of Thierry's absence on Flanders, and requested both Ralph and Suger's assistance.

...all the power of Flanders, as far as the sea, is in the hands of the countess [Sibylla] in the absence of the count ... you should send our messages and the messages of Count Ralph together with our letters and our messenger to the countess of Flanders ... you should ask her for your love to grant safe conduct to us and ours travelling through her land and her power, both in departing and in returning.<sup>99</sup>

Unfortunately this missive gives little away regarding the issue affecting the Flemish regency and Henry's part in it. Henry believed that Suger was essential to its resolution, giving us another instance where Suger's participation was important to

<sup>95</sup> *Bibliotheca Rerum Germanicarum*, vol. 1, nr. 77, pp.151-52, p.152.

<sup>96</sup> *RHGF*, vol. 15, nr. 60, p.506; Appendix, p.345.

<sup>97</sup> This is not the sole example, for the appeal from Chartres concerning Hugh of Breigny's attacks see *ibid.*, nrs. 27-28, p.493.

<sup>98</sup> Grant, *Abbot Suger*, p.97.

<sup>99</sup> *RHGF*, vol. 15, nr. 33, pp.494-95; Appendix, pp.345-46.

resolving governmental issues. In 1148, Ralph alluded to the matter: ‘I came to Rheims to the pope, and the countess of Flanders led me there for her own business and we treated both my business and hers there.’<sup>100</sup> It is plausible that Ralph’s letter and Henry’s need for safe conduct reflected the more pressing situation, to Sibylla at least, of Baldwin of Hainault’s invasion, an event that will be discussed in further detail in chapter five. Suffice it to say here that the Council of Rheims (1148) was of significance to Suger because it provided a forum to treat the most urgent matters of his regency. The council had both papal backing and papal presence, which further underpinned his powerbase and legitimacy, and fulfilled Eugenius’ promises to Louis and other crusaders. Notably Ralph was released from his excommunication at this council, a fact that was important to Suger, as Grant underlines, because it removed a potential source of discontent from the abbot’s secular aide.<sup>101</sup>

Later in Suger’s regency the abbot’s personal presence remained critical, for instance, Reynald of Montfaucon sought Suger’s aid and was summoned to the abbot’s presence because of a dispute between Reynald and one of his vassals.<sup>102</sup> The royal crusade regency evidently extended into feudal duties but these matters varied in severity. Count Thibaut of Champagne informed Suger in 1148 of a more pressing issue, the turbulence caused by Viscount Salo of Sens. Thibaut’s letter stated: ‘I notify you of the injury and infamy that Salo, viscount of Sens brought against the king, and to you who has custody of his land, and to me. In fact Gaurinus, [Salo’s] son, seized the moneychangers of Vézelay coming at that moment to my market at Provins’.<sup>103</sup> In the same letter Thibaut complained of the theft of 70 *livres*, but concluded with a statement illustrating Suger’s power, that Salo ‘shall not be able to resist’.<sup>104</sup> Suger’s position here was clear; Thibaut placed him in the role of king; injury to Louis was, by definition, a crime committed against Suger. Thibaut himself had little direct influence here; he merely exhorted Suger to take action against Salo and promised

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<sup>100</sup> Ibid., nr. 40, p.497; Appendix, p.346.

<sup>101</sup> Ibid., p.163.

<sup>102</sup> *RHGF*, vol. 15, nr. 55, pp.502-3, p.503.

<sup>103</sup> Ibid., nr. 56, p.503; Appendix, p.346.

<sup>104</sup> Ibid.; Appendix, p.346.

success, adding to the evidence that contemporaries viewed the abbot as a successful defender of royal and comital interests.

Suger could rely on Thibaut of Champagne's aid in other matters, the abbot's letters indicate that Thibaut was viewed as an important advisor. The count wrote: 'you should come to meet me at Corbeil so that there I might see you and speak to you.'<sup>105</sup> Grant suggests that Thibaut may have been too old and militarily weak to be of any real benefit.<sup>106</sup> However, Louis clearly felt that he served some purpose to his regents because the king personally thanked Thibaut in 1148 and entreated his continued involvement until Louis' return:

Since the honour of my crown and the security of my kingdom rest especially on your fidelity [to me], I ask and pray that you diligently protect my kingdom and prevent any evil machinations against my crown.<sup>107</sup>

Similar concerns were raised in Thibaut's letter of 1149. In it, Thibaut offered more active aid, implying that Reynald of Courtenay's attack on merchants and theft of the king's taxes was a more severe issue; Suger's presence alone was insufficient.

I want to make it known to you that Reynald of Courtenay brought the greatest disgrace to the king and to you, who is the custodian of his lands. For he seized the king's merchants, who had given their tolls to the people at both Orléans and at Sens, and all their taxes in the land of the king and he snatched their goods away from them... if you want to take revenge on him and go against him with the army, ask it of me and I shall go as reinforcement to you...<sup>108</sup>

This appears to have been the only reference to Suger commanding the king's army as part of his regency. It provides further insight into the resources at the abbot's disposal, although it appears that military reaction was unnecessary because when Thibaut wrote to Suger again, the matter had been resolved.<sup>109</sup>

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<sup>105</sup> Ibid., nr. 17, p.490; Appendix, p.346.

<sup>106</sup> Grant, *Abbot Suger*, p.170.

<sup>107</sup> *RHGF*, vol. 15, nr. 53, p.502; trans. Evergates, nr. 72, *Feudal Society*, pp.105-6; Appendix, p.346.

<sup>108</sup> *RHGF*, vol. 15, nr. 73, p.511; trans. Ciuca; Appendix, p.347.

<sup>109</sup> Ibid., nr. 74.

Thus far we have seen examples of the correspondence between Suger and Louis VII and between the abbot and his co-regents and fellow ecclesiasts. It is therefore of interest to consider a letter to Suger from another crusade regent, Countess Ida of Nevers. The countess appealed to the abbot to procure the payment of a debt that even King Louis had been unable to secure - an indication of the political acumen and authority that she believed Suger possessed:

For my lord [the crusader William III], is in the service of God and the king ... One of the men of Auxerre is complaining about some men of Étampes Geoffrey of Grasse and Radulph his brother, who owe him 10½ *livres* of the money of Orléans and refuse to return it; they even scorned it when the lord king had ordered that money to be given back. Thus I ask you, as my lord, that you enforce its return.<sup>110</sup>

In addition to his fellow crusade regents, Suger corresponded with returned crusaders, such as Count Thierry of Flanders. Thierry warned Suger that Robert of Dreux planned to usurp the throne and instructed the abbot to ‘conserve the cities and fortifications’ entrusted to him.<sup>111</sup> Robert’s plot was probably the most serious case of exploitation in Louis’ continued absence; the king remained in the Holy Land until Easter 1149. The extent of Robert’s political ambitions, however, may have been over-exaggerated.<sup>112</sup> Grant suggests that the target of this attempted coup was Suger, not Louis. Rather than a would-be king, Robert was a figurehead for those disaffected by Suger’s rule. This revolt took place in long-held Capetian lands which suggests that Robert posed a clear threat to Louis’ interests if not his throne.<sup>113</sup> The fact that the king’s brother perpetrated this scheme potentially undermined Suger, who was an ecclesiastic and not of royal blood. The severity of such threats can be seen in Thierry’s promise of military assistance: ‘For I am prepared in all things to defend the land to the honour of my lord king and to evade neither dangers nor labours so that I

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<sup>110</sup> *Ibid.*, nr. 21, p.491; trans, Ciuca; Appendix, p.347.

<sup>111</sup> *Ibid.*, nr. 77, p.512; Appendix, p.347.

<sup>112</sup> Grant, *Abbot Suger*, p.173.

<sup>113</sup> *Ibid.*, pp.172-73.

may faithfully serve [Louis].'<sup>114</sup> To resolve this situation Suger called on the aid of both the spiritual and the temporal elites:

Because the glory of the body of Christ, that it is to say, the Church of God, resides in indivisible unity of kingdom and priesthood it is certainly evident to those who can see that the one is sustained by the other, because it seems clear to all discerning men that the temporal kingdom rests on the Church of God and that the Church of God advances by the means of the temporal kingdom. And so because we see that the kingdom is greatly disturbed by the betrayals and invasions of wicked men because of the long absence on pilgrimage of our most dear lord, the king of the Franks, Louis, and because we fear that together with the kingdom the Church of God is troubled rather seriously and because there is need of a quick decision, we implore and we invite you in the name of our reciprocal trust, yours and mine, and the fidelity by which you are bound to the kingdom, you who are the most precious gem in the crown of the kingdom, with your suffragans to convene with us at Soissons, on the Sunday before Rogations. We have called besides the archbishops and bishops and also the other magnates of the kingdom at the same time and place...<sup>115</sup>

This message of unity was deliberately sent to prevent the major political exploitation of Louis' absence. The stress on the Church's aid potentially reflected the fact that two of the three crusade regents were ecclesiastics and therefore Church and State were necessarily closer at this time. While the papal role was not mentioned explicitly here it is noteworthy that Suger called on the archbishops and bishops, whom Eugenius had instructed to uphold his protection pledge.<sup>116</sup>

Suger had further ecclesiastical duties to fulfil by defending the convent of Fontevrault against Bishop Gilbert of Poitiers' attempted subjection. The pope remained a vital ally in such matters. Suger enjoined Eugenius to act: 'May it please your Excellency therefore to deliver [the nuns of Fontevrault] from these torments so that they can serve God in peace, provide for them in the abundance of your mercy, comfort them and protect them under the protection of God in Heaven and from your apostolic authority.'<sup>117</sup> In response, the Apostolic See commissioned Geoffrey of Bordeaux to resolve this situation:

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<sup>114</sup> *RHGF*, vol. 15, nr. 77, p.512; Appendix, p.347.

<sup>115</sup> *Oeuvres*, vol. 2, nr. 7, pp.40-43; trans. Ciuca and Park; Appendix, p.348.

<sup>116</sup> See p.115.

<sup>117</sup> *Oeuvres*, vol. 2, nr. 8, pp.42-45; Appendix, p.348.

From the mandate of our Lord Pope it was incumbent on us to journey as far as Limousin, for the cause of the lord of Berry. From that place indeed, for the need of the church of Fontevrault, we descended as far as there [Fontevrault]. And then the bearer of this your present letter came to us at Poitiers, there it was necessary for us to make a delay on account of the business of the land [Poitiers].<sup>118</sup>

These events represented a neat point of convergence between the pope and the regent's attempts to ensure stability in Louis' absence. The reference to Poitiers probably indicated the further problems Cadurc provoked, implying events there remained critical. In 1149 Suger had written to Ralph concerning a fortification; Cadurc had twice refused to surrender the tower of Bourges to Suger's appointed guard.<sup>119</sup> For our purposes this missive confirms the sustained correspondence between the pope, the regent and the French prelates, and provides evidence of the significance that Eugenius assigned to his defence of the French kingdom.

Thus far we have concentrated on the secular defence of royal crusaders. It is therefore worth considering the role of Eugenius in upholding his protection. Eugenius made plain his commitment and the responsibility that his pledge entailed to the archbishops. In 1149 he wrote to Archbishop Hugh of Sens:

With such great devotion our dearest son, Louis, the illustrious king of the Franks assumed the journey to Jerusalem, [as] you [who were] bodily present know and [the fact] is not hidden from the greatest part of the world. [Louis] left his kingdom under the holy Church and our own protection, and he humbly entreated from both us as well as you, that we might protect it from the attacks of the wicked. We have heard, however, that certain men disturb the peace of the kingdom by diabolical instinct, and the same neglect God and revered men. They invade maliciously, not heeding that the same pious king, bearing his cross, was following Christ having left behind country and kingdom, he hastened to the place where the feet of the Lord stood, for the defence of the Christian faith ... Since indeed we cannot fail to aid both a devoted son to the holy Church and a most Christian prince, nor must we, we command you, through the present writing, to summon the disturbers of the kingdom assembled together in your presence and to warn [them] ... [to] desist from all attacks on the kingdom and not to presume to bring offence against the men of the lord king. If, however, they do not bother to obey your warnings, you may carry out the sentence of excommunication...<sup>120</sup>

<sup>118</sup> *RHGF*, vol. 15, nr. 82, p.514; Appendix, p.349.

<sup>119</sup> *Oeuvres*, vol. 2, nr. 14, pp.54-55.

<sup>120</sup> *PL 180*, nr. 355, cols.1394-95; trans. Ciuca and Park; Appendix, pp.349.

This letter falls into the remit of clarifying the protection clause. The fact that the protection was repeated in such detail in 1149 illustrates the continued and consistent stress that Eugenius placed on this privilege. Beyond elucidation of the protection, this letter revealed the credible threats that menaced France, hence the express need to remind the archbishop to strive for the defence of the kingdom. A similar letter was sent to Suger by Eugenius in the same year, reminding him of the measures at his disposal. ‘For just as in the letters which we sent to our brothers, the archbishops and bishops, which you will be able to examine, we have ordered those who disturb the peace of the kingdom to be excommunicated unless they have repented.’<sup>121</sup>

The pope also advised Suger to convene another council ‘so [the archbishops and bishops] might fulfil, with the aid of God, that which should be done for the advantage of the realm.’<sup>122</sup> The fact that it was the pope and not the regent who issued this instruction is further evidence of Eugenius’ close involvement in implementing the protection privilege. Equally Bishop Hugh of Auxerre and Bernard of Clairvaux, acting on papal advice, explicitly asked Suger to negotiate a truce between Abbot Hugh of Troisfontaines and Hugh of Bornum because Louis was absent on crusade. ‘The lord pope, however, asked [this] from us for certain because the lord king, thanks be to God, has reached the nearer regions.’<sup>123</sup> Evidently some contemporaries made a direct connection between the king’s absence on crusade and papal interest and involvement. Having clarified the privilege and placed so many onuses on it in his preaching of the crusade, Eugenius continued to be proactive in order to give his protection privilege the best chance of success.

In the same year, 1149, Geoffrey of Bordeaux wrote to Suger concerning the viscount of Gabarret’s invasion of the king’s lands in Aquitaine. The viscount was summoned to the presence of bishops and nobles to answer for the invasion of Louis’ lands.<sup>124</sup> Geoffrey informs us that a ‘letter from the lord pope was exhibited in which

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<sup>121</sup> *Ibid.*, nr. 356, cols.1395-96, col.1395; Appendix, pp.349-50.

<sup>122</sup> *Ibid.*, cols.1395-6; Appendix, p.350.

<sup>123</sup> *RHGF*, vol. 15, nr. 85, p.516; trans. Edgington; Appendix. p.350.

<sup>124</sup> *Ibid.*, nr. 84, p.515.

was contained the sentence of excommunication against [the viscount] and [interdict] over his lands, unless he desisted from disturbing the king's lands.'<sup>125</sup> This was the crusader-specific papal protection in action, but the damage could not be resolved by excommunication alone; Suger was called on to send suitable men to take custody of the towers.<sup>126</sup> Restoration to political normality was Suger's duty and was outside the remit of papal protection. The roles of the pope and the regents were distinctly separated here but both worked towards the same goal of safeguarding Louis' lands.

Louis' absence remained problematic, especially when some of the king's fellow crusaders returned without him, hence Bernard's consternation at the sinful actions of these individuals:

Now is the time and the need to take up the sword of the spirit which is the word of God, against a diabolical ruse which is sprouting up again. The men who have returned from the Crusade have arranged to hold those accursed tournaments ... while the kingdom is at peace and the king is away, those two come back to trouble and disturb the land. As you are the chief person in the kingdom I beg and advise your Highness to oppose this thing with all your might, either by persuasion or by force.<sup>127</sup>

While Bernard initially referenced only one sword, presumably because Ralph held the secular sword and perhaps because the former preferred peaceful solutions, the abbot did endorse the use of military force should words be insufficient. Bernard's stress on Suger's status is striking and more than flattery, reflecting the plenary royal powers that Louis and Eugenius had conferred on him.<sup>128</sup> Suger's failure here was made manifest by the fact that his own vassal, Renaud of Pomponne, had captured Anseric I of Montréal. Henry of Champagne wrote to arrange Anseric's release.

No doubt it has come to your attention that your vassal Renaud of Pomponne captured Anseric [I] of Montréal in the recent tournament. In order to resolve this situation, I entreat you to meet me at Meaux a week from Sunday, if you are not overwhelmed by other responsibilities. Know that I am your most faithful friend and that I have inquired more deeply into this matter than any other as much as for the

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<sup>125</sup> Ibid; Appendix, p.350.

<sup>126</sup> Ibid.

<sup>127</sup> Bernard of Clairvaux, *Opera*, vol. 8, nr. 376, pp.339-40; trans. *Letters of Bernard*, nr. 405, pp.476-77, p.476; Appendix, pp.350-51.

<sup>128</sup> It has been argued that Bernard had previously flattered Suger to gain influence over Louis VI, see J. Führer, 'Suger et Bernard de Clairvaux', *Suger en question*, p.93.



affection you have shown me as for the true discretion I value in you. With your wise counsel, I wish to resolve this issue in the presence of both Anseric and Lord Renaud.<sup>129</sup>

Effectively, this was damage limitation; Suger had failed to prevent the tournament and was now faced with resolving its aftermath. Yet Bernard evidently felt that Suger's actions were praiseworthy, the former wrote: 'May you be attended by the Day-Spring from on high for your attention to the realm of our glorious King, so as to relieve it from the stress of need and ill-fortune, which are already at the doors and would be on us but for your vigorous action.'<sup>130</sup> Bernard additionally emphasised the dangers to the kingdom and Suger's role therein, urging the latter to: 'act in accordance with the position, dignity, and power you have received, so that your name may be not only blessed, but admired and praised by this and all succeeding generations ... God may be glorified, the Church honoured, the realm stabilised, and those who mutter and devise treason put to silence.'<sup>131</sup>

Louis' delay in the Holy Land exacerbated these problems. Rather than returning with most of his contingent in the autumn of 1148, Louis remained in the Holy Land until Easter 1149 and departed in late April. His return was hampered by a Greek attack on Eleanor of Aquitaine's ship and her illness. Finally, the royal couple met Eugenius at Ceprano, where the pope had attempted to broker a marital reconciliation. Consequently, Louis did not reach France until November 1149.<sup>132</sup> Suger's rhetorical questions punctuated the lamentation provoked by the prolonged absence of the king; more than flattery, this letter conveyed Suger's disapproval of the continued absence of the king and stressed not only the emotional impact, but more pointedly the political repercussions:

...what soul would be so hard, what heart so inflexible that it could not be moved by the absence, so long and intolerable, of such a great and such a pious lord? ... If truly

<sup>129</sup> *RHGF*, vol. 15, nr. 72, p.511; trans. Evergates, nr. 84, *Feudal Society*, p.107; Appendix, p.351.

<sup>130</sup> Bernard of Clairvaux, *Opera*, vol. 8, nr. 377, pp.340-41, p.340; trans. *Letters of Bernard*, nr. 404, pp.475-76, p.475; Appendix, pp.351-52.

<sup>131</sup> Bernard of Clairvaux, *Opera*, vol. 8, nr. 377, p.341; trans. *Letters of Bernard*, nr. 404, pp.475-76, p.476; Appendix, p.352.

<sup>132</sup> Phillips, *Second Crusade*, p.227.

you have borne numerous and almost intolerable evils whilst you laboured very ardently in the country of the Orient, by what hardness [of heart] or rather by what cruelty dare you remain among the barbarians while the barons and nobles of the kingdom have returned? The disturbers of the kingdom have returned and you who should defend it live in exile like a retained captive. You have surrendered the sheep to the wolf, you have exposed the kingdom to robbers.<sup>133</sup>

This reference to disturbances in the kingdom is striking in its imagery. The innocent sheep, a metaphor for Louis' subjects, were juxtaposed to the warlike wolves, illustrative of the potential threats to the kingdom in the king's absence. This letter was clearly intended to convince Louis that his rightful place was France but it also revealed Suger's successes:

We are holding in reserve the revenues of your trials and your pleas, tax and the giving of fiefs. In the hope of your return we [are keeping] in good state your houses and palace and we are making repairs to those which were destroyed; they lack their only lord. I was old, but I have grown older in these affairs, for the sake of all of which I have thoroughly worn myself out, not for greed, but for nothing except love of God and your love.<sup>134</sup>

For Suger the regency had taken on the characteristics of a pious duty to God and an act of devotion to the king. Suger also had a more practical and pragmatic goal, to ensure Louis' good will and approval. Incriminating rumours of Suger's disloyalty had already, or would shortly have, reached Louis - Suger needed to counteract them.<sup>135</sup> Louis' responses showed little concern about the charges levelled at Suger, but the king did acknowledge the threats to his kingdom. Louis instructed Suger to remove 'all known of evil intent who ... have attempted to devise against our kingdom.'<sup>136</sup> Just before his arrival in France, Louis made plans for a secret meeting between king and regent: 'on account of having often received rumours concerning the kingdom ... we wish to discern [the truth] from you ... and let this be secret, as it is contained in this present writing, let no one other than yourself know.'<sup>137</sup>

<sup>133</sup> *Oeuvres*, vol. 2, nr. 6, pp. 32-39, pp.34-37; Appendix, pp.352-53.

<sup>134</sup> *Ibid.*, pp.38-39; Appendix. p.353.

<sup>135</sup> *Ibid.*, pp.340-41.

<sup>136</sup> *RHGF*, vol. 15, nr. 66, p.508; Appendix, p.353.

<sup>137</sup> *Ibid.*, nr. 96, pp.518-19, p.519; Appendix, p.353.

As Louis' crusade regent, Abbot Suger was not only charged with the physical kingdom; he also had to uphold the more abstract ideas of kingship and royal dignity and Suger, according to his partisans at least, fulfilled these requirements to the letter. For William of St Denis, the abbot's restoration of the decrepit palace walls was a physical representation of Suger's steadfast support of royal dignity and image.<sup>138</sup> The author of Suger's epitaph praised his efforts in ensuring the kingdoms' safety: 'and while for many years the king was kept in Outremer, [Suger] was the head of the kingdom holding the place of the king. That which another could only realise with difficulty, he realised.'<sup>139</sup> Likewise, the Chronicle of Morigny believed that Suger was 'a man second to none in the management of secular concerns'.<sup>140</sup> Thus those favourable to Suger, and those under his protection, saw him as appropriately kingly in his actions. Louis seemingly reissued few regency acts, but a noted exception was his 1151-2 ratification of William of Courtenay's donation.<sup>141</sup> The regency grants were apparently seldom reiterated because Suger had legitimately subsumed the king's office and acted as Louis saw fit.

### The Imperial Regency

The focus of this thesis is predominantly French, however, a brief study of the German regency will follow to illustrate points of comparison with Suger's regency. This will draw attention to how and why regents were selected, the main events that occurred in the German king's absence, and the role of the papacy in upholding the crusade-specific protection. Eugenius maintained a marked presence in Germany; another legate was dispatched to Wibald of Stablo in December and the pope and the crusade regent met at Trier, in January 1148, prior to the Council of Rheims.<sup>142</sup> We

<sup>138</sup> William of St Denis, 'Vie', pp.336-37.

<sup>139</sup> Simon Chèvre d'Or, 'Epitaphe de Suger', *Oeuvres*, vol. 2, pp.376-77; Appendix, p.353.

<sup>140</sup> *La chronique de Morigny*, p.84; trans. R. Cusimano, *A Translation of the Chronicle of the Abbey of Morigny, France c.1100-1150* (New York, 2003), p.161; Appendix, p.353.

<sup>141</sup> *Études sur les actes de Louis VII*, nr. 261, pp.384-85.

<sup>142</sup> Horn, *Papst Eugens*, p.61.

have seen that this council was an important event in the French regency, and gives greater understanding into the problems that occurred when Wibald, one of the crusade regents, departed to attend this council. It seems plausible that Wibald's absence prompted the young Henry's letter to Eugenius, the need for the church-state alliance was such that Germany could not spare the archbishop of Mainz, as well as Wibald, for the council of Rheims.<sup>143</sup> Henry's letter stated 'in the absence of the prince [the archbishop of Mainz] is chosen to be the keeper and guardian of the kingdom ... How very inconvenient to the whole kingdom and to our person is the absence of that same venerable archbishop.'<sup>144</sup>

Henry's letter was couched in the defence of his father's interests. Clearly the young Henry and his advisors were not prepared to contradict Conrad's orders by allowing two prominent ecclesiastics, vital to the crusade regency, to attend the Council of Rheims, especially when such absences were perceived to be detrimental to imperial security. Such concerns gain greater weight given Conrad's letter of 1148 that detailed the perils which would befall Henry if the prince failed. 'If you neglect this, our mandate ... we shall strip your incompetency of all honour.'<sup>145</sup> The reference to a mandate suggests that Conrad left instructions for the empire's rule. In another letter to Wibald, Conrad indicated that all was far from well in the empire because certain advisors no longer acted in the king's interests and some had even withdrawn themselves from Wibald's service. Thus Conrad threatened vengeance on these traitors; loyalty was evidently a precious commodity, especially when the king was on crusade.<sup>146</sup>

Wibald's other duties necessitated the maintenance of peace, despite the outbreak of a private war between the counts of Namur, Lahn and Dasburg, in addition to the conflict between the counts of La Roche-en-Ardenne and Monte.<sup>147</sup>

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<sup>143</sup> Ibid. p.105. For the view that this letter was an excuse to remove Henry of Mainz from suspension for his non-attendance at Rheims see *ibid.*, p.66.

<sup>144</sup> *PL 180*, nr. 5, cols.1618-19, col.1618; Appendix, p.354.

<sup>145</sup> *Bibliotheca Rerum Germanicarum*, vol. 1, nr. 90, pp.163-64, p.163; Appendix, p.354.

<sup>146</sup> *Ibid.*, pp.163-64.

<sup>147</sup> *Ibid.*, nr. 101, p.176.

Such was the onus on Wibald that he excused his absence from the monastery by describing: ‘countless armies of many wolves ... made wild by rage for the devouring the church of Stablo and the greater part of Lotharingia’.<sup>148</sup> This letter described the numerous evils that threatened these regions and the scale of the problems that affected Wibald’s regency, ‘these are the wars, these [are] the fires, these [are] the slaughters, these [are] the thefts, which besiege the church of Corvey.’<sup>149</sup> It was the spiritual sword that reacted against these crimes, the lands of these men were placed under interdict and the men responsible excommunicated.<sup>150</sup>

We have seen that the council of Rheims was a pivotal point in Wibald’s regency, just as it was under Suger. Wibald’s letter described the positive impact of this council on ‘the many and varied dissensions and pressures which are in the land ... we have arranged peace, however great and small, in all the surrounding places’.<sup>151</sup> Much as Suger had, Wibald relied on councils to resolve political issues, for instance, Wibald resolved a succession crisis by summoning those involved to a royal council. This was a complex matter which revealed the diverse problems that royal crusade regencies entailed. After the death of Widricus, a monastic official in Wibald’s benefice, Widricus’ estate passed to his daughter, but her cousin Cuono usurped her inheritance. The heiress’ husband Everard expelled Cuono and invaded and plundered the latter’s allod. Thus Wibald summoned both Cuono and Everard to a royal council in the presence of the young Henry to resolve the matter, and the meeting found in Everard’s favour.<sup>152</sup> The success of such councils can probably be read in the young Henry’s request that Wibald attend another meeting, at Frankfurt, to make peace and assist in reforming the state of the kingdom.<sup>153</sup>

In 1149, Conrad reiterated his fears about disloyalty in a letter to Wibald.<sup>154</sup> Wibald responded in June 1149, recounting the main spiritual events of his regency.

<sup>148</sup> *Ibid.*, nr. 103, pp.177-80, p.178; Appendix, p.355.

<sup>149</sup> *Ibid.*, p.179; Appendix, p.355.

<sup>150</sup> *Ibid.*, nr. 109, p.186.

<sup>151</sup> *Ibid.*, nr. 104, pp.180-82, p.180; Appendix, p.355.

<sup>152</sup> *Ibid.*, 181; *ibid.*, nr. 105, p.182.

<sup>153</sup> *Ibid.*, nr. 106, pp.182-83, p.183; Appendix, p.355.

<sup>154</sup> *Ibid.*, nr. 179, pp.299-300, p.300.

The abbot described the numerous adversities and expenses connected with the abbeys Corvey, Fischbeke and Kemnade. Wibald informed Conrad that these places might be deemed worthy of the king, and that the abbot's 'modest self' had sustained these places for both his king and the kingdom.<sup>155</sup> In an episode similar to the conclusion of Suger's regency, Conrad wrote to Wibald concerning the latter's steadfastness, and invited Wibald to a court where the regent would account the main events of his regency.<sup>156</sup> Evidently there was a need for a debriefing of the royal regent, probably to expedite the transition from regency to royal government and to inform the monarch of any major decisions undertaken in his absence.

### Conclusion

Based on our observations of comital crusade regencies we might expect a wife or mother to have stepped into the breach when Louis VII took the cross we have seen, however, that this was not the case in the early twelfth-century. The French king's wife, Eleanor of Aquitaine, accompanied the king on the Second Crusade and his mother, Adele, recently remarried and allegedly involved in a conspiracy against her son, was deemed unsuitable.<sup>157</sup> In contrast, Suger had experience in government through his longstanding roles in both the Abbey of St Denis and the kingdom of France, and his position as regent was supported by the additional political weight provided by Archbishop Samson of Rheims and Count Ralph of Vermandois. Suger's legitimacy underpinned the regency, the abbot refused to sanction more permanent decisions notably refusing to bestow the episcopal regalia because this breached Louis' rights. Evidently Suger acted with greater restraints on his temporal power than the comital regents discussed in chapter two.

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<sup>155</sup> Ibid., nr. 180, pp.300-301, p.301; Appendix, p.355.

<sup>156</sup> Ibid., nr. 181, pp.301-302, p.302.

<sup>157</sup> The later Capetian regencies were different and wives and mothers were regularly selected to fill these roles. See Poulet, 'Capetian Women and the Regency', pp.93-116.

As under comital regents, there was some exploitation of the absences of Louis and Conrad. Wibald's letters revealed the outbreak of violence and breaches of the peace. Suger dealt largely effectively with the troubles that occurred in the kingdom of France, notably insurrection in Poitou, possible attempts at usurpation by returning crusaders, and the economic dislocation brought about by repeated calls to fund the crusade. His successes here should be measured, not only by his own skill in preventing disorder but also by his relationship with Eugenius III. Papal commitment to crusader-specific protection was palpable in Eugenius' prolonged presence in France before Louis VII's departure and the dispatch of legates to France and Germany. Papal protection equally permeated the French and German regencies through Eugenius' correspondence with Abbot Suger and Abbot Wibald. This protection also put the might of the Church behind both regents, providing a support base vital to Suger and Wibald, in what were essentially ecclesiastically-dominated regencies. Aside from papal participation, certain characteristics marked both the French and German approaches to regency. First, councils offered both Suger and Wibald the opportunity to impress their authority across the kingdoms, and to legitimise their decisions. Second, Suger and Wibald remained in communication with the crusading kings Louis and Conrad.

We have already seen that both kingdoms were under papal protection but it is interesting to note how well the crusader-specific protection privilege seemed to work under Eugenius. The papal protection for royal crusaders was the same as the privilege offered to lower class crusaders. The protection was identical as far as it extended over the royal crusader's family and possessions. However, the privilege had to operate differently because it now encompassed an entire kingdom. Hence we see a marked reliance on the papal presence to ensure that the pledge was fulfilled, and we can also detect this motive when the pope actively delegated the task of implementing that protection to the French and German prelates. It will be the purpose of chapter five to determine how well this protection worked on the comital level in Flanders and Champagne during Eugenius' pontificate and beyond.

## **Chapter Five: Crusade Regencies in Flanders and Champagne, 1145-77**

### Introduction

This chapter will focus on the contribution of Eugenius III to the evolution of the crusade protection privilege and will assess the practical significance of his protection to comital crusaders in Flanders and Champagne. The study concentrates on charter evidence and narrative sources for the later comital crusade regencies between 1145 and 1177, a period where the protection was dominated by the ‘Eugenius’ model.<sup>1</sup> Discussion focuses primarily on the two regencies of Sibylla of Flanders to assess in the first case her experience and her suitability for the role. It explores the continued distinctions between pilgrim and crusader, and also examines the role of the papacy in defending the crusaders’ wives and lands. The first section of this chapter is limited to Flanders because Count Thibaut of Champagne did not take the cross but protected the interests of his crusading vassals.<sup>2</sup> Later sections of this chapter consider the two regencies of Philip of Flanders, Thierry and Sibylla’s second son, to evaluate how he fitted the pattern of regency and to analyse the main events under his rule. The final section investigates Philip of Flanders and Henry of Champagne’s preparations for their own crusades.

Charter evidence dominates the discussion because this material provides insight into the crusade regents’ acts of government. Clanchy described charters as ‘a kind of open testimonial’.<sup>3</sup> The point of these documents was to secure grants and ensure their permanence. These documents were often ratified alongside public and visual ceremony, designed to ensure that all the participants knew what they were putting their names to.<sup>4</sup> The witness lists were designed to guarantee the viability and authenticity of the act, thus the witnesses needed to know what they had signed in the

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<sup>1</sup> For the ‘Eugenius’ model see chapter three.

<sup>2</sup> *Recueil des chartes de l’abbaye de Clairvaux au XIIIe siècle*, ed. J. Waquet and J.M. Roger (Paris, 2004), nr. 11, pp.20-21.

<sup>3</sup> Clanchy, *Memory to Written Record*, p.85.

<sup>4</sup> *Ibid.*, p.295.



event of a challenge to its authenticity.<sup>5</sup> Thus it follows that the donors and witnesses would also be aware of events dealt with by the charters. The increased use and survival of seals also merits some discussion. Seals were another way to ratify these documents.<sup>6</sup> We have already seen that seals were a vital visual means of communicating power.<sup>7</sup> In contrast to Adela, Sibylla's seal actually survived which makes its dating and attribution to the latter easier. The inscription of the owner's name was designed to prevent forgery, to prove the legitimacy of the act, and to ensure its permanence regardless of whether those involved were literate.<sup>8</sup> As a seal ensured the validity of the act and encouraged trust in a transaction, this must have taken on an added significance when a regent was in power.

#### Countess Sibylla of Flanders, 1134-1157

Sibylla of Anjou married Thierry of Flanders in 1134, yet Thierry's four surviving charters dated between 1134 and 1136 make no mention of her until 1136 when she first appeared as the second witness after her husband.<sup>9</sup> She was not mentioned again until 1137, notably she appeared in his land grant to the church of Bourbourg.

I, Thierry, by the grace of God count of Flanders, to all the sons of the Holy Church. I make it known as much for the present as for the future, that, with my wife Sibylla, I gave the new land...<sup>10</sup>

Although Sibylla appeared in only a small number of his surviving charters, her participation alongside Thierry, given Clanchy's argument about the knowledge that witnesses possessed, denotes that before her regency she was not entirely ignorant of comital procedures and government. In 1138-9 Thierry went on pilgrimage to the Holy Land, an event that provided Sibylla's first opportunity to rule alone as a regent.

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<sup>5</sup> Ibid., p.297.

<sup>6</sup> Ibid., p.295.

<sup>7</sup> See pp.91-92.

<sup>8</sup> Clanchy, *Memory to Written Record*, pp.308-10.

<sup>9</sup> *De Oorkonden der Graven, Band I*, nr. 30, pp.61-63, p.62.

<sup>10</sup> Ibid., nr. 35, pp.68-70, p.69; Appendix, p.356.

Before Thierry departed, a pronounced focus on peace was evident in his charter dated February 1138. This charter reflected Thierry's status as a pilgrim. He had not taken the crusader's cross and papal protection did not encompass his family and lands. Therefore, in this charter Thierry evoked the ideals of the Peace of God, if not the exact institution, to minimise disruption in Flanders during his absence:

Whosoever has not kept this peace, shall be outside the fellowship of the Holy Church. Homicide is punished by the worst punishment [execution], wounding by equal injury, by confiscation of goods, or by single combat. Burglars and thieves of the night, wherever they might be found, are killed by the whole neighbourhood. He who had refused to follow [the thieves] by night is fined 60 *solidi*.<sup>11</sup>

For de Hemptinne, this peace contributed to Flemish commercial expansion.<sup>12</sup> In addition to its impact on the commercial growth, the scope of potential disturbances demonstrates the perceived impact of long-term absence, and the respective punishments reaffirmed the scale and scope of Thierry's comital justice. Fundamentally this was a secular measure, but the count did invoke spiritual sanctions; the culprits were to be exiled from the Church. In addition, there was a marked emphasis on temporal penalties: death, confiscation of property, duel or fine. These were harsh measures designed to ensure that the peace was not violated.<sup>13</sup> Without crusader-specific protection Thierry turned to tried and tested Flemish policies which continued to be used by Flemings during the Second Crusade.

Among these people of so many different tongues the firmest guarantees of peace and friendship were taken; and furthermore they sanctioned very strict laws, as, for example a life for a life and a tooth for a tooth. They forbade all display of costly garments. Also they ordained that women should not go out in public; that the peace must be kept by all, unless they should suffer the injuries recognised by this proclamation...<sup>14</sup>

<sup>11</sup> *Ibid.*, nr. 38, p.73; trans. Edgington, Hall and Park; Appendix, p.356.

<sup>12</sup> T. de Hemptinne, 'Thierry d'Alsace, comte de Flandre Biographie et actes', *Annales de l'est*, 5<sup>th</sup> series, vol. 43 (1991), p.89.

<sup>13</sup> H. Pirenne, 'La question des jurés dans les villes flamandes', *Revue Belge de Philologie et d'Histoire*, vol. 5 (1926), pp.415-17, stressed Charles the Good's role in establishing peace legislation that influenced Philip of Flanders as late as 1188.

<sup>14</sup> DEL, pp.56-57; trans. C.W. David; Appendix, p.356. The crusaders mentioned in this source were not only Flemish but also from England and the Rhineland, but it is noteworthy that the editor of this

Van Caenegem has examined the origins of these laws and determined that they were developed from old Flemish customs to take into account new social structures and to accommodate comital needs; the ideals expressed by the Peace and Truce of God fit the need to augment comital influence and power.<sup>15</sup> Thierry also proclaimed a peace in 1147 at the request of the abbey of St Bertin, but unlike his charter of 1138 this peace did not relate to the whole of Flanders.<sup>16</sup> Thierry's grant to St Bertin reflected the abbey's specific situation – its abbot was accompanying Thierry to the Holy Land.<sup>17</sup> The abbot looked to his secular defender, the count of Flanders, to ensure peace in his absence. Thus the St Bertin peace was not a pan-Flemish peace, but a localised comital measure. The pattern of ecclesiastical and secular co-operation in the face of a crusaders' absence was pronounced but peace could be provided by either spiritual or temporal authority at the request of either ecclesiastical or lay men. In the case of St Bertin during the Second Crusade, peace was a comital responsibility and in proclaiming it Thierry followed the Flemish trends van Caenegem noted.<sup>18</sup> In the same year Thierry proclaimed a peace in the town of Arques illustrating that maintaining peace in the count's domain was a comital responsibility.<sup>19</sup> To return to Thierry's peace in 1138, the severe nature of his penalties was in keeping with established Flemish conventions and was couched in terms familiar to both himself and his subjects to underpin security.

As we have seen with earlier regents, in the period up to Thierry's departure Sibylla became much more involved in her husband's acts. Although she was not included in all of Thierry's charters, Sibylla acted jointly in land grants as Thierry's

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text observed that the peace ordered by the crusaders followed Flemish and French customs. DEL no. 5 p.58.

<sup>15</sup> R.C. van Caenegem, 'Coutumes et législation en Flandre aux XI<sup>e</sup> et XII<sup>e</sup> siècles', *Les libertés urbaines et rurales de XI<sup>e</sup> au XIV<sup>e</sup> siècles* (Brussels, 1968), p.245; R.C. van Caenegem, *Law, History, the Low Countries and Europe* (London, 1994), p.100; R.C. van Caenegem, 'Law and Power in Twelfth-Century Flanders', *Cultures of Power*, p.161.

<sup>16</sup> *De Oorkonden der Graven, Band 1*, nr. 108, pp.173-74.

<sup>17</sup> *Coutumes des pays et comté de Flandre, quartier de Furnes, coutumes de Lombardside, Loo et Poperinghe*, ed., L. Gilliodts-van Severen (Brussels, 1902), pp.99-101.

<sup>18</sup> R.C. van Caenegem, *Legal History: A European Perspective* (London, 1991), p.42, p.46.

<sup>19</sup> *De Oorkonden der Graven, Band 1*, nr. 107, pp.172-73.

wife and as the countess. Thus, Thierry's action reinforced her status in both politics and the comital family: 'I also, Thierry, and my wife, Countess Sibylla make return of these same alms for all our lifetimes.'<sup>20</sup> By 1138 Sibylla was no stranger to government, at least concerning donations. This argument is given greater credence in light of de Hemptinne's research into Sibylla's influences on her husband; Sibylla encouraged Thierry to continue the policies of the Gregorian Reform movement and to return usurped rights to the Church.<sup>21</sup> As Thierry prepared to leave his county in the countess' hands, it is unsurprising that Thierry emphasised the legitimacy of his wife's rule both through marriage and the fact that they acted in unison, probably to stress that Sibylla could be expected to follow the established pattern. More significant is Thierry's description of Sibylla in his final charter before his departure as the: 'daughter of King Fulk of Jerusalem'.<sup>22</sup> Outside her marriage, Sibylla's family ties must be noted as a further prop to her position: her father, Fulk V of Anjou, had married Melisende, the heiress to the kingdom of Jerusalem. It is likely that Sibylla, was aware of Melisende's rule as queen following Fulk's death in 1143, and Sibylla's family ties probably added to her prestige in the West. More immediately, this mention of Sibylla's bloodline both through the county of Anjou and the monarchy of Jerusalem strengthened her authority as regent. Thierry's stress on her family gains further significance when we consider the value that was placed on noble lineage in Flanders.<sup>23</sup> The count's emphases in this charter plausibly represented a deliberate attempt to enhance Sibylla's political profile in light of her impending regency.

Sibylla issued four charters in her own right during Thierry's pilgrimage. In all of these acts, despite her temporary status as a regent, she was styled as countess, and these documents gave no indication of the transient nature of her role. She wielded power and authority to the extent that she alienated comital land. While it is possible that the territory in question was part of her dower it is difficult to make a firm

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<sup>20</sup> Ibid., nr. 39, pp.74-75, p.74; Appendix, pp.356-57.

<sup>21</sup> de Hemptinne, 'Thierry d'Alsace', p.90.

<sup>22</sup> *De Oorkonden der Graven, Band 1*, nr. 45, pp.81-82, p.81; Appendix, p.357.

<sup>23</sup> Warlop, *Flemish Nobility*, p.178.

judgement, since the full extent of her marriage portion is unknown because the countess gave up her possessions and entered a convent. Sibylla, however, did not fit Adair's pattern of dower lands. Previously the counts of Flanders assigned their wives land from the coastal regions and the far south, but not territory in the centre of Flanders. In contrast, Sybilla was frequently associated in grants relating to Ypres, Ghent and Bruges, cities which the counts traditionally kept under their personal control and did not include in marriage portions or allow their wives to issue charters relating to these areas.<sup>24</sup> During Thierry's absence, as the count's representative Sibylla acted, as she would after her husband's return, on a pan-Flemish level. The first of her four regency charters, a land grant in Yser to the Cistercian brothers of Ter Duinen, gave insight into her spiritual and comital responsibilities.<sup>25</sup> In it, Sibylla followed both Thierry's policy of donations to the Cistercians and her own pious inclinations; she would have been aware of Thierry's pre-1139 meetings with Bernard of Clairvaux and the count's donations to the Cistercian order.<sup>26</sup> Sibylla had considerable authority here as evidenced by her alienation of land. The witnesses to her grant were both secular and ecclesiastical and many of these men, as will be shown below, continued to support Sibylla throughout her regencies.

In Sibylla's second charter she acted as a comital lord by confirming the exchange of lands between a certain Guibert, the son of Bereward, and Erembald Cromminc.<sup>27</sup> Strikingly, Bishop Milo of Thérouanne added his own malediction clause to this charter which he had not done in Thierry's charters: 'I, Milo, by the grace of God bishop of Thérouanne excommunicate all who concerning this transfer make injury against the church of St Mary of Furnes, unless they give satisfaction'.<sup>28</sup> Milo provided supplementary spiritual support to the regent's authority. This potentially reflected Sibylla's political position as a female regent and also the role of

<sup>24</sup> Adair, 'Ego et mea uxor', pp.220-21.

<sup>25</sup> *De Oorkonden der Graven, Band 1*, nr. 46, pp.82-84.

<sup>26</sup> *Ibid.*, nrs. 6-7, 31, 53, pp.23-25, pp.64-65, pp.92-93 for meetings between Thierry and Bernard see W. Watkins, *Saint Bernard of Clairvaux* (Manchester, 1935), p.66, pp.85-86, p.269.

<sup>27</sup> *De Oorkonden der Graven, Band 1*, nr. 47, pp.84-85, p.85.

<sup>28</sup> *Ibid.*; Appendix, p.357.

the Church in upholding such grants, which was similar to the situation under Clemence of Flanders.<sup>29</sup> These charters were imbued with Sibylla's status as countess. There was no mention of Thierry here; the grant of alms in this same charter was for the remission of her own sins.<sup>30</sup> Thus Sibylla acted completely in her own right.

Sibylla's role as comital lord continued; she confirmed the donation of Walter of Voormezele's allod to the church of Anchin and promised surety. Her spiritual duties as a secular defender of the Church were brought to the fore; she was styled once again as countess. 'I, Sibylla, by the grace of God countess of Flanders, and by His same inspiration a devout fellow labourer for the peace and quiet of the Holy Church, in all zeal desire that no injury or vexation from any man be suffered by the church at Anchin as regards its lands or revenues'.<sup>31</sup> Her, or her cleric's, language emphasised the scope of Sibylla's authority. 'Fellow labourer' has ecclesiastical connotations and referred not to Thierry but to Sibylla's spiritual motivations in confirming this action. Sibylla forbade future vexation, presupposing her own subsequent involvement, and equally assuming that her own authority was sufficient to prevent opposition to this act.

Unlike Clemence, Sibylla did not account for the reasons behind her rule in this charter, nor did she state that she acted in her husband's stead. The charter's construction gives the impression that she undertook legitimate action as a countess; her status was based solely on her comital position and we are informed that she impressed her own seal. This plausibly precludes the theory that she lacked experience in comital rule before this regency, because a seal was a 'sign that embodied personal responsibility'.<sup>32</sup> The seal was an important visual and material sign of her power. In 1138-9 her confirmation of Ivan of Ghent's gift to the church of St Nicholas of Furnes stated: 'I also have confirmed this gift by the setting of my hand

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<sup>29</sup> See pp.83-84.

<sup>30</sup> *De Oorkonden der Graven, Band 1*, nr. 47, pp.84-85.,

<sup>31</sup> *Ibid.*, nr. 48, pp.85-86; Appendix, pp.357-58.

<sup>32</sup> B. Bedos-Rezak, 'Women, Seals and Power in Medieval France, 1150-1350', *Women and Power in the Middle Ages*, ed. M.C. Erler and M. Kowaleski (Athens, GA, 1988), p.61, p.63. For Nicholas' theory that these women were inexperienced in government before their regencies see above pp.73-74.

and by the protection of my seal.’<sup>33</sup> This charter leaves little doubt that the author of this act, in all likelihood acting under Sibylla’s instructions, wished to present Sibylla as countess by right, rather than as transient regent. Alongside her seal, the charter alluded to her firm power base, as the act was confirmed ‘with my assent in the presence of my barons and the whole court’.<sup>34</sup>

From the witness lists of these charters we can see that key individuals played recurrent roles in Sibylla’s regency. Effectively, Sibylla retained a circle of those closest to Thierry and presumably the most loyal of his associates. Alongside Bishop Milo discussed above, Roger the provost appeared in all of Sibylla’s charters. Anselm of Ypres appeared in all but one and certainly ranked as one of Thierry’s most trusted men, evidenced by his recurrent appearances in the count’s charters.<sup>35</sup> Baldwin Botel, Arnulf the Chamberlain, Thierry the Chancellor, Christian of Diksmuide all witnessed two acts, while Bishop Milo of Thérouanne and Goswin of Ooigem appeared in one each. The particular involvement of Christian of Diksmuide points to the deliberate inclusion of Thierry’s closest associates. Christian had clearly proven himself to Thierry and despite his past opposition to the count, he had escaped Thierry’s post-civil war purge which restructured and replaced the nobility in Bruges, Ypres, Furnes, Cassel and Aire. Thierry had appointed Christian as castellan of Diksmuide, and trusted him enough to be left behind while Thierry was on pilgrimage.<sup>36</sup> Sibylla’s continued reliance on and inclusion of these individuals was a deliberate policy to ensure continuity and to prevent political dislocation. Thus it remained politically expedient, if not preferable, to install a countess and a member of the ruling family to embody the transmission of the bloodline and associated authority, tradition and proper order. In contrast an ‘outsider’ (non-family member) could not claim these cachets.

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<sup>33</sup> *De Oorkonden der Graven, Band 1*, nr. 49, p.87; trans. Ciuca; Appendix, p.358.

<sup>34</sup> *Ibid.*; Appendix, p.358.

<sup>35</sup> J.P. Phillips, ‘The Murder of Charles the Good and the Second Crusade: Household, Nobility, and the Traditions of Crusading in Medieval Flanders’, *Medieval Prosopography*, vol. 19 (1998), p.59.

<sup>36</sup> *Ibid.*, pp.60-61, pp.67-68.

Sibylla and Thierry's four-year old son Baldwin was not mentioned in any of the regency charters, despite the fact that it was common practice for female regents to be associated with their children. While the political importance of children should not be underestimated, especially given Agnes of Poitou's experiences, Baldwin's omission indicates that Sibylla's authority was equal to the task of sole rule without relying on mentioning the custody of her son.<sup>37</sup> This also reflected the different circumstances between a crusade or warfare related regency and a standard minority regency, Sibylla was acting for an absent husband not a minor heir. Baldwin's status as heir was a legitimising factor, although no mention of Sibylla's status as mother of the next-in-line to the countship was necessary. This is borne out by a charter that Thierry issued after his return, which made explicit reference to Sibylla's regency and confirmed her alienation of Walter of Voormezele's allod but did not mention Baldwin.<sup>38</sup> It is significant that Thierry's act appears to be a rare surviving reissue of one of Sibylla's charters which took place at the abbot of Anchin's request. Thus we might reasonably suggest that Thierry did not reissue her other three charters because Sibylla's authority was not questioned. This point, however, must be asserted with caution in line with Clanchy's research regarding the survival rates of the written evidence.<sup>39</sup>

No further reissue of Sibylla's charters was made until 1142 when Thierry investigated Sibylla's confirmation of a gift and the implications for Alnoth's inheritance. The nature of the countess' act necessitated further assurances from Thierry because land had been donated which Alnoth, an illegitimate son, had claim to. The context of this charter is additionally informative. Thierry issued his act in the same year that he proposed another visit to the Holy Land, this charter described Thierry: 'wishing and hoping to accomplish a visit the holy places'.<sup>40</sup> The same missive detailed the plans for the regency, Flanders would be left in the hands of

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<sup>37</sup> For Agnes see pp.67-69.

<sup>38</sup> *De Oorkonden der Graven, Band I, nr. 50*, pp.87-88. See above p.175.

<sup>39</sup> Clanchy, *Memory to Written to Record*, p.55.

<sup>40</sup> *De Oorkonden der Graven, Band I, nr. 63*, pp.106-8; Phillips, 'The Murder of Charles the Good and the Second Crusade', p.62; trans. Ciuca; Appendix, p.358.



Sibylla and Baldwin. Ultimately this plan did not come to fruition however, the planning of his journey probably informed Thierry's decision to settle this dispute to stave off potential disorder.<sup>41</sup>

Unlike Thierry's earlier reissue of one of Sibylla's charters, this instance had no bearing on either her regency or authority. What is striking is the emphasis placed on Baldwin, who had no role in 1138-9. The 1142 act revealed the notional power he held as heir, his growing status as he got older and his new role as bolster to Sibylla. The fact that his inclusion became a priority when Thierry proposed to leave Flanders can be identified by Baldwin's earlier lack of involvement; he was not mentioned in the other 1142 charters so his appearance in this charter presumably reflected his new governmental role, alongside Sibylla, in his father's absence. In stark contrast, Sibylla remained more or less a permanent political figure from 1139-42 and appeared in approximately half of Thierry's charters.<sup>42</sup> By the time of her second regency, Sibylla was well-placed at court to see to her husband's interests during the Second Crusade. At the age of eleven Baldwin was nearing his majority, when his comital status would change, and this may also have influenced Baldwin's inclusion in Thierry's charters.<sup>43</sup> Thierry's own claim to Flanders had not been through the most direct of successions. The count's need to cement the new line may have further necessitated the naming of his heir, essential for departing crusaders. Fulk V of Anjou provided an earlier precedent in c.1128-9 when he established his son Geoffrey as count of Anjou before he departed on the crusade to Damascus and married Melisende.<sup>44</sup> We have seen in chapter four that King Conrad III of Germany provided a contemporary parallel, evidently on both royal and comital levels 'a crusade was too perilous to allow it to put dynastic continuity at risk'.<sup>45</sup>

<sup>41</sup> *De Oorkonden der Graven, Band 1*, nr. 63, pp.106-8.

<sup>42</sup> Nicholas, 'Countesses as Rulers in Flanders', p.122.

<sup>43</sup> *De Oorkonden der Graven, Band 1*, nr. 97, pp.159-60, nr. 103, pp.167-68, nr. 109, pp.174-78;

<sup>44</sup> 'Chronica de gestis consulum Andegavorum', *Chroniques des comtes d'Anjou*, pp.69-71.

<sup>45</sup> Hiestand, 'Kingship and Crusade in Germany', p.253; see above p.140.

### Sibylla and the Second Crusade

In reaction to the loss of Edessa in December 1144, Bernard of Clairvaux led the launch of the Second Crusade in a ceremony at Vézelay at Easter 1146. The entire event was carefully orchestrated to maximise crusading fervour and recruitment. Bernard's preaching was said to be so compelling that we are told he ran out of crosses to dispense.<sup>46</sup> In this atmosphere, Thierry, one of the leading figures to take the cross, publicly made known his intention to crusade.<sup>47</sup> One of Thierry's charters of the same year explicitly cited Bernard of Clairvaux's preaching and Pope Eugenius' mandate in motivating him to join the crusade.<sup>48</sup> Consequently, he was most likely aware that his wife and son were protected by the privilege laid down in *Quantum praedecessores*. Furthermore, he had received a letter from Eugenius which does not survive but which may have referenced the crusade privileges and preparations.<sup>49</sup>

Thierry's intention to take the cross underpinned his charter to Helmar, the provost of the abbey of St Martin: 'I, Thierry, by divine permission count of Flanders, about to journey to Jerusalem with Louis, the glorious king of the Franks, conceded to Helmar venerable provost of the church of Ypres whatever rights or customs his predecessors hold from my predecessors ... they should hold it free from all exactions, for the remedy of my soul and that of my wife Sibylla [who] consented'.<sup>50</sup> Sibylla's consent is of marked significance, her agreement and involvement was evident through the strong stress placed on joint action and the fact that the remedy of souls pertained to both count and countess. However, in light of Thierry taking the cross, Sibylla's consent probably influenced not only the donation but also Thierry's very decision to crusade because as a crusader's wife she could veto those aspirations. While establishing familial consent and ensuring the permanence of deeds were

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<sup>46</sup> OD, pp.8-9.

<sup>47</sup> Phillips, *Second Crusade*, pp.62-68.

<sup>48</sup> *De Oorkonden der Graven, Band 1*, nr. 90, p.150.

<sup>49</sup> Phillips, 'The Murder of Charles the Good and the Second Crusade', p.64.

<sup>50</sup> *De Oorkonden der Graven, Band 1*, nr. 91, p.151; trans. Ciuca and Park; Appendix, p.358.

conventions in the opening clauses of charters, it is likely that Thierry's imminent departure dictated greater resonance on these aspects, Sibylla would once again be regent, and the crusade posed significant risks to Thierry because there were no guarantees that he would return especially because of the crusade's nature; it was overtly a military expedition rather than a standard pilgrimage.

Thus it does not seem coincidental that in this period Thierry associated Baldwin in his charters: 'I have given this with my own hand and I had Baldwin my son give [this gift] along with me.'<sup>51</sup> The gift in question was a fief held from Thierry and its donation to the church of St Nicholas of Furnes potentially affected Baldwin's inheritance. Hence Thierry's association with Baldwin fulfilled a customary, if not legal, prerequisite because the boy was now of an age to be involved, but this development also gave Baldwin vital experience. This same pattern can be identified in another charter that concerned Walter of Stoppelveld's donation of his fief and inheritance to the church of Oudenburg: 'with our approval and assent through my hands and my son Baldwin's ... [This was] done in the presence of suitable witnesses, of which here are the names: Countess Sibylla, Baldwin her son'.<sup>52</sup> Thus Thierry ensured that both Sibylla and Baldwin were left behind with some grounding in comital rule: the wife a proven regent with her own seal and prominent royal and noble lineage; the son who was not only the legitimate heir to the county but was approaching his majority, and consequently was also recently educated in comital government, thus providing a measure of exposure to the workings of state.

At the beginning of Sibylla's crusade regency Baldwin was only twelve years old; his actual authority can only have been nominal, although he was not far of adulthood and could have been aware of his role and duties. Baldwin represented the succession but his mother was the real power, illustrated by the first of five charters that she issued. 'I, Sibylla, countess of Flanders and Baldwin, my son, [give] one measure of the land that lies at Aalbeke to the church of St Martin of Fives, for the

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<sup>51</sup> Ibid., nr. 92, p.152; Appendix, p.358.

<sup>52</sup> Ibid., nr. 94, pp.154-55, p.155; Appendix, p.359.

salvation of our souls and those of our ancestors'.<sup>53</sup> Sibylla was dominant while Thierry was literally and figuratively absent, suggesting that following her earlier regency and her continued political prominence in Thierry's acts, there was little need to explain her actions or status. The charter's language demonstrated her authority and defined her motivation for making the grant as the salvation of her soul and those of her ancestors. No explicit mention was made of Thierry in this context either. The charter's construction indicated that there was no question of her legitimacy, which in any case was reinforced by Baldwin's presence, because Sibylla was capable of redirecting the county's resources to charitable donations. Neither Sibylla nor the monastery perceived her authority to be transient.

Two other charters were not concerned with such basic issues. The first of these acts featured a more marked stress on her legitimacy which she held through her husband and her son, the heir designate: 'My dearest lord and most august husband, Count Thierry of Flanders and the lord bishop Alvisus of Arras having journeyed with the Jerusalemite army of God with the praiseworthy King Louis, I, Sibylla, with my son Baldwin, already designated to the countship'.<sup>54</sup> This charter dealt with the knight Helvinus' exaction of tolls from St Vaast, a situation that had first arisen under Charles the Good's reign, two decades earlier. It is unlikely that this infringement on the Church's rights occurred solely because of Thierry's absence, but the fact that it was left to Sibylla to resolve furnishes significant insight into the duties and capabilities of Flemish regents. 'I, therefore, Sibylla by the grace of God countess of Flanders, having sworn in my barons, and the abbot [having sworn in] his men, they should adjudge what I should do most diligently for the abbot and the Church against Helvinus'.<sup>55</sup> These consultations with secular and lay spiritual powers reflect her decision-making process and Flemish comital custom. Another charter concerned the disputed ownership of an altar and sheep farm, which Sibylla and her court ordered

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<sup>53</sup> *Ibid.*, nr. 110, pp.178-79; Appendix, p.359.

<sup>54</sup> *Ibid.*, nr. 111, pp.179-82, p.180; trans. Edgington and Park; Appendix, pp.359-60.

<sup>55</sup> *Ibid.*; trans. Edgington and Park; Appendix, p.360.

Walter of Koeklare to return to the abbey of St Vasst.<sup>56</sup> As heir, Baldwin's role was to support his mother by emphasising the legitimacy of her position, we have seen that ultimately Baldwin, not Sibylla, represented the continuation of the dynastic line should Thierry fail to return. Yet given that he was only thirteen and was always associated with Sibylla in charters until 1150, his political role outside of this could only realistically be ceremonial.<sup>57</sup> The scale and scope of Sibylla's authority was evidently extensive; the issue was resolved in her presence in the comital court. The instructions were hers, while the barons and churchmen retained their customary advisory capacities, a further instance of spiritual and secular co-operation. Yet the overriding impression is that Sibylla was a credible authority able to complete the duties of her regency. Here Sibylla acknowledged that she was in power because Thierry was in the Holy Land, but this passage was also the charter's main dating clause. Thus the only mention of Thierry provided a reference point for future and present readers. This charter left little impression of a woman used only to temporary comital authority. To ensure the stability of her acts she was portrayed in a permanent fashion, evidenced by further charters such as Erembald Stratin's donation to the brothers of Clairmarais, which was secured and defended by the countess' seal.<sup>58</sup> Sibylla's final surviving Second Crusade regency charter confirmed Peter of Ennequin's gift of grain to St Mary of Los, thus in this charter defence pertained exclusively to Sibylla.<sup>59</sup> Effectively the countess was not only a credible regent, but also a capable ruler.

Analysis of Sibylla's charters reveals that she had important supporters beyond her minor son. Certain individuals appeared in both her regencies and we can surmise that these men represented those she trusted most amongst her husband's closest associates: Milo of Th rouanne, Walter of Douai, Thierry of Beveren-Waas, Ogier the notary, Roger of Courtrai, Michael, the castellan of Cassel, Abbot Werric of

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<sup>56</sup> *Ibid.*, nr. 112, pp.182-83.

<sup>57</sup> *Ibid.*, nr. 121, pp.197-99.

<sup>58</sup> *Ibid.*, nr. 113, p.184.

<sup>59</sup> *Ibid.*, nr. 114, pp.185-86.

St Vaast and Archdeacon Lucas of Arras.<sup>60</sup> These men represented ecclesiastical and secular sides of government to ensure political continuity as far as it remained within Sibylla's control. Roger the provost of Bruges witnessed all four of her first regency charters and three of her five Second Crusade charters, Thierry's butler Razo of Gavere witnessed one of her 1138-9 regency charters and four during the Second Crusade. Goswin of Ooigem witnessed one act during Thierry's pilgrimage and two during the Second Crusade. Christian of Diksmuide and Anselm of Ypres, who on this occasion took the cross with Thierry, had no role in the regency. She apparently replaced these men with Henry of Bourbourg and Thierry's seneschal Roger of Wavrin, neither of whom had any discernible role in 1139, but both witnessed half her charters during the Second Crusade. Henry clearly benefitted from his service to Thierry and Sibylla, because in 1150 the former became Thierry's constable.<sup>61</sup>

Ogier the notary, Thierry of Beveren-Waas and Michael of Cassel died in 1147.<sup>62</sup> Yet their loss did not unduly affect Sibylla's rule. Sibylla was capable of cultivating other powerful allegiances to consolidate and secure her support base incorporating men such as Roger of Wavrin, who held hereditary court-offices (posts created by Thierry) and occupied positions of trust and political prominence. The importance of noble lineage in Flemish government must be remembered; only nobles could hold these offices at this time.<sup>63</sup> Consequently, this may have had implications for the regency. As we saw in 1138-9, it was not implausible that Sibylla's own noble lineage provided further basis for her inclusion in government, even if she did not rely on her own family – there is no mention of them in the witness lists. It remained essential to reinforce her status in this way because Sibylla operated in a political context where noble lineage was of the utmost importance. It is also worth noting that a loyal power base was especially vital given the machinations of Count Baldwin of Hainault who aimed to exploit Thierry's absence in 1147-48.

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<sup>60</sup> Phillips, 'The Murder of Charles the Good and the Second Crusade', p.73.

<sup>61</sup> *De Oorkonden der Graven, Band 1*, no.16, p.77.

<sup>62</sup> Phillips, 'The Murder of Charles the Good and the Second Crusade', p.73.

<sup>63</sup> Warlop, *Flemish Nobility*, p.178, p.181, p.239, pp.331-32.

Thus far the charter evidence revealed an image of Sibylla as a strong ruler; this is not surprising given her input in this media. Nonetheless a similar impression was recorded in a contemporary chronicle. Lambert of Waterlos, born in Tournai in 1108, was a canon regular at St Audebert and held positions as sub deacon and deacon before he was consecrated as a presbyter in 1139.<sup>64</sup> Lambert was close to the events that he described and composed his chronicle more or less contemporary to them.

After Thierry, the count of Flanders, had set off on the way of the Lord, Baldwin, the count of Hainault soon broke the concluded treaty, having wholly alienated himself, he attacked the wife of the aforesaid count with arms and through plunder. Because that prudent lady delayed she was unable to fight back (she had ordered [this so that] she might rest because she was close to giving birth). The count, nonetheless, refused to obey her command. After the birth the countess had not forgotten his injury and attack ... [She] being of virile heart pursued the count with her men-at-arms; like a lioness gnashing her teeth in wrath. She restrained the count with his men so that he was beaten by many means. Now she invaded the villages and towns, and whatever [was] under his dominion she laid waste by fire and she dispersed by plunder ... Thus the count acquired no honour for himself [while] the countess indeed both far and wide [was] made greater in her fame and honour since [her] nobility was praised by many ... indeed [her] eminence was made more magnificent by the glory she acquired through victory.<sup>65</sup>

This account might raise questions because Sibylla was presented in command of men-at-arms, and portrayed as responsible for this destruction. According to Lambert she made the correct and proactive decision to attack and claimed the subsequent honour from the campaign. Regardless of Sibylla's likely lack of active participation in the military action, Lambert credited her with the strategy and the victory. Thus Lambert demonstrated that a woman could be portrayed in command of an army, fulfilling the role of medieval commanders who were present, if not involved, in battle. Sibylla reacted as a feudal lord removing a disobedient vassal from her city through the force of her arms; she transcended the fragility of her sex by leading an armed force so soon after giving birth. The lioness simile further illustrated the justice and ferocity of her actions in defending her family's territories. In other aspects, such

<sup>64</sup> Lambert of Waterlos, *Annales Cameracenses*, *MGH SS 16* (Hannover, 1859), pp.509-54, p.509.

<sup>65</sup> *Ibid.*, p.516; trans. Kleineke and Park; Appendix, p.361.

as honour and victory Lambert's language could equally have described a male leader. Lambert revealed the tremendous support that Sibylla had amassed, and her own capacity to rule and react in the best interests of her charges. Sibylla was presented as the heroine of this event, restoring calm after invasion and removing a clear threat, she was all the more deserving of praise given that she led the army having recently given birth. In addition, Sibylla defeated Baldwin and took possession of the town of Cantin for Flanders.<sup>66</sup>

Sibylla exerted this power with dignity and glory against her enemy, Baldwin, who had not only gone against his feudal lord, but also attacked a crusader's wife while Thierry was absent on crusade in direct violation of the crusade protection privilege. Sibylla's response was a justified one hence she rightly issued the 'ultimate sanction' against a treacherous vassal - warfare.<sup>67</sup> Thus it is unsurprising that, in light of these circumstances and her obvious military success, from Lambert's perspective Sibylla grew great in renown while Baldwin was dishonoured, defeated, and put to flight. The fact that Sibylla was described as a woman of virtue is striking, particularly so when juxtaposed to Lambert's portrayal of Baldwin of Hainault. No such description pertained to him, implying that he was without virtue. In light of her military actions, the classical meaning of 'virtue' – with its connotations of courage and manliness may not have been far from Lambert's mind. In any case, the phrase reiterated her military success and credibility; her gender was not presented as a disadvantage.

In terms of the impact of the crusader's absence, Lambert's passage is particularly telling. It presents what can effectively be termed the worst-case scenario the invasion and attempted usurpation of rights and properties. Given the earlier discussion of Clemence's regency, it was likely that Thierry's absence might be exploited. This casts Thierry's selection of a woman as his regent into even sharper

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<sup>66</sup> de Hemptinne, 'Thierry d'Alsace', p.96.

<sup>67</sup> K.S. Nicholas, 'When Feudal Ideals Failed, Conflicts Between Lords and Vassals in the Low Countries, 1127-1296', *The Rusted Hauberk, Feudal Ideals and Order and Their Decline*, ed. L.O. Purdon and C.L. Vitto (Gainesville, 1994), p.222.



relief. Lambert depicted the authority that Sibylla commanded; she restored order by leading her troops. None of this suggests a woman whose only chance to take part in government was through regency. Nicholas and de Hemptinne argued that Thierry's choice showed 'considerable trust' in Sibylla.<sup>68</sup> This position can arguably be bolstered further in light of Sibylla's political involvement prior to both her regencies, and the scale of her political experience before 1147. While trust in a regent was clearly vital, perhaps confidence is a label that better suits his attitude to Sibylla.

Significantly, as Thierry's wife, Sibylla was explicitly under the crusader-specific protection. This made her status dramatically different from that of wives of absent men-at-arms (those who had not taken the cross, were not crusaders and consequently were not under papal protection). Lambert tells us that in 1148: 'both were summoned by the Lord Pope, before the council, that is to say Baldwin of Hainault and Countess Sibylla of Flanders, a woman of virtue ... The lord pope indeed restored peace and concord between them at Rheims.'<sup>69</sup> It is noteworthy that Sibylla appealed to Eugenius for aid in this dispute; her status as a crusader's wife necessitated papal involvement.<sup>70</sup> By making peace between Sibylla and Baldwin, Eugenius was fulfilling his obligation to uphold the crusader-specific protection. Eugenius' actions demonstrated that at the time of the Second Crusade the promise of protection may have operated more effectively as an added attraction for potential crusaders than as a deterrent for potential invaders; evidently the protection did not prevent Baldwin from violating this privilege. Nonetheless in practical terms this protection was a viable weapon in the restoration of peace and political stability.

We have seen that under Abbot Suger of St Denis and Abbot Wibald of Stablo the Council of Rheims was not a minor event but a major Church council that lasted over forty-one days (9 March to 18 April) to which Eugenius had summoned all the

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<sup>68</sup> Nicholas, 'Countesses as Rulers in Flanders', p.123; de Hemptinne, 'Thierry d'Alsace', p.98.

<sup>69</sup> Lambert of Waterlos, *Annales Cameracenses*, p.517; Appendix, p.361.

<sup>70</sup> Hodgson, *Women, Crusading and the Holy Land*, p.110.

major ecclesiastics in Western Europe.<sup>71</sup> Over 400 participants have been noted as taking part from northern Europe, including forty archbishops and bishops and twenty-four of the most prominent prelates.<sup>72</sup> The list of ecclesiastical heavyweights present was impressive and reinforced the magnitude of this event: Bernard of Clairvaux, Abbot Suger of St Denis, John of Salisbury, the future Archbishop Thomas of Canterbury, Geoffrey of Bordeaux, Henry of York and Abbot Baldwin of Châtillon-sur-Seine were in attendance. Matters discussed ranged from Éon l'Étoile's heresy to Bernard's disapproval of Gilbert of la Porrée's erroneous writings; from the state of the Latin East and the threat posed by Nur-ad-Din to Roman rebels harbouring Arnold of Brescia.<sup>73</sup>

The fact that Eugenius settled Sibylla's case in this forum indicates the significance that the pope placed on upholding his crusader-specific protection. The size of the Second Crusade, and the fact that it was the first crusade to include two kings in its ranks marked it as an important turning point in crusading history.<sup>74</sup> We should also bear in mind that Eugenius was the first pope that we know to have used the phrase 'wives and children' in papal protection.<sup>75</sup> We can also suggest that he was determined, as the architect of this protection, to give his new legislation the best chance of success. His long-term presence in France, since early 1147, and his dispatch of at least four legates to Germany show his commitment to ensuring peace in the crusader kings' lands.<sup>76</sup> The cumulative effect was that Sibylla and her son Baldwin provided a test case in which Eugenius could not afford to fail. Thus we can identify here a clear example of the papacy actively upholding the pledge of protection by restoring peace between Flanders and Hainault. This represented the

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<sup>71</sup> R. Hiestand, 'Von Troyes – oder Trier? – Nach Reims. Zur Generalsynode Eugens III im Frühjahr 1148', *Papstgeschichte und Landesgeschichte, Festschrift für Hermann Jakobs zum 65. Geburtstag*, ed. J. Dahlhaus *et al.* (Köln, 1995), p.329.

<sup>72</sup> *Ibid.*, p.339; John of Salisbury, *Memoirs of the Papal Court*, ed. and trans. M. Chibnall (London, 1956), p.xviii; R. Hiestand, 'The Papacy and the Second Crusade', *The Second Crusade, Scope and Consequences* ed. J.P. Phillips and M. Hoch (Manchester, 2001), p.44.

<sup>73</sup> John of Salisbury, *Memoirs of the Papal Court*, p.xviii, p.96, pp.15-16; C.J. Hefele and H. Leclercq, *Histoire des conciles d'après les documents originaux*, vol. 5.1 (Paris, 1912), pp.823-35.

<sup>74</sup> *The Second Crusade* ed. Phillips and Hoch, p.x.

<sup>75</sup> See p.115.

<sup>76</sup> Phillips, *Second Crusade*, p.130.

working relationship between the Church and State in practice; respectively the papal protection and the regency government. Interestingly we see this relationship long before Innocent III urged secular constables to be put in place.<sup>77</sup> Thus more emphasis should be placed on Eugenius III's role in developing both the theory and practice of crusader-specific protection.

As after Thierry's pilgrimage, Sibylla retained considerable influence in the county just as she did after Thierry's return. Between his homecoming and his departure on the Second Crusade, Sibylla was involved in at least 25 of his 60 charters. Likewise, she was associated jointly or as a key witness in at least 38 of his 58 acts between Thierry's return in 1148 to their departure and her retirement to the convent of Bethany in 1157.<sup>78</sup> This is an unusually high level of appearances; no previous Flemish countess appeared in more than half her husband's acts.<sup>79</sup> Sibylla was clearly one of the more influential countesses, yet her political presence could not have been entirely based on her regencies because it had been discernible before them.

Sibylla's predominance in ecclesiastical matters was made more explicit in a letter from Eugenius III (1153) – four years after her regency. This expressed Eugenius' wish that Thierry desist from oppressing Bishop Gottschalk of Arras:

Therefore, since we trust in your devotion, prudence and discretion in the present letter we ask your noble self that you prudently remind your husband to desist from harassing our aforementioned brother and to restore to the bishop his men whom he is holding back.<sup>80</sup>

A woman interceding with her sinful husband was a traditional wifely role and frequently appears in monastic writing.<sup>81</sup> Yet it seems significant that when Thierry refused to make amends for his treatment of the Church Eugenius turned to Sibylla to

<sup>77</sup> 'Ad liberandam', *Decrees of the Ecumenical Councils*, pp.267-71, p.269.

<sup>78</sup> See *De Oorkonden der Graven, Band 1*, p.186 onwards.

<sup>79</sup> Adair, 'Ego et mea uxor...', p.194.

<sup>80</sup> *PL 180*, nr. 564, col.1582; Appendix, pp.361-62.

<sup>81</sup> S. Farmer, 'Persuasive Voices: Clerical Images of Medieval Wives', *Speculum*, vol. 61 (1986), pp.517-43.

change the count's mind, notably threatening that she was affected by her husband's sin. 'If indeed our same brother [the bishop of Arras] is freed from your husband's oppression by your industry, from this you will receive doubled reward, since your soul in any case is bound by the same sin.'<sup>82</sup> The pope evidently perceived Sibylla as being influential enough to continue to play a role in comital affairs, Eugenius believed that her authority was great enough to curb Thierry's self-aggrandisement at the Church's expense. This view might reflect his impressions of the countess from their meeting at the Council of Rheims, and Eugenius' more personal description of Sibylla's qualities lends this argument further weight; the pope highlighted her devotion, prudence and discretion. Thus the Proverbs reference in this letter, 'an excellent woman is the crown of her husband' appears to have been more than a rhetorical device.<sup>83</sup> As noted before, Sibylla's family ties included the royal house of Jerusalem through her stepmother Queen Melisende and her half-brothers King Baldwin and the future King Amalric and by this point, potentially, England through her brother Geoffrey's marriage to Matilda in 1128. Sibylla's family was in the ascendant and Eugenius may have recognised the importance of her line and the influence that she could wield because of it. Evidently Sibylla remained a valid and valued member of Flemish comital government.

#### Philip of Flanders: 1157-1191: His First Regency

We have seen that Flanders provides an interesting case study because its first two crusade regents were women and, when Sibylla chose to accompany her husband on crusade in 1157, the third regent was a young man, aged sixteen. Philip was Thierry and Sibylla's second son, the eldest Baldwin had died in 1150. Thus far the thesis has assessed the merits of Flemish countesses as regents, particularly identifying experience as critical to their selection as regents, but this must have applied equally

<sup>82</sup> *PL 180*, nr. 564, col.1582; Appendix, p.362.

<sup>83</sup> Proverbs, 12.4; *PL 180*, nr. 564, col.1582; Appendix, p.362.

to sons, the subject of our next investigation. The Anchin continuation of Sigebert of Gembloux's universal chronicle, written at Anchin after 1148, noted that Philip 'assumed the county whose justice, fortitude and liberality made him laudable and worthy of the love of all good people.'<sup>84</sup> In addition, as will be shown below, Philip's youth dictated that the loyal men whom Thierry left behind had a prominent role in the regency, much as they had under Sibylla.

To return to the issue of experience, Philip appeared either jointly with his parents or as a witness in at least 20 of Thierry's 58 surviving acts, between the latter's return from the Second Crusade in 1148 and his departure for the Holy Land in 1157.<sup>85</sup> Philip's marked presence appears to have been a deliberate policy to raise his political profile. This was unsurprising given Philip's change in status as he neared his majority, by 1156 he was married to Elizabeth of Vermandois and was named as count, probably of Amiens, at the age of fifteen.<sup>86</sup> His entrance into married life was another sign of his maturity. A heightened emphasis on his status as heir was essential in ensuring the permanence of such acts. This would correlate with one joint charter, regarding a donation of land, in which Philip was named as 'the young count'.<sup>87</sup> Likewise *c.*1155-7 Thierry styled Philip 'my heir and successor' regarding a legal suit between the abbess and Eustace of Longuenz.<sup>88</sup> Thierry had deliberately raised his son almost to a level of parity with himself. Philip's involvement in administration also encompassed more politically-charged matters such as the 1150-1 dispute between Thierry and Milo of Th rouanne. Thierry stated that both he and his son resolved this matter but Sibylla's long-term influence was considerable; she too was credited with the ending of this dispute: '[with] my son Philip, with the counsel and at the petition of my wife Sibylla and also with the assent of my barons'.<sup>89</sup>

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<sup>84</sup> Sigebert of Gembloux, *Auctarium Aquicinense MGH SS*, vol. 6 (Hannover, 1844), pp.392-405, p.403; trans. Ciuca; Appendix, p.362.

<sup>85</sup> See *De Oorkonden der Graven, Band 1*, p.186 onwards.

<sup>86</sup> *Ibid.*, nrs. 146, 161, pp.233-35, pp.258-59; T. de Hemptinne, 'Vlaanderen en Henegouwen onder de erfgenamen von de Boudewijns, 1070-1244', *Algemene Geschiedenis der Nederlanden*, vol. 2 (Bussum, 1982), p.383.

<sup>87</sup> *De Oorkonden der Graven, Band 1*, nr. 166, pp.265-66; Appendix, p.362.

<sup>88</sup> *Ibid.*, nr. 167, pp.266-67, p.266; Appendix, p.362.

<sup>89</sup> *Ibid.*, nr. 133, pp.216-17; Appendix, p.362.

By the age of 15-16 Philip was experienced in a range of comital issues that would later underpin his regency, notably between 1156-7 he confirmed a series of laws and customs.<sup>90</sup> Through his status as heir Philip became fundamental to the securing of Thierry's acts:

I, Thierry, by the grace of God count of Flanders and the countess, together with my son Philip were present in Arras, with very many other people there. When we [Sibylla and Thierry] were about depart to on the journey of pilgrimage, there Jordan castellan of Diksmuide, through my hands and Philip's assigned seven *firtonem* to the church of Ypres, which is to be possessed by hereditary right, free from all taxation in perpetuity.<sup>91</sup>

The count's imminent departure may have rendered this donation vulnerable; the heir's involvement lent further legitimacy. On a more basic level, these actions provided Philip with a firm foundation in the mechanisms of the Flemish chancery and the essentials of government.<sup>92</sup>

Philip issued several charters during his first regency; his witness lists encompassed at least five of Thierry and Sibylla's closest advisors and associates: Milo of Thérouanne appears in three of Philip's charters, Milo the archdeacon and Razo of Gavere in four and both Steppo and Henry of Bourbourg in one. Hence Thierry left Flanders under the rule of a young regent who was supported by an inner circle of the county's most trusted and long-serving advisors. Lambert of Waterlos indicated that their inclusion ensured continuity. This chronicler also provided insight into the emotional impact of leaving behind a young son, particularly one who was now the effective ruler of Flanders. The potential political ramifications were starkly illustrated in Lambert's portrayal of the count in 1157, in which Thierry was afraid that his son would be troubled or deceived by hostile enemies. Thus the count's men swore an oath:

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<sup>90</sup> Ibid., nr. 169, p.269.

<sup>91</sup> Ibid., nr. 172, pp.273-74, p.273; Appendix, pp.362-63.

<sup>92</sup> J.W. Baldwin, *The Government of Philip Augustus, Foundations of French Royal Power in the Middle Ages* (Berkeley, CA, 1986), p.7.

‘We ask you piously to abstain from tears, since it will be better for the son and the land which you esteem. For we will obey all your orders about the boy and we will restore him to you safe and sound.’ By these pleas the count was relieved and made happier and he departed with peace about to travel on his journey.<sup>93</sup>

This oath of allegiance took into account Philip’s youth; Thierry’s men pledged that no harm would come to him. Lambert’s depiction of Thierry ‘commending the boy to God and his men’, reaffirmed the importance of the officials who remained behind in securing the regency.<sup>94</sup> Lambert’s account also detailed the immediate repercussions of Thierry’s absence; in 1157 Philip assembled his army against Simon, castellan of Oisy. Simon was already a potential threat to peace because before Thierry’s departure the castellan refused to pay homage and was, therefore, a concern to both count and regent.<sup>95</sup> Philip’s brisk attack against Simon was, perhaps, a continuation of Thierry’s own policy, or at the count’s suggestion. Lambert described Philip’s army as containing ‘as many as the sands of the seashore’, a Biblical reference that indicates the numerous military resources at Philip’s command and, potentially, the justness of his action.<sup>96</sup> Lambert tells us that Philip and his army made camp and spent the night at Hyncy, but the following day they laid waste to everything, set fire to cornfields, and besieged the tower with machines until Simon surrendered in August.<sup>97</sup> Philip’s victory did not mark the end of these hostilities; in May 1158 Philip pitted his army against Simon’s forces once again, and by August Philip had laid waste to Simon’s castle at Oisy.<sup>98</sup>

In the same year Philip sent troops against another enemy: Thierry’s prisoner Robert of Bethune. Philip destroyed Robert’s tower at Douai, defeated him, and returned Robert to custody. After his capture Robert made amends, ‘he gave a pledge of faithful servitude to the count and for the upholding of the laws of [Philip’s] fatherland.’<sup>99</sup> Philip acted as a feudal lord here, protecting comital rights and

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<sup>93</sup> Lambert of Waterlos, *Annales Cameracenses*, p.531; Appendix, p.363.

<sup>94</sup> *Ibid.*; Appendix, p.363.

<sup>95</sup> *Ibid.*

<sup>96</sup> *Ibid.*; Appendix, p.363; Genesis 32.12

<sup>97</sup> Lambert of Waterlos, *Annales Cameracenses*, p.363.

<sup>98</sup> *Ibid.*

<sup>99</sup> *Ibid.*; Appendix, p.363.

possessions with demonstrable force. In 1159, ‘the war between Count Philip and Simon was not yet over’.<sup>100</sup> Philip assembled his armies at Avesnes and brought the conflict to an end by assailing the castle.<sup>101</sup> In August part of the castle wall collapsed, enabling Philip to lay waste to the castle and towns of Marchian, Noelet and Cantium. At this point Thierry returned from his pilgrimage. Lambert described Count Thierry’s reception with ‘honour and great pomp ... Subsequently, however, the people were seized by grief and lamentation, because the countess had not returned with her lord.’<sup>102</sup>

We have seen that regents were not limited to riding into battle to defend an absent crusader’s interests but evidently such measures were common. Philip had to defend his father’s county through military might on numerous occasions. It was also probably easier and more acceptable as a male regent to take this action, and as next in line it was important that Philip established himself as a successful military leader. Philip did not look to the papacy, possibly because his military action was, unlike his mother’s, not a response to invasion but was directed against disobedient vassals: Simon who had refused to pay homage and Robert who had escaped from Thierry’s custody. These men had not invaded Flanders and as such they had not injured the crusader’s lands. Simon and Robert’s actions were outside the remit of crusader-specific protection which only recognised injury and invasion of crusaders’ families and possessions.

In addition to Lambert’s images of frequent warfare, Philip’s charters reveal the administrative side of his regency. First, Philip confirmed by his own seal Thierry and Sibylla’s donations to the church of Achy-Les-Moines.<sup>103</sup> The fact that Philip had his own seal shows that the young regent fitted the paradigm established in this thesis; this entire act was imbued with his authority. Likewise, Philip took the church of Witten and all its possessions under his legal support and pledged to safeguard it from

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<sup>100</sup> Ibid., p.532; Appendix, p.363.

<sup>101</sup> Ibid.

<sup>102</sup> Ibid.; Appendix, p.363.

<sup>103</sup> *De Oorkonden der Graven, Band 1*, nr. 174, pp. 276-77.



plunder and calumny, 'both from the castellans, as well as from the rest of the magnates'.<sup>104</sup> Such donations reveal the extent to which normal government had to be upheld by the regent, arguably if there was a capable and credible regent the crusade had little impact on day to day government.<sup>105</sup> To bolster the young count's status and to help ensure the permanence of his acts, Philip could rely on experienced supporters, especially ecclesiastics such as Bishop Milo of Thérouanne, Milo his archdeacon and Archdeacon Desideratum of Tournai who acted as Philip's witnesses and advisers. Through their additional, advisory capacity these individuals provide insight into Philip's decision-making process and his reliance on his parents' most trusted advisors. Yet the fact that Philip had either anticipated or experienced troublesome actions from the castellans and other powerful men shows that even the crusading count's own agents could act in ways that reflected their personal interests and undermine the regent. It reiterated the need for a strong regent and a competent legislative body to combat infringement of ecclesiastical rights and constitutions. This necessity for strong government was reflected in Philip's last surviving regency charter, which resolved a dispute over a sheepfold between Abbot Fulk of Hainault and Abbot William of Furnes.<sup>106</sup> The fact that the abbots sought out Philip's support demonstrated the importance of regencies to the continuance of comital government; they provided a necessary contingency in the event that crusaders, such as Philip's father Thierry, did not return.

It has been argued above that reaffirmation of regency charters might constitute an undermining of the regent and, that when outside parties demanded a reissue this suggested a corresponding need to make the act permanent. In the majority of these cases, notwithstanding non-survival, Thierry rarely promulgated reissues. Flemish crusade regents were chosen from those well-placed in government so as to inspire confidence in their abilities and these individuals had a close enough connection with the crusader to ensure legitimacy of their rule and thereby lessen, if

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<sup>104</sup> *Ibid.*, nr. 175, pp.277-78; Appendix, pp.363-64.

<sup>105</sup> *Ibid.*, nrs. 177-79, 181, pp.279-83, p.285.

<sup>106</sup> *Ibid.*, nr. 180, p.284.

not negate, the risks of long-term absence. Therefore reissue was largely unnecessary. Thierry, excluding issues of survival, confirmed only one of Philip's charters: the donation of the sheepfold and the dispute over its ownership.

This contention lasted between me and themselves until that time when I had assumed the cross for the journey to Jerusalem ... Since indeed, when I was absent, on my instruction, this was done by my son, after I returned to Flanders I had [this charter] recited in my presence.<sup>107</sup>

As this apparently marked an exception his reissue may point to outside impetus, such as a request from the recipient of the charter. Its exceptional nature should be viewed alongside the wider context of Sibylla's charters, as we have seen that Thierry reissued few of hers.<sup>108</sup> This lack of any reissue fits an established pattern of Thierry's return to power and it is not proof of Thierry's lack of enthusiasm and loss of interest in Flemish government following his return without Sibylla.<sup>109</sup>

### Philip's Second Regency 1164-66

The analysis in this section concerns Philip's regencies and the impact of the crusade on Flanders; thus the charters after Thierry's homecomings, in 1158 and 1166 respectively, are outside my investigation. Nevertheless they will be dealt with summarily to show that Philip retained marked influence as co-ruler of Flanders after his father's return, noted by his appearance in at least 81 of Thierry's 106 surviving charters between 1158 and his death.<sup>110</sup> While Thierry returned and witnessed an act of 1159, many of Thierry's charters reflected Philip's authority.<sup>111</sup> Had Philip's regency been a disaster it is unlikely that Thierry would have allowed him such free rein. Instead it seems that because Philip was more closely involved in the

<sup>107</sup> Ibid., nr. 184, pp.288-89; Appendix, pp.364-65.

<sup>108</sup> See p.177.

<sup>109</sup> For the opposing argument that Thierry lost interest in Flanders after his return see Nicholas, *Medieval Flanders*, p.71.

<sup>110</sup> This data is based on *De Oorkonden der Graven, Band 1*, p.286 onwards.

<sup>111</sup> See for instance *ibid.*, nr. 187, p.292.

government at this point, it was politically expedient to allow Philip, the designated heir, to continue in that vein.

The period of 1164-6 marked Thierry's fourth and final visit to the Holy Land and Philip's final regency.<sup>112</sup> Before his departure Thierry and Philip confirmed the issue of twenty-three laws and customs to the burghers of St Omer.<sup>113</sup> These were re-circulated again in 1164 this time solely by Philip. Between these publications, however, striking changes took place because Philip increased the number of legal conventions from twenty-three to fifty-nine. Peace and security appeared as salient themes, with fines for homicide or injury. Provisions were made to counter theft, and a fixed penalty was set for those who broke the peace.<sup>114</sup> This may partly explain Lambert of Waterlos' references to Philip subjecting the populace of Flanders to unknown calm after Thierry departed on his fourth visit to the Holy Land.<sup>115</sup> Consequently Philip fulfilled vital roles as a competent law-giver, arguably these were far more permanent and influential acts than we might expect from a temporary regent.

We have seen that Philip acted more and more as a comital lord even after Thierry returned, and this increase in the institutionalisation of law in Flanders certainly formed part of Philip's peacekeeping agenda.<sup>116</sup> Thus Philip, alongside Henry of Champagne, who acted as the regent's advisor in this matter, was instrumental in pacifying Archbishop Henry of Rheims who had impoverished the city; Philip helped to restore the citizens to grace and ensured that what had been stolen was returned.<sup>117</sup> Additionally, Philip of Flanders followed his mother's example of cultivating political alliances. During his visit to Emperor Frederick I's court, Philip formed an alliance with the Empress Beatrix, his kinswoman, so that if necessary she would 'be useful to the count.'<sup>118</sup> A union of such political magnitude

<sup>112</sup> Nicholas, *Medieval Flanders*, p.71.

<sup>113</sup> *De Oorkonden der Graven, Band 1*, nr. 231, pp.360-73, especially pp.367-69.

<sup>114</sup> *Ibid.*, nr. 233, *ibid.*, pp.365-70.

<sup>115</sup> Lambert of Waterlos, *Annales Cameracenses*, p.536.

<sup>116</sup> Nicholas, *Medieval Flanders*, p.77.

<sup>117</sup> Lambert of Waterlos, *Annales Cameracenses*, p.540.

<sup>118</sup> *Ibid.*, p.538; Appendix, p.365.

further strengthened Philip's position, and was utilised later in his regency in a dispute over the simoniac Alard of Cambrai's election.<sup>119</sup> This imperial association highlighted both the significance of diplomacy and well-placed, high-standing allies; such relationships were vital at all times, but it is likely that during a crusade-related absence these alliances took on more pronounced significance.

As seen earlier, the use of charters to enshrine acts permanently also fitted the context of the escalation in literacy and the written document.<sup>120</sup> I suggest that during regencies written proof took on added significance because of the count's absence and the regent's potential vulnerability. Hence charters such as this 1165 example issued by Philip:

...to the canons regular of the church of St Nicholas ... taken under the tutelage of our protection and [the protection of] our successors, for the honour of omnipotent God, so that the lands and allods with the meadows and the waters, the fields cultivated and uncultivated, and the rest of the benefices, pertaining to the same holy church of God, with none contradicting or making injury...<sup>121</sup>

The emphases on Philip's role as a defender of these grants were particularly striking and point to a need to ensure stability and permanence. Analogously Philip was acknowledged to be a mediator; he ended the long-standing dispute between the abbess of Bourbourg and Reynald of Frelingen, finding in the abbess' favour and pledging surety to her.<sup>122</sup> This charter neatly encompassed both the secular and spiritual sides of his comital duties; Philip confirmed his vassal's donation and pledged to protect the recipient. Such instances are unsurprising because we have seen that Philip enjoyed considerable political longevity after Thierry's homecoming in 1158 and again in 1166, and until Thierry's death in 1168 Philip continued to rule jointly with his father.<sup>123</sup> In one case, Philip concluded a truce with Count Floris of Holland, and although his father mediated the authority seemingly rested more fully

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<sup>119</sup> Ibid., pp.542-43.

<sup>120</sup> See Clanchy, *Memory to Written Record*.

<sup>121</sup> *De Oorkonden der Graven, Band 1*, nr. 249. pp.396-97, p.396; Appendix, pp.365-66.

<sup>122</sup> Ibid., nr. 238, pp.377-78, p.377.

<sup>123</sup> Ibid., nr. 254, pp.402-4.

with Philip.<sup>124</sup> Once again, few of Philip's charters were confirmed when Thierry returned in 1166; one of these exceptional reissues stated that:

[Stephen] having been summoned, when I was at Jerusalem, by my son Philip, came to Lille in my presence together with his son Reynald after I had returned, in the presence also of my sons...<sup>125</sup>

We have seen that excluding non-survival, the reiteration of a regent's acts remained the exception rather than the rule in Flanders. Philip, additionally, confirmed his father's involvement in Abbot John of Marchiennes' claims against Stephen the advocate's oppression.<sup>126</sup> Philip's decision that the church should retain its rights and privileges on pain of exile had the support of the barons.<sup>127</sup> Thierry himself provided further support to this act, probably because this local suit required the count's approval. Thus Philip's charter added that Thierry 'who had returned from Jerusalem' conceded this charter.<sup>128</sup>

### Champenois Protection of Crusaders

The absence of these crusaders was contemporary to the growing reliance on written record, which would provide the necessary bolstering to the regents' acts. The institutionalisation of comital government through written materials had repercussions for the experience of those left behind by the crusaders – notably in the crusade regency governments. Individuals concerned for the security and permanence of decisions in the crusaders' absence thus found solace in the burgeoning written and legal apparatus at the count's disposal. Champagne operated under a different set of circumstances at this point, because the feudal lord, Count Henry, acted as surety for his men lower down the social scale who were journeying to Jerusalem. We have seen

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<sup>124</sup> Ibid., nr. 269, pp.424-27.

<sup>125</sup> Ibid., nr. 254, pp.402-4, p.404; trans. Ciuca; Appendix, p.366.

<sup>126</sup> Ibid., nr. 255, pp.404-7.

<sup>127</sup> Ibid, p.405.

<sup>128</sup> Ibid, p.406; Appendix, p.366.

that the count of Champagne often confirmed his vassals' acts before they departed on crusade, this trend was equally present under Henry of Champagne.<sup>129</sup> In 1156 he confirmed the actions of those of his men who were departing for Jerusalem, such as Milo of Naud's donation to the monks of Jouy.<sup>130</sup> This reflected Henry's role as a feudal lord, acknowledging and confirming his fief-holders' sales. Nevertheless, in the light of Milo's impending departure, this need for security probably took on greater importance. A similar pattern can be discerned in Henry's confirmation of the knight Renier's sale of land to the church of St Pierre aux Monts in Châlons, before his departure to Jerusalem.<sup>131</sup> This act also reflected the growing importance of the chancery in Champagne's political processes; it is worth noting that Henry of Champagne has been credited with creating the county from a fragmented collection of disparate lordships, counties, and castellans.<sup>132</sup> This focus on the centralisation of Champagne under Count Henry's body of government suggests a process similar to Philip of Flanders' later emphasis on the count's rights to law and jurisdiction. As these counts were contemporaries of each other, this may say as much about the political context as it does about these two individuals, and raises questions about how their preparations for a crusade fitted this increasingly administrative background.

In 1166 the Champenois count did not take the cross himself, but during the inquest into the succession of Possesse, Henry stated that he would act as the guardian of Hugh of Possesse's lands for a year and a day while Hugh was in Calabria, where he had married and settled while en route to the Holy Land:

Guy of Garlande and his son Anselm petitioned me at a session of my court at Troyes for possession of the barony of Possesse, because Hugh of Possesse, having married at Calabria remains there ... the petitioners requested the barony by hereditary right, and recognised the legitimacy of their claim. But Hugh, when he left for Jerusalem, placed in my hands and later notified me by appropriate and well-known messengers that he wanted me to be guardian of his lands ... So my barons who were present at

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<sup>129</sup> See p.169.

<sup>130</sup> *Recueil des actes d'Henri le Libéral, comte de Champagne, (1152-1181)*, vol. 1, ed. J. Benton and M. Bur (Paris, 2009), nr. 84, pp.117-19.

<sup>131</sup> *Ibid.*, nr. 177, pp.233-34.

<sup>132</sup> T. Evergates, 'The Chancery Archives of the Counts of Champagne: Codicology and the History of the Cartulary-Registers', *Viator*, vol. 16 (1985), p.162.

this hearing ... decided that to be fair, I should allow Hugh one year to return and reclaim his land. If Hugh does not return within one year, I will invest Guy and Anselm with their inheritance, saving, however, Hugh's right – should he return later...<sup>133</sup>

For de Jubainville this charter illustrated French custom; after one year and a day the feudal lord assumed that his tenant had officially deserted his post and was free to reassign it.<sup>134</sup> Similarly, Evergates used this document to demonstrate that Henry, rather than dispossessing his barons, exercised 'good lordship'.<sup>135</sup> For our purposes, this charter offers further details into how feudal overlords protected the interests of their crusading vassals and this act is therefore worthy of deeper analysis. The fact that Hugh of Possesse had sought out his overlord before his departure to Jerusalem indicates the pronounced need to invoke the protection of the feudal authority over the land that the crusaders left behind. The charter also extended into the longer term implications should Hugh not return, namely the provisions for Hugh's heirs, Guy and Anselm, to inherit. Henry made further provision for his vassal's longer-term rights; perhaps, therefore, the year and one day policy was not set in stone because Henry stated that if Hugh returned after this period, his rights would be upheld. Thus once again we see a need for secular protection alongside the privilege that the papacy offered.

### Philip of Flanders and Henry of Champagne's Crusades c.1177

Thus far this chapter has examined Philip of Flanders as crusade regent and the Champenois counts as supporters of their crusading vassals' interests at home. In light of Philip of Flanders's experience as a regent and Henry's concerns for his vassals'

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<sup>133</sup> *Recueil des actes d'Henri le Libéral*, nr. 239, pp.312-13; trans. T. Evergates, nr. 91, *Feudal Society in Medieval France: Documents from the County of Champagne* (Philadelphia, PA, 1993), pp.113-14, p.114; Appendix, pp.366-67.

<sup>134</sup> H. d'Arbois de Jubainville, 'Document sur l'obligation de la résidence imposée aux barons par le droit féodal champenois, au douzième siècle', *Revue Historique du Droit Français et Étranger*, vol. 7 (1871), pp.68-70.

<sup>135</sup> Evergates, *Aristocracy in the County of Champagne, 1100-1300*, p.22.

lands this chapter will now examine how these two individuals prepared for their own crusades. First it will focus on Philip. As count in his own right, Philip was credited with the institutionalisation of the Flemish legal system, most notably through his increase in the number of courts.<sup>136</sup> He has also been identified as the creator of salaried legal bailiffs and possibly aldermen in the seven major towns of Arras, Douai, Bruges, Ghent, Lille, Saint-Omer and Ypres. His bailiffs fulfilled the legislative and peace-keeping duties that Philip delegated to them, reinforcing and increasing the count's authority where his influence had not previously reached.<sup>137</sup> Historians have debated whether the office of bailiff originated because of Philip's impending absence or if his departure dramatized their existing functions.<sup>138</sup> I favour the latter view because this fits the context of the sharp increase in justice and protection charters c.1175-8.<sup>139</sup> Flemish and Champenois interest in crusading may partially explain the development of mechanisms designed to, or at least able to, deal with long-term absences. Equally, the effectiveness of such systems may have allowed this crusading enthusiasm to grow further. Evidently justice and comital rule had become increasingly defined, reliant on written documents, and institutionalised. Philip and Henry may have instigated a rapid shift in the secular preparation for crusading – a far cry from the gentle pace of papal legislation.

Flanders' wealth placed its counts among the richest nobles in Europe.<sup>140</sup> Champagne developed along similar lines in terms of its burgeoning economic and legal structures. Hence both strands of comital power, the financial and the legal, put these crusaders in a strong position. Philip was no exception in following the strong family tradition of crusading. What was unusual was that he had no direct heir. His

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<sup>136</sup> R.C. van Caenegem, *Judges, Legislators and Professors, Chapters in European Legal History* (Cambridge, 1987), p.148.

<sup>137</sup> L.M. de Gryse, 'Some Observations on the Origin of the Flemish Bailiff (*bailli*): the Reign of Philip of Alsace', *Viator*, vol. 7 (1976), pp.248-51.

<sup>138</sup> *Ibid.*, pp.275-77; A.C.F. Koch, 'De rechterlijke organisatie van het graafschap Vlaanderen tot in de 13<sup>e</sup> eeuw', *Handelingen der Maatschappij voor Geschiedenis en Oudheidkunde et Gent* (Ghent, 1951), pp.1-214, p.205.

<sup>139</sup> *De Oorkonden der Graven van Vlaanderen, (juli 1128-september 1191), Band III, Regering van Filips van de Elzas, Tweede deel: 1178-1191*, ed. T. de Hemptinne, A. Verhulst, and L. de Mey (Brussels, 2009), nr. 528, pp.16-18.

<sup>140</sup> Nicholas, *Medieval Flanders*, p.79, p.150.



marriage to Elizabeth at the age of thirteen had given him Vermandois but no children. Elizabeth, moreover, had been accused of infidelity.<sup>141</sup> This slur on her reputation may have impacted on her prospects of being installed as Philip's regent.

Philip, count of Flanders and Vermandois, took the sign of the cross and, when he had assembled his barons at Lille caused the men of Flanders to give faith and securities concerning the possession of the inheritance of Flanders to Count Baldwin of Hainault and his wife Countess Margaret as rightful and closest heirs because he lacked an heir of his body, and his brothers Matthew and Peter had died ... When these securities had been completed the count of Flanders, having set his land in order and handed over custody of his faithful men, departed to Jerusalem with many virtuous men.<sup>142</sup>

Following his father's example Philip did not leave Flanders solely under papal protection. Instead, he acknowledged the barons whom he would leave behind and received their surety for his brother-in-law's succession and probably submitted his faithful men to Baldwin's care. It has been argued that unlike all previous crusading counts Philip did not assign a regent but relied purely on his *fideles*, a position that possibly underestimates the significance of Gilbert's statement regarding the handing over of his faithful men, presumably to Philip's heirs.<sup>143</sup> It is also worth remembering that this treaty was in Baldwin's interests, it pledged the barons to support Baldwin's claim, and it gave Baldwin and his wife legitimate positions in the Flemish court and a stake in Flemish politics. Philip probably intended that the barons and bailiffs would continue to aid Baldwin in their assigned roles, and perhaps keep him in check since he was a former adversary. While Baldwin was not a blood-member of this comital family, he had Flemish connections, his wife Margaret was Philip's sister. Thus Philip, as far as possible, followed the established pattern of appointing 'insiders' to help protect his interests.

These preparations formed part of the background to Philip's long delay between taking the cross in 1175 and departing in 1177; a time characterised by

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<sup>141</sup> Nicholas, 'Countesses as Rulers', pp.124-25.

<sup>142</sup> Gislebert of Mons, *Chronicon Hanoniense*, ed. L. Vanderkindere (Brussels, 1904), pp.121-22; trans. L. Napran, *Chronicle of Hainault* (Woodbridge, 2005), p.91; Appendix, p.367.

<sup>143</sup> Gryse, 'Origins of the Flemish Bailiff', p.274.

internal problems in Flanders, and King Henry II of England's attempts to delay the crusade until 1177.<sup>144</sup> King Henry feared that Philip would use the crusade as an excuse to restore the count's nieces to the house of Boulogne and the throne of Jerusalem and thus damage Angevin interests in the Kingdom of Jerusalem.<sup>145</sup> In response Philip promised King Henry that he would not marry off his nieces without the king's consent and Hamilton argues that 'the lands of the count of Flanders and his wards were taken under the protection of the English crown during his absence.'<sup>146</sup> Philip made similar arrangements closer to home to minimise disturbances to Flanders. In 1176 Philip made a treaty of alliance with his heir, Baldwin of Hainault, which notably prohibited the sheltering of outlaws and exiles, and the raising of armies.<sup>147</sup> This early example of the two men working together laid the foundations for Philip's departure. In another charter Philip declared that the eldest of his sisters, Gertrude, had entered a convent and renounced her inheritance. Philip divided her one hundred *livres* among various religious establishments, with Baldwin and his wife Margaret's confirmation and consent.<sup>148</sup> Clearly this latter point reflects the fact that Philip's other sister, Margaret, was required to agree. Yet, concurrently such acts involved Baldwin in Philip's administration, and gave Baldwin some experience in the mechanisms of the Flemish chancery before Philip's departure.

It has been argued that Philip of Flanders did not favour his nephew Baldwin's succession, and made no attempt to train him or acknowledge him.<sup>149</sup> This may press the point too far, Philip's long-term absence made it plain that Hainault was the only

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<sup>144</sup> M.R. Tessera, 'Philip Count of Flanders and Hildegard of Bingen: Crusading against the Saracens or Crusading against Deadly Sin?', *Gendering the Crusades*, p.79.

<sup>145</sup> B. Hamilton, *The Leper King and his Heirs: Baldwin IV and the Crusader Kingdom of Jerusalem* (Cambridge, 2000), p.121.

<sup>146</sup> *Ibid.*

<sup>147</sup> *De Oorkonden der Graven van Vlaanderen (juli 1128-september 1191), Band II, Regering van Filips van de Elzas, Eerste deel: 1168-1177*, ed. T. de Hemptinne, A. Verhulst, and L. de Mey (Brussels, 2001), nr. 429, pp.231-33.

<sup>148</sup> *De Oorkonden der Graven van Vlaanderen, Band III*, nr. 608, pp.130-33.

<sup>149</sup> Nicholas, 'Countesses as Rulers', p.126. Wolff argued that Philip's remarriage and Matilda's dowry were designed partly to exact revenge on Baldwin for his allegiance with Philip Augustus in 1184, R. L. Wolff, 'Baldwin of Flanders and Hainault, First Latin Emperor of Constantinople, His Life, Death and Resurrection', *Speculum*, vol. 27 (1952), p.282. Both may be over-reliant on Gilbert of Mons' partisan account. For Gilbert's agenda see Shopkow, *History and Community*, p.262.

expedient choice. By publically naming his brother-in-law as his heir, and acknowledging him in two charters just before Philip's departure, the crusading count gave Baldwin some experience of Flemish government. This involvement would potentially have benefited his nephew and provided implicit confirmation of the succession through Philip's consultation and association with Baldwin in his charters, and this pattern emerges as part of a trend, rather than an anomaly. Thus we can surmise that pressed by the potential political impact of the crusade, Philip, to an extent, educated his heirs in Flemish politics.<sup>150</sup>

Philip also issued a series of charters as part of his preparation to depart on crusade. The scope of Philip's administration and legal apparatus are shown through his sixty donations to provide bread and wine for Mass, to abbeys and churches across Flanders in 1177.<sup>151</sup> These acts represented a major pious act before he left for the Levant on a pan-Flemish level, ensuring that those who were left behind would receive the sacraments in his absence. These grants give further insight into the institutionalisation of Flemish government at this point. In the years before his departure (1175-77) Philip repeatedly issued charters dealing with his defence of the Church, for instance his protection of St Nicholas of Arrouaise, its subsidies and possessions.<sup>152</sup> The count's role as a defender of the Church was well-established and, at first glance, such actions could be viewed as part of his daily comital duties. Leading up to the crusade, however, these charters surely took on added significance because the Flemish Church's principal secular defender would be absent. Consequently, it was in the interests of both the count and these institutions to reinforce their privileged status through Philip's charters. Comparable conclusions can be deduced from analysing his implementation of Flemish justice. In 1177 Philip renounced his rights to the jurisdiction that the abbey of St Nicholas of Furnes held – with the exceptions of rape, arson, theft, injuries and murder – which pertained solely

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<sup>150</sup> *De Oorkonden der Graven van Vlaanderen*), *Band II*, pp.231-33; .nr. 608, *De Oorkonden der Graven van Vlaanderen*, *Band III*, nr. 429, pp.130-33.

<sup>151</sup> *Ibid.*, nrs. 461-521, pp.292-343.

<sup>152</sup> *Ibid.*, nrs. 439, 441-42, pp.261-67.

to the count.<sup>153</sup> This clarification is striking in light of Philip's imminent crusade. Such actions reflected, at least in part, Philip's concerns that those he left behind should enforce his own legal rights and those of the abbey.<sup>154</sup> These grants, leading up to his departure, were designed to ensure minimum disruption to those under his rule and under his protection. The reiteration of his law imposed his will before he left to prevent the erosion of his comital rights, most notably in terms of meting out justice. As Philip was a former crusade regent it is likely that he knew which aspects of his rule would be in most need of added security.

Thus before his crusade, Philip's acts, such as the ending of the dispute between the abbeys of Ter Doest and Eeckhout, fit the context of removing potential problems.<sup>155</sup> These charters reveal law-making on a local level but, on the other hand, his legal powers increased to a pan-Flemish scale, illustrating the need to prevent exploitation of his absence. Hence his ordinances prescribed the observance of laws concerning justice, crime, punishment, the bailiffs' roles and taxation.<sup>156</sup> This thorough explanation was not a new practice, but its timing implies that the count's administrative missives were driven by preparation for his absence. The fact that these laws were reiterated on his return from Jerusalem shows that before and after he visited the Holy Land, Philip needed to reinforce justice, and the scale and scope of his legal jurisdiction.<sup>157</sup> Notably, between c.1177 and 1178 we see the highest number of acts relating to comital justice – nine can be dated conclusively to 1177, two relate to 1178 but a further five feasibly relate to the same year: approximately sixteen justice charters in two-three years. It seems reasonable that his preparation for, and return from, a long-term absence underpinned this policy.<sup>158</sup>

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<sup>153</sup> Ibid., nr. 431, *ibid.*, p.235.

<sup>154</sup> See also *ibid.*, nr. 443, pp.267-69.

<sup>155</sup> Ibid., nr. 445, pp.272-73.

<sup>156</sup> Ibid., nrs. 433-38, pp.236-61.

<sup>157</sup> *De Oorkonden der Graven van Vlaanderen, Band III*, nr. 530, pp. 20-21.

<sup>158</sup> The advantage and authority of law-givers over legislation, in quotidian government has been highlighted by R.C. van Caenegem, 'Reflexions on the Place of the Low Countries in European History', *Europäisches Rechtsdenken in Geschichte und Gegenwart, Festschrift für Helmut Coing zum 70. Geburtstag*, vol. 1 (Munich, 1982), p.8.

In stark contrast to Philip, Henry of Troyes left behind his wife as regent. Evergates argues that Marie had no experience of government because Henry had continued to rely on his officials, whose presence in charters predated the count's marriage. However, Marie must have had some role in the county's administration to warrant the confidence that Henry showed in installing her as his crusade regent.<sup>159</sup> Notably Marie was the first witness of his donation to the church of Hermières, in March in 1180.<sup>160</sup> Thus she had a role before the regency and as the eldest daughter of Louis VII and Eleanor of Aquitaine she outranked her husband through her royal blood.<sup>161</sup> Henry meted out justice before departure following an established trait of departing crusaders; in 1179-80 he confirmed the donations of his fief-holder Matthew of le Roux to the church of St Loup.<sup>162</sup>

Henry quelled potential legal disputes before his departure, as Philip had. In Dijon, Henry rectified the injuries that he and his bailiffs had inflicted on the abbey of St Bénigne. In addition, the count of Champagne stipulated that he had given custody of the priory of St Bénigne at Dijon to 'the noble man and my vassal Guyard, lord of Reynel.'<sup>163</sup> This charter violated an earlier grant by Henry's comital ancestor Hugh 'it was held in the charter of my ancestor Hugh that the same [Hugh] or any of his heirs, by no means should be able to surrender or place the custody of [St Bénigne] into another's hands'.<sup>164</sup> The crusade was clearly a special case, which required that the abbey accept a temporary defender outside of the count's family. Henry was at pains to assure the monks that this measure was not permanent 'I promised them in good faith that on my return custody of [St Bénigne] would be returned into my own hands.'<sup>165</sup>

In contrast, Marie was involved far more in Henry's charter to the commune of Meaux, in November. 'First, all have sworn to be faithful servants in perpetuity to

<sup>159</sup> Evergates, *Aristocracy in the County of Champagne*, p.24; Evergates, 'Aristocratic Women', p.77.

<sup>160</sup> *Layettes*, I, nr. 303, p.128.

<sup>161</sup> Evergates, 'Aristocratic Women', p.77.

<sup>162</sup> *Recueil des actes d'Henri le Libéral*, nr. 521, pp.648-49.

<sup>163</sup> *Ibid.*, nr. 522, pp.649-50, p.650; Appendix, p.367.

<sup>164</sup> *Ibid.*; Appendix, p.367.

<sup>165</sup> *Ibid.*; Appendix, p.367.

me and to Countess Marie, my wife, and to Henry, my son, and to my successors.’<sup>166</sup> The prominence of the future regent, Marie, and their son and heir, coupled with Henry’s departure illustrates that the countess was involved in political decisions; this charter dealt with the issue of law and customs that, feasibly, Marie might have to uphold in Henry’s absence. Thus her inclusion was deliberate although marriage gave the countesses of Champagne the ultimate control over minor children and the conjugal residence, this alone, as argued earlier, does not entirely explain why wives were chosen as guardians. We have seen that Marie was associated with her minor son who was not expected to play a role in government, but aside from her status as mother of the heir, there must have been other factors that determined her selection as regent, especially because in Champagne, no married man installed anyone other than his wife as regent.<sup>167</sup> As with earlier case studies, Marie emerged as a likely crusade regent.

### Flemish and Champenois Regencies

Having shown how the regents were selected, it remains to discuss the main events during both Henry and Philip’s absences. First, we will concentrate on Henry of Champagne. The count remained in close contact with his wife and enacted several surviving donations to the Latin churches in the Holy Land. In at least two of these donations, Henry made it plain that he had entrusted the payment of ten *livres*, to his wife, son and the other custodians of his lands.<sup>168</sup> Thus, plainly, some degree of communication remained between him and his regent concerning his lands and the distribution of the comital funds.

In the case of Flanders so serious were the political troubles, that Philip considered an early end to his crusade. Philip’s letter to Hildegard of Bingen emphasised the large and numerous burdens incumbent upon him and asked whether

<sup>166</sup> *Layettes I*, nr. 299, pp.124-26, p.126; Appendix, p.367.

<sup>167</sup> Evergates, *Aristocracy in the County of Champagne*, p.96.

<sup>168</sup> *Recueil des actes d’Henri le Libéral*, nrs. 526-27, pp.655-57.

he should remain in Palestine or return home immediately.<sup>169</sup> Gilbert of Mons provided some indication of events during Baldwin's regency and in 1177, Bishop Alard of Cambrai's death resulted in dissent over his successor. While Baldwin supported Geoffrey of Tosny's candidacy, his tenant Hugh of Oisi advocated his own brother, Peter. Notably Baldwin required Roger of Wavrin's aid, after which the latter took the cross.<sup>170</sup> Thus we see the importance of the experienced men left behind. The need for Roger's support reveals the intricacies and difficulties of such issues. Baldwin's place in Flemish politics did not end with the termination of his regency. In 1181, Philip's sister Gertrude donated ten *livres* to the abbey of Notre Dame at Avesnes, with the agreement of Baldwin and Margaret.<sup>171</sup> We have seen their consent was conventional, if not legally required, but Baldwin's prolonged role shows that the count of Hainault's input in Flanders was not restricted to Philip's absence.

### Conclusion

To begin with this chapter assessed Thierry of Flanders' preparations for departure in 1138 and 1146. Thierry's charters clearly revealed the distinction between pilgrimage and crusader-specific protection. As a pilgrim in 1138-9 he enacted a pan-Flemish peace to deter potential invaders of his lands and appointed his wife as regent and guardian of their lands along with their son Baldwin (who died in 1150). This peace underlined the disparities between crusade and pilgrim protection. In contrast, during the Second Crusade it seems that no comparable peace was proclaimed because Flanders and its regent, Sibylla, benefited from the status afforded by crusader-specific papal protection.

In Champagne, where the count did not take the cross, crusaders looked to the counts to provide additional support for their lands and donations during their

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<sup>169</sup> 'Regestes de Philippe d'Alsace, comte de Flandre', ed. H. Coppieters Stochove, *Annals de la Société d'histoire d'archéologie de la Gand*, vol. 7 (1907), nr. 215, p.77; *PL* 197, nr. 28, (Paris, 1882), cols.187-88.

<sup>170</sup> Gislebert of Mons, *Chronicon Hanoniense*, p.122.

<sup>171</sup> *Oorkonden der Graaven, Band III*, nr. 595, p.116, nr. 608, pp.130-33.

absences. In the case of Hugh of Possesse in 1166, Henry provided surety for this crusader's lands and the succession. Henry acted under feudal custom to determine the extent of his protection over his vassal and the count fulfilled an important role by confirming the acts of his vassals preparing to depart for the Holy Land. Notably when Henry did take the cross in 1178, he installed his wife, Marie, as his regent. Marie's appointment provides a further example of the trend identified in this thesis with regard to the political roles of countesses. Thus in Champagne apparently little changed in the forms of secular protection from the First to the Second Crusade; the papal protection over crusaders' lands and possessions was clearly established by 1146, but crusaders still took their own added measures to provide further security.

In Flanders there were noted similarities between the regencies of Clemence and Sibylla. Primarily, the ways in which Sibylla was styled and sealed her charters gave no indication of the transitory nature of her position, an issue which is particularly significant given that her grants entailed the alienation of comital land. Second, Sibylla, in both regencies, cultivated alliances to ensure the prolonged support of the prominent ecclesiastics and noblemen who remained behind. Lambert of Arras revealed the inherent dangers of Sibylla's role; Thierry's absence on the Second Crusade prompted an invasion from his vassal, Baldwin of Hainault. Baldwin's timing suggests that this was a deliberate plot to exploit Thierry's absence. Thus in themselves neither the papal nor secular protection proved significant enough deterrents. Sibylla, however, was more proactive than her predecessor, Clemence of Flanders, and utilised spiritual and secular power. Sibylla headed an invasion force to repel Baldwin of Hainault and appealed to Eugenius III to enact his pledge of protection over her. This episode provided clear evidence of the two swords acting in unison to defend the families and possessions that the crusaders left behind. Baldwin's infraction and Eugenius' decision in Sibylla's favour at the Council of Rheims underpinned the importance to pope and victim of enforcing this crusader-specific protection. Thierry visited the Holy Land twice after the Second Crusade, but the death of Baldwin in 1150 and Sibylla's retirement to a convent in Bethany in



1157, where she died in 1165, removed both from future involvement as regents.<sup>172</sup>

Thus these responsibilities fell to Thierry's second son, Philip.

As my earlier discussion of the county of Flanders demonstrated, continuity, experience and legitimacy were vital in the selection of regents; these factors were apparent in the men who aided Philip. Throughout his first regency Philip relied largely on those same individuals who had helped Sibylla during her two regencies, significant since, until this point, Flemish crusade regents had been female, but here the reins were handed to a young man. Philip's upbringing had prepared him for this role; he had been increasingly involved in his father's grants and would have been aware of their ceremonial and political importance. Therefore, like his predecessors Philip was not a novice to the mechanics of government and, given the military actions that dominated his regency, this proved beneficial to the county. Notwithstanding Philip's prior experience in comital government his age further highlighted the value of the other officials that his father left behind. Thus a network of trusted advisors remained critical to maintaining political stability and an oath to protect and to serve the young regent was exacted before Thierry and Sibylla's departure. This oath may point to a secular reliance on established methods of temporal protection in contrast to the crusader-specific protection privileges

On the basis of events during earlier regencies there was a concern that this situation would provoke trouble. This would further explain Thierry's need for an oath of loyalty – not least because two of his vassals (Simon of Oisy and Robert of Bethune) had, before the count's departure, refused to pay homage to him. The regent needed to protect and defend the Church and its possessions from invasions. Warfare defined much of this regency and featured far more prominently under Philip than either Clemence or Sibylla. Through his exertion of military might Philip effectively reinforced his rights as both a crusade regent and as a comital heir by imposing his father's will and upholding Thierry's honour in a period of open conflict. In addition

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<sup>172</sup> de Hemptinne, 'Thierry d'Alsace', p.84; de Hemptinne 'De gravinnen van Vlaanderen in de 12de eeuw', *Spiegel Historiae*, vol. 15 (1980), p.452.

to his military strength, secular alliances such as that fostered by Philip's kinswoman Beatrix, Emperor Frederick I's wife, contributed to political stability and security. It is also important to note that when Philip took the cross himself in 1175 there was a significant increase in the promulgation of secular laws to ensure that comital legislation was upheld in the count's absence. It remains to be seen how far this situation altered after the loss of Jerusalem in 1187 and during the pontificate of Innocent III.

## **Chapter Six: The Contribution of Innocent III and His Influence on the Papal Protection of Honorius III**

### Introduction

In chapters three, four and five we saw that under Eugenius III, papal protection was not only elucidated but also practised with some precision, at least in Flanders and the kingdom of France. The purpose of this examination is to consider how far and in what ways Innocent III was responsible for further innovation. This will argue that Innocent's protection privilege largely continued the policy set by Eugenius III. This study shows that the influence of Eugenius remained paramount, although the examination reveals some novel ideas under Innocent. This investigation also assesses the longevity of Innocent's new measures. It illustrates that Honorius III returned to the formula that Eugenius had instituted. This work is of particular significance in light of the historiography on Innocent's pontificate in which he has been lauded as the pope 'obsessed' or 'haunted' by the crusade.<sup>1</sup> His contribution to the crusade movement has been deemed to be greater than all other popes, barring Urban II.<sup>2</sup> Bridley interpreted *Ad liberandam* as the 'apogee' of the crusade privileges.<sup>3</sup> Moreover, Poole asserted that Innocent's pontificate marked the zenith of the papal chancery.<sup>4</sup> Roscher stated that Innocent, seeing no aid for the Holy Land in sight, made the recovery of Jerusalem a task for the papacy.<sup>5</sup> These views have resulted in the eclipsing of his immediate successor Honorius III.<sup>6</sup>

<sup>1</sup> Riley-Smith, *Idea and Reality*, p. 22; Sayers, *Innocent III*, p.166.

<sup>2</sup> C.T. Maier, 'Mass, the Eucharist and the Cross: Innocent III and the Relocation of the Crusade', ed. J.C. Moore, *Pope Innocent III and his World* (Aldershot, 1999), p.351; P.A. Throop, *Criticism of the Crusade: A Study of Public Opinion and Crusade Propaganda* (Philadelphia, 1975), p.237.

<sup>3</sup> Bridley, *Condition Juridique*, p.14.

<sup>4</sup> R.L. Poole, *Lectures on the History of the Papal Chancery, Down to the time of Innocent III* (Cambridge, 1915), pp.94-95.

<sup>5</sup> Roscher, *Papst Innocent III*, p.57.

<sup>6</sup> Tyerman, 'Were There Any Crusades', pp.553-77; H. Tillmann, *Pope Innocent III*, trans. W. Sax (Amsterdam, 1980), p.283; C.T. Maier, *Preaching the Crusades, Mendicant Friars and the Cross in the Thirteenth Century* (Cambridge, 1994), p.3. Sayers emphasises Honorius' reputation as a skilled administrator and his experience as papal chamberlain; J.E. Sayers, *Papal Government and England During the Pontificate of Honorius III (1216-1227)* (Cambridge, 1984), pp.1-12. Powell drew further

Historians tend, therefore, to present Innocent's legislation as the most significant of the medieval period.<sup>7</sup> Do they go too far in their praise of Innocent's contribution? How far were Innocent's crusader-specific protection measures innovative? Is his reputation deserved in terms of that protection? In order to contextualise Innocent's contribution, the phrase 'Eugenius model', has been used throughout this thesis to signify the papal privilege because he was the first pope known to have expressed a protection formula characterised by an emphasis placed on the protection of families and with specific references to wives and children. It remains to examine Innocent's protection of the crusaders' families and possessions in the light of these historiographical trends. A close reading of Innocent's protection privileges will illustrate the extent of any innovative clauses and the degree of respective clarification compared to his predecessors. Investigation of Innocent's successors will show how influential his new measures were, and will determine if more emphasis should be placed on those who followed him.

First, this chapter will assess whether continuity or change typified Innocent's pontificate, specifically his approach to papal protection. Second, this study will focus on Innocent's broadening of the crusade movement to wider society. Third, Innocent's use of the peace movement will be examined to determine how similar or different this was to earlier popes. Fourth, this section will review Innocent's clarification of his privileges to show how far he went beyond existing measures. The chapter concludes with a summary of Innocent's main contributions and then his influence on his immediate successor, Honorius III.

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attention to areas where Honorius went beyond Innocent's policies; J.M. Powell, 'Honorius III and the Leadership of the Crusade', *The Catholic Historical Review*, vol. 63 (1977), pp.521-22.

<sup>7</sup> J.C. Moore, *Pope Innocent III, (1160/61-1216), To Root Up and to Plant* (Leiden, 2003), p.252; N. Fryde, 'Innocent III, England and the Modernization of European International Politics', *Innocenzo III, Urbs et Orbis*, vol. 2, ed. A. Sommerlechner (Rome, 2003), p.973.

### Innocent's Contribution – Continuity or Change?

Cole is one important proponent of the argument that stresses Innocent's contribution to the crusades. For her, *Post miserabile* (1198) was critical to the future of crusade preaching.<sup>8</sup> This bull was notably different from *Quantum praedecessores* and *Audita tremendi*, and she argued that it was far more organised than these earlier publications, especially in its statement of the length of time that the crusade lasted.<sup>9</sup> Cole also marked it as significant because it was not a reaction to any event in the East.<sup>10</sup> Yet in terms of the protection clause there is little originality here.

In addition, from that moment when they have taken the cross we take their goods under the protection of the Blessed Peter and ourselves, and they also stand under the defence of the archbishops, and all the prelates of the Church of God, establishing that they stay whole and remain in peace until there is absolutely certain knowledge of their death or return. Because if anyone presumes to act against this, they shall be restrained by ecclesiastical censure.<sup>11</sup>

In this bull Innocent had, in essence, followed Eugenius' formula. The use of the phrase 'defence of the archbishops, and all the prelates of the Church of God' possibly placed an emphasis on those responsible for the protection that was similar to Eugenius' policy, thus little had changed. This can also be seen in Innocent III's 1198 letter to the archbishop of Magdeburg, which described how the protection of the goods and persons of the crusaders was incumbent upon the Church. Innocent instructed that both the crusaders and their possessions should be 'placed particularly under the protection of the apostolic see.'<sup>12</sup> Likewise, papal guardianship took precedence in another letter of 1198 directed to the crusaders in Sicily: 'we take their goods under our protection'.<sup>13</sup> Nonetheless, any additions to the protection clause

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<sup>8</sup> Cole, *Preaching*, p.83.

<sup>9</sup> *Ibid.*

<sup>10</sup> *Ibid.*, p.81.

<sup>11</sup> *Die Register Innocenz' III, vol. I. Pontifikatsjahr, 1198/99 Texte*, ed. O. Hageneder and A. Haidacher (Graz, 1964), nr. 336, pp.499-505, p.503; trans. Ciuca; Appendix, p.368.

<sup>12</sup> *Ibid.*, nr. 300, pp.426-27; Appendix, p.368.

<sup>13</sup> *Ibid.*, nr. 343, pp.513-14, p.513; Appendix, p.368.

were limited. It is noteworthy that goods rather than families, wives and children were mentioned here, although protection over families was never rescinded, Innocent, if anything, appears far vaguer in his terminology than his predecessors had been. His reliance on knowledge of crusaders' death or return echoes Eugenius' clause. The importance attached to protection reveals its significance as both a basic right of crusaders, and as an added attraction to take the cross. Fundamentally Innocent was a follower of this trend. The pope's approach was not new, rather it points once again to the pattern of consolidating earlier innovations. The bulk of such elucidation in the protection privilege was owed to Eugenius.

In her study of thirteenth-century papal crusading policy, Purcell focused more on the number of individual crusaders who sought specific grants of protection for their lands and families.<sup>14</sup> Lloyd additionally underlined this development stating that: 'they afforded an altogether more certain security'.<sup>15</sup> Likewise, Roscher and Tyerman pointed to them as an indicator of the increased weight of the protection and the institutionalisation of the crusade movement.<sup>16</sup> These observations have merit, yet the basic point remains that Innocent was not the first to make use of these letters.<sup>17</sup> We saw in chapter three that they were used from at least 1159. Hence the question posited here is whether their significance in protection has been profoundly overemphasised? An examination of such a letter from 1198 provides an insight:

...from when you have taken the cross, we take your goods under the protection of Blessed Peter and our own [protection] and they also stand under the defence of the archbishops and all the other prelates of the Church.<sup>18</sup>

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<sup>14</sup> M. Purcell, *Papal Crusading Policy: The Chief Instruments of Papal Crusading Policy and Crusade to the Holy Land from the Final Loss of Jerusalem to the Fall of Acre, 1244-1291* (Leiden, 1975), p.164. Tyerman is closer to the mark emphasising that Henry III requested Innocent IV's confirmation of this privilege as recognition of 'a real problem'; Tyerman, *England and the Crusades*, p.210.

<sup>15</sup> S. Lloyd, *English Society and the Crusade, 1216-1307* (Oxford, 1988), p.165.

<sup>16</sup> Tyerman, *God's War*, 607; Roscher, *Papst Innocenz III*, p.164.

<sup>17</sup> It must be noted that the cost of the privilege (at least 2s.) could also preclude crusaders of lesser means from these specific letters; Lloyd, *English Society and the Crusade*, n. 46 p.165.

<sup>18</sup> *Pontifikatsjahr I*, nr. 407, pp.609-11, p.611; trans. Ciuca; Appendix, p.368.

Evidently the privilege contained in Innocent's individual letters was exactly the same as the protection issued to wider audiences because the same details are listed verbatim in Innocent's letter to all the Christian faithful in Lombardy (1198).<sup>19</sup>

Thus in terms of the protection privilege we see little innovation under Innocent. Clearly in 1208 the pope was still profoundly influenced by Eugenius, as shown by his letter to the duke of Austria.

...from that moment when you have accepted the cross your person as well as your goods and also your household will stand under the protection of the apostolic see and ourselves and also of the archbishops and the other prelates of the Church of God ... they will remain untouched and undisturbed until there is absolutely certain knowledge of your death or return.<sup>20</sup>

This pledge retained the basic elements of Eugenius' model. Archbishops and other prelates merited explicit mention in order to encourage their involvement and the privilege lasted until the crusaders' death or return, as it had under Eugenius III. The emphasis on goods also reflected this model. Likewise, a letter to the king of the Danes, in 1210, reiterated the crusader-specific protection: 'we take your person and realm with all your goods under the protection of Blessed Peter and our own [protection].'<sup>21</sup> The key difference in this case was evident in the extension of this provision from the goods and possessions and families of one crusader to an entire kingdom which meant a considerable increase in the scope of the privilege.<sup>22</sup> It would seem, however, that the scale of this provision did not result in any different papal protection to that listed as early as 1145.

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<sup>19</sup> *PL 215*, nr. 185, cols.1500-3, col.1502.

<sup>20</sup> *Ibid.*, nr. 2, col.1339-41, col.1341; trans. Ciuca; Appendix, p.368.

<sup>21</sup> *PL 216*, nr. 65, col.258; Appendix, p.368.

<sup>22</sup> See chapter four.

### Innocent and the Broadening of Crusade Participation

Moore has shown the importance of the spiritual well-being of Christendom in relation to the crusade.<sup>23</sup> As under Gregory VIII, the basic aim was to ensure divine providence, which meant that it was essential to eradicate sin from Christian society to bolster the crusading efforts.<sup>24</sup> Innocent augmented the scope of the crusade, facilitating the involvement of a far broader spectrum of medieval society to include those who had not taken the cross and consequently would normally be excluded from the spiritual privileges associated with crusading. From the early years of Innocent's pontificate the pope requested monetary support in return for some of spiritual benefits associated with crusading, notably a partial indulgence of sins dependant on the level of 'devotion shown' and the amount of money offered.<sup>25</sup> This was not an offer of indulgence equal to that merited by the crusader whom they supported; those who went in person received 'full indulgence of their sins'.<sup>26</sup>

Innocent's pontificate marked the first time that these elements had been formed into 'a coherent programme'.<sup>27</sup> The acceleration of Innocent III's policies began with organised processions for a crusade. The most noted example was an event in Rome linked to the forthcoming Battle of Las Navas de Tolosa (1212). This related to the crusade in Spain yet the driving principle behind it remained the same: the active inclusion of non-crusaders, in this case, through prayer. Moore regarded this procession as 'a typical illustration of Innocent's vision of a society involved in the crusade', although there was a practical facet to this.<sup>28</sup> By drawing in as many people as possible in his proclamations Innocent effectively ensured that the crusade message had a far broader sphere of influence. It is a technique that we have seen

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<sup>23</sup> Moore, *Pope Innocent III*, p.44.

<sup>24</sup> See pp.127-28.

<sup>25</sup> *Pontifikatsjahr 1*, nr. 302, pp.430-33, p.432; Appendix, p.369.

<sup>26</sup> *Ibid.*; Appendix, p.369.

<sup>27</sup> J.M. Powell, 'The Role of Women in the Fifth Crusade', *The Horns of Hattin*, ed. B. Z. Kedar (Jerusalem, 1992), p.295; C.T. Maier, 'Crisis, Liturgy and the Crusade in the Twelfth and Thirteenth Centuries', *JEH*, vol. 48 (1997), p.634; Maier, 'Mass, the Eucharist and the Cross', pp.351-52; Powell, *Anatomy of a Crusade*, p.16, p.20.

<sup>28</sup> Maier, 'Mass, the Eucharist and the Cross', p.354; Moore, *Pope Innocent III*, p.211.



before, although on a much smaller scale, for example, Gregory VIII's prohibition of meat for monks and his letters regulating lay dress and gambling.<sup>29</sup>

The involvement of secular society can be contextualised as part of Innocent III's attempts to secure the co-operation of ruling powers in the defence of the Church. His letter to the French prelates (1198) exhorted them to honour and revere the Holy Roman Church.<sup>30</sup> Innocent had made the repression of heresy a clear priority and it was vital that he secured the support of secular princes.<sup>31</sup> Thus, his broadening of the crusade privileges into wider, secular society provides a prime example of one facet of his attempt to address this concern. It also neatly illustrated Innocent's policies against the burgeoning heresy in southern France. In 1204 Innocent once again appealed to Philip Augustus to defend the Church, on the grounds that his subject, Raymond VI, would not.<sup>32</sup> In his programme, the pope was far harsher than his predecessors, and Innocent famously equated heresy with treason.<sup>33</sup>

In order to implement his hard-line policies Innocent had to establish a degree of co-operation with the key political players - especially given that there was no tradition of anti-heretical crusading.<sup>34</sup> Innocent's idea of kingship as using the temporal sword to protect the Church tallied with these aims. Hence in 1207: 'we ought to call on your aid, most beloved son, to vindicate the injury to Jesus Christ and to seize the little foxes who, influencing the simple, are forever destroying the vineyard of the Lord of Hosts.'<sup>35</sup> The need for royal support was so great that Innocent repeated this message to Philip Augustus in 1208. 'Most beloved son, on account of [the heretics] you have taken up the sword for the vindication of evildoers.'<sup>36</sup> Philip Augustus did not participate in the Albigensian Crusade, but other

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<sup>29</sup> See above pp.127-28.

<sup>30</sup> *Pontifikatsjahr I*, nr. 1, pp.5-6, p.6.

<sup>31</sup> Morris, *Papal Monarchy*, p.442.

<sup>32</sup> M.G. Pegg, *A Most Holy War, The Albigensian Crusade and the Battle for Christendom* (Oxford, 2008), p.59.

<sup>33</sup> Morris, *Papal Monarchy*, p.442.

<sup>34</sup> *Ibid.*; R. Rist, *The Papacy and Crusading in Europe, 1198-1245* (London, 2009), p.5.

<sup>35</sup> *PL 215*, nr. 149, cols.1246-47, col.1247; trans. Riley-Smith and Riley-Smith, *Idea and Reality*, p.86; Appendix, p.369.

<sup>36</sup> *PL 215*, nr. 28, cols.1358-59, col.1358; Appendix, p.369.

secular princes were also part of Innocent's initiative, thus in return they would receive not only the crusade privileges, but also the lands that they conquered from the heretics. To further ensure secular compliance, at the Fourth Lateran Council in 1215 Innocent decreed, 'If, however, a temporal lord, required and instructed by the Church, neglects to cleanse his territory of this heretical filth, he shall be bound with the bond of excommunication'.<sup>37</sup> Such harsh penalties for failing to adhere to the papal programme reflected the pressing need for co-operation between papal and secular authorities, as under the Peace and Truce of God.<sup>38</sup>

Innocent aimed to consolidate the crusade in the secular sphere by placing significant and continued stress on laymen supporting and contributing to the crusade even if they did not personally take the cross. Thus in 1215 the pope could proclaim:

...those who do not go in person to the aid of the Holy Land should contribute, according to their means, an appropriate number of fighting men together with their necessary expenses for three years, for the remission of their sins in accordance with what has already been explained in general letters and will be explained below for still greater assurance.<sup>39</sup>

As part of a new programme of mass involvement, Innocent required this level of clarity to promote understanding and perhaps, to make certain that the prelates who were present endorsed his extension of the remission of sins to the supporters of the crusade. Innocent had also extended the privileges to those who built or provided ships: 'We wish to share in this remission, not only those who contribute ships of their own, but also those who are zealous enough to build them for this purpose.'<sup>40</sup> This is symptomatic of the extension of crusader-specific spiritual privileges to those involved in auxiliary roles on the home front.

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<sup>37</sup> 'Lateran IV, 1215', *Decrees of the Ecumenical Councils*, p.234; trans. Tanner; Appendix, p.369.

<sup>38</sup> See chapter one.

<sup>39</sup> 'Ad liberandam', pp.268-71; trans. Tanner; Appendix, p.369.

<sup>40</sup> *Ibid.*, pp.268; trans. Tanner; Appendix, p.369.

### Innocent and Peace Legislation

Previous chapters have explored the role of peace in the protection privilege and it is worth considering how this practice continued under the pontificate of Innocent III. Under Popes Gregory VIII and Celestine III, the Peace and Truce of God was incorporated into a programme designed to ensure the success of the holy war by helping to remove political obstacles such as war on the homefront. Innocent III continued that tradition. His attempts to establish a stable peace between England and France have received much scholarly attention, not least because of wider political tensions dominated by the Hohenstaufen Empire, the dispute over Sicily and Innocent's rallying of England and France against Philip of Swabia. In such circumstances, appeals for peace and the cause of the crusade were intertwined. The frequency of these calls for political peace provides further evidence of their significance to Innocent's pontificate.<sup>41</sup> Thus the preaching of the crusade in 1198 was contemporary to the papal legate, Peter of Capua, securing a five-year truce in 1199.<sup>42</sup> Likewise, Innocent called for peace between Philip Augustus and Baldwin IX of Flanders.<sup>43</sup>

Roscher stated that Innocent used the crusade as a means to achieve peace between France and England and consequently began a tradition.<sup>44</sup> Fryde argued that Innocent's measures and processes were far more modern than any earlier pontificate.<sup>45</sup> These writers ignore the changes in the papal usage of peace under Alexander III's pontificate in the 1160s and 1170s; Innocent III followed, rather than instigated. In contrast to Roscher's view we might argue just as, if not more, convincingly that Innocent used the peace to promote the crusade, thereby respecting rather than launching the tradition. Innocent himself stressed the continuity of his

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<sup>41</sup> For instance Innocent's letters of 1198; nrs. 347-48, *Pontifikatsjahr I*, pp.518-19.

<sup>42</sup> *Pontifikatsjahr I*, nr. 346, p.517; Moore, *Pope Innocent III*, p.46, p.59; Fryde, 'Innocent III, England and European Politics', p.975.

<sup>43</sup> *Pontifikatsjahr I*, nr. 130, pp.195-97, p.195.

<sup>44</sup> Roscher, *Papst Innocenz III*, p.85, p.275.

<sup>45</sup> Fryde, 'Innocent III, England and European Politics', p.984.

programme; he described himself ‘following His [Christ’s] example and imitating the customs of our predecessors’.<sup>46</sup> Innocent’s letter to Philip Augustus and Richard I stressed the importance of resolving political conflict.

For because of the slaughter of men, the oppression of the Church, the persecution of the poor and the danger to all the people of Gaul and England ... on account of his and your dissension, men from each of your two kingdoms have been detained from setting off to the regions beyond the sea...<sup>47</sup>

The intent was clear; warfare between these two kings wasted resources and more pertinently it prevented both kings from departing on crusade. Nevertheless the truce was transitory and despite the five-year stipulation this arrangement did not last beyond 1202 when hostilities resurfaced.<sup>48</sup> Even after the proclamation of this truce in 1199, Innocent continued to work on the matter. A letter to his legate stated that he hoped peace would be achieved through the legate’s zeal, suggesting that the truce was inadequate for Innocent’s purposes.<sup>49</sup>

The pope’s letter to Philip Augustus emphasised the importance of maintaining this truce:

...guard especially against the advice of detractors who hating the counsel of peace, incite scandal and foster insecurity, those who rejoice when they have done evil and glory in wicked things. When, therefore, as we learn from the letters of the same legate and yours that between you and our dearest son in Christ, the illustrious Richard king of England five-year truces have been made...<sup>50</sup>

Such a fraught political climate not only prevented both monarchs from going on crusade but likewise hindered their subjects.<sup>51</sup> A comparable situation affected the king of Hungary. Thus Innocent instructed the archbishop of Gran to encourage the

<sup>46</sup> *Pontifikatsjahr 1*, nr. 355, pp.530-32, pp.530-31; Appendix, pp.370-71.

<sup>47</sup> *Ibid.*; Appendix, pp.370-71.

<sup>48</sup> Moore, *Pope Innocent III*, p.59, p.63.

<sup>49</sup> *Die Register Innocenz’ III*, vol. 2, *Pontifikatsjahr 1199-1200*, ed. O. Hageneder *et al.* (Vienna, 1979), nr. 23, pp.31-32.

<sup>50</sup> *Ibid.*, nr. 24, pp.33-34; trans. Kleineke and Park; Appendix, p.371.

<sup>51</sup> J.W. Baldwin, “‘Tibi et regno tuo specialiter nos teneri fatemur’: Innocent III, Phillip Augustus and France”, *Innocenzo III, Urbs et Orbis*, vol. 2, p.1003; B. Bolton, ‘Philip Augustus and John: Two Sons in Innocent III’s Vineyard?’, *Innocent III: Studies on Papal Authority and Pastoral Care* (Aldershot, 1995), p.114; Moore, *Pope Innocent III*, p.56.

king to restore his kingdom to its 'former tranquillity' or the same archbishop would 'receive a mandate about this from the apostolic see.'<sup>52</sup>

Evidently this focus on peace was all encompassing. It extended into the ecclesiastical politics of both John of England and Philip Augustus. In 1203 Innocent's letter to Philip again restated the need for political peace, couched in the familiar terms that reflected Urban II's description of violence and oppression in society.<sup>53</sup>

...so great is the evil that arises from that dissension which [is] between you and our dearest son in Christ, John the illustrious king of England ... Behold for truly by your fighting each other the churches are being torn down, the rich are being reduced to poverty, the poor are being oppressed, while neither religion nor sex is being spared...<sup>54</sup>

The underlining of the scale of oppression was evident in the comparison to the troubles in the Holy Land.<sup>55</sup> The juxtaposition of unnecessary war to the vital crusade underscored the merits of a just, sacred cause as opposed to petty political conflict. For the pope, political aggrandisement on the part of secular kings paled into insignificance compared to the recovery of Jerusalem. This message of the primacy of the Holy Land over the issues of inter-European warfare was repeated in 1207. War between England and France had undermined the crusade to the extent that several crusaders were unable to fulfil their vow because of the political situation.<sup>56</sup>

Innocent's letters from 1214 encompassed this same theme of eradicating the obstacles that hindered recruitment; it was the duty of the kings to make peace for the good of the Holy Land and so Innocent threatened them with excommunication if they remained at war.<sup>57</sup> The pope's stress on ecclesiastical censure placed a further emphasis on the importance of peace, which encompassed issues such as John's

<sup>52</sup> *Pontifikatsjahr I*, nr. 5, p.12; Appendix, p.371.

<sup>53</sup> See pp.70-72.

<sup>54</sup> *Die Register Innocenz' III*, vol. 6, *Pontifikatsjahr, 1203/4*, ed. O. Hageneder *et al.* (Vienna, 1995), nr. 68, pp.94-96, p.95; Appendix, pp.372.

<sup>55</sup> *Ibid.*

<sup>56</sup> *PL 215*, nr. 43, cols.1136-37, col.1136.

<sup>57</sup> *PL 217*, nr. 186, p.227.

failure to fill episcopal vacancies, the English king's refusal to accept Stephen Langton as archbishop of Canterbury, and Philip Augustus' confiscation of the properties of the bishops of Auxerre and Orléans. These events culminated in Innocent's use of the Interdict in both kingdoms: England from 1208 to 1214 and the French king's lands in 1212.

The events of 1213 required similar action when neither king took the cross, citing the political situation as their reason not to crusade.<sup>58</sup> John was a papal vassal and held England and Ireland as papal fiefs. This status effectively negated Philip's planned invasion of England and helped to facilitate John's attack on Poitou in 1214.<sup>59</sup> Rebellion in England in 1215 further undermined recruitment for a crusade, hence the further calls for a four-year peace in *Ad liberandam* (1215):

Because it is of the utmost necessity for the carrying out of this business [the crusade] that rulers of the Christian people keep peace with each other, we therefore ordain, on the advice of this holy general synod, that peace be generally kept in the whole Christian world for at least four years ... Those who refuse to comply shall be most strictly held to do so by an excommunication against their persons and an interdict against their lands...<sup>60</sup>

Despite this ecclesiastical pressure political peace was dependent on secular rulers. Such strongly-worded emphases on ecclesiastical authority were intended to motivate those leaders into keeping the peace; in 1216 Innocent III included a further provision for a four-year truce, and once again threatened excommunication against those who transgressed.<sup>61</sup>

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<sup>58</sup> C.R. Cheney, *Innocent III and England* (Stuttgart, 1976), p.260.

<sup>59</sup> *Ibid.*, p.128, p.302, p.343; Fryde, 'Innocent III, England and European Politics', p.979; Moore, *Pope Innocent III*, pp.214-15, p.218.

<sup>60</sup> 'Ad liberandam', p.270; trans. Tanner; Appendix, p.372.

<sup>61</sup> *PL 217*, nr. 216, pp.256-58, p.256

### Innocent and his Clarification of Crusade Privileges

We have seen that Innocent extended spiritual benefits to those who contributed to the cause of the Holy Land through liturgies, processions, prayers, and financial aid, a policy that the pope accelerated throughout his pontificate. Several of his letters stated that financial contributions would reap spiritual benefits. Those who provided monetary support for a suitable crusader would receive remission of their sins according to the amount donated and their devotion shown.<sup>62</sup> In 1208, Innocent modified the offer of remission of sins in accordance with the devotion shown, in that the subsidy had to be enough to retain suitable men in the Holy Land for at least one year.<sup>63</sup> By 1213, the subsidy was expected to last three years, as detailed in his letter to the province of Mainz:

...we implore one and all through the Father, the Son and the Holy Spirit, one whole truth, one eternal God, seeking after the manner of Christ for Christ from the archbishops and bishops, abbots and priors, and from the chapters both of cathedrals and of other regular monasteries and from all the clerics, and also from the cathedral cities and towns and villages to furnish an adequate numbers of warriors with necessary expenses for three years according to their means ... Since we hope for certain that people will not fall short if expenses do not fall short.<sup>64</sup>

The Christocentric emphasis underpins the authority behind the request; Innocent acted in his capacity as the vicar of Christ, stressed the urgency of the situation and the importance of the cause, because the subsidy was required for the recovery of Christ's patrimony. The fact that this appeal was directed towards an ecclesiastical audience of archbishops, bishops, and prelates may account for the level of detail in this extension of the spiritual privilege, particularly as the responsibility for collecting the subsidies lay with this audience. The increase of the subsidy to three years reflected the significance attached to adequate preparation. It is probable that such change owed much to Innocent's experience during the Fourth Crusade. Certainly this

<sup>62</sup> *PL* 214, nrs. 302, 270, 271, col.265, cols.828-32, cols.832-35; *PL* 215, nr. 74, cols.1174-75.

<sup>63</sup> *PL* 215, nr. 185, cols.1500-3, col.1502.

<sup>64</sup> *PL* 216, nr. 28, cols.817-22, col.819; trans, Ciuca; Appendix, p.372.

would explain the hope that the crusaders should not stray from the cause of Jerusalem, a sentiment encapsulated in the final clause. Alongside individual letters, the generally addressed encyclicals such as *Quia major* (1213) have a similar emphasis to the letter cited above, namely that a proxy crusader should be supported for three years or more.<sup>65</sup> It can be surmised that the duration of the crusader-specific protection privilege would correspond to this timeframe, which was a marked difference to the Eugenius model which had not been bound to a timeframe outside of the crusaders' death or return.

A further important measure initiated by Innocent in 1213 was his removal of the right the crusaders' wives had to veto their husbands' crusading ambitions.

Since the King of Heaven is greater than the temporal king and since it is established that opposition of their wives does not prevent those being called to the army of the temporal king, it is established that the aforementioned occasion need not prevent those who are to be called to join the army of the Sublime King and who are wishing to make the journey to Him...<sup>66</sup>

The language here was imbued with chivalric and feudal metaphors to underpin Innocent's rhetoric. The juxtaposition of the earthly and heavenly king portrays the would-be crusaders as God's vassals. This comparison served to nullify a wife's veto. As her wishes could be overridden in secular warfare it was both feasible and, indeed, essential for the crusade movement that a spiritual call to arms should not be impeded by secular concerns.

As noted above, historians emphasise Innocent's impact on the crusade movement. Borchardt argued that it was the failure of the Third Crusade that led to the establishment of the vow, the indulgence and the protection of families and possessions as a 'kind of perpetual institution'.<sup>67</sup> Purcell argued in favour of the

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<sup>65</sup> Ibid., col.819.

<sup>66</sup> Ibid., nr. 108, cols.904-5, col.905; trans. Ciuca; Appendix, p.372.

<sup>67</sup> K. Borchardt, 'Casting Out Demons by Beelzebul: Did the Papal Preaching Against the Albigensians Ruin the Crusades?', *La Papauté et les croisades, Actes du VIIe Congrès de la Society for the Crusades of the Latin East*, ed. M. Balard (Farnham, 2011), p.78.



continuity of Innocent's influence from the Fourth Lateran Council onwards.<sup>68</sup> Likewise, Tyerman stated that after 1215 no medieval council went beyond Innocent III's provisions.<sup>69</sup> Yet, in terms of the crusade privileges, this date (1215) possibly overplayed Innocent's significance because we have seen that Eugenius III provided the basic paradigm. Purcell placed this clarification of the crusade privileges at the root of the downfall of the crusading movement. She argued that these privileges were symptomatic of religious zeal giving way to financial concerns and she asserted that such measures were ineffective and damaged the credibility of the crusades. However, in the course of this study we have seen clear instances where the protection privilege was successful. Moreover, the fact that these privileges had been synonymous with crusading from the outset detracts from her claim that: 'Though there is no exact parallel between the subordination of the spiritual instruments of crusading policy to the desire to ensure maximum financial support, and the gradual diminution in effectiveness of the measures to secure the material wellbeing of *crucesignati* by privileges, protections and immunities, it is not by coincidence that these trends were contemporaneous.'<sup>70</sup> Her argument that an increasing emphasis on finance actually led to a less effective protection privilege is not borne out by the evidence.

The protection privilege was designed in 1095 to benefit a crusader by attempting to ensure that his absence would not be exploited, although in terms of his material wellbeing this could have had only limited significance until their return. The effect of this legislation would have been felt more keenly by the people the crusaders left behind. In fact, contrary to Purcell's argument it would seem that the clarification of protection privileges had bolstered the successful recruitment of crusaders, probably since the time of Urban II and certainly since that of Calixtus II. Alongside the indulgence such protection was a well-established and fundamental crusader right. Papal protection was designed to prevent the foreseeable impediment of the exploitation of crusaders' lands in their absence, and thus the privilege was

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<sup>68</sup> Purcell, *Papal Crusading Policy*, p.30.

<sup>69</sup> Tyerman, *Invention*, p.37.

<sup>70</sup> Purcell, *Papal Crusading Policy*, p.185.

intended to help instil support for the crusade. The almost uniform inclusion of this protection in crusade bulls and in (petitioned) letters implies that the crusaders continued to expect and possibly demand this privilege because it formed an intrinsic element in both the recruitment and preparation of crusades throughout the twelfth century and beyond.

### Innocent's Contribution to Protection

A degree of novelty can be seen in two aspects of Innocent's protection privilege. First, it is noteworthy that Innocent's letters provided a new terminology for the crusader-specific protection. In 1215 *Ad liberandam* emphasised *personas*; a significant change because this was less specific than families.

We take their persons and goods under the protection of St Peter and ourselves once they have taken up the cross. We ordain that they are to be protected by archbishops, bishops and all prelates of the Church, and that protectors of their own are to be specially appointed for this purpose, so that their goods are to remain intact and undisturbed until they are known for certain to be dead or to have returned. If anyone dares to act contrary to this, let him be curbed by ecclesiastical censure.<sup>71</sup>

Previous protection privileges had held to the established, arguably better defined, and more precise 'Eugenius model'. Despite Innocent's new emphasis on persons as opposed to families, Eugenius' model was not obsolete. This is clear in the continued reliance on the threat of excommunication (ecclesiastical censure) to prevent any infringement of this protection.<sup>72</sup> Second, a potentially original clause provided a new emphasis on crusaders appointing 'protectors of their own' to work in tandem with the papally-appointed guardians.<sup>73</sup> This text implied that some regents were secular agents, rather than ecclesiastics. This measure seems to have ensured papal recognition of such figures and encouraged interconnection between secular and ecclesiastical protection similar to the Peace and Truce of God.<sup>74</sup> Innocent's

<sup>71</sup> 'Ad liberandam', p.269; trans. Tanner; Appendix, p.372.

<sup>72</sup> *PL 217*, nr. 217, col.257.

<sup>73</sup> 'Ad liberandam', p.269; trans. Tanner; Appendix, p.372.

<sup>74</sup> See chapter one.

innovation was considerable in terms of a new direction in the terminology of the privilege, but he did not alter the scope of papal protection. Innocent's novelty here should not be exaggerated because his new emphasis reflected a pre-existing situation that dated from the outset of the First Crusade. The papacy's role and that of the subordinate Church hierarchy continued to dominate the privilege. The protection was still that of St Peter and the pope, bolstered by archbishops, bishops and prelates. This is plausibly representative of an attempt to consolidate and strengthen both secular and papal protective measures. Innocent deliberately referred to both the temporal and spiritual methods of defence to reinforce that privilege and to confirm the political position of appointed regents, but in real terms this policy was only an acknowledgement of a practice in place from the origins of the crusade movement.

Innocent's emphasis on secular aid in order to implement papal plans reflects the approach of Suger and Eugenius and showed that the papacy could not, and would not take complete responsibility for all the implications of the crusaders' absence. Suitable proxies had to be appointed. Innocent's public recognition of this says much about his priorities at this point. He had inherited a dubious legacy in terms of upholding papal protection through the on-going consequences of the high-profile case between Richard I and Philip Augustus.<sup>75</sup> Innocent put the temporal protection on almost an equal footing with that of the papal legislation.<sup>76</sup> Richard I's case may have prompted this measure in order to remove a certain degree of culpability from the papacy and its agents when crusaders' absences were exploited.<sup>77</sup> It is unlikely that this profoundly altered the situation. The earlier peace movement placed similar obligations on secular authorities but this is not to deny Innocent's innovation in expressing this measure so clearly and in bringing the need for secular help to the fore of his protection privilege.

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<sup>75</sup> See chapter seven.

<sup>76</sup> Purcell did not consider Innocent's emphasis on secular regents in her analysis of the erosion of the crusading privileges.

<sup>77</sup> V. Ryan, 'Richard I and the Early Evolution of the Fourth Crusade', *The Fourth Crusade: Event, Aftermath, and Perceptions, Papers from the Sixth Conference of the Society for the Study of the Crusades and the Latin East, Istanbul, Turkey, 25-29 August 2004*, ed. T.F. Madden (Aldershot, 2008), p.8.

### Innocent III's Wider Influence on his Successor

Having discussed the impetus behind Innocent's protection measures it now remains to consider their impact on the practices of his immediate successor Honorius III (1216-27). The widening of the crusade movement to encompass, via spiritual and financial support, those who were previously ineligible was evidently seen as a worthwhile programme because Honorius followed the example of the Las Navas procession, and adapted this policy from the Iberian Crusades to the recovery of Jerusalem and the aid of the Fifth Crusade in 1217.

...It is therefore enjoined that through the whole province of Rheims prayers are poured forth for the success of Andrew, king of Hungary, who had entered Babylon with Leopold, duke of Austria and Otto of Moravia, [together] with a vast army. They also made a procession, with the clergy and people of the city bearing before them the heads of holy apostles Peter and Paul...<sup>78</sup>

Similar letters were sent to other archbishops and bishops, indicating that Honorius intended multiple processions to be held in support of the Holy Land.<sup>79</sup>

Honorius also continued to issue specific letters of protection. In his letter dated 1217 he pledged the protection privilege to Count Walter of Avesnes: 'be it known to him, his person, his law and his goods will be received under the protection of the Apostolic See, while he travels in the Holy Land.'<sup>80</sup> While there was no explicit mention of Walter having taken the cross, this can be presumed from another letter of 1217 that promised him the same protection. 'Do not permit the crusader, W. of Avesnes, to be molested he has been taken under apostolic protection with his wife, family, and his goods.'<sup>81</sup> While Honorius' language seems to have varied, the meaning appears to have been the same as previous examples and essentially the message of the privilege was not profoundly altered. When Duke Leopold of Austria

<sup>78</sup> *Regesta Honorii Papae III*, vol. 1, ed. P. Pressutti (Hildesheim, 1978), nr. 885, pp.149-50; trans. Kleineke and Park; Appendix, p.373.

<sup>79</sup> *Ibid.*, p.150.

<sup>80</sup> *Ibid.*, nr. 281, p.51; Appendix, p.373.

<sup>81</sup> *Ibid.*, nr. 282; Appendix, p.373.

had set out to aid the Holy Land, his wife, Theodora, his sons, and his land received papal protection.<sup>82</sup> Moreover, further stress was placed on Eugenius' formula in another of Honorius' letters. Thus, Count Stephen of Cotrone was informed that the pope had taken him under papal protection 'until his return or certain knowledge of his death', a marked reliance on Eugenius' language.<sup>83</sup> This letter also gives us insight into the cost of this protection: Honorius added 'for which he ought to pay one *livre* of gold, as he promised, to the Apostolic See'.<sup>84</sup> The fact that crusaders paid for such missives as proof of their status and entitlement to papal protection underlines the importance of that privilege. These letters only mentioned crusader-specific protection indicating that the privilege was the main reason for these missives.

In another letter, Honorius underlined the ecclesiastics' responsibility to uphold the protection until the death or return of the crusaders.<sup>85</sup> In his other letters dated 1218 to 1226, Honorius reproduced Eugenius' privilege almost verbatim. Innocent's innovation of offering protection to persons is much less noticeable under Honorius, as evidenced by these examples, and where it did occur in another step back from *Ad liberandam*, it was markedly tempered by references to the crusaders' families alongside their persons.<sup>86</sup> Any difference in language was probably immaterial to the guardianship offered, but it gives further insight into the papal interpretation of crusade protection. As under Innocent, these letters contained little outside of the message of protection. Honorius' letter to Count Nicholas of Sopron, for example, did not include anything profoundly new or unique. The letter (dated 1222) promised to take his lands, his family and all his goods under the protection of the Blessed St Peter and his own after Nicholas took up the journey across the sea to the aid of the Holy Land, and his possessions were to remain whole and in peace.<sup>87</sup>

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<sup>82</sup> Ibid., nr. 765, pp.131-32.

<sup>83</sup> Ibid., nr. 784, p.134; Appendix, p.373.

<sup>84</sup> Ibid; Appendix, p.373.

<sup>85</sup> Ibid., nr. 1072, p.181.

<sup>86</sup> *Regesta Honorii Papae III*, vol. 2, ed. P. Pressutti (Hildesheim, 1978), <sup>86</sup> nrs. 4170, 6047, 6052, p.103, p. 444, p.445.

<sup>87</sup> *Regesta Pontificum Romanorum inde ab a. post Christum natum MCXCVIII ad a. MCCCIV*, vol. 1, ed. A. Potthast (Graz, 1957), nr. 6905, p.598.

The long-term influence of the call for political peace is clear. Considerable political problems threatened Honorius' attempts to aid the Holy Land. Powell has drawn attention to the significance of King John's conflict with his barons and their alliance with Philip Augustus in 1215, as well as Frederick II's prolonged attempts to maintain imperial control over the kingdom of Sicily. Thus Honorius was obliged to follow his predecessors' policies in attempting to secure peace in order to facilitate the crusade.<sup>88</sup> In 1216, Honorius demanded that people and princes observe a four-year truce for the aid of the Holy Land.<sup>89</sup> Robert Courcon, the papal legate in France negotiated a further truce to last until 1220. In 1224, Louis VIII requested a ten-year truce and Frederick II argued that the crusade for the Holy Land was not viable without this truce.<sup>90</sup> The expiration of the truce in 1224 allowed Louis to refocus on the campaign against England for the possession of Gascony. As part of this offensive Louis frustrated a marriage alliance between England and Germany and prevented the emperor from allying with England.<sup>91</sup> The Council of Bourges (1225) although focused on the Albigensian Crusade, shows that such issues equally pertained to the cause of the Holy Land. This interpretation is given credence by King John of Jerusalem's request for the extension of the truce. Unsurprisingly the papacy disapproved of Louis' campaign against England on the grounds that it misused resources that would otherwise benefit the Holy Land.

And by removing the impediment of civil discord, which can greatly impede the business of the Holy Land, you will provide as it were a subsidy of inestimable value for that land ... Therefore we implore your serene highness with countless prayers that you receive our legate with the devotion due to us if we were present in person ... place complete trust in what the same legate shall say to you on our behalf concerning the renewal of a truce between you and the illustrious king of England.<sup>92</sup>

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<sup>88</sup> Powell, *Anatomy of a Crusade*, pp.77-84.

<sup>89</sup> *Regesta Honorii*, vol. 1, nr. 27, p.6.

<sup>90</sup> R. Kay, *The Council of Bourges, 1225, A Documentary History* (Aldershot, 2002), pp.20-22.

<sup>91</sup> *Ibid.*, pp.32-34.

<sup>92</sup> 'Honorius urges Louis to reconcile Raymond', trans. Kay, *ibid.*, pp.332-37, pp.336-37; Appendix, p.373.

A further papal peace legation was launched, but the fact that England would not agree to unfavourable terms threatened this measure.<sup>93</sup> The Council of Bourges convened to address the most pressing issues: the need for peace, the Albigensian Crusade, and articles of faith. By 1226, the best that could be achieved was an informal armistice.<sup>94</sup> The ‘Annals of Dunstable’, based on contemporary reports and produced after 1220 by compilers, defined the dispute over Normandy, Anjou and Aquitaine as the crux of the issue. The legate was unable to achieve any real settlement; Louis ‘responded that he would not return to Henry one foot of the land that his father, Philip, had left him after his death. Thus the negotiations were broken off and the legate turned himself wholly to the Albigensian case.’<sup>95</sup> Likewise, the author of the ‘Chronicle of Tours’, a canon of the church of St Martin in Tours writing contemporary to events, described: ‘a good deal of discussion about making a new truce between the king of France and the king of England ... but for the moment nothing could be decided’.<sup>96</sup>

### Conclusion

Innocent’s most significant impact can be identified in two very distinct aspects of the crusade privileges. First, in his redirection of the role of non-combatants and the broadening of spiritual privileges to encompass a far wider remit; second through his emphasis on co-operation between Church and State. In terms of the protection privileges, Innocent III’s contribution appears to have been overemphasised; furthermore, his change to the terminology was limited in its longevity. The fact that he was the first pope to advocate the appointment of crusaders’ own protectors implies that the marriage of ecclesiastical and secular protection became firmly fixed in papal policy at this point, although it should not be forgotten that regents had been

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<sup>93</sup> Kay, *ibid.*, p.34, p.60.

<sup>94</sup> *Ibid.*, p.73, p.83.

<sup>95</sup> ‘Annals of Dunstable’, trans. Kay, *ibid.*, pp.290-95, pp.292-93; Appendix, p.373.

<sup>96</sup> ‘Chronicle of Tours’, trans. Kay, *ibid.*, pp.294-305, pp.298-99; Appendix, p.374.

utilised for longer than this. Fundamentally the implementation of secular regents cannot be seen as the papacy's invention. Rather this recognition of the importance of secular authority, in conjunction with crusader-specific papal protection, must be placed in the context of adaptation to reinforce existing legislation in the light of crusaders (such as Richard I) blaming the papacy for allowing the exploitation of their absence to occur. The long-term influence of earlier papal attempts to secure a political peace is evident in the continued emphasis placed on peace throughout this period. Evidently the ideals of the Peace and Truce had not entirely lost their role and could still be called on in the early thirteenth century.<sup>97</sup> However, the ideas of the Peace and Truce of God remained restricted to bolstering the crusade by helping to provide a more conducive political context, because these two movements were no longer part of the protection privilege. Innocent III continued this political emphasis on peace, as did his successor.

The personal letters of protection have received considerable, and possibly disproportionate scholarly attention. It cannot be overemphasised that these personal letters, although invaluable to their recipients, added nothing to the parameters of the existing legislation. They merely restated the remit of the protection as it appeared in the more widely disseminated crusade bulls. It is well documented that individual letters were initiated far earlier under Adrian IV, and consequently they provide further evidence of Innocent following established practice. Similarly, it is noteworthy that charters were the order of the day by the time of Innocent's pontificate. Hence the marked increase in the number of written documents establishing legal rights and privileges in written record was notable from 1198 onwards.<sup>98</sup> These letters were far more prolific under Innocent III and Honorius III. This plausibly points to some crusaders' experience of that protection as well as basic issues of survival of

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<sup>97</sup> The Peace and Truce movement retained considerable currency in thirteenth-century northern and southern France and Spain, particularly in association with the Albigensian Crusade, Bisson, 'The Organised Peace', p.292.

<sup>98</sup> Moore, *Pope Innocent III*, p.82.



evidence; thus the increase in the number of these letters is perhaps symptomatic of these general trends rather than Innocent's policy.

There was a key change in the terminology of protection that did apparently stem from the pontificate of Innocent III. The shift in emphasis from the more concentrated focus on families to the crusaders' 'persons' is noteworthy, the use of this a term to encompass the recipients of this papal privilege suggests a significant change to its remit, but it is also one that appears vague and ill-defined in comparison to Eugenius' earlier, and still popular, formula. A partial answer can be found in the debate surrounding Innocent's legal training and Honorius' experience in administration. Given that Honorius reinstated Eugenius III's formula of wives and children and family, it seems that in Honorius' pontificate Innocent's broad focus can be said to have held a transitory influence. It is noteworthy that *personas* reappeared only in those texts that repeated Innocent's clauses verbatim. Innocent's language could theoretically have incorporated not only family but also other dependants or servants, or alternatively reduced the privilege to that given to pilgrims and thereby feasibly exacerbated confusion over the mechanics of the privilege.

The fact that *Ad liberandam* has been identified as one the most influential crusade bulls is also significant.<sup>99</sup> This might suggest that no pope went beyond Innocent's framework of the crusader-specific protection privilege. However, in terms of that protection privilege Innocent's influence was not all-pervading and we have seen that Honorius' use of his predecessor's language was inconsistent. This fact also has implications for our perception of Innocent's immediate successor. Honorius's apparently deliberate return to Eugenius' formula would suggest that the former had both the capacity and the inclination to reinforce earlier precedents at the expense of Innocent III's innovative phrasing. Therefore in this regard Honorius's pontificate was not a period of stagnation; his letters to the crusaders discussed here represent a further facet of his pontificate that is symptomatic of more than merely following Innocent's policies. In which case Honorius's return to the Eugenius model of wives

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<sup>99</sup> Constable, *Crusaders and Crusading*, pp.162-63.

and children is comparable to, and should be recognised as further evidence of Honorius's willingness to shift from Innocent's policy, something Powell illustrated regarding the role of Frederick of Hohenstaufen as leader of the Fifth Crusade and in Honorius' centralization of taxation for the Fifth Crusade.<sup>100</sup> It is clear that Innocent III influenced the phraseology of the protection, but evidently his policies were not all-encompassing.

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<sup>100</sup> J.M. Powell, 'Honorius III and the Leadership of the Crusade', *The Catholic Historical Review*, vol. 63 (1977), pp.521-36, p.523; Powell, *Anatomy of a Crusade*, p.102.

## **Chapter Seven: Crusade Regencies in Flanders, Champagne, the Kingdom of France and the Holy Roman Empire, 1189-1226**

### The Appeal and Preparation for the Third Crusade

Chapter three dealt with Celestine III's protection privilege and chapter six discussed Innocent III's reputation and his contribution to the crusader-specific protection. This present chapter will focus on the period from the Third Crusade to the Fifth Crusade. It will examine crusade regencies in both Flanders and Champagne and the kingdoms of France and Germany in order to illustrate how Celestine's protection worked in practice and to assess Celestine's legacy. The timeframe permits comparison between a normal regency, that of Blanche of Navarre, alongside a series of crusade regents. This will reveal the difference in Blanche's status and the steps that she took to secure her son's inheritance.

The loss of Jerusalem in 1187 resulted in Gregory VIII's papal bull *Audita tremendi*. Yet his appeal for aid to the Holy Land came at a time when internal political strife in Europe threatened any call for a crusade. In 1182, Philip Augustus' alliance with Henry II alienated both Flanders and Champagne. Relations between France and Flanders remained strained because the young king resented the influence Philip of Flanders exerted over both King Louis VII's final years and the early stages of Philip Augustus' own reign.<sup>1</sup> Count Philip had exploited conflicts between the French and German rulers and acted unofficially as the king's guardian.<sup>2</sup> In the early 1180s Philip of Flanders allied with Baldwin of Hainault and Frederick Barbarossa against Philip Augustus, although in 1185 these allegiances broke down and the Fleming was forced to accept the French king's terms under the peace of Boves.<sup>3</sup> In

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<sup>1</sup> E.M. Hallam and J. Everard, *Capetian France*, 2<sup>nd</sup> edition (Harlow, 2001), pp.165-66; T. de Hemptinne, 'Aspects des relations de Philippe Auguste avec le Flandre au temps de Philippe d'Alsace', *La France de Philippe Auguste, le temps des mutations, Actes du Colloque international organisé par le C.N.R.S (Paris, 29 septembre-4 octobre 1980)*, ed. R.H. Bautier (Paris, 1982), pp.255-56.

<sup>2</sup> Baldwin, *Government of Philip Augustus*, pp.3-8, p.15.

<sup>3</sup> de Hemptinne, 'Aspects des relations de Philippe Auguste', pp.258-59.

consequence, Philip Augustus made a concerted effort to erode the autonomy of counties such as Flanders.<sup>4</sup> Such fraught conditions were not conducive to a crusade, but the fall of Jerusalem changed the situation drastically. Gilbert of Mons tells us that at Gisors in 1188, the crusaders ‘caused truces to be arranged and confirmed between them concerning their conflicts until after their return from Jerusalem’.<sup>5</sup> The mutual benefits of this arrangement, in theory at least, further strengthened their pact of non-aggression, and by implication the crusader-specific protection privilege. This political emphasis on truces must have been intended to strike the correct note to further bind the crusaders to their pledge for peace.

### The Third Crusade, Philip of Flanders and Henry of Champagne

As an experienced crusader, Philip issued a series of charters as part of his preparation to depart on crusade. Overarching all of this a key factor must have been Philip’s decision to join the Third Crusade. Throughout 1188-90 he confirmed the privileges of several institutions.<sup>6</sup> A cursory examination of Philip’s charters reveals that 1188-90 were by far the most active years for protection of the Church.<sup>7</sup> A clear instance in 1188-89 involved the monastery of St Salvator at Ham-les-Lilliers, where Philip instructed his bailiffs and men that excommunication should be levied against anyone who infringed his judgement.<sup>8</sup> Religious institutions, aware of the count’s imminent absence, must have found comital recognition of their privileges and laws invaluable. Philip stressed the role of the officials that he left behind in the continuation of those duties, recommending that they respected the privileges of the abbey of Bergues and the abbey of St Michel d’Anvers.<sup>9</sup> The formula ‘under arms for the journey to Jerusalem’ in Philip’s charters, and the fact that justice pertained only to senior and

<sup>4</sup> Bisson, *Crisis of the Twelfth Century*, p.304.

<sup>5</sup> Gislebert of Mons, *Chronicon Hanoniense*, p.206; trans. Napran, *Chronicle of Hainault*, p.113; Appendix, p.375.

<sup>6</sup> *De Oorkonden der Graaven, Band III*, nrs. 778-82, 812, 814-17, pp.357-60, p.394, pp.406-13.

<sup>7</sup> *Ibid.*, nrs. 770-71, 775, 777, 791, 812-17, pp.346-50, pp.354-57, pp.380-81, pp.406-11.

<sup>8</sup> *Ibid.*, nr. 769, pp.344-45.

<sup>9</sup> *Ibid.*, nr. 794, pp.383-85.

trusted figures such as abbots, reflected his concerns and what was by this point accepted practice for crusaders.<sup>10</sup>

Equally, Philip extended his protection over the new town of Dunkirk and gave them the same laws as Saint-Omer. Similar laws were granted to Gammont and Hulst.<sup>11</sup> Philip granted the laws and customs known in Ghent to the town of Oudenaarde and clarified the rights of the bourgeois in Courtrai.<sup>12</sup> The desire to protect his interests and those of his subjects was revealed in a charter determining the penalties for crimes committed in Bruges, Ghent and Ypres; such laws could not be modified without Philip's consent.<sup>13</sup> Thus he instructed the burghers of Aire that the 'right of the count does not destroy the law and customs of Aire, nor does the law [of Aire] efface the laws of the count'.<sup>14</sup> Koziol's analysis of charters as performative documents that created a new reality, also has some relevance here.<sup>15</sup> Despite relating to the Carolingian period, some of Koziol's conclusions could be applied to the twelfth century, notably that charters were 'performances of the nature of authority'.<sup>16</sup> The fact that Philip was so focused on law and justice at this point suggests that alongside performance these legal contingencies were issued to ensure, during the crusade, that his laws were followed to the letter.

In conjunction with his concern with legal matters, Gilbert of Mons informs us that Philip installed his wife, Queen Matilda, as his regent, 'with the count of Hainault and his wife, Countess Marguerite, and their son present, the count committed his land to the custody and protection of his wife Queen Matilda'.<sup>17</sup> Count Baldwin was not departing on the Third Crusade, possibly because of his dispute with Count Henry

<sup>10</sup> Ibid., nrs. 778, 797, pp.357-60, pp.388-91; Appendix, pp.375-77.

<sup>11</sup> Ibid., nrs. 789, 808-9, pp.375-77, pp.402-4.

<sup>12</sup> Ibid., nr. 755, pp.328-29.

<sup>13</sup> Ibid., nrs. 789, 828, pp.375-79, pp.423-27.

<sup>14</sup> Ibid., nr. 740, pp.308-11; Appendix, pp.377-80.

<sup>15</sup> G. Koziol, *The Politics of Memory and Identity in Carolingian Diplomas, the West Frankish Kingdom (840-987)* (Turnhout, 2012), p. 17, pp.40-41, p.56.

<sup>16</sup> Ibid., p.60.

<sup>17</sup> Gislebert of Mons, *Chronicon Hanoniense*, pp.248-49; trans. Napran, *Chronicle of Hainault*, p.136; Appendix, p.380.

of Namur.<sup>18</sup> As Philip's heir it made sense that Baldwin acknowledged Philip's preparations and the appointment of Matilda as his crusade regent. Matilda was selected despite the fact that their seven-year marriage had proven childless. Clearly motherhood was not always the main reason to appoint a female regent and in this instance we might point to her political experience. Certainly Matilda was no stranger to the image of power, styling herself queen because she was the daughter of King Alfonso I of Portugal.<sup>19</sup> Gilbert of Mons, a chronicler hostile to Flanders, stated, seemingly in a derogatory fashion, or perhaps for comedic effect, that Matilda 'caused herself to be called queen.'<sup>20</sup> Matilda had a marked presence in Philip's comital government throughout their marriage.<sup>21</sup> She was heavily involved before Philip's departure, described as his 'illustrious consort, Queen Matilda'.<sup>22</sup> In 1187-88 she issued laws in the town of Douai, alongside Philip.<sup>23</sup> Douai was part of Matilda's dower, nonetheless the promulgation of laws gave her vital experience in matters that were, usually, the count's prerogative. Her legal actions were not limited to her dower; in 1189-90 she disseminated laws to Bruges and consented to Philip's donation to Clairvaux.<sup>24</sup> Pope Clement III, confirming the latter in 1190, made specific mention of her role.<sup>25</sup> Her own charter made peace between the abbot of St Bertin and Eustace of Hond when Philip was still in Flanders, Philip later confirmed this verbatim but it shows her authority.<sup>26</sup>

It is noteworthy that when Philip was in Lille, Matilda confirmed a donation of Baldwin of Comines. This measure was an intrinsic part of Philip's agreement with

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<sup>18</sup> G.A. Loud, *The Crusade of Frederick Barbarossa, the History of the Expedition of the Emperor and Related Texts* (Farnham, 2010), p.14.

<sup>19</sup> Nicholas, 'Countesses as Rulers', p.125.

<sup>20</sup> Gislebert of Mons, *Chronicon Hanoniense*, p.259; trans. Napran, *Chronicle of Hainault*, n. 382 p.106; Appendix, p.380.

<sup>21</sup> See *De Oorkonden der Graven van Vlaanderen, Band III*, nrs. 704-9, 729, 741-43, pp.263-69, pp.293-94, pp.312-16.

<sup>22</sup> *Ibid.*, nr. 766, pp.340-42, also nrs. 794-95, 830-31, 846, pp.382-87, pp.428-34; Appendix, p.380.

<sup>23</sup> *Ibid.*, nrs. 738, 830, pp.305-7, pp.428-30.

<sup>24</sup> *Ibid.*, nrs. 766; 830, pp.340-41, pp.428-30. Such donations to the Cisterians in Flanders were probably part of a rising trend that continued throughout the twelfth and thirteenth centuries see A.E. Lester, 'A shared imitation: Cistercian convents and crusader families in thirteenth-century Champagne', *Journal of Medieval History*, vol. 35 (2009), pp.353-70.

<sup>25</sup> *Chartes de l'abbaye de Clairvaux*, nr. 276, p.336

<sup>26</sup> *De Oorkonden der Graaven, Band III*, nrs. 780-81, pp.362-65.

the church of St Bertin, thus this matter was more complex than a gift to this church.<sup>27</sup> Furthermore, in 1191 Philip constructed a chapel for Matilda in Acre. His letters to Flanders from the Latin East give some indication that he continued to plan for and remain in contact with those he had left behind.<sup>28</sup> Matilda confirmed this donation, neatly underlining her political importance in spiritual matters after her husband's departure.

I, Matilda, queen and wife of the count of Flanders, make it known to all both present as well as future that my illustrious husband, Philip, count of Flanders and Vermandois gave his chapel in alms to the church of Clairvaux. This, however, was done on the condition that the same chapel may not be alienated at any time by the same church of Clairvaux.<sup>29</sup>

Matilda's authority was palpable in her charters; one of these acts stated explicitly that Philip had given her the reins of government:

I wish it to be known to all, therefore, both present and future that [when] my lord and husband, Count Philip, journeyed to Jerusalem, the same count committed the whole of his land, and conferred [his] powers and full jurisdiction on me.<sup>30</sup>

The remainder of this charter confirmed a donation to St Vaast, and Drogo of Sailli's attempt to undermine Matilda's authority. Her reaction, the reassertion of her authority, gave a clear insight into her position: 'it cannot be done legitimately without my consent, since the fief was mine.'<sup>31</sup> In another charter she acted in relation to lands outside of her dower and set an inquisition in process to determine Gerard of St Aubert's rights, summoning the count of Hainault's men to give testimony. This represents further co-operation between Flanders and Hainault, although ultimately she ruled against the latter and determined: 'that the church of Vicoigne ... ought to

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<sup>27</sup> Ibid., nr. 782, pp.365-67.

<sup>28</sup> Ibid., nrs. 844; 846, p.448, p.451.

<sup>29</sup> Ibid., nr. 844, p.448; Appendix, p.380.

<sup>30</sup> Ibid., nr. 848, pp.453-54; Appendix, pp.380-81.

<sup>31</sup> Ibid, p.453; Appendix, p.380-81.

have the lands freely'.<sup>32</sup> Thus Matilda's role pertained to justice, an issue we have seen she had experience in.<sup>33</sup>

The Third Crusade had repercussions in Flanders to the detriment of Baldwin of Hainault's inheritance, and Matilda's dower. Baldwin of Hainault was Philip of Flanders' acknowledged heir, yet despite Baldwin's status, in 1191 after Count Philip's death and the subsequent expiration of his papal protection, Philip Augustus returned to France from the Holy Land and invaded Flanders.<sup>34</sup> Ostensibly the French king left the crusade to deal with troubles in his kingdom and to recover from an illness, nonetheless, contemporary sources believed that the control of Flanders was his primary objective.<sup>35</sup> To an extent, subsequent events supported these theories as Philip Augustus gained Artois.<sup>36</sup> Here we must note Matilda's continued political prominence. Displaying the characteristics of earlier Flemish regents, she took up arms to protect familial and personal interests. We are told that she did all in her power to frustrate Archbishop William of Rheims, a royal crusade regent, and raised an army to prevent Baldwin from seizing her dower.<sup>37</sup> We also note that in this case, to some extent, the protection privilege worked as a deterrent here; Philip Augustus invaded Flanders only after news of Count Philip's death.

In Champagne, Count Henry also opted for an experienced regent, namely his mother Marie, who had assumed the position during her husband's absence on crusade.<sup>38</sup> Her role encompassed financing his continued participation in the crusade as Ernoul described her; 'as *bailli* and guardian and she sent the rents of the land to

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<sup>32</sup> Ibid., nr. 849, pp.454-56; Appendix, pp.381-82.

<sup>33</sup> See also *ibid.*, nr. 843, p.447. See below p.239.

<sup>34</sup> Gislebert of Mons, *Chronicon Hanoniense*, 258-59. Philip Augustus had some claim to Flanders through his marriage to Isabella of Hainault, see Hallam and Everard, *Capetian France*, pp.165-67.

<sup>35</sup> Phillips, *Fourth Crusade*, p.2; Roger of Howden, *Chronica*, vol. 3, ed. W. Stubbs (London, 1870), pp.125-26; William of Newburg, 'Historia Rerum Anglicarum', ed. R. Howlett in *Chronicles of the Reigns of Stephen, Henry II. and Richard I*, vol. 1 (London, 1884), p.357; *Chronique d'Ernoul et de Bernard le Trésorier*, ed. M.L. de Mas Latrie (Paris, 1871), p.277.

<sup>36</sup> Andreas of Marchiennes, 'Ex Andreae Marchianensis Historia Regum Francorum', *MGH SS 26* (Hannover, 1882), pp.204-15, p.212; Anonymous of Laon, 'Ex Chronico Universali Anonymi Laudensis', *MGH SS 26* (Hannover, 1882), pp.451-52; Gislebert of Mons, *Chronicon Hanoniense*, pp.255-56; Hallam and Everard, *Capetian France*, p.212.

<sup>37</sup> Gislebert of Mons, *Chronicon Hanoniense*, p.259.

<sup>38</sup> See pp.204-6.



him, as long as he lived.<sup>39</sup> We can surmise that she took on the same feudal duties she had assumed in her first regency – collection of rents, the official positions of *bailli* and defender of her son's lands and possessions, and the responsibility of funding the crusade. Having seen how the Third Crusade affected Flanders and Champagne it is worth considering how the crusader-specific protection privilege operated in the kingdom of France and the Holy Roman Empire.

#### Two Kings and an Emperor on the Third Crusade<sup>40</sup>

The loss of Jerusalem in 1187 resulted in two kings and one emperor taking the cross, this was an unprecedented event. With the advantage of hindsight about Louis VII's and Conrad III's experiences, it is unsurprising that Frederick, Richard and Philip Augustus implemented similar, albeit more detailed regency plans. Munz highlighted the centrality of peace in Frederick's preparations, and states that of all the royal crusaders, the emperor 'left nothing to chance', which may be an unfair judgement in light of Philip Augustus' measures, as will be discussed below.<sup>41</sup> At Nuremburg the German emperor issued an exhaustive list of laws, customs and imperial jurisdictional rights to be upheld in his absence, encapsulating the emperor's remit over arson, vendetta and breach of truce.<sup>42</sup> There has been some debate about the dating of this 'land peace', with surviving versions ascribing it to December 1187, although Loud has convincingly dated it after March 1188 because it formed a major part of Frederick's preparation for the crusade.<sup>43</sup> The punishments at the emperor's disposal notably encompassed both secular and spiritual sanctions through excommunication, fines and outlawing.<sup>44</sup> These harsh and isolating penalties encompassed both the

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<sup>39</sup> Ernoul, *Chronique d'Ernoul et de Bernard le Trésorier*, ed. M.L. de Mas Latrie (Paris, 1871), p.291; trans. Edgington; Appendix, p.383.

<sup>40</sup> This section will focus primarily on the French king's provisions for his departure. The well-known, events in England will be briefly considered, as will events in Germany, to examine trends and disparities in royal crusade regencies.

<sup>41</sup> P. Munz, *Frederick Barbarossa, A Study in Medieval Politics* (London, 1969), n. 2 p.387.

<sup>42</sup> Burchard of Ursberg, 'Burchardi Praepositi Urspergensis Chronicon', *MGH SRG* (Hannover, 1916), pp.65-69, pp.65-66.

<sup>43</sup> Loud, *The Crusade of Frederick Barbarossa*, p.10, n. 4 p.212.

<sup>44</sup> Burchard of Ursberg, 'Burchardi Praepositi Urspergensis Chronicon', pp.66-67.

secular and ecclesiastical forms of exile, and were intended to prevent such crimes taking place, or at least becoming common. The use of Church and State sanctions is further evidence of the involvement of both of these spheres to prevent disorder and reinforce imperial authority. Frederick's personal power was paramount in this text; the emperor took pains to protect his monopoly over justice, even in his absence. The malediction clause represented both heavenly and imperial ire, thereby placing a heavy emphasis on the spiritual and temporal sanctions levied on those who infringed this act.

That however this so serviceable ordinance shall remain valid for all time and shall remain inviolate for the purpose for which it has been issued, we order that it be included among the laws of our predecessors the emperors and kings and be preserved [there] in perpetuity. If anyone should presume to act contrary to it, their penalty shall be the wrath of Almighty God and of us in perpetuity.<sup>45</sup>

This latter point was expressive not only of the sanctity of kings but also informed potential infringers of the consequences of breaking the emperors' laws. It is worth mentioning the specific spiritual context of the Holy Roman Empire. The papal curia may not have been kingmakers, but only the pope could crown an emperor.<sup>46</sup> However, Frederick Barbarossa was keen to highlight divine will rather than papal favour. His chancery expressed this through the divine laws of emperors and the laws of his predecessors.<sup>47</sup> The Nuremberg document should be seen in this context; the ordinance was fundamentally intended to maintain the *status quo* during his absence by staking his claim to power and dictating the scope of his authority. Unlike Conrad III, Frederick had an adult son and heir; Henry was twenty-two, he had been knighted as recently as 1184 and had married the heiress of Sicily. He was in an excellent position to take on the regency.<sup>48</sup>

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<sup>45</sup> Ibid., p.69; trans. Loud, *The Crusade of Frederick Barbarossa*, p.212; Appendix, p.383.

<sup>46</sup> H. Fuhmann, *Germany in the High Middle Ages, c. 1050-1200*, trans. T. Reuter (London, 1986), p.138, p.146.

<sup>47</sup> Ibid., p.153.

<sup>48</sup> Loud, *The Crusade of Frederick Barbarossa*, p.13.

Likewise, following the firmly established trend of crusaders making restitution before their departure, Frederick embarked on a series of acts to remove some causes of consternation. This illustrated the pressing need for security, particularly as in 1187 a figure of the standing of Archbishop Philip of Cologne had attempted to enlist Philip of Flanders' aid against the emperor.<sup>49</sup> Henry VI attempted to reconcile the emperor and the archbishop. He wrote to his father: 'in this matter your sense of discernment needs to pay attention carefully ... to the great benefit that will arise to all the realm out of your agreement and, on the other hand, to the great detriment that will arise from your dissension', despite this the conflict escalated.<sup>50</sup> Frederick had closed the routes through the Alps to the pope.<sup>51</sup> The author of the *Annales Marbacenses* considered this matter instrumental to Frederick's decision not to take the cross in 1187.<sup>52</sup> Henry's attempt at brokering peace shows Germany's future ruler had the requisite diplomatic experience for taking on the regency. The crusade provided the catalyst for peace in this instance because the issue was resolved in 1188 at the court of Nuremburg, the same court in which Frederick had issued the land peace and made known his intention to depart on crusade.<sup>53</sup>

In a further instance of the tradition of restoring political stability before departure, Frederick ended the dispute between Bishop Baldwin of Utrecht and Count Otto of Geldern and, along with his eldest son Frederick, brought a short-term conclusion to the dispute between Counts Henry of Namur and Baldwin V of Hainault.<sup>54</sup> At least one contemporary, Otto of St Blasian, perceived a link between this peace and Frederick's response to the crusade call. His Swabian chronicle was written c.1209-10 before Otto became abbot of St Blasian in 1222-23. Otto's account is favourable to imperial authority but his chronology is often flawed. However, at

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<sup>49</sup> *MGH Die Briefen der deutschen Kaiserzeit 7* (Munich, 1995), nr. 126, pp.184-85.

<sup>50</sup> *Ibid.*, nr. 69, pp.118-120, p.120; trans. Ciuca; Appendix, p.383.

<sup>51</sup> Arnold of Lübeck, 'Arnoldi Chronica Slavorum', *MGH SRG* (Hannover, 1868), p.105.

<sup>52</sup> 'Annales Marbacenses qui dicuntur', *MGH SRG* (Hannover, 1907), p.58; 'Chronica Regia Coloniensis', *MGH SRG* (Hannover, 1880), p.136.

<sup>53</sup> 'Chronica Regia Coloniensis', p.138.

<sup>54</sup> Loud, *Crusade of Frederick Barbarossa*, p.14.

this point he tallies with Burchard of Ursberg's emphasis on the importance of establishing peace.

Emperor Frederick celebrated a general court at Mainz in the middle of Lent, and there, with the storms of war quieted over the whole of Germany and peace everywhere regained he dealt with matters of state. Legates of the Apostolic See came to this meeting where in the name of the lord pope and the whole Church they lamented the destruction of the Church overseas, which they made known both orally and through written documents, and they requested the protection of the Roman Empire for its assistance. After consultation the emperor pledged him to bring aid, and him and his son Frederick, Duke of the Swabians, received the cross of pilgrimage in remission of their sins.<sup>55</sup>

In other matters, Frederick was not entirely successful. The emperor gave Henry the Lion three choices: to join him on crusade and afterwards receive back all his lands, or to renounce certain lands, or to go into exile. Henry was a known schemer who had raised an army against the emperor, thus Jordan believes that the first option was unlikely; it was hardly to Frederick's advantage to restore Henry's former lands and power.<sup>56</sup> In the event, Henry chose banishment and it is no coincidence that his expulsion would last three years – the same length of time that Frederick expected to be on crusade.<sup>57</sup> It was too great a risk to leave Henry the Lion behind because the count violated his sentence of exile and in 1190 the crusade regent, Henry VI, was forced to remove this threat.<sup>58</sup> One account described Henry the Lion taking the opportunity to rise up once the emperor departed.<sup>59</sup> Loud suggests that the count had the opportunity to retake Saxony because Count Adolf III of Holstein had departed on the crusade. Henry the Lion remained a powerful, political player retaining his lands and vassals at Brunswick and his alliance, through marriage, to the king of England.<sup>60</sup> Jordan argues that the death in 1189 of Henry the Lion's wife, Matilda removed

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<sup>55</sup> Otto of St Blasien, 'Chronica', *MGH SRG* (Hannover, 1912), p.44; trans. Loud, *Crusade of Frederick Barbarossa*, p.176; Appendix, p.383.

<sup>56</sup> K. Jordan, *Henry the Lion, A Biography*, trans. P.S. Falla (Oxford, 1986), p.188.

<sup>57</sup> Arnold of Lübeck, 'Arnoldi Chronica Slavorum', p.128.

<sup>58</sup> Ibid., 149; 'Annales Pegavienses et Bosovienses', *MGH SS*, vol. 16, pp.232-70, p.267; 'Chronicon Montis Sereni', *MGH SS 23* (Hannover, 1874), pp.130-226, p.161.

<sup>59</sup> 'Cronica Reinhardsbrunnensis', *MGH SS*, vol. 30 part 1, pp.490-656, p.543.

<sup>60</sup> Loud, *Crusade of Frederick Barbarossa*, p.15.

protection from his lands and forced the count to return home.<sup>61</sup> At Henry VI's diet at Fulda the count's ally, Archbishop Hartwig of Bremen, was deposed and the fortifications at Brunswick and Lauenberg destroyed. At the same time rebels were removed and Henry the Lion's power base was redistributed, which was an effective way to maintain security in the crusaders' absence.<sup>62</sup>

Henry VI also had to deal with the elderly Otto of Meissen's capture by his own son, despite Frederick's intervention before his departure. Evidently Albrecht, Otto's son, did not regard Frederick's measures as binding after the emperor's departure and Albrecht exploited the emperor's absence to usurp his father's position. These events concerned the regent because 'on account of it, the province was being disturbed from attacks by supporters on both sides.'<sup>63</sup> It was on Henry's order that this matter was finally closed: 'on account of the mandate of the king, the father was ransomed from captivity'.<sup>64</sup> The outcome may better reflect the longer-term situation; Otto's death and his son's legitimate succession followed shortly afterwards in February 1190.<sup>65</sup>

In France, Philip Augustus prepared for the regency with similar vigour to the emperor. Rigord, a contemporary chronicler and a partisan of the French king, tells us that 'having received permission from all his barons, he confided the protection and custody of all the kingdom of France to Adele, his dearest mother, and his dear son Louis, and to William, the archbishop of Rheims.'<sup>66</sup> As France was under Louis VII's participation on crusade, Philip Augustus' kingdom would be governed by a tripartite regency, albeit that the latter's young son acted more like a symbolic figure than as an active member. Such emphasis on Louis VII's example is further apparent when we consider that some of Philip's bailiffs had served under Louis' rule.<sup>67</sup> This

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<sup>61</sup> Jordan, *Henry the Lion*, p.189.

<sup>62</sup> *Ibid.*, pp.189-92.

<sup>63</sup> 'Annales Pegavienses', p.266; Appendix, p.383.

<sup>64</sup> 'Cronica Reinhardsbrunnensis', p.544; Appendix, p.383.

<sup>65</sup> *Ibid.*

<sup>66</sup> Rigord, *Histoire de Philippe Auguste*, ed. and trans. into French É. Charpentier *et al.* (Paris, 2006), pp.274-75; Appendix, p.383.

<sup>67</sup> Baldwin, *Government of Philip Augustus*, p.104.

demonstrates the value of experience. The French king issued an ordinance before his departure, stating in meticulous detail by whom and how the kingdom was to be ruled in his absence. This was the most detailed French document of its type and in it Philip Augustus took a far more direct approach to the crusade regency than Louis VII. Thus:

In the first place, therefore, we ordered that our bailiffs install in our dominions by each of our provosts four prudent men legitimate and of good witness ... Meanwhile we wish and we order that our dearest mother Adele, the queen, should establish with our dearest and faithful uncle, Archbishop William of Rheims, on one [particular] day at Paris, where every four months they shall hear complaints from the men of the kingdom and shall put an end to them for the honour of God and the advantage of the kingdom...<sup>68</sup>

The bailiffs were critical to the wider governance of France, while Philip's family members formed a regency council of both Church and State. They enjoyed a greater sense of legitimacy in contrast to Archbishop Samson and Abbot Suger, who were not part of the royal family and thus potentially more vulnerable. Philip Augustus was far more explicit than his father that the three royal regents should enjoy joint authority; this was in sharp contrast to the regency during Louis VII's crusade when Suger had been by far the senior partner. Philip Augustus did reserve the ultimate right of meting out justice. Thus in the domain of royal law there were key restrictions on the crusade regents' exercise of power whether those regents were royal or not.<sup>69</sup> In contrast to Suger's policy regarding the regalia, Philip Augustus ordered that his royal regents return it to the newly-elected incumbent, providing that the latter was properly approved and consecrated.

If it happens that an episcopal see or a royal abbey falls vacant, we wish that the canons of the Church or the monks of the vacant monastery come before the queen and the archbishop as they would come before us and demand a free election, and we

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<sup>68</sup> Rigord, *Histoire*, pp.276-79; Appendix, p.384.

<sup>69</sup> *Ibid.*, pp.278-79.

wish that [the queen and the archbishop] give their accord without contestation. Indeed we advise both canons and monks to elect such a shepherd who will be pleasing to God and will be useful to the kingdom. However, the queen with the archbishop should keep the regalia in her hand until the elected has been consecrated and blessed and that then the regalia can be given back to him without contestation.<sup>70</sup>

There were some checks in place here, notably that the newly-elected had to be both pleasing and useful to the kingdom, and that the candidate had to be consecrated before the regalia could be returned. Yet, as we have seen, this is very different practice to that noted during Suger's regency. The fact that one of Philip's regents was a queen and the grandmother of the next in line to the French throne probably obviated Suger's concerns. Yet in other honours, as under Louis VII, the king was more explicit that they should not be bestowed until his return. 'We also order that the queen and the archbishop hold in their hands all the honours, which as long as they are vacant, pertain to our donation, which they were able to retain honourably ... until we return from the service of God.'<sup>71</sup>

Philip's preparation additionally extended to financial concerns, notably the collection of revenues, in his absence:

We order also that all our revenues services and incomes be delivered to Paris three times [a year] ... and that they be remitted to our aforesaid burghers and to Peter the Marshal. If one of them should die, William of Garland will replace him with another.<sup>72</sup>

Finally, the king's seal was appended to formalise and finalise these conditions.<sup>73</sup> The king's document went beyond Flemish law-giving, Philip's decree was not simply a reissue of extant law but was also an implicit acknowledgement that government must operate differently without the king.<sup>74</sup> Hence in a separate ordinance, Philip Augustus

<sup>70</sup> Ibid., pp.279-81; trans. Ciuca; Appendix, p.384.

<sup>71</sup> Ibid., pp.284-85; trans. Ciuca; Appendix, p.384.

<sup>72</sup> Ibid., pp.282-83; Appendix, p.384.

<sup>73</sup> Ibid., pp.284-85.

<sup>74</sup> Baldwin argues this was the first Capetian constitution, Baldwin, *Government of Philip Augustus*, p.102.

made provisions for the exemption and payment of crusaders' debts.<sup>75</sup> Likewise, the crusade motivated Philip to issue charters pledging guardianship to the commune of Laon.<sup>76</sup> He took the deacon Hervé and all the canons of his church under his protection, threatening a fine of 100 *solidi* on any who might injure the Church, canons or deacon during the next three years, or until his return.<sup>77</sup>

Philip also allowed for the contingency that an altercation over the ownership of a commune would continue between the count and the monks of Corbie in his absence. Despite this, in the event of further controversy the king, and not his regents, would solve it when he came back from his crusade.<sup>78</sup> The bailiffs and his heirs would only exercise authority here if the king died on crusade.<sup>79</sup> Philip additionally took measures for the well-being of the crusader Hugh of Burgundy's wife, Beatrice, and for the inheritance of Odo. If Hugh did not return, Beatrice was free to claim her dower lands at Albon, and Odo was able to assume control of his inheritance and Philip pledged to defend their territories 'by the will of Duke Hugh and his son Odo we are held to aid and to protect him in good faith'.<sup>80</sup>

In keeping with this heightened security, this time on a military level, Rigord reported the defensive measures that Philip Augustus took to protect Paris during his crusade.

He also ordered the citizens of Paris that the city of Paris, which the king loved very much, be enclosed with the greatest care with a very good wall with turrets and gates appropriately placed. We see that this work was achieved in a short space of time. He ordered that the same be done in other cities and castles throughout the kingdom.<sup>81</sup>

From Rigord's description it seems that Philip Augustus prepared for the invasion of the castles and major cities in his absence, through his approach to fortification. This

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<sup>75</sup> *Recueil des actes de Philippe Auguste, roi de France*, vol. 1, ed. M.H.F. Delaborde (Paris, 1916), nr. 228, pp.277-79.

<sup>76</sup> *Ibid.*, nr. 351, pp.425-26.

<sup>77</sup> *Ibid.*, nr. 350, pp.424-25.

<sup>78</sup> *Ibid.*, nr. 362, pp.444-45, p.445.

<sup>79</sup> *Ibid.*

<sup>80</sup> *Ibid.*, nr. 363, pp.445-46, p.446; Appendix, pp.384-85.

<sup>81</sup> Rigord, *Histoire*, pp.284-85; trans. Ciuca; Appendix, p.385.



may indicate that Richard and Philip Augustus' peace treaties were insufficient for their kingdoms' security. Nonetheless, the Vézelay peace terms (1190) were disseminated in open letters to reinforce their binding nature.

...each of us promised the other that he would preserve good faith and good love ... If indeed anyone otherwise shall have presumed to remain by the authority of the prelates of the land and of each of us, let them be subject to excommunication in person and interdict in lands ... If indeed anyone, in any of our lands, shall have presumed to make war in our absence, against us or anyone of our land ... first he shall be excommunicated and after the excommunication unless ... he shall have made amends, we order that the same and his heirs be disinherited in perpetuity...<sup>82</sup>

The punishment of infringers extended into secular and ecclesiastical spheres, emphasising the need to ensure the viability of crusading through diplomatic relations.

### The French Royal Regency

Philip's authority was predominant in France throughout his crusade which ensured a greater sense of continuity, because the surviving acts of the regency were constructed and issued in the king's name and rarely only in that of the regents. This chancery convention emphasised royal authority and legitimacy, and possibly demonstrates that they had greater communication with the king, although there is little evidence of this contact in the charters.<sup>83</sup> Equally this suggests that the regents were believed to act for the king, rather than in his place; their position was eclipsed by the crusader king's perceived presence. One of these acts, which began: 'Philip by the grace of God, king of France', concerned a donation to the convent at Rouen of a house and all its appurtenances at Condé, confirmed by the king's seal.<sup>84</sup> The regents' obligations encompassed the resolution to make peace between the abbey of Rouen and the priory of St Nicaise de Gasny and the sale of the abbey's possessions at Issou.<sup>85</sup> The regents'

<sup>82</sup> *Recueil des actes de Philippe Auguste*, vol. 1, nr. 287, pp.348-49; Appendix, p.385.

<sup>83</sup> A noted exception is Philip's charter from Acre which ordered the bailiffs to execute their judgement in favour of the canons of Notre-Dame at Étampes, *ibid.*, nr. 385, pp.475-76.

<sup>84</sup> *Ibid.*, nr. 381, pp.471-72; Appendix, p.386.

<sup>85</sup> *Ibid.*, nrs. 366, 370, pp.449-50, pp.456-57.

duties to maintain concord determined further action in Paris, when Froger the Changer invaded the house owned by the priory of St Lazarus in Paris.<sup>86</sup> Another act emphasised Queen Adele's role far more than the documents discussed so far, and the act was completed in her presence. William of Garland, his wife, and their sons Robert and Thibaut gave alms of 100 *livres* and quitclaimed their rights to a wood to the church of St Martin des Champs.<sup>87</sup> This was a potentially contentious charter because the younger William's participation on the Third Crusade meant that he could not ratify a donation that affected his inheritance. Hence the emphasis on the queen's presence probably lent further security.

Donations required similar ratification and Philip's seal to ensure the permanence of these acts.<sup>88</sup> Another security measure entailed an exhortation that bailiffs and provosts 'make [peace] observed.'<sup>89</sup> The bailiffs' supportive, peace-keeping role was stressed further in Galeran of Yèvre's donation to the community at La Coudre which instructed the provosts and bailiffs to repel war.<sup>90</sup> Equally Philip's seal of authority confirmed the donation of a mill to the church of St Magloire of Paris by Thibaut the Rich and his wife, Petronilla.<sup>91</sup> Thibaut was one of the prudent men whom Philip Augustus appointed to provide counsel for the business of the towns during the regency.<sup>92</sup> The fact that one of Philip's bailiffs required the confirmation of the king's seal further underlined the importance of validating such acts, especially in the king's absence.

Nothing detrimental appears to have occurred in France while Philip Augustus was on the crusade. In Germany, we saw Henry VI deal efficiently with the problems that surfaced during Frederick Barbarossa's absence. This casts into sharp relief the well-known case of Richard I of England, which will be considered briefly here to

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<sup>86</sup> *Ibid.*, nr. 371, pp.457-58.

<sup>87</sup> *Ibid.*, nr. 390, pp.480-81.

<sup>88</sup> *Ibid.*, nrs. 375, 391-92, pp.462-63, pp.481-83.

<sup>89</sup> *Ibid.*, nr. 391, pp.481-82; Appendix, p.386.

<sup>90</sup> *Ibid.*, nr. 393, pp.483-84.

<sup>91</sup> *Recueil des actes de Philippe Auguste, roi de France*, vol. 5, ed. M. Nortier (Paris, 2005), nr. 1840, pp.22-23, p.23.

<sup>92</sup> Rigord, *Histoire*, n. 412 p.277.

illustrate the differences between French and English royal experience of the papal protection by both Celestine III and Innocent III. The self-interest of Richard's regent, William Longchamps, and the pact between Philip Augustus and John undermined Richard's provisions.<sup>93</sup> The circumstances of William Longchamps' crusade regency are familiar, but it is important to note his previous experience. Appleby argued that Richard removed his father's officials and appointed justiciars who had limited experience of working together and were ill-suited to the office, particularly William Longchamps who was a stranger to England.<sup>94</sup> For Appleby, Richard's only interest in England was to be 'crowned king and to drain his realm of the many men ... supplies ... and ... money' and these appointments represented 'hasty and ill-considered measures'.<sup>95</sup> This judgement would imply that Richard, alone of all the crusaders examined here, appointed ill-equipped strangers to rule in his absence.

An original contribution of my thesis is that experience as a pre-requisite for regency has been identified, tested, and shown as essential in the installation of both comital and royal regents. While it is not inconceivable that Richard would show no regard for experience, I would argue that this was highly unlikely. William Longchamps was apparently aware of the alliances that he could forge and exploit to augment his influence in England. Hence it seems more credible that, as Gillingham argued, Richard appointed experienced men with whom Longchamps had worked previously.<sup>96</sup> In a further point of contention with Appleby, Gillingham demonstrated that Richard toured his lands and appointed seneschals before his departure.<sup>97</sup> This action, given its scale, does not fit a framework of ill-considered haste.

Richard's absence resulted in a dislocation of both the secular and the spiritual defenders of his protected status. The regents' relationship with the pope was not the same as it had been between Suger and Eugenius; neither Celestine III nor Innocent

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<sup>93</sup> J. Gillingham, *Richard I* (New Haven, 1999), p.228.

<sup>94</sup> J.T. Appleby, *England Without Richard, 1189-1199* (London, 1965), pp.19-20, p.36.

<sup>95</sup> *Ibid.*, pp.4-5, p.37.

<sup>96</sup> Gillingham, *Richard I*, p.116, pp.121-22.

<sup>97</sup> *Ibid.*, 124. Further perceptions of Richard are outside the scope of this thesis, see M. Markowski, 'Richard Lionheart: Bad King, Bad Crusader?', *JMH*, vol. 23, p.352.

III emulated Eugenius III in this regard. The circumstances were dissimilar because while Eugenius had retained a considerable physical and legatine presence in France and Germany, Celestine and Innocent did not. The conflict between Richard and Philip presented a far more difficult scenario than that of 1147-48. Thus, after Richard's release and during the peace negotiations with France, William Marshal's biographer informs us that both Pope Innocent III and his legate Peter of Capua experienced Richard's considerable wrath for their gross negligence and apathy.

"If I had been allowed to hold my own land in peace so that I didn't have to come back, the whole of the land held by the Syrians would be free and purged of the pagans and they would never again hold sway there. As it is the King of France has done me much harm and injury ... were it not for your role as an envoy, Rome would not prevent me from giving you such a hiding to take back to the pope as would engrave my deeds on his mind. The pope thinks me a fool; I know full well that he made a fool of me when I sent him a message from a distant land to seek his help in my predicament, as a prisoner in the service of God ... not for a moment did he deign to go to any trouble over it" ... At this the legate left who was impatient to be out of there. He would not have returned to collect his cross, reckoning that if he did he would lose his genitals.<sup>98</sup>

Ryan argues that hindsight about Richard I's case may have influenced Innocent's protection privilege; yet in essence, as I have argued in chapter six, there was little new of note in the protection clause of his bulls.<sup>99</sup> This case illustrated a shortcoming compared to more successful regencies. Unlike the efforts of Eugenius, Innocent's letters had less impact. The ransom money owed to Richard had passed from the duke of Austria to his brother, not his son. Thus papal attempts to secure the return of Richard's ransom were unsuccessful.<sup>100</sup> Innocent's letter continued 'we have charged him not to fail in restoring the money and not to make any difficulty whatsoever ... But because we have heard of certain changes affecting the position of the noble duke of Swabia, for the present we have cautiously refrained from writing to command

<sup>98</sup> *History of William Marshal*, vol. 2, ed. A.J. Holden trans. S. Gregory (London, 2004), pp.76-81; Appendix, pp.386-88.

<sup>99</sup> Ryan, 'Richard I', p.8; see chapter six.

<sup>100</sup> *Selected Letters of Pope Innocent III concerning England (1198-1216)*, ed. and trans. C.R. Cheney and W.H. Semple, nr. 2, pp.3-8, p.4.

him'.<sup>101</sup> In the same letter Innocent discussed the loss of Richard's French lands but concluded that the conflicting evidence from both Philip and Richard meant that he could not 'proceed in this matter without an enquiry into the truth.'<sup>102</sup>

### Flemish and Champenois Preparation for the Fourth Crusade

We have seen that the aftermath of the Third Crusade proved problematic for Pope Innocent III and his crusader-specific protection privilege. Given Richard I's high-profile case it is not implausible that during the call for the Fourth Crusade, the protection of those left behind took on added significance; it was and probably remains the most oft-cited incident of the exploitation of a crusaders' absence.<sup>103</sup> The failure of that protection privilege apparently underpinned Richard's refusals to crusade again without the remuneration owed him for the violation of his status.<sup>104</sup> It is conceivable that this episode deterred others from leaving their families and possessions under the protection of a privilege recently shown to be vulnerable. To counter this weakness we might expect the secular arm of government to strengthen its own measures of security.

While the Fourth Crusade culminated in the sack of Constantinople and the crowning of Baldwin of Flanders (Philip of Flanders's nephew) as emperor, the expedition was originally a reaction to the cataclysmic loss of Jerusalem. It was to recover the holy city that counts such as Thibaut of Champagne publicly took the cross before the assembled nobles at Decry in November 1199, and Abbot Martin preached the crusade in his sermon at Basel. Despite such prestigious events, recruitment was incremental at best, and remained a crippling problem that was only exacerbated by the Treaty of Venice (1201) which underpinned the change in direction to Egypt via Zara (November 1202). However, it was Prince Alexius'

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<sup>101</sup> Ibid.; Appendix, p.389.

<sup>102</sup> Ibid., p.8; Appendix, p.389.

<sup>103</sup> See J.A. Brundage, 'The Crusade of Richard I: Two Canonical *Quaestiones*', *The Crusades, Holy War and Canon Law* (Aldershot, 1991), pp.443-52.

<sup>104</sup> Roscher, *Papst Innocenz III und die Kreuzzüge*, pp.53-54.

enticing offer of men and resources that led to the diversion to Constantinople (April 1204).<sup>105</sup> What immediately concerns us here is the taking of the cross and its implications for those left behind. The decision to join the campaign was of great magnitude and men such as Baldwin and Thibaut must have been aware of the potential ramifications of their absences on their extensive lands.

Prior to his departure, Baldwin followed Flemish tradition in making a series of donations that were confirmed by his wife Marie of Champagne, Thibaut's sister. These explicitly mentioned his taking the cross while Marie's authority was made plain by either her signature or seal.<sup>106</sup> Consequently she was aware of his final donations and well-placed to reinforce them. For example before Baldwin left for the Holy Land, Marie acted alongside his brother, Philip of Namur, when she confirmed the crusader Baldwin of Ronsele's donation of a tenth to the church of Harelbeke.<sup>107</sup> Both future regents confirmed this through their signatures, reiterating the perpetual nature of the crusader's decision. The fact that this charter, c.1202, was issued while Baldwin was still in Flanders provides further evidence of both the transitional period in the handover of power, and his regents' prior experience in government. Elsewhere Baldwin maintained an established trend, settling disputes before his departure; this case related to a claim over marshes:

...since I was under arms for the journey to Jerusalem, so that no other occasion for discord might arise in my land at the time of my pilgrimage, I have asked the abbot of St Bertin that no legal suits may be brought against me for the next three years or until I return, if it should happen that I return before that time.<sup>108</sup>

Baldwin was clearly aware of the political repercussions of long-term absence. In a far more explicit statement than previous counts, Baldwin explained that he had chosen to resolve this matter so that he could leave his land in relative security. On a similar note, Baldwin followed Count Philip of Flanders' lead by issuing a series of

<sup>105</sup> Phillips, *Fourth Crusade*, p.49, pp.103-4, p.112, pp.218-294, p.311.

<sup>106</sup> *De Oorkonden der Graven van Vlaanderen (1191-aanvang 1206)*, ed. W. Prevenier (Brussels, 1964), nrs, 205, 227, 232, pp.423-24, pp.478-79, pp.489-94.

<sup>107</sup> *Ibid.*, nr. 242, *ibid.*, pp.508-9.

<sup>108</sup> *Ibid.*, nr. 212, pp.434-35; Appendix, pp.389.

laws, dominated by keeping the peace, and penalties for homicide, wrongdoing and injury.<sup>109</sup> Plainly crime was always a comital concern but the preservation of law and order was especially vital in the count's absence.

Thibaut of Champagne settled similar concerns before his departure. In 1200, he received notification from Pope Innocent III of the papal protection over him.<sup>110</sup> That same year Thibaut received the homage owed him, and confirmed his own status as the liegeman of Duke Odo of Burgundy.

When Thibaut, count of Champagne, my dearest kinsmen and vassal, assumed the cross of the Lord on his shoulder and wished to journey to Jerusalem, at his urgent request I have conceded to him and his heirs in perpetuity ... that [which] the said count holds from me for which I received him in homage to me...<sup>111</sup>

Another charter guaranteed that Odo's heirs would defend Thibaut's heirs and lands.<sup>112</sup> While such missives were a convention of feudal government, the timing of this act suggests that Thibaut paid homage to the duke to gain permission to depart on crusade, to secure his successors' inheritance and to reinforce political ties to his overlord. The duke provided a prop to Blanche's regency. This would have particular value to Blanche because it has been argued that she had little political experience.<sup>113</sup>

#### Flemish Regents of the Fourth Crusade

Baldwin left behind one daughter, and his pregnant wife Marie, who remained in Flanders as regent. Her acts during 1203-4 give some insight into her political experience of the regency. Her first charter involved a donation to the church of St Peter at Aire-sur-la-Lys.

<sup>109</sup> Ibid., nr. 214, pp.437-447, pp.443-46.

<sup>110</sup> *Histoire des ducs et des comtes de Champagne depuis l'avènement de Thibaut III jusqu'à celui de Philippe le Bel*, vol. 5, ed. M.H. d'Arbois de Jubainville and M.L. Pigeotte (Paris, 1863), nr. 513, p.21.

<sup>111</sup> *Layettes*, vol. 1, nr. 606, p.224; Appendix, pp.389-90.

<sup>112</sup> Ibid., nr. 605.

<sup>113</sup> Evergates, 'Aristocratic Women', p.81.

I, Marie, countess of Flanders and Hainault, wish it to be known to all living that from the mandate and gift and alms of my lord and husband, Baldwin count of Flanders and Hainault, I have caused five harvested measures of grain to be assigned to the church of St Peter at Aire-sur-la-Lys in the mill that is next to the castle bridge.<sup>114</sup>

Marie made it plain that she acted at her husband's request, to fulfil a practical and political purpose. She performed a regent's duties by following Baldwin's policies and, in this case, instructions. She acted more independently in her confirmations of donations made by Reynald of Aire-sur-la-Lys to the same church and Arnulf the deacon of Bruges to the church of St Andrew at Bruges; she confirmed both charters by her seal, which we have seen was a permanent symbol of her status and authority.<sup>115</sup> Marie also conceded to her chaplain an orchard and all the land between her court at Courtrai and the bridge. Such documents emphasised her power; it was, effectively, her court rather than Baldwin's. Her authority found further expression in this donation's long-term implications, lasting for the chaplain's lifetime and at his death reverting not to the county but passing to the next chaplain.<sup>116</sup>

In confirming another donation, Marie acted alongside Gerard, the chancellor of Flanders and provost of Bruges.<sup>117</sup> This direct association with a Flemish official may have further bolstered her authority, although his involvement appears to have been an anomaly, thus Marie unlike other regents such as Sibylla of Flanders did not rely on the same key individuals.<sup>118</sup>

In her capacity as regent another of Marie's charters confirmed Baldwin's donation to the hospital of the Virgin in Oudenarde:

... I, Marie countess of Flanders and Hainault, recognise and confirm that Baldwin, count of Flanders and Hainault, my lord and beloved husband has given in alms to the hospital of the glorious Virgin in Oudenarde, the place in which are founded two mills, and also the land which extends from the mills to the wall and besides the land and water as far as the gate of Bever. I also wish, and advise my bailiff, whoever he

<sup>114</sup> *De Oorkonden de Graven van Vlaanderen (1191-aanvang 1206)*, nr. 251, pp.522-23; Appendix, p.390.

<sup>115</sup> *Ibid.*, nrs. 252, 257, pp.523-24, pp.532-34.

<sup>116</sup> *Ibid.*, nr. 253, pp.524-26.

<sup>117</sup> *Ibid.*, nr. 263, pp.547-48.

<sup>118</sup> *Ibid.*, nr. 264, pp.549-50; see above p.176.



might be, to cause the aforesaid hospital and all that it possesses to be held in its right and undisturbed peace and to protect and defend them like those things which are mine.<sup>119</sup>

Marie was particularly assertive here she ordered her bailiff to uphold her defence and protection. This charter provides a microcosm of her regency duties: maintaining peace and stability. Marie's authority was seemingly questioned on only one occasion *c.*1203-4. It seems that Baldwin was required to send his wife instructions or a clarification relating to the donation of all the wood that Reynald of Aire-sur-la-Lys possessed.<sup>120</sup> Unfortunately we do not know where he was when the letter was sent. This instruction indicates the continued value of communication between crusader and regent, both politically and personally.

Her other acts included the manumission of a certain Godelif and his family.<sup>121</sup> She also donated land in Courtrai to the church of the Blessed Mary although this was tempered by an indication of the temporary nature of her power:

Be it known to all, both present as well as future, that I, Maria, countess of Flanders and Hainault, have given to the church of Mary of Courtrai that part [of the land] which my lord and I have in that land which Lord Egidius our beloved chaplain holds from us ... and this is conceded until the return of my lord husband the count.<sup>122</sup>

This line is in stark contrast to that taken by earlier Flemish regents who had adopted a more permanent expression of their power and authority and did not impose time limits on their actions. It is also possible that the final clause reflected the fact that she had taken the cross with her husband in 1200, and that her regency would be considerably shorter than a normal crusade regency. As it was known that Marie intended to join her husband on crusade we might question why she was chosen as regent. Her selection suggests that in the period leading up to her departure, Baldwin viewed her as preferable to Philip of Namur, although the sources do not indicate

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<sup>119</sup> Ibid., nr. 266, pp.551-53, p.553; trans. Ciuca, Kleineke and Park; Appendix, p.390.

<sup>120</sup> Ibid., nr. 265, pp.550-51.

<sup>121</sup> Ibid., nr. 261, pp.545-46.

<sup>122</sup> Ibid., nr. 262, pp.546-47; Appendix, pp.390.

why. However, Marie's tenure was necessarily brief because, as planned, in early 1204 after their daughter's birth, she followed her husband on crusade, although she died of plague at Acre before they were reunited.

When Marie departed in 1204 she relinquished the regency to her brother-in-law. Philip was the obvious candidate because he was Baldwin's closest relative and he had ruled Namur since 1195 and was a witness to one of Marie's charters.<sup>123</sup> Philip rarely acted alone in his charters for instance he appeared alongside Matilda, the widow of Philip of Flanders. Philip also stressed his legitimate connection to Baldwin. These moves probably marked an attempt to surround himself with recognised authorities to bolster his new status:

I, Queen Matilda, countess of Flanders and Philip, marquis of Namur, wish it to be known to all both present as well as future that, in the time in which Baldwin, the illustrious count of Flanders and Hainault, was making a pilgrimage in the lands beyond the sea, of whose lands I, Philip, brother of the same, had custody at that time.<sup>124</sup>

This charter referred to a dispute between a man named Almannus and Abbot Nicholas of Marchiennes. Matilda and Philip called both sides to their presence at Cassel and dispatched castellans Walter and Peter to investigate reports that Almannus had extorted money from the abbey.<sup>125</sup> Philip and Matilda found him to have infringed a privilege to the same abbey that dated back to 1038.<sup>126</sup>

In a further example of Philip's association with established Flemish authorities in 1205, Philip acted with Chancellor Gerard to end the dispute between the church of Corvey and the widow of a certain Baldwin – this woman had claimed the tenth as her inheritance. Philip and Gerard brokered a temporary solution whereby they found in favour of the church but gave the widow 90 marks, leaving her son, when he came of age, free to contest his own claim to the tenth.<sup>127</sup> We have seen that

<sup>123</sup> Phillips, *Fourth Crusade*, pp.287-88; Wolff, 'Baldwin of Flanders and Hainault', p.282.

<sup>124</sup> *De Oorkonden de Graven van Vlaanderen (1191-aanvang 1206)*, nr. 276, pp.605-8, p.607; Appendix, pp.390-91.

<sup>125</sup> *Ibid.*, p.608.

<sup>126</sup> *Ibid.*, n. 4 p.606-7.

<sup>127</sup> *Ibid.*, .nr. 294, pp.637-39.

Marie involved Gerard in her regency, a logical move given his frequent presence as a witness in the 1190s.<sup>128</sup> What is surprising was the scope of Gerard's authority in Philip's regency charters. The chancellor's only surviving charter under Baldwin was a confirmation, at the count's request, of Baldwin of Ronsele's donation to the church of Harelbeke.<sup>129</sup> This was a very different case to Gerard's involvement under Philip, which might suggest that the chancellor's role took on added significance and that his presence was at the crusade regent's request. Gerard also confirmed the donation of Baldwin's vassal, John of Rekkem, to the abbey of Zonnebeke.<sup>130</sup> Additionally, Philip made a firm peace for the abbey of Middelburg and its goods, reinforcing the bishop of Utrecht's decision, with the aid of Renier of Oostkerke and all the bailiffs and proctors of Flanders. Here Philip did not take measures on his own authority but 'on behalf of the lord emperor of Constantinople, count of Flanders and Hainault'.<sup>131</sup> At this stage, understandably, he had no notion that his custody would become more permanent.

The longer-term political impact of the Fourth Crusade on Flanders is best viewed through its effects on the county's heirs: Joanne and Marguerite. Nonetheless Philip of Namur's regency extended beyond the crusade because Baldwin became the Latin Emperor of Constantinople in 1204, leaving his children under the sole protection of the regent, who was a sworn vassal of the king of France.<sup>132</sup> In 1205, after the Battle of Adrianople, news of Emperor Baldwin's imprisonment by King Johaniter of Bulgaria reached Philip Augustus in 1206, and it disturbed Flemish government. The king of France took the opportunity to bring Count Philip further under his influence through a marriage alliance to his daughter, Marie.<sup>133</sup> This is an indication of Philip Augustus' continued self-aggrandisement at the expense of Flemish crusaders. Before certain knowledge of Baldwin's death Philip imposed his

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<sup>128</sup> For example *ibid.*, nr. 16, pp.57-58.

<sup>129</sup> *Ibid.*, nr. 241, pp.506-8.

<sup>130</sup> *Ibid.*, nr. 297, pp.642-43.

<sup>131</sup> *Ibid.*, nr. 298, pp.643-44; Appendix, p.391.

<sup>132</sup> Baldwin, *Government of Philip Augustus*, p.91, p.95, p.205.

<sup>133</sup> *Ibid.*, p.205.

will on Flanders. Philip of Namur probably had little choice but to give the heiresses of Flanders, who were minors aged six/seven and four respectively, to the French king as wards, despite the fact that Hainault was not under French protection and its heiresses should have remained independent.<sup>134</sup> Wardship of the heiresses gave Philip Augustus considerable political advantage by removing the issue of Flemish independence. The incident also provides an additional illustration of the pitfalls of wardship.

### Blanche of Navarre, Regent of Champagne 1201-22

Having considered contemporary crusade regents it is worth considering another instance of a non-crusade regent, in this case Blanche of Navarre. Her case is of interest because it provides a parallel to the crusade regencies and demonstrated the alternatives when crusader-specific protection was absent. In Blanche's case, the privilege of papal protection was made void by the sudden and unexpected demise of her husband in Champagne (after he had taken the cross). This had considerable consequences, not only for the leadership of the crusade, but also for his widow and son, born after Thibaut's death. During this tragic pregnancy Blanche sought royal protection, making her daughter a royal ward and performing homage for her dower lands and regency over Champagne.<sup>135</sup> Thus Blanche took on another form of regency coterminous with her son's majority at twenty-one.<sup>136</sup> Consequently hers was, for our purposes, a 'control' regency in that she had no crusader-specific protection following the death of her crusader husband.

Evergates argues that the Fourth Crusade enabled Blanche to take control because it removed so many barons from the administration. He also asserts that

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<sup>134</sup> 'Flandria Generosa', *MGH SS 9* (Hannover, 1851), pp.313-34, p.330; nr. 429, *De Oorkonden der Graven van Vlaanderen, Band II*, pp.231-33. It has been suggested that Philip of Namur was so pro-French as to have been treacherous. This goes too far, but illustrates the extent of his failure; Wolff, 'Baldwin of Flanders and Hainault', p.301.

<sup>135</sup> *Documents relatifs au comtes et ducs de Champagne et de Brie, 1172-1362*, vol. 1, ed. A. Longon (Paris, 1901), nr. 6, p.469.

<sup>136</sup> Evergates, *Aristocracy in the County of Champagne*, p.37.

Blanche had only slight political experience from two years of marriage. Evergates also drew attention to the fact that Blanche spoke only the Navarrese dialect. This language barrier did not apparently impede her political actions, suggesting that either she had learnt enough to communicate efficiently in Champagne and thereby ensure her political survival, or she had an interpreter.<sup>137</sup> Blanche successfully extracted oaths of loyalty from the Champenois barons, indicating that they viewed her as the most suitable candidate for the regency. Blanche faced the same threats as Baldwin of Flanders' regents Marie and Philip of Namur, coupled with a succession crisis that would last for years. Thibaut IV's inheritance was by no means certain because Henry of Troyes, when he bequeathed Champagne to his brother Thibaut III, was not expected to leave two daughters, Alice and Philippa, in the Holy Land as potential heiresses to the county. Blanche was active not only in the West but also in the Holy Land, campaigning for Alice and Philippa to marry eastern nobles and offering bribes to prevent the eldest from visiting the West. It has even been suggested that she helped to secure the crown of Jerusalem for her vassal, John of Brienne, in order to prevent Alice or Philippa marrying westerners who might contest her son's inheritance.<sup>138</sup>

Blanche exerted her comital rights in the manner of a permanent ruler. The earliest Champenois cartulary provides much insight into her political activity.<sup>139</sup> It is striking that at her husband's death, faced with a minor son of questionable right to inherit, she took the initiative and looked for outside protection which was tantamount to replicating the crusader-specific protection privilege. In 1209 Philip Augustus pledged, in an open letter, that he would not receive Thibaut's homage until the latter was twenty-one and that until then he would not hear any legal suit for his succession.<sup>140</sup> This action neatly illustrated the magnitude of threats to Champagne

<sup>137</sup> Ibid., 36; Evergates, 'Aristocratic Women', pp.81-82.

<sup>138</sup> G. Perry, 'Scandalia...tam in oriente quam in occidente': the Briennes in East and West, 1213-21', *Crusades*, vol. 10 (2011), pp.64-66, p.69, p.72.

<sup>139</sup> Remi of Navarre compiled it in 1211 to support Blanche, *Littere Baronum*, p.21.

<sup>140</sup> Ibid., Appendix nr. 2, pp.161-62.

and the value of royal and papal protection. Crusading had increasingly linked both forms of protection; this was also desirable for a crusader's widow.

As a parallel to the actions of earlier regents, for obvious reasons it was Thibaut who was the object of this compact, while Blanche was the instigator. We have seen in the course of this thesis that crusaders' children were rarely wards while under papal protection. Thus we might argue that the reasons behind Blanche's actions were to ensure that royal wardship would protect her son's interests. Philip Augustus' son added his assurance because in the event of his father's death Blanche needed to be confident that this agreement would be upheld, illustrated by her own, verbatim, confirmation.<sup>141</sup> Four years later, the pact was renewed; Philip stated that 'the countess swore on holy objects that by no means would she permit that Thibaut, her son, would receive or perform homage to another for all his lands ... The barons, knights and men of the towns which are superscripted here swore on holy objects that they would not make homage to that same Thibaut'.<sup>142</sup> In 1214 Philip Augustus instructed the master of the Temple, William of Chartres, that Thibaut's inheritance could not be challenged before he reached twenty-one, and forbade Erard of Brienne's marriage to Philippa.<sup>143</sup> In addition to the king's support, Blanche secured the backing of the upper echelons of secular society through nine letters patent from powerful counts and Ida the regent of Trânel, all of whom swore to uphold Philip Augustus' conditions.<sup>144</sup> At the same time she secured the aid of her overlord, Duke Odo of Burgundy.<sup>145</sup>

In contrast to these plainly secular arrangements, Pope Innocent III provided the requisite spiritual support. 'If anyone takes it upon himself to attempt this, he should know that he will incur the wrath of the omnipotent God and of the blessed Peter and Paul, his apostles.'<sup>146</sup> Both Archbishop Alberic of Rheims and Bishop

<sup>141</sup> Ibid., Appendix nr. 3, pp.163-64.

<sup>142</sup> Ibid., nr. 62, pp.100-2, p.100; Appendix, p.391.

<sup>143</sup> Ibid., nr. 88, p.122.

<sup>144</sup> Ibid., nr. 62, p.101.

<sup>145</sup> Ibid., nr. 48, pp.88-89.

<sup>146</sup> Ibid., nr. 61, p.99; trans. Ciuca; Appendix, p.392.

William of Langres added their further ecclesiastical support.<sup>147</sup> Yet there were key differences between the crusader-specific protection and Blanche's privilege. The secular rulers were the driving force, while Innocent provided a prop to an existing situation. In effect, the countess was the opposite of the crusader; she was under the protection of a secular defender with the added guardianship of the pope.

Blanche faced a credible threat to her son's inheritance in Erard of Brienne; the countess retaliated strongly and harshly to his claim to Champagne by seizing the count's fiefs and imprisoning him.<sup>148</sup> She also operated through the courts, setting inquests in motion to declare both the marriages of Henry and Erard invalid.<sup>149</sup> Blanche has recently been described as acting illicitly because Erard had, perhaps cynically, taken the cross.<sup>150</sup> At first glance the crusade privilege granted to Erard was inadequate. Rather than protecting the crusader, Innocent III supported the countess.<sup>151</sup> We must remember that Erard's actions contravened papal and royal defence over Blanche. Innocent could not uphold both pledges. Erard's rights were effectively superseded by what has been termed Innocent's 'unwavering papal support for Blanche' and the pope issued interdicts and excommunications that further eroded Erard's attempts at baronial rebellion, although it did not prevent a Champenois civil war between 1216 and 1218.<sup>152</sup> Erard, moreover, had attacked the countess, and thus she was entitled, under feudal and ecclesiastical law, to imprison him and his accomplices.<sup>153</sup> Erard was thus unlikely to elicit papal sympathy for a cause the pope had already taken a stand against.

Despite these extenuating circumstances, Bird cited Erard's case as the prime example of the secular experience of the protection privilege. She concluded that the best defended crusaders were those who had access to legal advice and previous ties to the ecclesiastical upholders of the protection. She argued that in the twelfth-century

<sup>147</sup> *Ibid.*, nrs. 38, 65, pp.79-80, pp.104-5.

<sup>148</sup> Perry, 'Briennes in East and West', p.66.

<sup>149</sup> Evergates, 'Aristocratic Women', p.83.

<sup>150</sup> Bird, 'Crusaders' Rights Revisited', pp.143-44.

<sup>151</sup> *Ibid.*, p.144.

<sup>152</sup> Evergates, 'Aristocratic Women', p.84; Perry, 'Briennes in East and West', p.66.

<sup>153</sup> Bird, 'Crusaders' Rights Revisited', p.145.

collaboration was ‘highly conditional and intensely informed by previous joint action ... of groups with ill-defined rights’.<sup>154</sup> In reality, Erard’s case was far from typical and not the best example of papal protection. Ecclesiastical and secular alliances were not always based on a longer-standing relationship, as evidenced in chapters four and five. Thus a broader view of the workings of the protection and secular experience is required. This privilege appears to have been much more readily understood in the twelfth and thirteenth-century than Bird allows. The confusion that pervaded the first known case of this status back in 1106 suggested an inauspicious beginning, but such problems did not feature in the later twelfth and thirteenth centuries. In contrast, over fifty years earlier than Erard, Eugenius III had fulfilled his pledge in a case that was far clearer. We have seen throughout this and earlier chapters that the protection was plainly understood in this period and earlier. If we can see that the privilege was both recognised and in operation before 1106 we might reasonably suggest that this was equally so during Bird’s example, a fact that would preclude some of her claims about the papal protection privilege. The charges levied by Bird that even in this period, the protection privilege was amorphous and ambiguous, seem inaccurate outside the example of Erard.<sup>155</sup>

### Wardship and the Fifth Crusade

Innocent died in 1216 before the Fifth Crusade came to fruition. His successor, Honorius III, inherited a crusade with no obvious leader, which proved to be a campaign marked by disputes between the legate, Pelagius of Albano, and King John of Jerusalem. The crusade’s onslaught against Egypt proved ill-fated, despite prophecies of resounding success. This crusade, like the Fourth Crusade, had no French royal participant, a situation that facilitated Philip Augustus’ increased involvement in at least one crusade regency, perhaps surprising given his dubious

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<sup>154</sup> Ibid., p.148.

<sup>155</sup> Ibid., p.134.



record at upholding the interests of crusaders and their heirs. Raoul, viscount of Saint-Suzanne made his son a ward of Philip Augustus before the former departed on the Fifth Crusade in 1217. The viscount's charter stated: 'before I take up the journey of going to the land of Jerusalem I will give my first born son into the custody of the lord king and William of Roches, the seneschal of Anjou'.<sup>156</sup> Wardship was confirmed by both king and seneschal; the latter swore an inviolable oath to act as the custodian of Raoul's son.<sup>157</sup> This demonstrates one crusader's reliance on both papal and royal protection, a policy which perhaps reinforced the bonds between the crusader, the king, and the seneschal. In need of more immediate and close custody of his son he sought the strongest secular powers available to guard his lands and heir. However, the significance of this case should not be overstated because this charter details what appears to be a rare example of wardship and crusader-specific protection coinciding.

### Conclusion

Just as they had during the 1170s, Philip of Flanders and Henry of Champagne markedly escalated the scale of their implementation of justice before they departed on crusade. Law-giving, in Flanders particularly, took on a more pronounced role with the express proviso that laws could not be changed without Philip's approval. His regents did not have the requisite authority to alter his legal apparatus, ensuring both loyalty and security in his absence. The fact that in 1190, the year of his departure on the Third Crusade, a large number of acts relating to Church defence were published must be explained at least in part by his imminent absence. He pushed his role as defender of the Church to the forefront of his government and the prominence of peace highlighted the need for political stability in difficult times.

Equally the association of regents in acts immediately before the departure of a count has been identified as a recurrent policy designed to bolster their long-term

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<sup>156</sup> *Layettes*, vol. 5, nr. 1197, p.438; trans. Kleineke and Park; Appendix, p.392.

<sup>157</sup> *Ibid.*, nr. 1201, p.439.

effectiveness and to give the regents invaluable experience in the mechanics of government. Moreover, the survival of evidence makes it difficult to describe the contact between regents and crusaders as a trend, but it remained important; both Philip and Henry continued to issue instructions to their regents. The Third Crusade resulted in clear exploitation of the crusader protection privilege. Philip of Flanders' death removed the crusader-specific papal protection over the county and led to Philip Augustus' invasion of Flanders. Consequently, both Baldwin of Hainault and Matilda were forced to take up arms to regain their inheritance.

Finally, this chapter considered the experience of royal crusade regents. The participation of two kings and an emperor on the Third Crusade created a tradition of royal crusaders. In their kingdoms, law-giving, as it did in contemporary Flanders, took on a markedly greater significance. Philip Augustus followed in Louis VII's footsteps by establishing tripartite regency, albeit with a more secular flavour than his father's appointments. It was also more family-orientated. The French king made it clear how each element of the crusade regency government was to function. The regents represented the highest available authority which could not be challenged for any crime by the bailiffs. Additionally, a fortification programme was established which meant that Philip Augustus left his kingdom under an enhanced legal and physical protection. This can also be seen in the regency charters which were presented in the king's name to heighten their legitimacy, and to reinforce the status of his representatives as his proxies rather than rulers in their own right.

No troubles took place during Philip Augustus' absence – a clear contrast to his contemporaries Philip of Flanders and Richard I. The fact that Philip Augustus was a prime instigator of the problems of both of these men did not go unnoticed by contemporaries and reveals the failings of papal protection. Yet it did not reflect an inherent flaw in the papal protection; it is worth remembering that Richard was exploited by those he left behind as his crusade regents.<sup>158</sup> The protection privilege should also be measured by its successes. Eugenius III coped with the absences of two

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<sup>158</sup> Gillingham, *Richard I*, pp.228-29, pp.235-40.

kings – Conrad and Louis - and did not shy away from his promise in comital cases. A pledge this broad was always open to exploitation, and it was a challenge to maintain that level of protection across the board. Richard I's case dominated papal and secular protection when the next generation of crusaders took the cross, probably because it served to emphasise not only the limits of papal protection, but also the intrinsic problems of regency governments. Crusade regencies at this time were possibly informed by the high-profile capture and ransom of Richard I and his brother's attempted usurpation of the English throne; all direct violations of his rights as a crusader. The papacy had not maintained its side of the bargain. Celestine III and Innocent III were apparently less successful in upholding their promises than their predecessor Eugenius.

We have seen that the pressures created by a crusader's absence required a secular protector in addition to the papal privilege. In Flanders, Count Baldwin was Richard's former ally and a threat to the king of France, although in 1196 the count pledged to submit himself to the royal court in the event of any further dispute between them. By 1200 it seems that the French king had the upper hand because Baldwin ceded Amiéns, Artois, Saint-Quentin and Péronne to Philip Augustus.<sup>159</sup> Thereafter, the French king's exploitation of Philip of Namur's regency was apparently an underhanded means to gain ground in Flanders. Philip of Namur, as the French monarch's vassal, had few options. By making Baldwin's heirs wards of the king of France, the count demonstrated an inability to retain Flemish autonomy. In contrast, deprived of crusader-specific protection Blanche of Navarre made her children wards of the French king, yet she retained independence in her policies, most notably her expansion of Champenois influence. When Blanche of Navarre required protection after her crusader husband's death, it is noteworthy that she turned to both the French king and the pope to defend her son's interests. The value of Innocent's promise of guardianship can be seen to the extent that Blanche defied the crusader-specific protection over Erard of Brienne. Equally, one crusader left his first-born son

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<sup>159</sup> Hallam and Everard, *Capetian France*, pp.168-70, p.215.

in Philip Augustus' custody in what may have been an escalation of the trends noted under the counts of Champagne, where vassals looked to their feudal lord.

### **Conclusion: The Political Impact of the Departure of the Crusaders**

The central concerns of this thesis were to establish the origins, form and development of the papal protection put in place over crusaders and their families and possessions. It has also sought to assess the impact and effectiveness of such legislation in a series of regional case studies. Chapter one illustrated that the privileged status extended over crusaders' families and possessions was considerably greater than that accorded to pilgrims. The crusade protection privilege went beyond the security of pilgrims and their goods and inaugurated a process whereby for the first time, the protection of families, goods, and lands left behind was entrenched in legislation.<sup>1</sup> To explain this clear division between pilgrim and crusader we should look to papal motives behind the escalation of such protection. The pope must have been well aware of the potential political impact of the crusaders' long-term absence. As part of his appeal Urban needed to address material and temporal concerns as well as appealing to the crusaders on spiritual grounds. Material loss and political impediments to departure formed key concerns when a pope called on the ruling classes to leave behind home and family. A need to foresee and to counter these issues can be perceived in the pope's decision to increase the scope of papal protection.

From the outset of the crusade the protection offered to participants was presented and perceived as separate from any similar privileges associated with pilgrims. Contemporaries such as Ivo of Chartres were aware that Urban II had established a new institution which required its own legislation. Urban had adapted the privilege of the crusade's closest relative - pilgrimage – most notably in the extension of the parameters of the Peace and Truce of God to crusaders. Yet Urban had also innovated where necessary. This was especially evident in his creation of a crusader-specific Truce and Peace that encompassed not only crusaders but also their families, lands and possessions. Thus he attempted to strike the right balance with

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<sup>1</sup> The question of what happened to wives who went with their husbands is an important one which I intend to research in the future, but it is outside of the scope of the present study, and would require separate treatment in a dedicated article.

potential crusaders by coupling promises about the security of their homes and families, together with the spiritual attractions on offer to those who took the cross.

Urban's contribution dominated the next generation of crusade privileges. His immediate successor Paschal II had no ambition other than to follow Urban's programme, although under Calixtus II and particularly Eugenius III the papal crusading privileges continued to be developed, a process that clarified the basic formula of crusader-specific protection established in 1095. Thus evolution is a more accurate assessment of this period, rather than the more dramatic construction that Tyerman claims.<sup>2</sup> It was Eugenius' model of protection that profoundly influenced Innocent III's measures. During Innocent's pontificate the approach to crusade protection was one of adaptation, not the innovation suggested by certain current scholarship.<sup>3</sup> The emphasis on the novelty of Innocent establishing a timeframe for crusading is overstated.<sup>4</sup> The fact remains that as early as 1095 outlining the duration of the protection had been standard practice, particularly after 1145 when Eugenius III decreed that papal protection would continue until there was absolute knowledge of the crusaders' death or return. The length of protection was extended as experience of crusading increased, which is symptomatic of learning from the duration of a crusade and the subsequent need to incorporate this into legislation. This is further evidence of the clarification of existing measures rather than innovation.<sup>5</sup> The uniformity of language in the protection privilege also suggests that the originality of Innocent's contribution should be downplayed, particularly in light of the actions of his successor. Honorius deliberately returned to Eugenius' formula, which would suggest that he (Honorius) had the capacity and inclination to reinforce earlier precedents at the expense of Innocent III's supposedly innovative phrasing. This is significant given that Rist has argued that Honorius and his curia relied on Innocent's language when encouraging and organising the Albigensian Crusade.<sup>6</sup>

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<sup>2</sup> Tyerman, *England and the Crusades*, p.218.

<sup>3</sup> Constable, *Crusaders and Crusading*, pp.162-63; Tyerman, 'Were There Any Crusades', pp.553-77.

<sup>4</sup> Cole, *Preaching*, pp.81-83.

<sup>5</sup> Eugenius III, 'Überlegungen zum Kreuzzugsaufruf Eugens III', p.91.

<sup>6</sup> Rist, *Papacy and Crusading in Europe*, pp.84-89.

Likewise, Innocent's marriage of the ecclesiastical protection privilege and the use of mainly secular regents should be recognised as confirmation of an existing situation, rather than an innovation.<sup>7</sup> Despite the fact that Innocent III placed the secular and spiritual guardians on an equal footing and put considerable stress on encouraging non-combatants to participate more actively in the crusades, his emphasis on crusade regents working in tandem with the papal protectors was new only in terms of it being the first papal statement of such a provision.<sup>8</sup> This raises the question of why Innocent chose to recognise it formally in *Ad liberandam* (1215). Potentially it represented a response to crusaders' complaints, and the need to provide clarification to help sustain protection in both ecclesiastical and secular spheres. It did not, nevertheless, alter the framework of the protection to any great extent.

A further research aim of the thesis was to reconstruct Flemish and Champenois crusade regencies and to assess the roles of regents before, during, and after these episodes. The opportunity to rule alongside their husbands, in the cases of Adela, Clemence, Sibylla, Marie and Matilda was already in place. The long-term absence of lords on crusade required credible, capable crusade regents. The fact that these women apparently had some prior experience of comital government alongside their husbands suggests that the opportunity for female power in Flanders and Champagne was already there. Thus the crusade extended an existing opportunity but did not furnish it outright.

This investigation also considered the secular experience of the papal crusade protection privilege, beginning with the discussion of an unsuccessful (pre-crusade) regency in order to provide a context for the starting point of temporal protection, namely the installation of a regent. Having considered the case of Agnes of Poitou we might be excused for assuming that the ideal regent was not a woman. The political ramifications of regents in power, taking Agnes' case in particular, highlighted the problem of rebellion; women seemingly were at a disadvantage because their gender

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<sup>7</sup> 'Ad liberandam', p.269.

<sup>8</sup> Ibid.

excluded them from battle.<sup>9</sup> Yet, in the counties of Flanders and Champagne we have seen that Clemence, Adela, Sibylla, Marie and Matilda were proven and able countesses who acted as rulers, and Sibylla led troops even if she did not fight alongside them. Their husbands had also left behind trusted men, but as the example of Agnes demonstrated (albeit in somewhat different circumstances) that was not enough to prevent disorder. We have seen that female regents and young male regents acted as comital lords – and had to – because absent lords could be exploited.

Crusades provided opportune moments for the exploitation of absence through rebellion and invasion. Ivo of Chartres reacted to such potential troubles by promulgating Urban's Peace of God, also proclaimed at Clermont in 1095, on multiple occasions and by demanding the involvement of Stephen of Blois to ensure that the Peace was maintained.<sup>10</sup> The bishop represented a prime example of the papal pledge in action. Reconstruction of these regencies reveals the day-to-day business of both the spiritual and temporal duties incumbent upon regents – issues often inextricably linked. In the case of the former, regency entailed the filling of vacant sees, Church reform, and the donation of relics and lands. With regards to the secular measures, the three Flemish women, Clemence, Sibylla and Matilda, had to face rebellion and invasion. Such events reveal the worst possible circumstances for a regent, the most marked demonstration of the impact of the absence of crusaders, namely invasion and uprising. The fact that these women were able to deal satisfactorily with the effects of their husbands' crusades was a significant achievement.

This study also presented an opportunity to determine how the spiritual and secular spheres co-operated in the protection of those left behind. While Adela, Clemence, and Sibylla all acted in conjunction with prominent churchmen to bolster their rule, authority ultimately rested with these women. These relationships fit better with the context of continuity of government rather than a reaction to new female

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<sup>9</sup> Evans, “Unfit to Bear Arms”, pp.45-58.

<sup>10</sup> *PL 162*, nr. 76, cols.97-98, nr. 111, col.129, nr. 86, col.107.



rule. It is plain that in terms of the secular preparation and protection of families and lands, the onus was on the regents. It does not seem coincidental that in many cases counts chose crusade regents who were taken under the crusaders' privileged status via their positions as wives, sons and members of their families. Thierry did not apparently repeat his peace charter of 1138 before his departure on the Second Crusade, plausibly because he was aware of the protection stated in *Quantum praedecessores*.<sup>11</sup> Likewise, this papal protection was used by Sibylla to broker peace, evidenced by her appeal to Eugenius III and his settlement of her case at the Council of Rheims in 1148.<sup>12</sup> Regarding the authority and political longevity of these regents, it is striking that, excluding the non-survival of the evidence, their charters were rarely reissued by their husbands, which may be indicative of the authority these regents possessed and might indicate that their decisions were largely accepted.

The importance of experience for a potential regent was not limited to females in power. Thierry's association with his son Philip in charters demonstrated the comital pattern of what, at times, appears tantamount to a theoretical co-rule with wives and sons. This was an earlier trait in Champagne with Adela of Blois and also in Flanders under Countess Clemence and gave crusade regents, both male and female, valuable insight into the mechanics of comital rule. The importance of issuing laws and customs before departure should also be recognised, a trend that was particularly notable under Thierry during the regencies of Philip. A further safety measure was noted by Lambert of Waterlos, who placed considerable stress on the pledge of loyalty to Thierry and Sibylla before their departure in 1157.<sup>13</sup> An oath of security from the Flemish nobles who remained at home was of considerable importance, probably because Philip was so young. The need to receive sureties from the men left behind took on another dimension in later decades because Philip had no children of his own and the succession had to be settled before his departure.<sup>14</sup>

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<sup>11</sup> *De Oorkonden der Graven, Band 1*, nr. 90, p.150.

<sup>12</sup> Lambert of Waterlos, p.517.

<sup>13</sup> *Ibid.*, p.531.

<sup>14</sup> Gislebert of Mons, *Chronicon Hanoniense*, pp.121-22.

Strikingly, in both his regencies, Philip was associated with some of Thierry's most trusted men, both secular and ecclesiastical, several of whom had aided his mother during her regencies. To prevent the exploitation of absent crusaders, crusaders had to take into account the officials whom they left behind. The centrality of these men to the ruling regent exhibits the importance of installing those who could be trusted. Thierry's concerns were apparent in both paternal and political anxieties; his fears encompassed injury to Philip, and possible exploitation of the regent's youth. This was to have further implications in Philip's regency, because one charter suggested that several castellans and other powerful men frustrated his decisions when their machinations ran counter to the regent's donations.<sup>15</sup> The officials who remained in the West could also benefit the regent, thus in 1177 Philip left Flanders in the care of his barons and Baldwin of Hainault, his heir.<sup>16</sup> Gilbert of Mons revealed that loyal Flemish nobles who remained in Flanders, such as Roger of Wavrin, continued to play a crucial role in supporting the regents.<sup>17</sup> Alongside the established methods of selecting regents and relying on loyal men, Philip of Flanders has been credited with major advances in the legal institutionalisation of Flanders. Similar measures have been attributed to Count Henry in Champagne, developments that surely reflect the context of preparation for absence. We have identified that peace legislation and truces took on added significance in the build-up to the recruitment of crusaders. The importance of these measures reflected both papal and secular trepidation regarding long-term absence, because it was not in the interest of either side to leave lands and families vulnerable and unprotected. Additionally, this may point to secular recognition that papal privilege was not a panacea. Temporal buttressing of the spiritual protection appears to have been a critical consideration. Secular guardians were well-equipped with the vital governmental tools of signatures and seals. As we have seen, seals and signatures took on special significance for the regents.

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<sup>15</sup> *De Oorkonden der Graven, Band 1*, nr. 175, pp. 277-78.

<sup>16</sup> Gislebert of Mons, *Chronicon Hanoniense*, pp.121-22.

<sup>17</sup> *Ibid.*, p.122.

It is evident from the surviving documents that Thierry rarely reissued his regents' charters, except at the express instigation of the recipient.<sup>18</sup> Yet even in these circumstances the recipient did not seem unhappy at the decision, but wanted confirmation once the count had returned. The decisions were not revoked or even amended, just reissued in the count's name. Thierry made no distinction between female and male regents in this regard. The earlier precedent provided by his limited confirmation of Sibylla's charters suggests that his lack of reissue of Philip's charters did not, in itself, imply (as Nicholas suggests that) Thierry was apathetic towards Flanders after Sibylla retired to a convent in the Holy Land.<sup>19</sup>

Another strand of this study was to investigate whether the regents were equal to that task. For both Flanders and Champagne an affirmative answer can be given, at least until Baldwin of Flanders' elevation to the throne of Constantinople in 1204 removed papal protection over his daughters Joanne and Marguerite, the heiresses to his county. Philip of Namur, their uncle and regent, committed them to the French throne as wards of the king, thus Count Philip had no other choice but the one presented to him by the king of France. Compared to the crusader-specific protection, wardship entailed a greater dependence on royal will and thus was open to abuse in a way that papal protection was not, as evidenced by the cases of Joanne and Marguerite. It is noteworthy that Philip Augustus was only fully able to implement his strategy after Baldwin of Flanders' death, and it is likely that such an attack on Flemish liberty would have been inconceivable prior to this. Yet Philip of Namur's regency can hardly be viewed as a success; the count has been described as 'a weak figure and an outspoken Francophile... [who] permitted encroachments on the authority of the counts.'<sup>20</sup>

Thibaut of Champagne died before his departure on the Fourth Crusade, leaving behind a daughter and a posthumous son. His widow, Blanche of Navarre, fared far better in her dealings with the French king. As a result of the royal wardship

<sup>18</sup> *De Oorkonden der Graven, Band I*, nr. 50, pp.87-88.

<sup>19</sup> Nicholas, *Medieval Flanders*, p.71.

<sup>20</sup> Nicholas, *Medieval Flanders*, p.151.

of her children Blanche received the crucial royal protection that she had sought for her son's contested inheritance. During his minority, Blanche ruled Champagne in her own right and her policies show that she was not overly dependent on Philip Augustus. Her case also reveals the potential and inherent problems of wardship. We have seen that when the crusader-specific protection was withdrawn, wardship was the only option. However, the latter removed key freedoms from the families of these wards and placed considerable power in the hands of Philip Augustus. It is likely that Blanche looked to the pope to establish an extra level of protection over her son, and when in place this also gave her an exceptional status that Innocent III and Philip Augustus could not ignore during their dealings with Erard of Brienne. The Fifth Crusade also allowed for further consideration of wardship; one crusader, the viscount of Saint-Suzanne, sought out Philip Augustus to take the custody of the count's first-born son.<sup>21</sup> Nonetheless, wardship was not up to the standard of the privilege that the pope offered to crusaders which was markedly more comprehensive.

This study also explored the impact of kings taking part in crusade and the consequences of that absence for papal and royal protection. This followed the pattern established by comital crusaders but, self-evidently, the stakes were higher; the papal protection extended over an entire kingdom. In keeping with the status of these royal crusaders, during the Second Crusade the pope engaged in close correspondence with the French regent, Abbot Suger of St Denis and the regents for the Holy Roman Empire, Abbot Wibald of Stablo and the young King Henry. It is tempting to suggest that Eugenius was far more effective than his illustrious successor Innocent III in maintaining the guardianship that he offered. Innocent famously incurred the wrath of Richard I through his failure to recover the latter's ransom regardless of the king's protected status as a crusader.<sup>22</sup> Despite problems in uniformly implementing papal protection it is evident that exclusive reliance on the secular sword was not desirable. From the outset of the movement contemporaries identified a need to combine the

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<sup>21</sup> *Layettes*, vol. 5, nr. 1197, p.438.

<sup>22</sup> See above p.263.

secular sword (namely their own methods and defenders of their lands) alongside the crusade protection privilege.

Unsurprisingly, kings required regents to be experienced in administration and government. Louis VII chose Abbot Suger of St Denis, Archbishop Samson of Rheims, and Ralph of Vermandois to ensure the balance of power between ecclesiastical and secular spheres. Philip Augustus installed his mother, son, and the archbishop of Rheims. In addition, he stressed the role of the bailiffs, introducing the lesser nobility into the regency and thereby demonstrating his mistrust of his mother and uncle. The king also emphasised the role of each of these individuals in governing the kingdom during the crusade. Thus, what appears to be two separate methods of regency does, on closer inspection, fit a clear pattern of ensuring the inclusion of both secular and ecclesiastical sides of government. There is, in fact, marked continuity in the policy of the crusading kings of France, namely appointing crusade regents representative of the two swords.

It emerges from detailed analysis that the kings of France, in contrast to their comital counterparts, were far more concerned to include both spheres of government. It is worth suggesting that this reflected the Church's important role in administering a kingdom and upholding the sacral role of the king, it was more pointedly a reaction to the king's absence and the need to ensure that the protection was upheld and the kingdom stabilised while the monarch was away on crusade. The comital regencies from Flanders and Champagne cast this into sharp relief; wives, male heirs, and mothers were the most common appointees. This ensured that regents followed established policies and already had some grounding in politics. The ecclesiastical side was provided, almost exclusively, by the papal crusader-specific protection pledge. Unofficially, prominent churchmen took on roles as advisors to the regents, for instance Lambert of Arras, Ivo of Chartres and Milo of Th rouanne to name the most significant, but they were not co-regents in any sense, and their advice was both sought and dismissed in more or less equal measure because they had no official role in the crusade regencies.

The kings' preparations were different from each other, but an attempt was made on all of the occasions discussed here to place both the secular and spiritual guardians on an official and equal footing. This establishment of ecclesiastical and secular royal regents operated on a much more stringent basis – justifiably so because the stakes were raised and the level of protection sought increased accordingly. Yet the papal protection remained the same over both county and kingdom. The papacy only ever prescribed excommunication as the punishment for those who infringed of the crusaders' protection privilege; warfare and secular sanctions had to come from the temporal authority. Hence the trend noted in law-giving before the kings' departure, a policy especially plain under Philip Augustus and Frederick Barbarossa. To maintain the *status quo*, royal crusaders made the scale and scope of their regents' authority clear to their subjects.

These measures could not entirely eliminate the exploitation of royal departures on crusade. Yet, in the main, royal regents continued to uphold the *status quo* of the crusader kings and in the case of France no irreparable harm was done to the kingdom. In direct contrast, Richard I's regency government was compromised by the behaviour of his crusade regent the archbishop of Ely and Prince John, whose individual and separate attempts at self-aggrandisement undermined the crown in both England and Normandy.<sup>23</sup> Likewise, Henry VI, the regent for Frederick Barbarossa, was forced to take up arms against Henry the Lion who had violated his three-year exile by invading the emperor's territories.<sup>24</sup>

Finally, in order to determine the overarching success of the papal protection pledge, we must acknowledge that, in a sense, the papacy had promised more than it could deliver in taking all the crusaders' lands and families and possessions under its protection. Such an undertaking was over-ambitious because, as the spiritual sword, the papacy could only prescribe ecclesiastical sanctions for those who infringed the crusaders' protected status. The limitations of these weapons were already apparent.

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<sup>23</sup> Gillingham, *Richard I*, pp.228-29, pp.235-40.

<sup>24</sup> Jordan, *Henry the Lion*, pp.188-92.

The First Crusade took place when the king of France was an excommunicate for his refusal to put aside another man's wife. Thus excommunication, the ultimate weapon behind the papacy's crusader-specific protection, was flawed. In the end, just as it was with crusade regencies, it was largely down to individual popes and regents to ensure that the protection functioned. Clearly some popes were better equipped than others to see this protection through, but that did not detract from the value of these measures as an added attraction to take the cross, nor as a bolster to the status of those left behind. Thus, in conclusion, the papacy's contribution to the protection of crusaders, their family and their property was important. The secular might exerted by regents was a further potent weapon in maintaining the security of crusaders' possessions, but it was not infallible. We should not present a purely negative view. During the Second Crusade, the papacy made numerous references to excommunication thus demonstrating that the policy was vigorously executed in France and Germany. Yet while Eugenius appears to have set the standard, this study has shown that the crusader-specific protection could be effective throughout the period under analysis here. As such, we should reassess our impression of this privilege; it was not as amorphous, ambiguous and unrealistic as historians have previously claimed.<sup>25</sup>

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<sup>25</sup> Bird, 'Crusaders' Rights Revisited', p.148; Tyerman, *Invention*, pp.20-28.

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