

Hesso, scholasticus of Reims, *A brief description of how the case between the king and the Lord Pope began and proceeded*, translated by W.L. North from the edition of W. Wattenbach in *MGH Scriptores XII* (Hannover 1856), pp. 423-428.

There came to the King¹ at Straßburg the bishop of Châlons² and the abbot of Cluny³ who were going to negotiate with him concerning peace and concord between the kingship and the priesthood. When the King sought counsel from them as to how he could do this without diminishing his kingship, the bishop responded by recounting a story about himself:

Lord King, if you desire to have true peace, it befits you to give up the investiture of bishoprics and abbeys completely. But that you may know for certain that there is no diminution of your kingship in this, know that I, after having been elected bishop in the kingdom of France, received nothing from the hand of the king either before or after the consecration. Nonetheless, with regard to the tribute, military service, taxes, and everything which pertained to the republic in antiquity but was given by Christian kings to the Church of God, I serve him as faithfully as the bishops in your kingdom serve you. Yet by investing them, you have hitherto incurred this dissension, nay the sentence of anathema.

At this, the King raised his hands and gave this response: *Well then, let it be so! I seek no more.* Then the bishop added:

If, then, you wish to give up investitures, restore the possessions of the churches and of those who have labored on behalf of the Church, and give them true peace, we shall, with God's help, work to put an end to this strife.

After their counsel had been shared with his men, the King promised that he would carry out all these things, if he would find [good] faith and justice in the Pope's presence, and he and his men would receive true peace and the possessions which they had lost because of the war.⁴ When this was heard, the bishop asked that he be made certain about the named articles both in order that their labor not be in vain and in order that they might more easily incline the lord Pope to carry out the peace. Then the King, with his own hand in the hands of the bishop and the abbot,

1 Henry V.

2 William of Champeaux, Peter Abelard's famous teacher and later scholarly rival.

3 Pontius.

4 I.e. the civil war that had raged between pro-papal and pro-imperial factions.

with the Christian faith as their witness, affirmed that he would carry out the aforementioned chapters without fraud.

After him, the bishop of Lausanne (Gerard), the count palatine (Godfried of Calwe), and the rest of the clerics and laymen who were with him affirmed this in the same way. Having received this surety, the bishop and the abbot encountered the lord Pope in Paris and faithfully intimated what they had seen and heard. Applauding them, the pope responded: I wish that it had already be done, if it could be done without fraud. As soon as this counsel had been shared with the bishops and cardinals, he sent them back to the king along with the bishop of Ostia and Gregory, cardinal *ex latere*, in order that they might work out more carefully the aforementioned articles, and confirm what was written on both parts; and if [the King] wished to carry out these things as he had promised, they might name the day on which these [articles] might be completed before the end of the council. Coming to him, they met [the King] between Metz and Verdun; they told him that the lord Pope would willingly receive him if he wished to carry out what he promised. As if he were joyful over this, the king again affirmed there with his own hand in the hand of the bishop of Ostia, Cardinal Gregory, the bishop of Châlons, and the abbot what he had previously affirmed at Straßburg in the hands of the aforementioned men, namely that on the following Saturday, i.e. 24 October, in the presence of the lord Pope at Mouzon, he would faithfully execute without any fraud the articles which are contained in the following text. After him, the following men swore the same thing: Duke Welf, Count Berengar, the count palatine, Count William, and the other princes, bishops, clerics, and many laymen. He also demanded from our people that it be likewise confirmed for him that if he remained in [the agreement], then on that very day the lord Pope would fulfill what was contained in his own text. The text of the agreement was this:

I, Henry, august emperor of the Romans by the grace of God, out of my love for God, the blessed Peter, and the lord Pope Calixtus, give up all investiture of all churches and give true peace to all those who, from the time this strife began, have been or are at war for the Church's sake; furthermore, the possessions of the churches and of all those who have labored for the Church which I now hold, I return; what I do not hold, I shall help them faithfully to reacquire. And if a dispute should arise from this, let things ecclesiastical be settled by canonical judgment and things secular by secular judgment.

Likewise, the text of the Pope:

I, Calixtus II, catholic bishop of the Roman Church by the grace of God, give true peace to Henry, august emperor of the Romans and to all who were or are with him against the Church; their possessions, which they lost because of this war, I return those that I have; and those I do not have, I shall help them faithfully to reacquire. And if a

dispute should arise from these, let things ecclesiastical be settled by canonical judgment, and things secular by secular judgment.

And so, when this surety had been given and received, they swiftly returned to the lord Pope at Reims, reporting before the council what they had done and what they had received from the king and his men, and indicating the day and place of the discussion. The lord Pope, sitting in general council at Reims on 20 October, exhorted them, [saying] among other things:

My lords, fathers, and brethren! This is the reason why we have summoned you to this council from far-off lands and distant regions. You know how long the Roman Church has labored against various heresies. And just as Simon magus perished, having been cast out of the Church of God by the judgment of the Holy Spirit through the blessed Peter, to whom the Lord said especially: "I have prayed for you that your faith not fail and you, in turn, confirm your brethren," so until our time he has not ceased to fight against the followers of Simon and to eliminate them from the Church of God through his vicars. And since, whatever else I may be, I am his unworthy vicar, I desire in every way to eliminate from the church of God, with God's help and your support and counsel, the heresy of simony which has been renewed against the Church of God through investitures. Whence, if it pleases, may you listen to the order of the case from our brethren who have brought words of concord between us and the King, called German. And because this cause belongs to all, may each one of you attend to the more prudent counsel in his own way.

Then the lord Pope enjoined the bishop of Ostia to explain the order of the case to the entire council in Latin. After the bishop of Ostia had stated the entire case with prudence, by order of the lord Pope, the bishop of Châlons expounded the same things to clerics and laymen in their mother tongue. When this was finished, [the Pope] proposed many articles (capitula) that day and put off all things to be completed until the end of the council. The next day, after the council of bishops had decided that the lord Pope should agree to the day of meeting for the sake of composing the peace and, whether that man [the King] was acting in good faith (in veritate), should try to compose the peace on his own, that day, around the end of the council, the lord Pope continued:

My lords, fathers, and brethren! You know how long our mother, the holy Church, has labored in [the person of] our fathers against the heresy of simony, especially that which occurs through investitures. And because it pleased omnipotent God to offer peace to his church in our days and because now the approaching day of the meeting

compels us to go to that place tomorrow, you may proclaim the highest joy to the entire world. But if, God forbid, he should try to deal with us treacherously as an adversary, we shall swiftly return to you. And just as we wish to confirm the peace agreement with you and through you, if it comes about, so if [the King] loses faith and escapes, we shall try to strike against the inventor of fraud with your judgment and that of the Holy Spirit.

After he had enjoined this upon the archbishops, bishops, and abbots with the pledge of obedience, he also ordered that in the meantime, and especially on the day of the meetings, they offer up to God psalms, prayers, and spiritual sacrifices, and they proceed from the cathedral church of Reims to the church of the blessed Remi in procession with bare feet.

And so, with the council dismissed in the meantime, on the Wednesday of the week the pope went forth to the place of the conference, and on the Thursday he barely arrived with the greatest effort along with many persons. On the Friday, after summoning to his chamber the archbishops, bishops, abbots, and the other wise men many of whom he had brought with him, he had read aloud before all both texts of the Concordat; and after the text of the king had been read out, the bishops began to work through it again with great care, especially that chapter where it was said: *I renounce every investiture of all churches.* They said:

If the king acts in a straight-forward manner, these words suffice; but if he attempts some bit of sophistry under this rubric, these words seem to us to require definition, lest perchance he tries either to claim for himself the ancient possessions of the churches or to invest bishops for them once again.

And in the text of the lord pope they worked through with great care that chapter where it was said: *I give true peace to the king and to all who have been or are at war (werra) with him,* lest perchance they understand in the peace to be given more than that the communion of the church would be restored; and whether on the strength of this wording the church would be compelled to receive those whom it could not receive without grave offense either because they had been superimposed over legitimate pastors or because they had been canonically deposed.

Then, when all these things had been worked through carefully, to the camp of the king were sent the bishop of Ostia, Cardinal John, the bishop of Viviers, the bishop of Châlons, the abbot of Cluny, and many others along with them, bearing the texts in their hands. When they arrived at the camp, they showed them the texts and clarified these chapters insofar as it had been defined by the shared counsel of all.

When he heard these things, the king at first denied completely that he had promised any of these things. At

that point, the bishop of Châlons, burning with the zeal of God and girded with the sword of the God's Word, answered for all:

If, lord king, you wish to deny the text which we hold in our hands and the understanding of it that you have heard, with the religious men who have been between me and you as my witnesses, I am prepared to swear on the relics of the saints or on the Gospel of Christ that you confirmed all that I have in my hand and that I received it from you with this understanding.

Once he was defeated by the testimony of all, he was finally compelled to admit what he had at first denied. Nonetheless, he complained grievously about them because, although he promised it on their advice, he was unable to carry it out without the diminution of his royal authority (*regnum*). To this the bishop offered the following response:

In what we have promised, lord king, you shall find us completely reliable. For the lord pope is not attempting in any way to diminish the status of the empire or the crown of the kingship, as some sowers of discord claim; to the contrary, he proclaims before all that in the provision of military service and in all the other things in which [the churches] customarily served you and your predecessors, they shall [continue to] serve in every way. But if you judge the status of the empire to be diminished in the fact that you are no longer allowed to sell bishoprics, you ought rather to hope it will be to the increase and profit of your kingship if you cast off for the love of God what is contrary to Him.

Since he could not respond to all this, [the king] began to offer milder words and to seek a delay until morning, saying that he wanted to confer with his princes on the matter that night and to bend their hearts to carrying out what had been promised, if he was able, and to renounce one of the two at first light.

With these words, the discussion ended that day. Our people returned to the lord Pope, reporting what they had found. Then, as though he were already despairing over the peace, the lord Pope decided early the next morning to go back to the brothers whom he had left at Reims; but on the advice of the count of Troyes and many others he was compelled to stay there on Saturday until almost the sixth hour, in order to plug the mouths of all his adversaries and take away the voice of accusation from all.

Early the next morning, the bishop of Châlons and the abbot of Cluny were again sent to the camp [of the king] to hear his response after the delay he had received. And when they had arrived there, just as he had done the

day before, the bishop presented the truth of the written text, with the attestation of an oath, saying:

Lord King, yesterday we could, in fact, have departed from you with justice, since we were prepared on the named day to receive your promise and fulfill ours. Yet, although you differred, seeking a delay until this day, we do not wish that so great a good not remain for us just because of an interval of one night, and [therefore] if you wish to fulfill your promise, the lord Pope is still prepared to fulfill in every way what he promised you through us.

Enraged, the king then began once again to seek a delay until he could hold a general colloquium with the princes of the realm, without whose counsel he did not dare give up investitures. [In response] to this, the bishop said:

Because, by so often seeking delays, you ignore what you promised to fulfill, there is nothing more [here] for us or for you; I am returning to the lord Pope. Having thus left without a farewell, he returned and announced what he had found. Soon, then, the lord Pope with his people moved on in the greatest haste to another castle of the count of Troyes. The King sent a messenger to the count, asking above all that he keep the lord Pope there on Sunday, promising that he was going to do in every way on Monday what he had refused to do so many times. When this [news] was conveyed to the lord Pope, after sharing this news with his people, he gave this brief response:

My brothers, out of my desire for peace I have done what I have never heard done by my predecessors. I left a general council which had already assembled and left many brothers almost forsaken. And coming to this man with great effort, I have not found the things of peace in him. Consequently I shall await him no longer but shall return to our brothers and to the council as quickly as I can. But if during or after the council God shall give true peace to us, I shall be prepared to receive and embrace it.

On Sunday therefore, before daybreak, [the pope] departed from that place and hastened to Reims with such speed that, after covering twenty leagues, he celebrated Mass on the same day at Reims where he consecrated the elect Liège as bishop. On Monday, sickened by his excessive labors, he barely entered into the council and had his departure, return, and the order of matter explained to the council. And so on that day he was silent. Detained no less by illness on Tuesday, he could not sit in council. On Wednesday around the sixth hour, he entered into the council, and on that day he received the proclamations of many persons until the ninth hour and debated many issues (*capitula*). From the ninth hour on, since he wished to conclude the council that day, he had the synodal decrees set forth and read in their midst.

Synodal Decrees

What has already been established by the decrees of the holy fathers regarding the wickedness of simony, we, too, confirm with the judgment of the Holy Spirit and the authority of the apostolic see.

1. If, therefore, someone shall sell or buy, whether in person or through some subordinate person, an episcopacy, abbacy, deanery, presbytership, archdeanery, priory, a prebend, altars, or any ecclesiastical benefice, promotions, ordinations, consecrations, church dedication, clerical tonsure, a seat in choir, or any ecclesiastical office, let both the seller and the buyer risk [losing] their office or benefice. And unless he repents, he shall, once pierced through with the sword of anathema, be cast utterly from the church of God which he has harmed.

2. We absolutely forbid the investiture of episcopacies and abbacies to be carried out at the hands of laymen. Any layman, therefore, who presumes to invest from now on, shall be subject to the punishment of anathema. Finally, whoever has been invested, shall lose the honor with which he was invested without hope of recovery.

3. We decree that all the churches' property which has been granted to them by the largess of princes or offering of the faithful shall remain undisturbed and inviolate forever. And if someone shall seize, usurp, or retain them with tyrannical power, he shall be wounded with perpetual anathema in accordance with the chapter of the blessed Symmachus.

4. No bishop, no priest, no one at all from the clergy shall leave behind to anyone as if by hereditary right ecclesiastical offices or benefices. In addition, we order that no fee whatsoever shall be demanded for the receipt of baptism, chrism, sacred oil, burial, and the visitation or anointing of the sick.

5. We furthermore forbid to priests, deacons, and subdeacons the cohabitation of concubines and wives. If any persons of this sort shall be discovered, they shall be deprived of both their ecclesiastical offices and benefices. And clearly if they do not correct their uncleanness, they shall lose Christian communion.

After many words were spoken against the heresy of simony and confirmed and praised by the harmonious

favor of all, it finally came to that decree whereby the investitures of churches were forbidden to laymen, in which the following was contained: *We absolutely forbid the investiture of episcopacies and abbasies to be carried out by the hands of laymen.* When this was read out, the disapproving roar of certain clerics and many laymen sound so loudly through the council that they spent the day until evening in heated argument. For it seemed to them that under this rubric the lord pope was trying to diminish or take away the tithes and ecclesiastical benefices which laymen had held since ancient times. Consequently the pope, to satisfy everyone, put off concluding the council on that day so that on the following day he might temper the decree with common counsel and might confirm it and the rest of the decrees that followed with the unanimous favor and authority of all. On Thursday he came to the council; before carrying out what he had proposed, he began the hymn of the Holy Spirit with devotion. And since it was sung by all with so much affection, the pope, once truly kindled with the flame of invisible fire, began in the fiery tongue from the Holy Spirit and preached wondrously, teaching [them] that the Holy Spirit is the highest good and the font of wisdom, understanding, and all discipline, and the bond of charity, unity, and concord. And after he ran through each of these things at greater length with everyone's admiration, he finally arrived at the matter at hand and said:

We know, dearest brethren, that your effort, with which you strived to come to us from such far-distant regions for the sake of the common freedom of our holy mother Church, has pleased God and the Holy Spirit, in whose strength and sanctification we are one in Christ. But because it pleased the Holy Spirit and ourselves, it displeased the Spirit of the Enemy who has searched out and found in every way collaborators in his wickedness to upset the harmony of your fraternity. For what else can we say, brothers, if you have come with so much labor and expense to the council when you were called but, when you return to your regions, you can bring back nothing, because you refuse to listen to us? Truly this is a sin against the Holy Spirit, a sin which, if one perseveres in it, shall not be forgiven him in either this world or the next, as the Truth attests which says: Whoever hears you, hears me, and whoever despises you, despises me.⁵ We also know that when the lord Jesus proposed to his disciples: Unless you eat of the flesh of the Son of Man and drink His blood, you shall not have life in you,⁶ many were scandalized, went back, and no longer followed him; so, too, yesterday, after we had proposed some measures for the freedom of the Church, certain faithless persons were scandalized. Therefore, we, too, say with apostolic authority: Whoever is faithless, let him depart and go home, and make way for the faithful to discuss ecclesiastical

5 Luke 10:16.

6 John 6:53.

*affairs and matters vital to the the Church's freedom. And to you who hold the place and office of the apostles in the Church of God, we say to you what the Lord said to the twelve: Do you, too, wish to leave?*⁷

After he had preached those words wondrously, he so shook the hearts of all and suppressed the voices of those shouting out against him that not one of them dared to open his mouth against the conciliar decrees which were then read. Nonetheless, the lord pope tempered the decree whence the uproar arose with wiser counsel and had it read to the council in this form: *We absolutely forbid the investiture of bishoprics and abbasies to be carried out by the hands of a layman.* Since this pleased everyone, they confirmed it along with all else that was read out with the judgment of the Holy Spirit and the authority of the Church.

Then 427 candels were brought in and, once lit, they were each given to one person, with bishops and abbots holding their stalves, and they all ordered to arise holding their candles. As they stood there, the names of the many persons whom the lord pope had proposed to excommunicate were read out. Among these the first named were King Henry and Burdinus, usurper of the Church of Rome, and they were solemnly excommunicated before the others and along with the others. With apostolic authority the lord pope also absolved all those who had sworn oaths to the king, from their fealty to him, unless he repented and did satisfaction to the Church of God. Then, once these matters had been properly completed, by the authority of the Father, the Son, and the Holy Spirit, he absolved and blessed all, and thus allowed each to return home. And this was the way he ended the council. What I have seen and heard, I have described faithfully and as briefly as possible in simple language.