Who Makes the Rules?

How a medieval power struggle shaped legal authority

AWH.C.10.5.A "Describe the clash between papacy and empire with regards to the development of law."

NAME _____ DATE _____

1 READ AND MARK

Read it twice

YOUR JOB Underline Henry's and Gregory's competing claims about bishops, circle actions each used to defend his claim, and number the two kinds of authority divided by the Concordat of Worms.

A Bishop, a King, and a Pope

1 In 1076, a dispute over a bishop's appointment became a fight over who could make binding rules in medieval Europe. German king Henry IV, later Holy Roman emperor, had long treated bishops as important officials. He wanted to choose them and give them symbols of office. Pope Gregory VII argued that lay rulers should not appoint church leaders. Bishops held church authority, he said, so their selection belonged to the church under its own rules, known as canon law. The disagreement was not just personal: if Henry could install bishops, royal practice would shape church government; if Gregory stopped him, church law could limit a king's power.

2 Gregory declared that Henry had lost his right to rule and excommunicated him, excluding him from the church. Henry challenged Gregory's authority and faced rebellion from German nobles. In 1077, Henry traveled to Canossa, where Gregory lifted the excommunication after Henry sought forgiveness. Yet the question of appointments did not disappear. Each side claimed the power to decide what counted as a lawful appointment. The pope could use church penalties to press his claim, while the king relied on royal authority and support from nobles. Their clash showed that a command from one ruler might not settle a case when another institution claimed jurisdiction.

3 In 1122, after Gregory and Henry had died, the Concordat of Worms set terms for ending the appointment dispute between the papacy and the empire. Church officials would elect bishops according to church rules, and a church leader would give them spiritual authority. The emperor could still grant bishops the lands and political rights tied to their offices. This split did not end rivalry, but it made a legal distinction between spiritual authority and secular power. The agreement showed how conflict could produce written rules that defined the claims of two powerful institutions rather than letting either claim complete control.

2 ANSWER WITH EVIDENCE

Use the passage

1. How did Henry's and Gregory's claims about choosing bishops conflict?

2. How did Gregory use church authority against Henry, and what does that action show about their clash?

3. How did the Concordat of Worms divide authority over bishops between the church and the emperor?

4. Why was the Concordat's distinction between spiritual authority and secular power important to the development of law?

3 YOUR TURN

Your own words

Imagine a bishop and an emperor each claim the right to judge a merchant accused of stealing grain from church land. In one paragraph, propose two rules dividing church and imperial legal authority, then explain how your rules limit each side's power.

ANSWER KEY

Who Makes the Rules?

PART 1 · READ AND MARK

Underline Henry's and Gregory's competing claims about bishops, circle actions each used to defend his claim, and number the two kinds of authority divided by the Concordat of Worms. Accept any marking that follows this job and points at the right text.

PART 2 · ANSWERS

#	QUESTION	ANSWER
1	How did Henry's and Gregory's claims about choosing bishops conflict?	**Henry wanted to choose bishops as royal officials, while Gregory held that the church should select its leaders under canon law.**
2	How did Gregory use church authority against Henry, and what does that action show about their clash?	**Gregory excommunicated Henry and declared that he had lost his right to rule. He used a church penalty to challenge a king's political authority.**
3	How did the Concordat of Worms divide authority over bishops between the church and the emperor?	**Church officials would elect bishops, and a church leader would give them spiritual authority. The emperor could grant their lands and political rights.**
4	Why was the Concordat's distinction between spiritual authority and secular power important to the development of law?	**It set written terms for what each institution could do, instead of allowing either the papacy or the empire to claim complete control over bishops.**

PART 3 · YOUR TURN (SAMPLE ANSWER)

A local imperial court would hear the theft case because the accused is a merchant, not a member of the clergy. The court would have to hear the bishop's evidence and protect the church's claim to its grain. A church court would handle accusations that clergy members broke church rules, but it could not overturn the imperial court's theft verdict. These rules let the emperor enforce public law without deciding religious discipline. They also let the church defend its property without claiming the right to judge every dispute involving church land.

For Part 3, accept other plausible divisions of authority if the response states two clear rules and explains how each limits a claim to power. Students should present their rules as a proposed settlement, not as terms of the historical Concordat.