

sermon by taking out a pair of shears and cropping the entire congregation, king and all.

By the regulation called the curfew,<sup>1</sup> a bell rang at sunset in summer and eight in winter, which was the government signal for putting out lights and covering up fires. This law, which was especially hated by the English, as a Norman innovation and act of tyranny, was a necessary precaution against fire, at a time when London and other cities were masses of wooden hovels.

Surnames came in with the Normans. Previous to the conquest, Englishmen had but one name; and when, for convenience, another was needed, they were called by their occupation or from some personal peculiarity, as Edward the Carpenter, Harold the Dauntless. Among the Normans the lack of a second, or family name, had come to be looked upon as a sign of low birth, and the daughter of a great Lord (Fitz-Haman) refused to marry a nobleman who had but one, saying, "My father and my grandfather had each two names, and it were a great shame to me to take a husband who has less."

The principal amusements were hunting and hawking (catching small game with trained hawks).

The church introduced theatrical plays, written and acted by the monks. These represented scenes in Scripture history, and, later, the career of the Vices and the Virtues personified.

Tournaments, or mock combats between knights, were not encouraged by William I. or his immediate successors, but became common in the period following the Norman kings.

<sup>1</sup> Curfew: *couvre-feu*, cover-fire.

## VI.

"Man bears within him certain ideas of order, of justice, of reason, with a constant desire to bring them into play . . . ; for this he labors unceasingly." — GUIZOT, *History of Civilization*.

## THE ANGEVINS, OR PLANTAGENETS, 1154-1399.

## THE BARONS versus THE CROWN.

## CONSOLIDATION OF NORMAN AND SAXON INTERESTS. — RISE OF THE NEW ENGLISH NATION.

Henry II., 1154-1189.	Edward I., 1272-1307. <sup>1</sup>
Richard I., 1189-1199.	Edward II., 1307-1327
John, 1199-1216.	Edward III., 1327-1377
Henry III., 1216-1272.	Richard II., 1377-1399.

**209. Accession and Dominions of Henry II.** — Henry was just of age when the death of Stephen called him to the throne.

From his father, Count Geoffrey of Anjou, came the title of Angevin. The name Plantagenet, by which the family was also known, was derived from the count's habit of wearing a sprig of the golden-blossomed broom-plant, or *Plante-genét*, as the French called it, in his helmet.

Henry received from his father the dukedoms of Anjou and Maine, from his mother, Normandy and the dependent province of Brittany, while through his marriage with Eleanor, the divorced queen of France, he acquired the great southern dukedom of Aquitaine.

Thus on his accession he became ruler over England and more than half of France, his realms extending from the borders of Scotland to the base of the Pyrenees.<sup>2</sup> To these extensive posses-

<sup>1</sup> Not crowned until 1274.    <sup>2</sup> See Maps Nos. 8 and 9, pages 88 and 130.



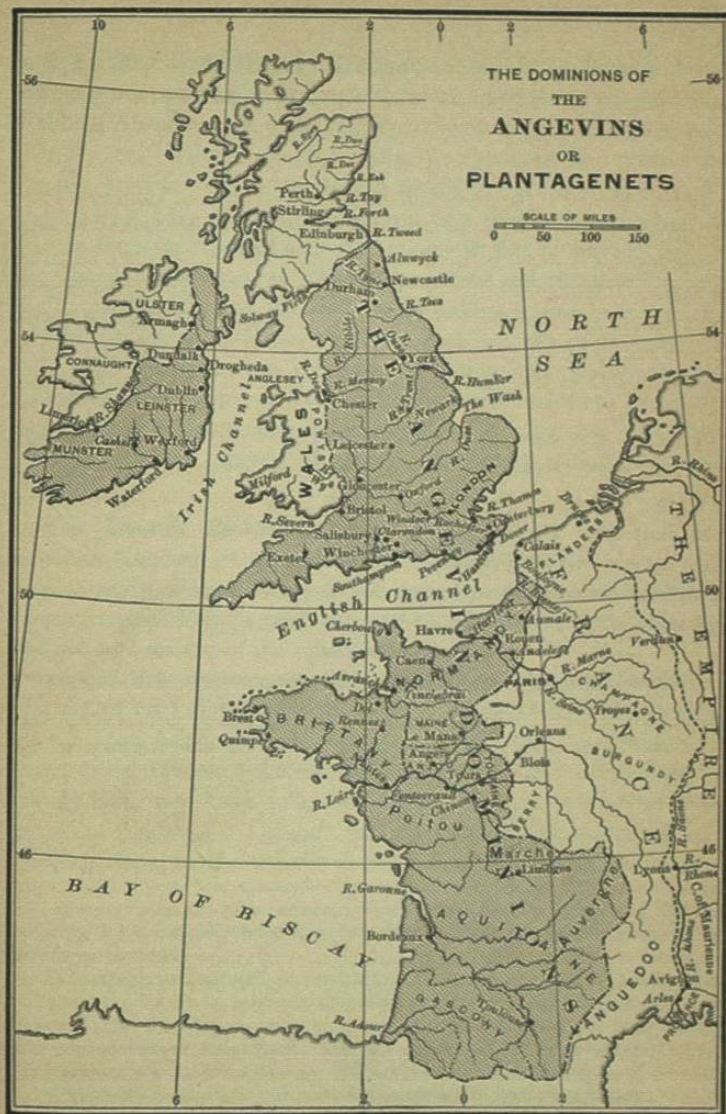
sions Henry added the eastern half of Ireland,<sup>1</sup> which was but partially conquered and never justly ruled, so that the English power there has remained ever since like a spear-point embedded in a living body, inflaming all around it.<sup>2</sup>

**210. Henry's Charter and Reforms.**—On his mother's side Henry was a descendant of Alfred the Great; for this reason he was hailed with enthusiasm by the native English. He at once began a system of reforms worthy of his illustrious ancestor. His first act was to issue a charter confirming the promises of good government made by his grandfather, Henry I. His next was to begin levelling to the ground the castles illegally built in Stephen's reign, which had caused such widespread misery to the country.<sup>3</sup> He continued the work of demolition until it is said he had destroyed no less than eleven hundred of these strongholds of oppression. Having accomplished this work, the king turned his attention to the coinage. During the civil war the barons had issued money debased in quality and deficient in weight. Henry abolished this currency and issued in its place silver pieces of full weight and value.

<sup>1</sup> Ireland: the population of Ireland at this time consisted mainly of descendants of the Celtic and other prehistoric races which inhabited Britain at the period of the Roman invasion. When the Saxons conquered Britain, many of the natives who were of the same stock and spoke essentially the same language as the Irish, fled to that country. Later, the Danes formed settlements on the coast, especially in the vicinity of Dublin. The conquest of England by the Normans was practically a victory gained by one branch of a German race over another (Saxons and Normans having originally sprung from the same stock), and the two soon mingled; but the partial conquest of Ireland by the Normans was a radically different thing. They and the Irish had really nothing in common. The latter refused to accept the feudal system, and continued split up into savage tribes or clans under the rule of petty chiefs always at war with each other. Thus for centuries after England had established a settled government Ireland remained, partly through the battles of the clans, and partly through the aggressions of a hostile race, in a state of anarchic confusion which prevented all true national growth.

<sup>2</sup> Lecky's England.

<sup>3</sup> Under William the Conqueror and his immediate successors no one was allowed to erect a castle without a royal license. During Stephen's time the great barons constantly violated this salutary regulation.



To face page 88.



**211. War with France; Scutage.**—Having completed these reforms, the king turned his attention to his continental possessions. Through his wife, Henry claimed the county of Toulouse in Southern France. To enforce this claim he declared war. Henry's barons, however, refused to furnish troops to fight outside of England. The king wisely compromised the matter by offering to accept from each knight a sum of money in lieu of service, called scutage, or shield-money.<sup>1</sup> The proposal was agreed to, and means were thus furnished to hire soldiers for foreign wars.

Later in his reign Henry supplemented this tax by the passage of a law<sup>2</sup> which revived the national militia and placed it at his command for home-service. By these two measures the king made himself practically independent of the barons, and thus gained a greater degree of power than any previous ruler had possessed.

**212. Thomas Becket.**<sup>3</sup>—There was, however, one man in Henry's kingdom—his chancellor, Thomas Becket—who was always ready to serve him. At his own expense he now equipped seven hundred knights, and, crossing the Channel, fought valiantly for the suppression of the rebellion in Toulouse.

An old but unfortunately a doubtful story represents Becket as the son of an English crusader, Gilbert Becket, who was captured in the Holy Land, and who in turn succeeded in captivating the heart of an Eastern princess. She helped him to escape to his native land, and then followed. The princess knew but two words of English,—“Gilbert” and “London.” By constantly repeating these, as she wandered from city to city, she at length

<sup>1</sup> Scutage: from the Latin *scutum*, a shield; the understanding being that he who would not take his shield and do battle for the king, should pay enough to hire one who would.

The scutage was assessed at two marks. Later, the assessment varied. The mark was two-thirds of a pound of silver by weight, or thirteen shillings and four pence (\$3.20). Reckoned in modern money, the tax was probably at least twenty times two marks, or about \$128. The only coin in use in England up to Edward I.'s reign, 1272, was the silver penny, of which twelve made a shilling.

<sup>2</sup> The Assize or Law of Arms.

<sup>3</sup> Also spelled *À* Becket and *Beket*.



found both, and the long search for her lover ended in a happy marriage.

**213. Becket made Archbishop.** — Shortly after Becket's return from the continent Henry resolved to appoint him archbishop of Canterbury. Becket knew that the king purposed beginning certain church reforms with which he was not in sympathy, and declined the office. But Henry would take no denial. At last, wearied with his importunity, Becket consented, but warned the king that he should uphold the rights of the clergy. He now became the head of the church, and was the first Englishman called to that exalted position since the Norman Conquest. With his assumption of the sacred office, Becket seemed to wholly change his character. He had been a man of the world, fond of pomp and pleasure. He now gave up all luxury and show. He put on sackcloth, lived on bread and water, and spent his nights in prayer, tearing his flesh with a scourge.

**214. The First Quarrel.** — The new archbishop's presentiment of evil soon proved true. Becket had hardly taken his seat when a quarrel broke out between him and the king. In his need for money Henry had levied a tax on all lands, whether belonging to the barons or churchmen.

Becket opposed this tax.<sup>1</sup> He was willing, he said, that the clergy should contribute, but not that they should be assessed.

The king declared with an oath that all should pay alike; the archbishop vowed with equal determination that not a single penny should be collected from the church. What the result was we do not know, but from that time the king and Becket never met again as friends.

**215. The Second Quarrel.** — Shortly after, a much more serious quarrel broke out between the two. Under the law of William the Conqueror, the church had the right to try in its own courts all offences committed by monks and priests. This privilege had led to great abuses. Men whose only claim to sanctity was that

<sup>1</sup> See Paragraph 200, note on Clergy.

they wore a black gown or had a shaven head claimed the right of being judged by the ecclesiastical tribunal. The heaviest sentence the church could give was imprisonment in a monastery, with degradation from the clerical office. Generally, however, offenders got off with flogging and fasting. On this account many criminals who deserved to be hanged escaped with a slight penalty. Such a case now occurred. A priest named Brois had committed an unprovoked murder. Henry commanded him to be brought before the king's court; Becket interfered, and ordered the case to be tried by the bishop of the diocese. That functionary sentenced the murderer to lose his place for two years.

**216. The Constitutions of Clarendon (1164).** — The king, now thoroughly roused, determined that such flagrant disregard of justice should no longer go on. He called a council of his chief men at Clarendon,<sup>1</sup> and laid the case before them. He demanded that in future the state or civil courts should be supreme, and that in every instance their judges should decide whether a criminal should be tried by the common law of the land or handed over to the church courts. He required furthermore that the clergy should be held strictly responsible to the crown, so that in case of dispute the final appeal should be to neither the archbishop nor the Pope, but to himself. After protracted debate the council passed these measures, which, under the name of the Constitutions of Clarendon, now became law.

Becket, though bitterly opposed to this enactment, finally assented and swore to obey it. Afterward, feeling that he had conceded too much, he retracted his oath and refused to be bound by the Constitutions. The other church dignitaries became alarmed at the prospect, and left Becket to settle with the king as best he might. Henceforth it was a battle between one man and the whole power of the government.

**217. The King enforces the Law; Becket leaves the Country.** — Henry at once proceeded to put the Constitutions into execution without fear or favor.

<sup>1</sup> Clarendon Park, Wiltshire, near Salisbury.



"Then was seen the mournful spectacle," says a champion of the church of that day, "of priests and deacons who had committed murder, manslaughter, robbery, theft, and other crimes, carried in carts before the commissioners and punished as though they were ordinary men."<sup>1</sup>

Not satisfied with these summary procedures, the king, who seems now to have resolved to either ruin Becket or drive him from the kingdom, summoned the archbishop before a royal council at Northampton. The charges brought against him appear to have had little, if any, foundation. Becket, though he answered the summons, refused to acknowledge the jurisdiction of the council, and appealed to the Pope. "Traitor!" cried a courtier, as he picked up a bunch of muddy rushes from the floor and flung them at the archbishop's head.

Becket turned, and looking him sternly in the face, said, "Were I not a churchman, I would make you repent that word."

Realizing, however, that he was now in serious danger, he soon after left Northampton and fled to France.

**218. Banishment versus Excommunication.**—Henry, finding Becket beyond his reach, next proceeded to banish his kinsmen and friends, without regard to age or sex, to the number of nearly four hundred. The miserable exiles, many of whom were nearly destitute, were forced to leave the country in midwinter, and excited the pity of all who saw them. Becket indignantly retaliated by hurling at the king's counsellors that awful anathema of excommunication which declares those against whom it is directed accursed of God and man, deprived of help in this world, and shut out from hope in the world to come. In this manner the quarrel went on with ever-increasing bitterness for the space of six years.

**219. Prince Henry crowned; Reconciliation.**—In 1170, Henry, who had long wished to associate his son Prince Henry with him in the government, had him crowned at Westminster by

<sup>1</sup> William of Newburgh.

the Archbishop of York, the bishops of London and Salisbury taking part.

By custom, if not indeed by law, Becket alone, as Archbishop of Canterbury, had the right to perform this ceremony.

When Becket heard of the coronation, he declared it an outrage both against Christianity and the church. So great an outcry now arose that Henry believed it expedient to recall the absent archbishop, especially as the king of France was urging the Pope to take up the matter. Henry accordingly went over to the continent, met Becket and persuaded him to return.

**220. Renewal of the Quarrel; Murder of Becket.**—But the reconciliation was on the surface only; underneath, the old hatred smouldered, ready to burst forth into flame.

As soon as he reached England, Becket invoked the thunders of the church against those who had officiated at the coronation of the boy Henry. He excommunicated the archbishop of York with his assistant bishops. The king took their part, and in an unguarded moment exclaimed, in an outburst of passion, "Will none of the cowards who eat my bread rid me of that turbulent priest?" In answer to his angry cry for relief, four knights set out without Henry's knowledge for Canterbury, and brutally murdered the archbishop within the walls of his own cathedral.

**221. Results of the Murder.**—The crime sent a thrill of horror throughout the realm. The Pope proclaimed Becket a saint. The English people, feeling that he had risen from their ranks and was of their blood, now looked upon the dead ecclesiastic as a martyr who had died in the defence of the church, and of all those around whom the church cast its protecting power. The cathedral was hung in mourning; Becket's shrine became the most famous in England, and the stone pavement, with the steps leading to it, both show by their deep-worn hollows where thousands of pilgrims coming from all parts of the kingdom, and from the continent even, used to creep on their knees to the saint's tomb to pray for his intercession. Henry himself was so far vanquished by the reaction in Becket's



favor, that he gave up any further attempt to enforce the Constitutions of Clarendon, by which he had hoped to establish a uniform system of administration of justice. But the attempt, though baffled, was not wholly lost; like seed buried in the soil, it sprang up and bore good fruit in later generations.

**222. The King makes his Will; Civil War.**—Some years after the murder the king bequeathed England and Normandy to Prince Henry.<sup>1</sup> He at the same time provided for his sons Geoffrey and Richard. To John, the youngest of the brothers, he gave no territory, but requested Henry to grant him several castles, which the latter refused to do.

"It is our fate," said one of the sons, "that none should love the rest; that is the only inheritance which will never be taken from us."

It may be that that legacy of hatred was the result of Henry's unwise marriage with Eleanor, an able but perverse woman, or it may have sprung from her jealousy of "Fair Rosamond" and other favorites of the king.<sup>2</sup>

Eventually this feeling burst out into civil war. Brother fought against brother, and Eleanor, conspiring with the king of France, turned against her husband.

**223. The King's Penance.**—The revolt against Henry's power began in Normandy. While he was engaged in quelling it, he re-

<sup>1</sup> After his coronation Prince Henry had the title of Henry III.; but as he died before his father, he never properly became king in his own right.

<sup>2</sup> "Fair Rosamond" [Rosa mundi, the Rose of the world (as *then* interpreted)] was the daughter of Lord Clifford. According to tradition the king formed an attachment for this lady before his unfortunate marriage with Eleanor, and constructed a place of concealment for her in a forest in Woodstock, near Oxford. Some accounts report the queen as discovering her rival and putting her to death. She was buried in the nunnery of Godstow near by. When Henry's son John became king, he raised a monument to her memory with the inscription in Latin:—

"This tomb doth here enclose  
The world's most beauteous Rose—  
Rose passing sweet erewhile,  
Now nought but odor vile."

ceived intelligence that Earl Bigod of Norfolk<sup>1</sup> and the Bishop of Durham, both of whom hated the king's reforms, since they curtailed their authority, had risen against him.

Believing that this new trouble was a judgment of Heaven for Becket's murder, Henry resolved to do penance at his tomb. Leaving the continent with two prisoners in his charge—one his son Henry's queen, the other his own,—he travelled with all speed to Canterbury. There kneeling abjectly before the grave of his former chancellor and friend, the king submitted to be beaten with rods by the priests, in expiation of his sin.

**224. End of the Rebellion.**—Henry then moved against the rebels in the north. Convinced of the hopelessness of holding out against his forces, they submitted. With their submission the struggle of the barons against the crown came to an end. It had lasted just one hundred years (1074–1174). It settled the question, once for all, that England was not like the rest of Europe, to be managed in the interest of a body of great baronial landholders always at war with each other; but was henceforth to be governed by one central power, restrained but not overridden by that of the nobles and the church.

**225. The King again begins his Reforms.**—As soon as order was restored, Henry once more set about completing his legal and judicial reforms. His great object was to secure a uniform system of administering justice which should be effective and impartial. Henry I. had undertaken to divide the kingdom into districts or circuits, which were assigned to a certain number of judges, who travelled through them at stated times collecting the royal revenue and administering the law. Henry II. revised and perfected this plan.<sup>3</sup> Not only had the barons set up private courts on their estates, but they had in many cases got the entire control of the

<sup>1</sup> Hugh Bigod: the Bigods were among the most prominent and also the most turbulent of the Norman barons. On the derivation of the name, see Webster's Dictionary, "Bigot."

<sup>2</sup> Grand Assize and Assize of Clarendon (not to be confounded with the Constitutions of Clarendon).



town and other local courts, and dealt out such justice or injustice as they pleased. The king's judges now presided over these tribunals, thus bringing the common law of the realm to every man's door.

**226. Grand Juries.** — The Norman method of settling disputes was by trial of battle, in which the contestants or their champions fought the matter out with either swords or cudgels. There were those who objected to this club-law. To them the king offered the privilege of leaving the case to the decision of twelve knights, chosen from the neighborhood, who were supposed to know the facts.

In like manner, when the judges passed through a circuit, a grand jury of not less than sixteen was to report to them the criminals of each district. These the judges forthwith sent to the church to be examined by the ordeal.<sup>1</sup> If convicted, they were punished; if not, the judges ordered them as suspicious characters to leave the country within eight days. In that way the rascals of that generation were summarily disposed of.

**227. Origin of the Modern Trial by Jury.** — In 1215 (reign of Henry's son John) the church abolished the ordeal throughout Christendom. It then became the custom in England to choose a petty jury, acquainted with the facts, who confirmed or denied the accusations brought by the grand jury. When this petty jury could not agree, the decision of a majority was sometimes accepted.

Owing to the difficulty of securing justice in this way, it gradually became the custom to summon witnesses, who gave their testimony before the petty jury in order to thereby obtain a unanimous verdict. The first mention of this change occurs in the reign of Edward III. (1350); and from that time, perhaps, may be dated the true beginning of our modern method, by which the jury bring in a verdict, not from what they personally know, but from evidence sworn to by those who do. Henry II. may rightfully be regarded as the true founder of the system which England, and

<sup>1</sup> Ordeal: See Paragraph No. 127.

England alone, fully matured, and which has since been adopted by every civilized country of the globe.

**228. The King's Last Days.** — Henry's last days were full of bitterness. Ever since his memorable return from the continent, he had been obliged to hold the queen a prisoner lest she should undermine his power. His sons were discontented and rebellious. Toward the close of his reign they again plotted against him with King Philip of France. War was then declared against that country. When peace was made, Henry, who was lying ill, asked to see a list of those who had conspired against him. At the head of it stood the name of his youngest son John, whom he trusted. At the sight of it the old man turned his face to the wall, saying, "I have nothing left to care for; let all things go their way." Two days afterward he died of a broken heart.

**229. Summary.** — Henry II. left his work only half done; yet that half was permanent and its beneficent mark may be seen on the English law and the English constitution at the present time. When he ascended the throne he found a people who had long been suffering the miseries of a protracted civil war. He established a stable government. He redressed their wrongs. He punished the mutinous barons. He compelled the church, at least for a time, to acknowledge the supremacy of the state. He reformed the administration of law; established methods of judicial inquiry which were to gradually develop into trial by jury; and made all men feel that a king sat on the throne who believed in justice and was able to make justice respected.

RICHARD I. (Cœur de Lion).<sup>1</sup> — 1189-1199.

**230. Accession and Character of Richard.** — Henry II. was succeeded by his second son Richard, his first having died during

<sup>1</sup> Richard Cœur de Lion (keür dē le' ōn), Richard the Lion-hearted. An old chronicler says the king got the name from his adventure with a lion. The beast attacked him, and as the king had no weapons, he thrust his hand down his throat and "tore out his heart!!"



the civil war of 1183, in which he and his brother Geoffrey had fought against Prince Richard and their father. Richard was born at Oxford, but he spent his youth in France. The only English sentence that he was ever known to speak was when in a raging passion he vented his wrath against an impertinent Frenchman, in some broken but decidedly strong expressions of his native tongue. Richard's bravery in battle and his daring exploits gained for him the flattering surname of *Cœur de Lion*. He had a right to it, for with all his faults he certainly possessed the heart of a lion. He might, however, have been called, with equal truth, Richard the Absentee, since out of a nominal reign of ten years he spent but a few months in England, the remaining time being consumed in wars abroad.

**231. Condition of Society.**—No better general picture of society in England during this period can be found than that presented by Sir Walter Scott's novel, "*Ivanhoe*." There every class appears—the Saxon serf and swineherd, wearing the brazen collar of his master Cedric; the pilgrim wandering from shrine to shrine, with the palm branch in his cap to show that he has visited the Holy Land; the outlaw, Robin Hood, lying in wait to strip rich churchmen and other travellers who were on their way through Sherwood Forest; the Norman baron in his castle torturing the aged Jew to extort his hidden gold; and the steel-clad knights, with *Ivanhoe* at their head, splintering lances in the tournament, presided over by Richard's brother, the traitorous Prince John.

**232. Richard's Coronation.**—Richard was on the continent at the time of his father's death. His first act was to liberate his mother from her long imprisonment at Winchester; his next, to place her at the head of the English government until his arrival from Normandy. Unlike Henry II., Richard did not issue a charter, or pledge of good government. He, however, took the usual coronation oath to defend the church, maintain justice, make salutary laws, and abolish evil customs; such an oath might well be considered a charter in itself.

**233. The Crusade; Richard's Devices for raising Money.**—Immediately after his coronation, Richard began to make preparations to join the king of France and the emperor of Germany in the third crusade. To get money for the expedition, the king extorted loans from the Jews, who were the creditors of half England, and had almost complete control of the capital and commerce of every country in Europe. The English nobles who joined Richard also borrowed largely from the same source; and then, suddenly turning on the hated lenders, they tried to extinguish the debt by extinguishing the Jews. A pretext against the unfortunate race was easily found. Riots broke out in London, York, and elsewhere, and hundreds of Israelites were brutally massacred. Richard's next move to obtain funds was to impose a heavy tax; his next, to dispose of titles of rank and offices in both church and state, to all who wished to buy them. Thus, to the aged and covetous bishop of Durham he sold the earldom of Northumberland for life, saying, as he concluded the bargain, "Out of an old bishop I have made a new earl." He sold, also, the office of chief justice to the same prelate for an additional thousand marks,<sup>1</sup> while the king of Scotland purchased freedom from subjection to the English king for ten thousand marks. Last of all, Richard sold charters to towns. One of his courtiers remonstrated with him for his greed for gain. He replied that he would sell London itself if he could but find a purchaser.

**234. The Rise of the Free Towns.**—Of all these devices for raising money, the last had the most important results. From the time of the Norman Conquest the large towns of England, with few exceptions, were considered part of the king's property; the smaller places generally belonged to the great barons. The citizens of these towns were obliged to pay rent and taxes of various kinds to the king or lord who owned them. These dues were collected by an officer appointed by the king or lord (usually the sheriff), who was bound to obtain a certain sum, whatever more

<sup>1</sup> Mark: see note to Paragraph No. 211.



he could get being his own profit. For this reason it was for his interest to exact from every citizen the uttermost penny. London, as we have seen, had secured a considerable degree of liberty through the charter granted to it by William the Conqueror. Every town was now anxious to obtain a similar pledge. The three great objects aimed at by the citizens were (1) to get the right of paying their taxes (a fixed sum) directly to the king, (2) to elect their own magistrates, and (3) to administer justice in their own courts in accordance with laws made by themselves. The only way to gain these privileges was to pay for them. Many of the towns were rich; and, when the king or lord needed money, they bargained with him for the favors they desired. When the agreement was made, it was drawn up in Latin, stamped with the king's seal, and taken home in triumph by the citizens, who locked it up as the safeguard of their liberties. If they could not get all they wanted, they bought a part. Thus, the people of Leicester, in the next reign, purchased from the earl, their master, the right to decide their own disputes. For this they paid a yearly tax of three pence on every house having a gable on the main street. These concessions may seem small; but they prepared the way for greater ones. What was still more important, they educated the citizens of that day in a knowledge of self-government. It was the tradesmen and shopkeepers of these towns who preserved free speech and equal justice. Richard granted a large number of such charters, and thus unintentionally made himself a benefactor to the nation.

**235. Failure of the Third Crusade.**—The object of the third crusade was to drive the Mohammedans from Jerusalem. In this it failed. Richard got as near Jerusalem as the Mount of Olives. When he had climbed to the top, he was told that he could have a full view of the place; but he covered his face with his mantle, saying, "Blessed Lord, let me not see thy holy city, since I may not deliver it from the hands of thine enemies!"

**236. Richard taken Prisoner; his Ransom.**—On his way home the king fell into the hands of the German emperor, who held him captive. His brother John, who had remained in England, plotted with Philip of France to keep Richard in prison while he got possession of the throne. Notwithstanding his efforts, Richard regained his liberty,<sup>1</sup> on condition of raising a ransom so enormous that it compelled every Englishman to contribute a fourth of his personal property, and to strip the churches of their jewels and silver plate even. When the king of France heard of this, he wrote to John notifying him that his brother was free, saying, "Look out for yourself; the devil has broken loose." Richard pardoned him; and when the king was killed in France in 1199, John gained and disgraced the throne he coveted.

**237. Purpose of the Crusades.**—Up to the time of the crusades, the English wars on the continent had been actuated either by ambition for military glory or desire for conquest. The crusades, on the contrary, were undertaken from motives of religious enthusiasm. Those who engaged in them fought for an idea. They considered themselves soldiers of the cross. Moved by this feeling, "all Christian believers seemed ready to precipitate themselves in one united body upon Asia." Thus the crusades were "the first European event."<sup>2</sup> They gave men something to battle for, not only outside their country, but outside their own selfish interests. Richard, as we have seen, was the first English king who took part in them. Before that period, England had stood aloof,— "a world by itself." The country was engaged in its own affairs or in its contests with France. Richard's expedition to Palestine brought England into the main current of history, so

<sup>1</sup> It is not certainly known how the news of Richard's captivity reached England. One story says that it was carried by Blondel, a minstrel who had accompanied the king to Palestine. He, it is said, wandered through Germany in search of his master, singing one of Richard's favorite songs at every castle he came to. One day, as he was thus singing at the foot of a tower, he heard the well-known voice of the king take up the next verse in reply.

<sup>2</sup> Guizot, History of Civilization.



that it was now moved by the same feeling which animated the continent.

**238. The Results of the Crusades : Educational, Social, Political.**—In many respects the civilization of the East was far in advance of the West. One result of the crusades was to open the eyes of Europe to this fact. When Richard and his followers set out, they looked upon the Mohammedans as barbarians; before they returned, many were ready to acknowledge that the barbarians were chiefly among themselves. At that time England had few Latin and no Greek scholars. The Arabians, however, had long been familiar with the classics, and had translated them into their own tongue. Not only did England gain its first knowledge of the philosophy of Plato and Aristotle from Mohammedan teachers, but it received from them also the elements of arithmetic, algebra, geometry, and astronomy. This new knowledge gave an impulse to education, and had a most important influence on the growth of the universities of Cambridge and Oxford, though these did not become prominent until more than a century later. Had these been the only results, they would perhaps have been worth the blood and treasure spent in vain attempts to recover possession of the sepulchre of Christ; but these were by no means all. The crusades brought about a social and political revolution. They conferred benefits and removed evils. When they began, the greater part of the inhabitants of Europe, including England, were chained to the soil. They had neither freedom, property, nor knowledge.

There were in fact but two classes, the churchmen and the nobles, who really deserved the name of freemen and men. We have seen that the crusades compelled kings like Richard to grant charters of freedom to towns. The nobles conferred similar privileges on those in their power. Their great estates were, in a measure, broken up and from this period the common people began to acquire rights, and, what is more, to defend them.<sup>1</sup>

<sup>1</sup> Gibbon's Rome.

**239. Summary.**—We may say in closing that the central fact in Richard's reign was his embarking in the crusades. From them, directly or indirectly, England gained two important results: first, a greater degree of political liberty, especially in the case of the towns; second, a new intellectual and educational impulse.

JOHN.—1199-1216.

**240. John Lackland.**—When Henry II. in dividing his realm left his youngest son John dependent on the generosity of his brothers, he jestingly gave him the surname of "Lackland." As John never received any principality, the nickname continued to cling to him even after he had become king through the death of his brother Richard.

**241. The Quarrels of the King.**—The reign of the new king was taken up mainly with three momentous quarrels: first, with France; next, with the Pope; lastly, with the barons. By his quarrel with France he lost Normandy and the greater part of the adjoining provinces, thus becoming in a new sense John Lackland. By his quarrel with the Pope he was humbled to the earth. By his quarrel with the barons he was forced to grant England the Great Charter.

**242. Murder of Prince Arthur.**—Shortly after John's accession the nobles of a part of the English possessions in France expressed their desire that John's nephew, Arthur, a boy of twelve, should become their ruler. John refused to grant their request. War ensued, and Arthur fell into his uncle's hands, who imprisoned him in the castle of Rouen. A number of those who had been captured with the young prince were starved to death in the dungeons of the same castle, and not long after Arthur himself mysteriously disappeared. Shakespeare represents John as ordering the keeper of the castle to put out the lad's eyes, and then tells us that he was killed in an attempt to escape. The earlier belief, however, was that the king murdered him.



**243. John's Loss of Normandy.** — Philip of France accused John of the crime, and ordered him as Duke of Normandy, and hence as a feudal dependant, to appear at Paris for trial.<sup>1</sup> He refused. The court was convened, John was declared a traitor and sentenced to forfeit all his lands on the continent. For a long time he made no attempt to defend his dominions, but left his Norman nobles to carry on a war against Philip as best they could. At last, after much territory had been lost, the English king made an attempt to regain it. The result was a humiliating and crushing defeat, in which Philip seized Normandy and followed up the victory by depriving John of all his possessions north of the river Loire.

**244. Good Results of the Loss of Normandy.** — From that period the Norman nobles were compelled to choose between the island of England and the continent for their home. Before that time the Norman contempt for the Saxon was so great, that his most indignant exclamation was, "Do you take me for an Englishman?" Now, however, shut in by the sea, with the people he had hitherto oppressed and despised, he gradually came to regard England as his country, and Englishmen as his countrymen. Thus the two races so long hostile found at last that they had common interests and common enemies.<sup>2</sup>

**245. The King's Despotism.** — Hitherto our sympathies have been mainly with the kings. We have watched them struggling against the lawless nobles, and every gain which they have made in power we have felt to be so much for the cause of good government; but we are coming to a period when our sympathies will be the other way. Henceforth the welfare of the nation will depend largely on the resistance of these very barons to the despotic encroachments of the crown.<sup>3</sup>

<sup>1</sup> It is proper to state in this connection that a recent French writer on this period — M. Bémont — is satisfied that John's condemnation and the forfeiture of Normandy took place before Arthur's death, for tyranny in Poitou.

<sup>2</sup> Macaulay.

<sup>3</sup> Ransome's Constitutional History of England.

**246. Quarrel of the King with the Church.** — Shortly after his defeat in France, John entered upon his second quarrel. Pope Innocent III. had commanded a delegation of the monks of Canterbury to choose Stephen Langton archbishop in place of a person whom the king had compelled them to elect. When the news reached John, he forbade Langton's landing in England, although it was his native country. The Pope forthwith declared the kingdom under an interdict, or suspension of religious services. For two years the churches were hung in mourning, the bells ceased to ring, the doors were shut fast. For two years the priests denied the sacraments to the living and funeral prayers for the dead. At the end of that time the Pope, by a bull of excommunication,<sup>1</sup> cut off the king as a withered branch from the church. John laughed at the interdict, and met the decree of excommunication with such cruel treatment of the priests, that they fled terrified from the land. The Pope now took a third step; he deposed John, and ordered Philip of France to seize the English crown. Then John, knowing that he stood alone, made a virtue of necessity. He kneeled at the feet of the Pope's legate, or representative, accepted Stephen Langton as Archbishop of Canterbury, and promised to pay a yearly tax to Rome of 1000 marks (about \$64,000 in modern money) for permission to keep his crown. The Pope was satisfied with the victory he had gained over his ignoble foe, and peace was made.

**247. The Great Charter.** — But peace in one direction did not mean peace in all. John's tyranny, brutality, and disregard of his subjects' welfare had gone too far. He had refused the church both the right to fill its offices and to enjoy its revenues. He had extorted exorbitant sums from the barons. He had violated the charters of London and other cities. He had compelled merchants to pay large sums for the privilege of carrying on their business unmolested. He had imprisoned men on false or frivolous charges, and refused to bring them to trial. He had unjustly

<sup>1</sup> Bull (Latin *bulia*, a leaden seal): a decree issued by the Pope, bearing his seal.



claimed heavy sums from serfs and other poor men; and when they could not pay, had seized their carts and tools, thus depriving them of their means of livelihood. Those who had suffered these and greater wrongs were determined to have reformation, and to have it in the form of a written charter or pledge bearing the king's seal. The new archbishop was not less determined. He no sooner landed than he demanded of the king that he should swear to observe the laws of Edward the Confessor,<sup>1</sup> a phrase in which the whole of the national liberties was summed up.

**248. Preliminary Meeting at St. Albans.** — In the summer of 1213, a council was held at St. Albans, near London, composed of representatives from all parts of the kingdom. It was the first assembly of the kind on record. It convened to consider what claims should be made on the king in the interest of the nobles, the clergy, and the country. Their deliberations took shape probably under Langton's guiding hand. He had obtained a copy of the charter granted by Henry I.<sup>2</sup> This was used as a model for drawing up a new one of similar character, but in every respect fuller and stronger in its provisions.

**249. Second Meeting.** — Late in the autumn of the following year, the barons met in the abbey church of Bury St. Edmund's, in Suffolk, under their leader, Robert Fitz-Walter, of London. Advancing one by one up the church to the high altar, they solemnly swore that they would oblige John to grant the new charter, or they would declare war against him.

**250. The King grants the Charter.** — At Easter, 1215, the same barons, attended by two thousand armed knights, met the king at Oxford, and made known to him their demands. John tried to evade giving a direct answer. Seeing that to be impossible, and finding that London was on the side of the barons, he yielded, and requested them to name the day and place for the

<sup>1</sup> Laws of Edward the Confessor: not necessarily the laws made by that king, but rather the customs and rights enjoyed by the people during his reign.

<sup>2</sup> See Paragraph No. 185, and note.

ratification of the charter. "Let the day be the 15th of June, the place Runnymede,"<sup>1</sup> was the reply. In accordance therewith, we read at the foot of the shrivelled parchment preserved in the British museum, "Given under our hand \* \* in the meadow called Runnymede, between Windsor and Staines, on the 15th June, in the 17th year of our reign."

**251. Terms and Value of the Charter.** — By the terms of that document, henceforth to be known as Magna Carta,<sup>2</sup> or the Great Charter, — a term used to emphatically distinguish it from all previous and partial charters, — it was stipulated that the following grievances should be redressed: first, those of the church; second, those of the barons and their vassals or tenants; third, those of citizens and tradesmen; fourth, those of freemen and serfs. This, then, was the first agreement entered into between the king and all classes of his people. Of the sixty-three articles which constituted it, the greater part, owing to the changes of time, are now obsolete; but three possess imperishable value. These provide first, that no free man shall be imprisoned or proceeded against except by his peers, or the law of the land;<sup>3</sup> second, that justice shall neither be sold, denied, nor delayed; third, that all dues from the people to the king, unless otherwise distinctly specified, shall be imposed only with the consent of the National Council — an expedient which converted the power of taxation into the shield of liberty.<sup>4</sup> Thus, for the first time, the interests of all classes were protected, and for the first time the English people appear in the constitutional history of the country as a united body. So highly was this charter esteemed, that in the course of the next two centuries it was confirmed no less than thirty-seven

<sup>1</sup> Runnymede: about twenty miles southwest of London, on the south bank of the Thames, in Surrey.

<sup>2</sup> Magna Carta: *carta* is the spelling in the mediæval Latin of this and the preceding charters.

<sup>3</sup> Peers (from Latin *parēs*), equals. This secures trial by jury.

<sup>4</sup> Mackintosh. This provision was, however, dropped in the next reign; but later the principle it laid down was firmly established.



times: and the very day that Charles II. entered London, after the civil wars of the seventeenth century, the House of Commons asked him to confirm it again.

**252. John's Efforts to break the Charter.** — But John had no sooner set his hand to this document than he determined to repudiate it. He hired bands of soldiers on the continent to come to his aid. The Pope also used his influence, and threatened the barons with excommunication if they persisted in enforcing the provisions of the charter.

**253. The Barons invite Louis of France to aid them.** — In their desperation, — for the king's mercenaries were now ravaging the country, — the barons despatched a messenger to John's sworn enemy, Philip of France, inviting him to send over his son, Louis, to free them from tyranny, and become ruler of the kingdom. He came with all speed, and soon made himself master of the southern counties.

**254. The King's Death.** — John had styled himself on his great seal "King of England"; thus formally claiming the actual ownership of the realm. He was now to find that the sovereign who has no place in his subjects' hearts has small hold of their possessions.

The rest of his ignominious reign was spent in war against the barons and Louis of France. "They have placed twenty-four kings over me!" he shouted, in his fury, referring to the twenty-four leading men who had been appointed to see that the charter did not become a dead letter. But the twenty-four did their duty, and the battle went on. In the midst of it John suddenly died, as the old record said, "a knight without truth, a king without justice, a Christian without faith." He was buried in Worcester Cathedral, wrapped in a monk's gown, and placed, for further protection, between the bodies of two Saxon saints.

**255. Summary.** — John's reign may be regarded as a turning-point in English history.

1. Through the loss of Normandy, the Norman nobility found it for their interest to make the welfare of England and of the English race one with their own. Thus the two peoples became more and more united, until finally all differences ceased.

2. In demanding and obtaining the Great Charter, the church and the nobility made common cause with the people. That document represents the victory, not of a class, but of the nation. The next eighty years will be mainly taken up with the effort of the nation to hold fast what it has gained.

HENRY III. — 1216-1272.

**256. Accession and Character.** — John's eldest son Henry was crowned at the age of nine. During his long and feeble reign England's motto might well have been the words of Ecclesiastes, "Woe to thee, O land, when thy king is a child!" since a child he remained to the last; for if John's heart was of millstone, Henry's was of wax. In one of his poems, written perhaps not long after Henry's death, Dante represents him as he sees him in imagination just on the borderland of purgatory. The king is not in suffering, for as he has done no particular good, so he has done no great harm; he appears, therefore, "as a man of simple life, spending his time singing psalms in a narrow valley."<sup>1</sup>

That shows one side of his negative character; the other was love of extravagance and vain display joined to instability of purpose.

**257. Reissue of the Great Charter.** — Louis, the French prince who had come to England in John's reign as an armed claimant to the throne, finding that both the barons and the church preferred an English to a foreign king, now retired. During his minority Henry's guardians twice reissued the great charter: first, with the omission of the article which reserved the power of taxation to the National Council, and finally with an addition declaring that no man should lose life or limb for hunting in the royal forests.

<sup>1</sup> Dante's Purgatory, vii. 131.



On the last occasion the council granted the king in return a fifteenth of their movable or personal property. This tax, as it reached a large class of people like merchants in towns, who were not landholders, had a decided influence in making them desire to have a voice in the National Council, or Parliament, as it began to be called in this reign (1246). It thus helped, as we shall see later on, to prepare the way for an important change in that body.<sup>1</sup>

**258. Henry's Extravagance.** — When Henry became of age he entered upon a course of extravagant expenditure. This, with unwise and unsuccessful wars, finally piled up debts to the amount of nearly a million of marks, or, in modern money, upwards of £13,000,000 (\$65,000,000). To satisfy the clamors of his creditors he mortgaged the Jews, or rather the right of extorting money from them, to his brother Richard. He also violated charters and treaties in order to compel the nation to purchase their reissue. On the birth of his first son, Prince Edward, he showed himself so eager for congratulatory gifts, that one of the nobles present at court said, "Heaven gave us this child, but the king sells him to us."

**259. His Church Building.** — Still, not all of the king's extravagance was money thrown away. Everywhere on the continent magnificent churches were rising. The heavy and sombre Norman architecture, with its round arches and square, massive towers, was giving place to the more graceful Gothic style, with its pointed arch and lofty, tapering spire. The king shared the religious enthusiasm of those who built the grand cathedrals of Salisbury, Lincoln, and Ely. He himself rebuilt the greater part of Westminster Abbey as it now stands. A monument so glorious ought to make us willing to overlook some faults in the builder. Yet the expense and taxation incurred in erecting the great minster

<sup>1</sup> The first tax on movable or personal property appears to have been levied by Henry II., in 1188, for the support of the crusades. Under Henry III. the idea began to become general that no class should be taxed without their consent; out of this grew the representation of townspeople in Parliament.

must be reckoned among the causes that bred discontent and led to civil war.

**260. Religious Reformation; the Friars; Roger Bacon.** — While this movement, which covered the land with religious edifices, was in progress, religion itself was undergoing a change. The old monastic orders had grown rich, indolent, and corrupt. The priests had well-nigh ceased to do missionary work; preaching had almost died out. At this period a reform sprang up within the church itself. A new order of monks had arisen calling themselves in Norman French *Frères*,<sup>1</sup> or Brothers, a word which the English turned into Friars. These Brothers bound themselves to a life of self-denial and good works. From their living on charity they came to be known as Mendicant Friars. They went from place to place exhorting men to repentance, and proclaiming the almost forgotten Gospel of Christ. Others, like Roger Bacon at Oxford, took an important part in education, and endeavored to rouse the sluggish monks to make efforts in the same direction. Bacon's experiments in physical science, which was then neglected and despised, got him the reputation of being a magician. He was driven into exile, imprisoned for many years, and deprived of books and writing materials. But, as nothing could check the religious fervor of his mendicant brothers, so no hardship or suffering could daunt the intellectual enthusiasm of Bacon. When he emerged from captivity he issued his *Opus Majus*,<sup>2</sup> an "inquiry" as he called it "into the roots of knowledge." It was especially devoted to mathematics and the sciences, and deserves the name of the encyclopædia of the thirteenth century.

**261. The Provisions of Oxford.** — But the prodigal expenditure and mismanagement of Henry kept on increasing. At last the burden of taxation became too great to bear. Bad harvests had caused a famine, and multitudes perished even in London.

<sup>1</sup> *Frères* (frâr).

<sup>2</sup> *Opus Majus*: Greater Work, to distinguish it from a later summary entitled the *Opus Minus*, or Lesser Work.