ducal demesnes, which were very important at the time of William the Conqueror, had been pillaged, usurped, and whittled away during the civil wars of the twelfth century and the great rebellion of 1178–4. What was left did not bring in more than 12,000 marks. We have seen that the Capetian demesne consisted of scattered rights and possessions and the ducal demesnes in Normandy were very similar. For instance, in the diocese of Rouen, the towns of Rouen, Dieppe, Arques, Lyons, Lillebonne, Montivilliers, Fécamp, and Blosseville had the duke as their lord; that is to say, there were properties and rights which he had not alienated and that, in some parts, his farmers could raise quit rents on the houses; in the viscounty of Avranches, a fragment on the conditions of the domanial rights tells us that the City and Tower of Avranches and the meadows and chestnut grove of the town belonged to Henry's demesnes.¹ The king had extensive forests rigorously patrolled for the sake of his game. The fines and compositions arising from ducal justice and the profits on the English and Angevin money which was in circulation in the duchy ² and the commercial and fishing rights were, however, the most important resources. Finally, in cases of particular emergency, the king could levy extraordinary taxation, feudal aids, and scutages. In short, the Duchy constituted a source of finance of considerable importance for the Plantagenets all the more since money was becoming abundant and inconvenient payments in kind had for a long time been almost obsolete. Richard and John took undue advantages of these resources: we should almost be justified in saying that they drained Normandy of its strength.

The financial administration bore many close resemblances to that of England; it had shown parallel developments in the two countries.³ The Court of the king-duke when concerned with financial business is generally called "Curia dominii regis ad seaccarium" ⁴ the king's Court sitting at the Exchequer. The Exchequer was at Caen where the treasure was kept and, as in England, it had two sessions a year at

¹ CVI, intro., 345 ff.
² Details in COCI, x, 198 ff.
⁴ COCL, 688.
Easter and Michaelmas under the direction of the seneschal of Normandy and the treasurer. Besides the important individuals who were known as Barons of the Exchequer there were, at the time of Henry I, Justiciars who were the technical officials. Under Henry II there were still barons but the title did not necessarily imply magnates; it was assumed by the specialists, and the bishops who appear at the Exchequer at Caen at the end of the reign are veteran officials rewarded with benefices. The system of accounting was the same, in principle, as in England but the existence side by side of farmers, old and new, viscounts, provosts, bailiffs, who like the sheriffs across the Channel were responsible for collecting the moneys and rendering account made the Norman Roll of the Exchequer much more complicated. It was the task of the Exchequer to receive and check the revenues and subsidies, to judge matters of dispute, and to audit the accounts. When the bishop Richard d’Ilchester, an official of the English Exchequer, became Seneschal of Normandy in 1176, the Norman Exchequer received a considerable stimulus. The farms were revised and many arrears were realized dating back, in some cases, twenty years. In short the Anglo-Norman financial administration was alike on both sides of the Channel in its methods, its competence, and the relative abundance of the resources with which it provided the sovereign.

The title of Exchequer was frequently given in Plantegenet Normandy to the ducal Court considered not as a Chamber of Account but as a Court. In the twelfth century the Court of Justice was called the Exchequer if it sat at Caen in the Exchequer chamber. It was a question of location. The Court of the king duke, in any case, was not divided into strictly specialized divisions and the same people might well be concerned with both justice and the finances. Fiscal controversy, moreover, provides a link between the two administrations. The Court of Justice, however, did not sit only at Caen; it was essentially itinerant. The Great Seneschal, the Constable of Normandy, and the bishops had, on these occasions, the title of “justices” and presided at “plenary assizes” with the assistance of “men of importance” and legal specialists.1 They judged issues concerning lords,

1 See the lists in OVI, particularly intro., 347, 349, and vol. ii, n. 647.
abbey, and matters which affected the king. Once or twice a year, in each viscountcy, a less important assize was held, which, however, was just as much a session of the Court, for minor cases. There was a local session held once a month by the viscount or bailiff. Finally, the lords, lay and ecclesiastical, had not lost their rights of justice. Some of them even continued to judge murders, highway crimes, offences against the coinage, and other important cases constituting the "pleas of the sword" but this was rare and the higher justice was almost always reserved for the ducal judges. We can see that the administration of justice in Normandy and England shows, in many respects, similar characteristics. Even the terms *justice itineraries* and *assizes* are common to the two countries.\(^1\)

This is equally true of procedure. Its development was parallel in the two countries. The sworn inquest and the deposition of witnesses were Carolingian usages which the Church had preserved in the break-up of the tenth century. They can be found before the time of Henry II in England and Normandy alike. In particular, Henry I had made use of them to determine the possessions of the Bishop of Bayeux. It seems probable that they were introduced into England by William the Conqueror for primarily fiscal purposes such as the collection of the data for Domesday Book; he also brought with him the barbarous system of the judicial duel which roused much dissatisfaction among the English. The lawyer king, Henry II, earned the glory of generalizing the system of juries. By a letter from the Chancery (the writ of English law) Norman plaintiffs could take advantage of the "recognition" or local inquest in place of trial by judiciary duel or by the oaths of witnesses in support of the suitor. However, the court could refuse an inquest when the papers of the case provided sufficient information. Here is the record of an assize held at Caen in 1185: it has a quite modern atmosphere: it is concerned with a case over the right to present to a benefice and the judges are seated round the Exchequer table.

Ralph Fitz Eudo has produced a writ (which he has obtained) from the lord the king to the Assize at Caen to William Fitz Ralph,

at that time Seneschal of Normandy, and to the other justices holding assize at that time. By which writ the lord the king orders recognizance to be made by verdict of loyal subjects to discover who presented the last beneficiary, now dead, to the church of Carpiquet. On this the dispute arose between the Abbess of (Holy Trinity of) Caen and Ralph Fitz Eudo. The abbess has said that the church of Holy Trinity has held the right since its foundation by gift of King William and Queen Matilda and that it has been confirmed to the abbey by the charter of King William and of King Henry son of the Empress Matilda. After hearing the matters, the barons of the Exchequer, William Fitz Ralph and the other justices of the lord the king, in the Exchequer, have considered that there is no need to make recognizance and that the abbess should not be called to plead about this church which was confirmed to the abbey by charters of the lords of Normandy. Therefore Ralph Fitz Eudo has been nonsuited in his claim against the abbey for this church by judgment of the barons of the Exchequer in the Exchequer in the presence of William Fitz Ralph.\textsuperscript{1} . . . . (twenty-four names follow.)

We have seen the system of the writ, the inquest, and possessory actions to prevent evictions by force in use in England but it is almost certain that the normal use of the inquest in cases concerning property or possession began in Normandy in consequence of an assize or law due to Geoffrey Plantagenet. Henry II ensured the systematic extension of the procedure first in Normandy and then, some years later, in England. Normandy, however, did not maintain its pre-eminence for the full development of the jury was confined to England.\textsuperscript{2}

Even when we have taken full account of the reserves which made the persistence of Anglo-Saxon institutions in England of such great importance, Normandy remained, at that period, the basis of the English monarchy and of its expansion on the Continent. The Plantagenets were as powerful there as across the Channel; they imposed a minutely regulated feudal military service and they possessed castles of tremendous strength which they continued to build. The coronation oath of the duke, corresponding to the consecration oath in England, did not impose any practical restraint on the power of Henry II. Above all there was not so much an Anglo-Norman patriotism as an Anglo-Norman hostility to France.

It is true that Normandy had not the strong unity which it had in the time of William the Conqueror and its character

\textsuperscript{1} OVI, ii, 647.
\textsuperscript{2} XXVIII, ii, p. exiv, civii; DCL, 194 ff.; DXXII, 86–93; and, particularly, OCCI, 149 ff., 166 ff.
was complicated by the existence of very divergent interests, but the policy of Louis VI, Louis VII, and Philip Augustus contained little to attract the Norman to the Capetian cause. Norman literature of the period reflects only contempt; the French are constant subjects of mockery as poverty-stricken and mean. For instance, Wace in one section of his History of the Normans composed in 1174 after the attempt of Louis VII to take possession of Rouen writes that the French are false and treacherous, covetous and greedy, always seeking to dispossess the Normans. King Henry must be on his guard against them. But the Normans are quite capable of keeping them in check by the mighty blows they strike at them and King Henry is so wise, so brave, and so powerful that he can make Louis and his men tremble.¹

IV

Anjou, Touraine, and Maine

Anjou, Touraine, and Maine did not cause Henry II such constant anxiety as Normandy, which was always threatened by the Capetians; they did not provide him with either the same resources or the same models of justice and administration. Anjou was not as advanced as Normandy either from the point of view of justice and procedure or of the editing of deeds or of executive and fiscal organization. The Loire countries were administered by provosts, local seneschals, and bailiffs in the primitive sense of the term, subordinate officials who, by 1190, had no functions in common with the Norman or Capetian bailiffs. The most original institution was that of Seneschal of Anjou, an important official who generally presided in the count’s court at Angers in place of the king count.² Almost throughout his reign, Henry II was content to leave the office in the hands of a local noble, Stephen de Marsai. There is a charter which contains an account of what he understood as his duties. A local lord,

¹ DIV, 44 ff. Cf. the map of Normandy given in DXXXIX, ann. 1906, p. 633 ff., and CCXLIX, chap. vi.
² CVI, i, n. 37, 118, 131; ii, n. 654, etc.; and intro., 220, 378; CLX, 1st part, ii, 10 ff. and passim; CCC, 133 ff., 186 ff., 146, 230 ff.; DXXII, 37-9; CXXXI, 97 ff., 196 ff.
Hamelin, had wronged the monks of Marmoutiers who complained to the king. Stephen de Marsai somewhat reluctantly summoned the guilty party who refused to appear.

Because of Hamelin’s noble status, I did not take any notice of his injustice to the monks whereupon the monks told the lord the king that for justice I could never be found but that for injustice I was always available. Learning this, the king became extremely angry with me and did not hesitate to make the most violent threats. I left him in fear and summoned Hamelin.¹

The monks gained their case but Stephen remained a somewhat unreliable official. On the accession of Richard he pretended that the treasury at Chinon was empty. Richard threw him into prison and made him disgorge.²

At times of emergency, the kings of England, lacking a stable administration, were forced to entrust the Loire provinces to a sort of viceroy. During the great feudal revolt of 1178–8, Henry gave charge of Anjou and Maine to his faithful follower Maurice de Craon.³ In 1200, John Lackland, in a fit of uneasiness, created a hereditary daisiferate for William des Roches who was at the same time Seneschal of Anjou, Maine, and Touraine.⁴

The Angevin kings thus provided a baron with the dangerous weapon which they had used themselves against the Capetians for, by right of their position as counts of Anjou, they claimed to exercise the office of Seneschal of France by hereditary title and thus to destroy the long standing rights of the French kings in the churches of Tours like St. Martin and St. Julian. To maintain this claim, Henry II commissioned his retainer, Hugh de Cleef, to compose a “Treatise on the Mayoralty and Seneschalship of France” in which it is extremely difficult to distinguish exactly the genuine from the false.⁵

It was probably in 1158 that Henry II produced this strange document. He raised the matter to provide himself with a title which he lacked for seizing Brittany. Louis VII, a man of little subtlety, allowed himself to be persuaded.

¹ CVI, i, n. 200; cf. the intro., 459 ff.
² LVIII, i, 381 ff., line 0177 ff.
³ CXXVIII, i, 82.
⁴ CCLXXVII, vol. xxxii, 104–5; CCLXXXII.
Henry II entered Brittany as Seneschal of the King of France, he forced the Count Conan to resign the County of Nantes and, some years later, completed the conquest by marrying his son Geoffrey to Constance the daughter of Conan.\footnote{COXLVIII, 68 ff.; COXXI, iii, 271 ff.; COXXII, chap. ii.} Of this marriage came Arthur the rival and victim of John Lackland. As long as he lived, Henry remained master of Brittany; he put down anarchy and kept peace for the lesser men and he was probably the creator of the eight bailiwicks administered by seneschals. He introduced the principle of Norman law into the law of Brittany and one of the chief landmarks in Breton law, the Assize of Count Geoffrey, bears the name of his son. He forbade the division of baronies and knights’ fees.\footnote{LV, i, 146-7; UV, intro., 220, 413, 479, 487; DXXVI, 117 ff.; UV, 55 ff.; COXIII, p. vii ff., 22 ff.; UV, i, 282-3.} On the whole, it was during the short period of Plantagenet rule that Brittany was brought into the orbit of western civilization.

V

**Aquitaine**

The government of Aquitaine was a difficult and thankless task for Henry and his sons; in fact, it is not until the thirteenth century that we can say the country possesses an English administration. In the twelfth century, Aquitaine continued to present a picture of feudal anarchy comparable to that which had existed throughout France in the time of Hugh Capet. The reign of William VIII, Eleanor’s father, had been nothing but a succession of deeds of violence, brigandage, and petty wars which were always welcome to the duke though he was not always victorious.\footnote{DLX, ii, 1 ff.} That is the reason why, having no male heir, he had entrusted his daughter Eleanor to the king Louis the Fat to avoid the disintegration of his duchy already shorn of many of its dependencies during the two previous centuries.

After his marriage with Eleanor, Louis VII was quite incapable of keeping a hold on the reins. His officials could not keep order and it was only with great difficulty that
they raised any income now and again.\footnote{See, in particular, a letter from the Seneschal William de Mauzé to Suger: H.F., xv, 486.} What were the feudal ties which bound the Gascon and Poitevin nobility to the Duke? Historians have rarely defined them either owing to lack of illustrative texts or because the bonds remained extremely indeterminate. The Count of Angoulême claimed for the majority of his vassals to owe homage only to the King of France.\footnote{DLXXIV, 1 ff.} Even minor lordlings, the “bachelors” of Poitou, refused feudal duties to the Plantagenets.\footnote{LVII, 282, line 24.} In general their oaths were of little practical value and the disloyalty of the Poitevin nobles was proverbial. “An extremely warlike country of uncertain loyalty” said William the Breton\footnote{DLXV, ii, 369, 385.} at a later date. Neither the clergy, although loaded with gifts, nor the towns offered any stable support.

The only policy to follow, therefore, was to maintain and extend the ducal demesne, to hold strong castles to make traffic possible and uphold the prestige of the sovereign, to put officials in those positions from which finance could be raised, and to entrust the general supervision of the country to a few dependable men. That is what Henry II did. His original demesne consisted of the provostships of Poitiers, Niort, Benon, La Rochelle, St. Jean-d’Angely, Fontenay-le-Comte, and several scattered holdings.\footnote{DXLI, 42.} He bought the country of La Marche for fifteen thousand pounds and during his reign and his sons’ the County of Angoulême, the Viscounty of Limoges, and the County of Périgord were occupied at different times and these ancient dependencies of Aquitaine Berry, Auvergne, Toulouse, were the subject of disputes with the Capetians. The rich county of Angoulême with its rich countryside, its strong castles, and its main routes from Paris to Bordeaux was a particularly valuable prey. John Lackland lost control of it in 1200 when he signed the peace of Goulet with Philip Augustus but he recovered it shortly afterwards on his marriage to Isabel, the heir to the county.

This policy could be maintained only at the price of incessant war and it demanded the almost constant presence of the king or some members of his family. Richard Cœur de Lion passed a great part of his life between the Loire
and the Pyrenees both as Duke of Aquitaine during his father's lifetime and during his own reign. Eleanor, who only died in 1204 full of years but still vigorous and alert, played an important part in the history of Aquitaine on several occasions. She was mistress of the county in her own right and it was under her direction that her young son Richard enjoyed the ducal prerogatives from 1169 onwards. Eleanor settled herself in the palace at Poitiers and would have remained there if she had not rashly taken part in stirring up the great revolt of 1173 against her husband who held her in captivity for twelve years until 1185 when he made use of her to recover Aquitaine from Richard who was in revolt. On the accession of John she did homage in person to Philip Augustus for the Duchy of Aquitaine.

She made a long progress through the country and it was thanks to her that her son, whose enemies were rallying to Arthur's cause, 1 did not lose Aquitaine.

Even more than in Normandy the essential weapon of domination was the château. Since the service of Guard and Host could not be regularly exacted, bands of mercenaries like that of the famous Mercadier 2 were made responsible for holding the fortified places at considerable expense to the local population. Above the castelans was the seneschal. The creation of this important office appears to have been the work of Eleanor's father, William VIII, who borrowed the idea from his neighbour the Count of Anjou. Nobles of the district held the title at first. One of them, Ralph de Faie, Eleanor's uncle, was excommunicated for his exactions at the expense of the Church. Subsequently, Henry II tried to secure the discharge of the office by an Englishman, the Count of Salisbury, to whom he gave very extensive powers. An important Poitevin noble, Hugh de Lusignan, killed the Englishman with a lance thrust in 1168 and Henry returned to the practice of appointing a local man. Richard Cœur de Lion seems to have been more fortunate in his administration; he was not lacking in political intelligence and immediately on his accession he appointed as seneschal an old servant who had given frequent proof of bravery and ability—Pierre Bertin, previously Provost of Benon: Pierre

2 OCCI, 421 ff.
Bertin suppressed revolt without ceremony and thanks to him the Plantagenets retained Poitou while Richard was absent on his Eastern adventures. Pierre Bertin had charge only of Poitou; Gascony formed a second seneschalship entrusted to the loyal Geoffrey de la Celle. John was not able to maintain this organization. From the time when he received the duchy from his mother’s hands confusion and intolerance marked the administration of Aquitaine. During the first three years of his reign, he had sometimes two seneschalships sometimes only one; sometimes they were left in the hands of dependable men French or English, at others they were abandoned to local barons or mercenary leaders. Fear of seeing Poitou take up Arthur’s cause appeared to have sent John mad. Happily for him the Poitevins were no more anxious to accept the domination of the King of France than his and they only sought their independence.

VI

RELATIONS OF THE PLANTAGENETS WITH THE NOBILITY, CLERGY, AND TOWNS OF THE CONTINENTAL POSSESSIONS

The administration of the Plantagenets, able in Normandy still amorphous in Aquitaine, seemed rigorous to the nobility. In Normandy they had, for a long time, been controlled and the Feudal System functioned extremely logically entirely to the advantage of the suzerain but the Norman barons were held in check by fear alone as the rising of 1173 clearly shows. Outbursts of loyalist enthusiasm stimulated by the bravery and generosity of Richard Cœur de Lion and examples of unshakable allegiance like that of William the Marshal are sufficient to prove nothing more than a sincere attachment. Even in Normandy many nobles were in need and ready to support the highest bidder. In Anjou, Henry II could only make sure of his possession of the country in the early part of his reign at the price of a war against his own brother Geoffrey aided by a powerful Poitevin baron, the Viscount of Thouars. In the south-western area the typical

2 DLXII, 59 ff.; DXXXIX, ann. 1906, pp. 696-7; CCLXXXII, 57 ff.
3 DLXV, ii, 119 ff., 139, 147; CCLVIII, 94-6.
baronial figure at this period is Bertrand de Born, the warrior poet, an insufferable bully who found pleasure in nothing but slaughter and arson; this monomaniac has been represented as a southern patriot seeking to defend his "nationality" but he showed no reluctance to change sides when his love of battle or self interest recommended it.\(^1\) The energy of Henry II during the early years of his reign was largely engaged in suppressing feudal risings in Poitou. The counts of Angoulême, La Marche, and Périgord, the viscounts of Thouars and Limoges, the lords of Saintonge and, south of the Garonne, the Count of Bigorre were violent enemies. In 1178–4, with the assistance of Eleanor and the king's sons, they found allies in every part of his dominions and all but overthrew him.\(^2\) After that heated incident Richard became for several years his father's faithful lieutenant and passed his time in fighting and ravaging the country. He formed in Poitou an association of knights, the Pacifiques, to exterminate the brigands. After becoming king, Richard, after his Eastern crusade, returned to Poitou to end his life of battles. Covertly encouraged by Philip Augustus, the Poitevin barons remained throughout the enemies of the Plantagenets.\(^3\)

The brutality of Richard did not find any more docile victims in the Bretons. In 1196 he attempted to force them to give up to him his nephew Arthur. They refused and appealed to the King of France. Richard subjected Brittany to widespread devastation which had no result except to exasperate the population, and the Bishop of Vannes who had charge of Arthur gave him up to Philip Augustus.\(^4\) When Richard died before the castle of Chalus, the nobility of Brittany, of the Loire Valley, and northern Poitou recognized Arthur as their lord.

In principle the cause of the Clergy was inseparable from that of the prince; it was the Archbishop of Rouen who girded on the new Duke of Normandy the sword of the ducy; the new Duke of Aquitaine was proclaimed Abbot of Saint Hilary de Poitiers and went to the cathedral of

\(^1\) OXIII, 97–105. Cf. his "sirventes" with translation in OXIII.
\(^2\) See p. 151 above.
\(^3\) DLXXV, ii. 184 ff., 173 ff., 202 ff.; OXIV, 17 ff.; OXIII, 5 ff.; OXIII, i. 212 ff., 271 ff.; iii. 17, 75 ff., and passim.
\(^4\) OXII, iii. 127 ff.
Limoges to receive the ring of St. Valery among the customary acclamations. The majority of the charters of the Plantagenets concerned with their overseas possessions are grants and confirmations of privileges of all sorts in favour of the churches.\(^1\) In return, in almost every case, they claimed the right to secure the appointment of prelates acceptable to them and exacted the regale. In the two lines, from William the Conqueror to Geoffrey Plantagenet, their ancestors had bequeathed them a tradition of authority which they maintained in spite of the progress of the Papacy and the development of the Gregorian spirit. Henry II and Richard refused entry to their dominions to the papal legates, resisted the encroachments arising from the new Canon Law, maintained their right to intervene in elections even in important semi-independent fiefs like the Viscounty of Limoges.\(^2\)

In Normandy, in spite of this tyranny, the Norman bishops displayed a loyalty to the Plantagenets which only the extravagance of John Lackland could shake.\(^3\) In Aquitaine and Poitou, on the other hand, the clergy resisted in the first place because the general powers of the Plantagenets were not firmly established and also because Louis VI forfeited the authority of the prince in part in order that the Church should favour the marriage of his son with Eleanor. He had yielded to the Archbishop of Bordeaux and to the bishops of Poitiers, Perigueux, Angoulême, Saintes, and Agen “entire canonical freedom in the election of bishops and abbeys without obligations of homage, oath, or faith”.\(^4\) As a consequence, the Archbishop of Bordeaux, Geoffrey du Lauroux, considered himself an independent lord and claimed to reign over the Bordelais. Henry II and Richard frequently succeeded, however, in dominating the elections and getting their candidates accepted. But there were, particularly at Bordeaux, Limoges, Poitiers, conflict, violence, and brutal expulsions. John Lackland, on Eleanor’s advice, made up his mind to put himself under the protection of the Archbishop of Bordeaux, Helie de Malmort. Although in general

---

\(^1\) CVI and intro., 152. Catalogue of Richard’s deeds in CCCI, ii and iii, appendices.

\(^2\) COULXXX, 455 ff.; CLXXX, 810 ff.; CCCL, 153-4, 170-3; DCL, 79, 82 ff.; CCCI, 193 ff.

\(^3\) CDXXVI, 16 ff.

\(^4\) Text quoted in COULVIII, 9, n. 2.
he had little to recommend him, he was faithful to John and helped to preserve Aquitaine for him.¹

Between the Plantagenets and the burgesses of their Continental possession there was no open alliance. Even in Normandy they measured their concessions very narrowly. They established communes primarily to provide soldiers.²

For a long time the English kings had been thinking of granting special liberties to the towns which, by their position, commanded the entrance into Normandy and were grouped round a castle. Verneuil, built on the frontier by Henry I,³ due one day to repulse the attacks of Philip Augustus, so decisively fell into this category and so did Breteuil an important stronghold, established by William the Conqueror, the customs of which were a model for the lords who founded towns in the Welsh marches.⁴ The case of Rouen, however, is typical as an example of Plantagenet policy in this matter. It received valuable privileges of a judicial, financial, and economic character without the right of self-government by charters of Henry I, Geoffrey, and Henry Plantagenet. About 1170 it assumed the title of Commune and its Établissements, so famous in the history of urban liberties, were drawn up.⁵ But, so far as Rouen is concerned, the title of commune is somewhat mistaken. The prince retained the higher justice, chose the mayor from a list presented to him, and controlled the municipal administration. On the other side, the population were subject to very severe military obligations. The mayor was chief of the militia and when, on the king’s order, he summoned the men of the commune and led them to the Host no one dare fail to attend.

If the commune has to go outside the country by command of the king or his justiciar, the mayor and aldermen shall decide who are responsible for guarding the city. Whoever is found in the city after the hour of departure shall be arrested by those who have remained to guard the city and shall be at the mercy of the mayor and his aldermen for the destruction of his house or condemnation to a fine of a hundred sous if he has no house. If, when the commune is on the march, anyone departs without the permission of the mayor and aldermen he shall be in mercy.⁶

¹ COCLXIX, 463 ff.; DLXXV, ii, 97–8, 126 ff., 129 ff., 144 ff., 308 ff., 386, 431 ff.
² Cf. CDXXVII, 291 ff. S. R. Packard believes rather in fiscal motives. His argument does not seem to me entirely convincing.
³ COCLXIV, i, 52.
⁴ CLXVII, cf. CLXI, 646 ff.
⁵ DLXVIII, 2nd series, 8 ff. Cf. COCLXV, i, 24 ff.
⁶ COCLXIV, ii, 37, § 28.
The Établissements de Rouen became a model charter. The Plantagenets assured its extension because it offered the double advantage of very strictly limited municipal liberties and guarantees for burgess military service. During the ten years which preceded the conquest of Normandy by Philip Augustus, charters of this type were granted to or imposed on Evreux, Bayeux, Alençon, Fécamp, Harfleur, Montivilliers, Falaise. . . .

John Lackland specified in those which he granted in 1202 that he wanted the town concerned to have a commune so long as it pleased him and that it must immediately prepare resistance to the King of France. It was in fact a burgess vassalage which was thus created and it might well involve mesne vassalage.

In Aquitaine, the Plantagenets met greater difficulties. The ducal towns directly administered by provosts or seneschals bore their extortions badly. Poitiers in the time of Louis VII had tried to throw off the yoke. Henry II in the period between 1173 and 1178, when feudal menaces forced him to make concessions, granted to this town and to La Rochelle charters as communes based on the liberties of Rouen. Eleanor and John generalized the system and Bayonne, Niort, Saintes, Saint-Jean-d'Angely, and the Île d'Oleron received charters generally modelled on those of Rouen and La Rochelle for the better defence, as it specifically stated, of the rights of the King of England and their own rights.

About the same period, Bordeaux which led a rather separate existence also became a commune governed by jurats but it enjoyed much greater independence. As for Limoges and Angoulême their relations with Henry II were stormy; the burgesses were fighting for independence from their counts and it was only in 1204 that Angoulême after becoming a part of John's demesnes received the Charter of La Rochelle.

The system of the Établissements of Rouen and La Rochelle, we must repeat, aimed at providing the King of

---

1 COXIV, i, 47 ff.
2 CXXV, 136 and 146.
3 III, i, n. 27 and intro. by Boissonade, p. xxxvi ff.; COXIV, i, 54 ff., 106 ff., 230 ff., 294 ff., 357 ff.; XXXV, n. 27, 28, 56, 57.
4 COXLXXX, 136 ff.; COXIV, 154 ff.
5 DLXXV, ii, 113 ff., 207 ff., 648–6; COXIV, i, 310 ff. In John's reign, Limoges, disputed between the King of England and the King of France, was almost independent—see COXXXII, 71, 86–7.
THE PLANTAGENET'S POLICY

England with strong towns capably defended and a trained bourgeoisie ready to take part in a military expedition. The town was in the hands of a municipal aristocracy whose loyalty was capitalized. The reckoning was only correct in part, for the upper bourgeoisie were to show in the future that it was concerned only with its own interests.

VII

AMBICTIONS IN THE MEDITERRANEAN

Henry II has been accused of aspiring to world domination. This ancient Roman dream was shared by many in the Middle Ages. In any case there is no doubt that Henry II had enormous ambitions. He wanted to extend his power to the shores of the Mediterranean and beyond the Alps.¹ We have seen his attempt to annex the County of Toulouse, an old dependency of Aquitaine, and his son Richard received the homage of Raymond VI. The alliance with the Count of Barcelona (1159), the marriage of one of Henry's daughters to the King of Castille (1170) and of Richard to Berengar of Navarre (1191), the projected union between John and the heiress of Savoy (1173), Richard's homage to the Emperor Henry VI for the kingdom of Arles and Burgundy (1198), his dominating attitude in Sicily (1190–1), the occupation of Cyprus (1191), the ambition which Richard cherished to lay his hands on the kingdom of Jerusalem and the Eastern Empire and secure his election as Emperor on the death of Henry VI, all these are plans, abortive schemes, which reveal a megalomania which surely contributed in large part to the exhaustion and disintegration of the Angevin Empire.² But if France had not possessed, during the storms of the end of the twelfth century, a man of the stature of Philip Augustus the Capetian monarchy, hemmed on all sides, would undoubtedly have succumbed.

¹ CCXI, 280 ff. The thesis of F. Hardegen, CCXLVII, according to which Henry II wished to displace the Emperor as Supreme in the West is extravagant. See the analysis of H. W. C. Davis in E.H.R., 1906, 363–7.
² CCXI, i, 280 ff., 272 ff., 331; ii, 4, 131 ff., 187 ff., 260; iii, 41 ff., 73, 107, n. 8, 173–4, 213; CCXLXXXIV, i, 1 ff., 78 ff.; CDXXXIII, 127 ff.; DXXII, 139; CDXLVI, 55, 67.
The account we have given must lead, in effect, to the conclusion that the Norman kings had prepared and the first two Plantagenets realized the foundations of the strongest feudal monarchy Europe had ever seen. In some respects it even went outside the framework of feudalism and its principles and procedure were borrowed from the government of Charlemagne. To check its progress demanded an intensive and violent effort.
CHAPTER IV

RESISTANCE OF THE CAPEIANS TO THE ENGLISH HEGE-MONY. PROGRESS OF THE FRENCH MONARCHY, 1152-1201

I

THE RESOURCES OF THE MONARCHY

FROM the divorce of Louis VII and Eleanor and the foundation of the Angevin Empire until the moment when Philip Augustus discovered the means of disbelieving John Lackland, three major facts dominate the history of the Capetian monarchy; its authority in the kingdom grows and it finds a new basis of support in the bourgeoisie; it was compelled to use almost all its resources, new and old alike, in a war of attrition against the Angevin dynasty; finally its ambition to settle this long-standing quarrel by victory, to live, and to grow brought it into conflict with the old traditional powers, the Empire and the Holy See who had little interest in the quarrels of the "petty kings" of the West and sought to re-establish peace between all Christians that it might involve them in a Crusade, in which the Capetians could do nothing but expend their resources in vain.

It is surprising that for half a century the Capetians were able to resist the Plantagenets. To the North, West, and South, the still scanty royal demesnes were threatened. We may well ask of what means and of what circumstances the feeble Louis VII and the young Philip Augustus had been able to take advantage.

The most important of the resources of the monarchy was the personal ability of the king. Louis VII, who was to be succeeded by a statesman of the first water, had himself been vigorous and warlike in his youth and, throughout his life, he remained capable of harshness and cruelty,¹ but the treason of Eleanor, whom he loved passionately, and the misfortunes of the Crusade increased his devotional tendencies and his submissive attitude to the church and

¹ XLIII, 588, 595.
deadened his faculty of judgment, decision, and perseverance. Ecclesiastical writers never cease praising his piety and humility and the simplicity of his life but they add that he easily made mistakes and, at times, was “almost silly”.¹ When he was only just 59 years old, at the beginning of 1179, he was stricken with a partial paralysis and henceforward he did nothing but live an invalid’s life. On the 1st November steps were taken to consecrate his heir, Philip, who had just reached the age of 14: officially there were two kings ruling jointly and that, of course, was no innovation. In June, 1180, the advisers of the young Philip were afraid that advantage would be taken of the growing incapacity of the old king and Louis VII was deprived of the seal.²

Born at Paris on the 21st August, 1165, Philip was 15 years old when his father died on the 19th September, 1180.³ It is impossible here to present a “portrait” of this great king which would be valid for his whole reign. Men change and the drama and experience of a life marked by important events modifies character and tempers ambition. Philip certainly changed greatly during the forty-three years of his troubled reign and even during the period which we are considering here. At the end of his life he was to be a good companion, careful, crafty, and somewhat cynical but at the period when, an immature youth, he was tossed from day to day through a political career full of pitfalls, this “ill-kempt boy”, nervous, emotional, and subject to sickly fears and hallucinations, loved action above all and hunting and cared little for study; it had not been possible even to teach him Latin.⁴ His mother, Adela of Champagne, had given him her intelligence and her love of power and glory.⁵ When he was barely 22 years old, the

¹ See the texts quoted by Alex. Cartellieri (CCXI), i, 2, and Addit. et Correct., 181–2. Cartellieri, to whose monumental political history of the reign of Philip Augustus we shall have to make frequent reference, has given in the R.H. of 1801–3, for the first time, a French edition of book i. Our references will be to the German edition.
² CCXI, i, 29–90, apps. ii, v, and vii, and addit., 143; CCXIV, 227 ff.
³ CCXI, i, 5. The surname Augustus was given to him by his biographer Rigord, who generally calls him simply Rex Philippus. We shall frequently do the same. Throughout the Middle Ages, the king’s general surname was “the Conqueror”.
⁴ CDLXVIII, 7; CCXIV, 247 ff.; CXLVI, 283.
⁵ CCXI, i, 8; CCXIV, 240–2.
Count of Flanders said of him that he was prudent and strong in action and forgot neither good nor evil. The dangers he encountered during the early years of his reign and the complex intrigues which revealed humanity to him in its true light matured him very quickly. His “Will” of 1190 which he dictated at the age of 25 is the work of a judicious politician. Above all the Crusade and the experience of the world of the Mediterranean and the Orient did much to open out his spirit. I think that historians have not appreciated the primary importance, from this point of view, of the two months’ journey which he made in Italy (October—December, 1191). He saw Rome and its monuments and learnt to understand the pontifical Curia which he tried, in vain, to win over to his side. He could appreciate its prudence and diplomacy and the difficulty of turning it to account. He saw great Italian Republics like Sienna and Milan where the burgesses were all powerful and, at Milan, he met the proud Emperor Henry VI in an interview. But these years of intense schooling and the serious disease he caught in Sicily had sapped his nervous system. He returned to France physically worn out, bald, lame, neurotic, subject to furious rages and baseless anxieties. He seriously believed that Richard Coeur de Lion was seeking his assassination. This neurasthenic state was acute at the period when he married Isambour of Denmark in 1193; he was pale and trembling during the ceremony of the queen’s coronation and unable to consummate the marriage. However, his moral strength never broke down and there was no moment when Richard or John Lackland could find him at a loss.

Precocious though he was, it was clearly his relations and advisers who governed during the first four or five years of his reign. After the death of Suger (18th January, 1151) and the retirement of the Templar Thierry Galeran about 1163, no first class statesman was discovered in the retinue of Louis VII. We can believe that mediocrity had free play when we see the latter, as death approached, charging the vain and inconsistent Count of Flanders, Philip of Alsace,

1 CXXXI, i, 257.  2 CXXXI, ii, 246–257.  3 Ibid., iii, 10, 19–20, 64 ff., 78; CXXIV, 253 ff.; CXLII, 180 ff.
4 CXXXVI, intro., p. x.
5 CXXII, ii, 324–6 (note on Thierry Galeran).
to watch over the young king. The count, surrounded by a brilliant chivalry, held the royal sword at the consecration ceremony and established himself as “Guardian” much to the annoyance of Adela and her brothers.  

The Champenois quickly retaliated. They had on their side an important ministerial family, the Cléments, who were minor lords of the Gâtinais and appear to have directed the administration during these critical years. About 1184, this direction passed into the hands of “William of the white hands”, Archbishop of Rheims and brother of Queen Adela. During the Crusade he, together with the queen, acted as viceroy: Philip Augustus in his Will of 1190 particularly made him responsible for holding every four months audiences in Paris “to hear and decide petitions of men of the kingdom”. This same text, in addition to the two regents, named Bernard, prior of Grandmont, Guillaume de Garlande, Pierre le Maréchal, the clerk Adam, and six burgesses of Paris; the personnel of the government was recruited at this period and for some time afterwards among the minor lords, clerks, and plebians of the Île de France and the district around Orléans. We know very little about them. We merely see that after Philip achieved manhood he knew how to take advantage of their ability and loyalty while always demanding to be kept in touch with affairs and consulted even when he was at a distance. The clerk Adam was his Receiver of Finances and the Prior Bernard his adviser on religious affairs.  

As for the five great offices which it would be dangerous to place in the hands of people who might overshadow the king, Philip Augustus left the Chancellorship vacant after 1185 and on the death of his uncle, Theobald of Blois, Seneschal of France, in 1191, he suppressed his office. In the others he placed dependable men drawn from the Beauvaisis district—minor counts of Beaumont and Clermont, Dreu de Mello, and the lords of Senlis.  

Around these people the “Kings Court” was grouped, sometimes including barons and prelates travelling through

---

1 OXXI, i, 37 ff., and app. iii, 14 ff.; OOULXXXIV, i, 93 ff.
2 DIXLIII, i, 137 ff.; OXXI, i, 13, and app. xi.
3 DDXXV, OXXI, i, 140, and genealogical table n. 2.
4 The chief text is the “Will” of 1190; CLIV, n. 345.
5 XXXI, intro., p. lxxxi ff.
or summoned to a full meeting, sometimes reduced to the permanent bureaucracy. We have already described it; it changed little during the course of the twelfth century; nothing here comparable to the amazing progress, administrative, financial, and judicial, across the Channel. France was two hundred years behind.

The development of the Curia Regis is marked, however, by three important features. First, important trials were heard there; bishops cited dukes and counts or even a commune in that court; thus, in 1158, the Bishop of Langres appeared there against the Duke of Burgundy; in 1165, the Abbot of Vezelay against the Count of Nevers; in 1190, the Bishop of Noyon against the burgesses of the town. On the other hand, we cannot dispute that the trials were prepared and conducted by professional lawyers like the jurispritus Mainerius and as a result, in the presence of the barons, the delivery of judgment had to be specifically delegated to these specialists. We should add that the Palais de la Cité, in Paris, became the chief judicial centre. Finally important sessions were frequently held and under Louis VII they played a decisive political part either in the organization of the Crusade or in the conduct of the war with England. We must agree that the general ordinances which arose from these discussions, such as that of 1155 for the establishment of peace for ten years to the profit of the Church and the people had no practical implications; only those which concerned the crusades were put into effect. Nevertheless, it is of some importance that the king obtained for his major enterprises as for the execution of his judicial sentences, the consent of his barons and bishops. He could do nothing without them. Seeing the King Louis VII imprudently becoming involved in a war with Geoffrey Plantagenet, Suger wrote to him:

"Wait until you have the opinions of your loyal bishops and barons who, in virtue of the loyalty they owe the kingdom and the crown, will help you with all their resources in doing what they have suggested to you."

1 See p. 30 ff. above.
2 Texts in LXXI, 16 ff.; CXXX, i, bk. iii; CIV, n. 346, etc.
3 On the obstruction caused in Paris by these meetings: DXXIX, i, 112.
4 LXXXI, n. 346.
5 CXXX, i, bk. iii, chap. 1; CXXXII, DCLXXX, 61 ff.
This text exactly expresses the advantages which the Capetians might gain from their feudal right of asking the advice of the barons. Louis VII and Philip Augustus undoubtedly drew their moral strength from the Church and the people, their consecration and monarchical tradition, but in respect to their baronage they owed it to their position as suzerains and we shall see Philip reaping decisive profits from his feudal prerogatives. The Curia by very reason of its feudal character became a powerful weapon in his hands.

As for material force, the king still drew upon it particularly in his demesnes. Louis VII had allowed Aquitaine to slip from his hands and gained no new territories. But Philip made up for lost time from the earliest years of his reign. Without mentioning the strongholds in Normandy and Berry which, as we shall see, he wrested from the Plantagenets, he acquired Artois in consequence of his marriage to Isabella of Hainault; the County of Amiens, Montdidier, Roye, and Peronne. Thus the royal castle of Montreuil-sur-Mer which had been isolated up to that time was connected with the demesne and the monarchy gained access to the Channel.¹

Finally an innovation of capital importance was carried out in the administration of the demesne. For more than a century it had been governed and exploited by provosts who, in general, held their office as a fief and did their best to make it hereditary. They farmed the king’s land, collected the revenues, arrested and judged law breakers, had charge of the royal tower in the town, and summoned the Host. Some of them were already affected by the aggressive and authoritative spirit of royal officials which gradually destroyed the feudal organization.² The provosts, however, were a greater asset for their brutal and plundering methods, exhausted Church, burgesses, and peasants alike. Their management was frequently suspect and their turbulence a cause of anxiety to the royal councillors who made visits of inspection to the more distant provostships very rarely.³

Philip Augustus had decided to increase these inspections, to invite his advisers on their journeys to make prolonged stays in districts, to do justice and supervise the collection

¹ ⁴⁶⁸, 95 ff.; ⁴⁶⁹ (cf. B.H.P., 1897); ⁴⁷⁰, 245 ff. For the acquisition of Montargis and Glen, see below.
² See, for example, the very curious deeds of 1146 in ⁴⁷¹, ii, 72, 73.
³ ⁴⁷⁲, 66 ff.; ⁴⁷³, i, 201, 214 ff.
of the revenues. In this way the institution was gradually created which was the most valuable instrument of the progress of the Capetian monarchy, the institution of the bailiffs. It is impossible to fix the exact date of their creation particularly because the term “bailivus” was employed in the general sense of “agent” and was to keep that vague meaning for a long time. However, from 1184–1190 we have some fifteen letters from Philip to “his provosts and bailiffs” and we believe we are justified in thinking that he was concerned with bailiffs delegated from the Court to do justice and supervise the provosts. All these letters are seeking protection for churches and abbeys and we may assume that one of the reasons for their creation had been the discontent of the clergy inadequately protected against brigandage and frequently plundered by the provosts. The decisive document, however, is the ordinance of 1190, the “Will” published by Philip before his departure for the Holy Land. It seems certain that the institution of bailiffs had acquired by that time a force and precision which it had not possessed before. In a certain number of territories, “distinguished by their own names,” the king has established bailiffs. Every month they will hold an Assize at which plaintiffs will obtain justice without delay and the kings rights will be safeguarded; the fines due to the king will be tabled in writing. At these sessions held in Paris each year by the regents, the bailiffs will report on the conditions of their area. In each provostship, they will appoint four experts whose advice they will always take; there will be six at Paris. The provosts cannot be displaced by the bailiffs nor the bailiffs by the regents, except in particularly serious circumstances, except with the king’s authorization.

After Philip’s return to France, from 1191–1201, we see bailiffs active at Orléans, Sens, Étampes, and, particularly, in the possessions newly acquired or threatened: in Artois, Vermandois, at Bourges and Gisors. They assume different

1 There is no comprehensive work on the origin of the bailiffs. We are giving here a summary of our personal researches. Cf. PGII, chap. xxxv, 170 ff.; CDXLVII, 544–6; CDXLVI, 286; CLXXXVI, 195 ff.; DOXXVIII, 11 ff.; CDXXVIII, i, 1 ff.; CDLX, 105 ff.; CCLXXIX, 346–7.
3 In jurisdictionibus vestris (n. 213). Cf. n. 297.
titles—bailiff, officer, assessor, justiciar, constable. They are knights belonging to the families which provided the monarchy with many administrators in the thirteenth century like the Bethisys and the La Chapelles. Henceforward the tradition is established.

In our opinion, their creation was suggested to Philip Augustus and his advisers by the Anglo-Norman institutions. There is evidence for this view. During the early years of his reign, Henry II adopted a friendly attitude towards the young king who was to entrap him so mercilessly on a future occasion. They had interviews and published a joint ordinance in 1184. Henry’s sons paid visits to the Court of France. Normandy, Anjou, and Aquitaine were administered by seneschals who were higher bailiffs responsible for supervising the local officials and this was well known to the Capetians. Louis VII had seneschals when he was Duke of Aquitaine. The monthly assize is a Norman institution. But the Capetian bailiffs were even more comparable to the itinerant justices and the sheriffs of England whose functions they combined. Like the itinerant justices, they came from the Curia Regis; they were organized in colleges to do justice and uphold the prerogative and rights of the king. Like the sheriffs, they represented the king, received his instructions, supervised his finances, and gave him an account of what happened. The four men of the provostship are the four men who represent the town in the county court. Thus on a particular point we find substantiation for Ralph de Dicci’s assertion that Philip imitated the administration of Henry II.

The principal task of the bailiffs became more and more to ensure honest financial management but they also had to find new sources of revenue. Louis VII comparing his modest life to that of the King of England said: “We French have only got bread and wine and a contented mind.” Philip Augustus, however, found this poverty intolerable and sought ways and means to escape from it.

1 CIV, n. 385, 433–5, 437, 438, 471; CCXLV, Pref. 43, 49, 54, 76–7, 84, 89, 116, 183, 271.
2 The countal bailiffs of Flanders were different in character; see CDXVII, 17 ff.
3 CIV, n. 123.
4 See p. 169 above; LXXVI, n. 163, 173; CCLXXIX, 346–7.
5 XCVI, ii, 7–8.
6 LXXIX, 225.
The new conquests that were made increased in proportion the products of the demesne and income of all sorts, taxes in commutation of services which were generally farmed out to the provost. The right of lodging and purveyance, that is the right which the king had by established custom, particularly in certain church lands, to demand food and accommodation for himself and his followers when travelling began during this period to be bought up for a fixed annual tax. Tolls and rights against the Jews provided a considerable revenue. In addition there were the fines and profits of justice, the rights of the chancery, and the profits of the coinage.\footnote{CIV, i, 88 ff.}

These revenues were enjoyed by the chief barons in their territories as well as by Louis VII and Philip in the royal demesne. As patron of a considerable number of bishoprics and abbeys, however, outside the demesne the king possessed resources which were extra-feudal in character and, even before the reign of Philip Augustus, it would be incorrect to say that there were no monarchical elements in the Capetian finances. The regale collected during the vacancy of an episcopal or abbatial seat proved to be so vexatious that the Church began to demand subscriptions from its proceeds;\footnote{CIV, iv, 1st part, 23, 41. The mark of Troyes, made famous by the development of the Champagne fairs, had been adopted by} apart from the King of England, no one among the great vassals could draw on such extensive regalian rights. In virtue of this title and the prestige of the Crown Philip was able to demand large money gifts from the abbeys or even the acceptance of his coinage in their possessions.\footnote{CIV, n. 98, 162.}

Finally the king, as supreme suzerain, possessed, in theory, the right to demand relief on each change in the holder of a fief held directly of him. From the period we are now studying, Philip Augustus tried to enforce this right. In 1192, the circumstances being favourable, he demanded of the new Count of Flanders a relief of 5,000 marks of silver, troy weight, equal to a year’s revenue of the fief, and from Renaud de Dammartin, whom he confirmed in possession of the County of Boulogne, a relief of £7,000 pounds arras. In 1199 the Count of Nevers paid a relief of 3,000 marks of silver, troy weight, and in 1200, by the Treaty of Goulet, John Lackland promised to pay a relief of 20,000 marks sterling.\footnote{CIV, iii, 10–11; iv, 1st part, 23, 41. The mark of Troyes, made famous by the development of the Champagne fairs, had been adopted by} It is very difficult
particularly during our present period of financial upheavals
to give an idea of the purchasing power of money in the
Middle Ages. We can note, however, for purposes of com-
parison that three years previously Philip had promised
the Consuls of Genoa 5,850 marks of silver for being carried by
sea to the Holy Land with 650 knights, 1,800 squires, 1,800
horses, arms, baggage, and provisions.¹

The king had also the right to levy aid in four instances
(kings ransom, knightling his eldest son, marriage of his
daughter, Crusade). This, in fact, was equivalent to a tax
but the history of the aid for the Crusade in the time of
Louis VII and Philip Augustus gives us no reason to believe
that the period ended with the establishment of a royal taxa-
tion in France. Its history, which must be linked with that
of the subsidies demanded of the three estates by Philip the
Bel, remains, however, of great interest even more because
the aid during the twelfth century had assumed an interna-
tional character. At that point we must stop for the moment.

In 1146, at the solemn meeting at Vezelay, when
Louis VII took the Cross, the idea of taxing all subjects who
were not going on Crusade was adopted apparently on the
suggestion of the churchmen, like Suger present.² Although
Louis had promised ³ not to transform this into a permanent
tax, its collection was badly organized and there arose com-
plaints of spoliation of the poor and the churches. Subse-
quently, both in France and England, it became necessary
to impose a general tax for a number of years to provide the
Christians in the Holy Land with the means of resistance.
Louis VII and Henry II tried to establish one in 1166.⁴ We
have the text of an Anglo-French ordinance of June, 1184,
entitled "Provisions for the assistance of the land of Jerusalem
approved by Philip King of France and Henry King of
England by the common counsel of the bishops, counts,
and barons of their dominions". The tax, based on the value

the Monarchy. It weighed 244 gr., 733. A deed of Philip Augustus shows
that in 1185 it was worth two pounds of Parisian money (CIV, n. 145). The
mark sterling, used in Normandy, weighed 380 gr., 332. See CCXXVII,
205, note 2, 232-3, 447-8; CCXXIX, 1 ff.; CULVII, 27 ff., 36 ff.; CULIX,
331-2.
¹ CCXI, ii, 120.
² CCXXIX, 63-70; CXVI, 69.
³ Letters for the Bishop of Le Puy, 1146-7; LXXVI, n. 185.
⁴ CCXI, ii, 7-9; CDLI, 1-2.
of possessions, was to be collected in every English and French diocese by a Templar and a Hospitaller assisted in every parish by the incumbent and two loyal parishioners.\footnote{\textit{CIV}, n. 123; \textit{LXXVIII}, 240–2. W. E. Lunt has ignored the edition of H. P. Delaborde, which appeared six years before his own.} It is highly improbable that it was ever levied but that is not equally true of the famous "Saladin tithe" collected in favour of the Crusaders who were on the point of departing to recapture the kingdom of Jerusalem from Saladin. After January, 1188, the kings of France and England came to an agreement on the measures to be taken after consulting the barons and prelates of their realm.\footnote{\textit{CIXI}, ii, 52 ff., where all the documents on the question, French and English, are brought together for the first time.} The ordinance issued at Le Mans by Henry II after a meeting to which, for the first time, came barons and prelates from England and from the continental fiefs was followed in March by one issued by Philip Augustus.\footnote{\textit{CIV}, n. 229.} The two texts throw light on each other. All clerks and laymen, nobles, burgesses, or peasants, who had not taken the Cross were commanded, under penalty of excommunication, to pay the tithe, that is a tenth of their movable goods and all their revenues for the year. Burgesses and peasants who had assumed the Cross were only exempt from the tithe if their decision was taken with the assent of their lord. The fruits of the tithe had to be paid to the lord of the land on which any contributories lived if he had taken the Cross (and if he had not, the money was doubtless to pass to the most immediate suzerain who had). According to Henry's ordinance the collection was carried out in each parish by the curate, the archpriest of the province, a Templar, a Hospitaller, a squire, and a clerk of the king and a squire and a clerk of the bishop. In case of dispute a sworn declaration was referred to seven influential men in France, four or six in England. The churchmen had secured a provision in France that they would deal only with their bishop who would pay the tithe to whoever should receive it.

These ordinances sought to provide lords going on crusade with the means of life and of maintaining their followers; they were not particularly favourable to the royal finances but they gave to Philip Augustus as to Louis VII an opportunity to legislate for the whole kingdom on the
pretext of serving the interests of Christ. The related ordinance of March, 1188, concerning the respite granted to debtors on Crusade and the suppression of interest which was published by Philip “on the advice of the archbishops, bishops and barons of the land” had an equally general character and the same sanction of a threat of excommunication.¹

It was the Church which had thus provided the monarchy with the means to obey the Holy See and to provide for the expedition which no Christian soul could ignore. The Pope ordered the Bishops to display their generosity to stimulate their flocks by their example and to promote meetings.² Nevertheless, the discontent was tremendous and contemporary literature is full of complaints. There were obviously abuses and scandals; the poorer folk were spoiled and an Arnold of Guines publicly spent the money he was given on feasting while the Bishop of Durham bought expensive plate.³ Above all, however, the Church feared the precedent. Eminent clerks like Pierre de Blois and the Abbot of St. Geneviève at Paris urged the clergy to disobey. Pierre de Blois considered it outrageous that “the champions of the Church despoil her instead of enriching her with the spoils of victory” and said that the King of France should ask nothing of the clergy but their prayers: “The payment of the tithe will become a general habit and the church will fall into a shameful servitude.”⁴ Henry II and Richard Cœur de Lion shut their ears to the complaints of the priests and demanded payment⁵ but Philip had to yield. After a year, by agreement with his barons, he abolished the Saladin tithe. That is the most striking evidence of the power of the Church in France at that period. Here is the beginning of the ordinance of abolition agreed to at a meeting which met in Paris at the beginning of the year 1189; the King of France seemed to be doing public penitence there:—

The tithe for the recovery of the Holy Land has been levied once. In order that that outrageous fact shall not be made a precedent, we have decided, on the demand of the churchmen and princes alike, by a law valid for ever, that no future exactions shall be made by reason of it or for any similar cause. Because it is a remedy which, devoutly carried through, may serve the salvation of faithful souls, it seems to us that God would be offended rather

¹ CIV, n. 228. ² OCXI, ii, 51. ³ OCXI, ii, 69 ff., 82–3. ⁴ XX, i, letters 20, 112, 121. ⁵ OCXI, ii, 62, 88; DLXXXIX, 447 ff.
RESISTANCE OF THE CAPELANS 191

than conciliated by a sacrifice offered to him at the price of the tears of widows and the poor. In order that neither we nor others shall ever make any similar attempt in future by royal authority and the public authority of the churchmen and princes of the kingdom we have decided that this present law prevents us on pain of damnation from venturing on such an attempt; if by some rash audacity either we or another attempts it we decree that it shall be void. . . . 1

Before his departure, dictating his will, and foreseeing the possibility of his death in the Holy Land, he commended his heir Louis of France to his subjects so that, in case of need, they should aid him with their bodies and their property and to the churches so that they should secure for the son the assistance they had always provided for the father but he forbade them to pay any extraordinary taxation while he was, himself, in the Holy Land. 2

Once again to be able to offer some resistance to Richard he mobilized all his resources, squeezed the churches and forced those who could not supply soldiers to pay taxes; he plundered the abbeys in the Plantagenets’ territories and in 1198, at the time when the fanatical Fulk de Neufilly was preaching against usurers, he gathered the fugitive Jews within his dominions fully realizing what profit he could extract from them. 3 In his Carolinus, composed about this date, Gilles de Paris complains of the king’s greed; “Oh France! tortured by the agents of the royal fisc, you have had to bear harsh laws and terrible occasions.” 4 However, Philip did not possess sufficient ingenuity even to establish a general tax like the English scutage or carucage and Richard maintained a superiority in resources which would have given him the opportunity, had he lived, to crush his rival.

What do we know of the administration of the finances of the Capetians from 1152 to 1201? The oldest account that we possess is a general account of receipts and expenses from All Saint's Day, 1202, to Ascension, 1203. It would be dangerous to take it as typical of the budget for the reign of Louis VII and the first twenty years of Philip's reign. There were

1 GIV, n. 352. Cartellieri (CCXI, ii, 84) does not seem to have understood the character of that deed.
2 GIV, n. 345 (June, 1190).
3 CCXI, iii, 92, 100, 183 ff.; iv, 74–5.
evidently important financial reforms right at the end of the twelfth century and, already in 1202–3, there appear certain receipts realized from the conquered Norman lands. We should be well advised not to make use of this account until a later chapter. We can only make use of a very few texts for the period with which we are concerned at the moment.\(^1\) We know that the provosts anticipated these receipts and thus raised the money to maintain the fortified posts and pay the rents due to the king. One of them, Géraud de Poissy, who had made a false return had to pay an enormous fine in 1186 (11,000 silver marks, according to Rigord)\(^2\) and was replaced. It was about this period that Philip instituted bailiffs. In his will he gives to six Burgess of Paris and his faithful subject Pierre le Marshal the responsibility for banking the monies which were due at Paris at the three terms—1st October, 1st February, and the Ascension. He had also a number of portable money chests which for greater security Philip kept in different places.\(^3\) He had one of them with him at Fréteval in 1194 and lost it. The real Treasury, however, was in the Temple in chests to which a Templar and the seven cashiers had each a key. In his will, Philip directed that, if he died during the Crusade, half of his treasure should be put in reserve, “for his son’s needs” and the other half distributed among the Churches and the poor particularly in reparation of the damage done by his wars and the levy of the taxation. He evidently still regarded his Treasure as his personal property.\(^4\)

However, he sought riches only as a means of defending the Crown. He certainly led a simple life, spent little, and made full use of his right to hospitality. He coveted money for the purpose of building fortresses on the frontier, undertaking the construction of machines of war, the effectiveness of which he rated very highly, and retaining soldiers.

The service of the feudal Host was uncertain, and Philip preferred a less precarious system.\(^5\) Louis VII had employed mercenaries before him and at the beginning of his reign he employed Brabantine knights who were notorious pillagers

---

\(^1\) For the reign of Louis VII, see CDXL, i, 129-131.
\(^2\) CXII, 64, § 40.
\(^3\) CXXI, iii, 92.
\(^4\) CIV, n. 345.
\(^5\) The question has been studied in CLXXXVI, 467 ff.; CL; and by me in B.E.C., 1915, 545 ff. It has been reviewed from the financial point of view in CDXXXVI, 15-20.