

Barons, magna carta and king john assignment

[History](#)



Henry II, one of the most influential's of England's government created and improved the judicial system as the laws of the land needed applied. His government gave fair trials to all and granted judges to cross throughout the land to maintain the criminal justice system that he created. After Henry II death Richard his son had succeeded him and maintained that his fathers' form of government was being followed. However, Richard was not always in England due to the Crusades in the Middle East that he believed was worth fighting and with his absent his barons gained control of the government.

Under both Henry II and Richard the barons were able to gain trust from the crown and gain power that had never happened before under any other monarch. When John, Henry II's youngest son took the thrown he took away a large amount of the baron's power and increased taxes without having council with his barons. John also took away the form of judicial system his father had created that gave fair trial to all. From these critical laws of government gone or corrupted John's barons plotted against him and created the Magna Carta which is list of laws that were demanded to restore his father's government.

For the first time in history a monarch was forced to sign and obey laws created by his nobility. The barons wanted to limit John's power through the Magna Carta. In which the church did have a small influence of the created charter when written. Throughout history many historians have been trying to figure out for what reasons John's barons created the Magna Carta. Clarie Valente, argues that barons were looking towards John consider the concepts of law and government along with their more personal agendas.

However, Sidney Painter states that John was not in the right mental state to take the concepts of the law and enforce them in a way that would benefit not only him, but his barons. Also, Painter concludes that John's relationship that he destroyed between many close barons that were loyal to him lead them to unite against him and place him within the law. J. A. P. Jones, gives great reasoning that the authority that John had created was against the law from the view point of the barons.

John the youngest son of King Henry II succeeded his father's thrown after his brother Richard's death in 1199. Even though John was next in line for the thrown, John's nephew Arthur son of Geoffrey John's elder brother. Three sets of considerations would play a part in the decision between them??? the law of inheritance, the wishes of the barons and great officers of the realm, and the desires of the late king. [1] Both John and Arthur had their own support from their closest barons.

England and Normandy accepted John who had been designated by his brother as heir to the whole of his dominions, the barons of Aquitaine rendered their homage to Eleanor, while those of Anjou, Main, and Touraine, in accordance with the custom of the country, swore allegiance to Arthur of Brittany. [2] John was finally recognized as heir only by the action of his niece marrying Louis son of, Philip king of France and the paying of 20,000 marks for her dowry. When John finally came into power his kingdom had lost Normandy, rumors of him plotting the killing of his nephew Arthur.

The story of John murdering Arthur in 1203 and caused speculation among King Philip of France who tried to use this reason to condemn John, however

it was too late because John bought out the barons who then claimed John the rightful king of England. Rumors also started to appear that John captured Arthur's colleagues and starved them to death, while Arthur's sister appears to have been imprisoned at Bristol until 1241 when she died. [3] Since his kingdom was drained of funds due to Richard's Crusades which also left the people penniless.

John's first visit to England as king he demanded the needs of men and money; he summoned his feudal host and ordered the levying of a scutage of two marks per knight's fee. [4] John started to demand reliefs that sometimes amounted to thousands of pounds. [5] The rise of his fees per vassal caused many of his vassals to leave or become treacherous against him. If the funds could not be furnished other ways were available to obtain them by the selling of marriages of his heiresses for high prices on a marriage market, but there was no one to deny their right to dispose of heiresses and there were always eager buyers. [6] Selling of heiresses could not be stopped due to the grounds that could prevent John from the control of his own estate. Jones argues that during the reign of Henry II he created the Angevin machine that was designed so in the absence of the king the sole direction of government affairs could be issued by the Chancellor of the Bench and barons with his own words. John Joliffe's recent study of the Angevin monarchy is that the fundamental policies of the first three Angevin kings must be regarded as a whole.

These powerful rulers, he asserts, opposed the older concept of feudal monarchy with a new attitude, difficult to define ??? kind of "unrealized absolutism" which would have exercised all the capacities of the Renaissance

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prince except that of comprehending its own proper nature and claiming it in set terms. “[7] Joliffe’s reasoning is that during John’s rule the Angevin machine never changed under his rule, but it changed due to the world changing.

However there is greater evidence that states that with John’ never-ending activity within government and having to be homebound in England after the loss of Normandy and Anjou in 1203-4, tend to make his rule seem more personal, more tyrannical, more stifling than that of his predecessors. John’s Since John had no place to visit he began to take tours of the country causing him to try to attend to the smallest points of administrative detail resulted in efficiency but also in a general feeling of oppression.

Lords that John considered most dangerous to his power were to be weakened by any possible means on the other hand barons that were considered to be most reliable were to be built up. [8] 1203, John turned many of his closest friends into his enemies and his once enemies he gave them handouts to win their loyalty over. His intentions of winning foe barons over created a strain of the relationships and backing that his closest barons once had.

Without John having the backing of his once trusted barons and nobles tension increased, furthermore this concern John had with having to win rival barons may perhaps been one of the leading causes to his barons rising up against him and creating the Magna Carta that would limit his power and restore their authority back into the government. Events leading up to the Magna Carta include the feud John had with Pope Innocent III on who should

be the new archbishop of Canterbury. Innocent III refused to accept the choices that John had elected for the new archbishop of Canterbury.

Due to this dispute Innocent put England under an interdict, however John saw this to be wrong doing and he reopened some monasteries. John's outlandish action lead to Innocent's excommunicate of England. John's barons repeatedly asked John to surrender to Innocents demands so that church services could continue. However, John finally gave into Innocents, but not until 1213 and he reinstates the Canterbury monks and receives Langston as the new archbishop, but not as his friend. [9] During, 1212 John raised taxes on the Barons in the attempt to regain Aquitaine, Poitou and Anjou. 0 July 1213 John renewed his coronation oath with the promise to restore Henry I laws and banish all evil customs; his promise was short lived by 15 November 1213. [10] 1215, John tried to gain power once again with his lost territory in France; however he was once again defeated then forced to pay to acquire a truce with Philip. John's only way to obtain ? 40, 000 was to raise taxes which lead to the barons rebelling. After this few barons remained loyal to John, while others were starting to plot against him.

Those who were plotting against him drew up a list of grievances with Archbishop Stephen Langton and presented them to the king on June 15, 1215. The list of injustice, Magna Carta was signed at Runnymede in Surrey and was forced to accept and sign the terms or war was going to be declared against him. Within the Magna Carta there were sixty-three conditions that the twenty-five barons and Archbishop Langston required and forced John to re-establish. From those sixty-three provisions I have chosen several clauses

that I see are the most important terms that the barons and the church wanted to have reinstated back into the government.

The Church of England “ shall be free, and shall have her rights entire, and her liberties inviolate; and we will that it be thus observed. “[11] Clause 1 explains that the King will stay out of church affairs especially with the elections of new archbishops. The Pope has all rights to elected whom he sees fits without the interfering of the King. Also, the barons reasoning for this clause to be fashioned within the charter is to reinsure that excommunication never occurs in England once more.

In addition, to the king's limitation with the Church clause 61 states, “ all quarrels between men who held government positions and clergy were to be forgiven and pardoned. “[12] This meant that all those in the clergy and government positions were to be forgiven by the king himself. Their names and positions would be cleared of all charges. The clergy who had once been damned by John now can be restored back into the church. Furthermore all those politically excommunicated by John could now come back to England and withhold powerful positions yet again.

John's treasury dry and the wanting need to reclaim Normandy his stupendous scheme to wed off his closest heirs for money caused clause 6 in the Magna Carta to be fashioned. Clause 6 clearly states, “ heirs shall be married without disparagement, yet so that before the marriage takes place the nearest in blood to that heir shall have notice. “[13] If John was to marry off any remaining heirs he was to count the distance between the two that were to be wed. The number between them had to meet current criteria to

be allowed to wed. If conditions were not met then they he could go forth with the wedding.

The most important clauses for the barons were 12 and 14, stated that John has to take counsel on aids and scutages with a duly-summoned assembly of leading prelates, nobles, and tenants-in-chief. [14] This clause would demand that John had to summon a convention in which his barons, tenants-in-chiefs, and leading prelates would attend once again being involved in decision making, negotiations, and law construction. They would gain the power that they once had when the Angevin machine was established when Normandy was being ruled by Henry II and Richard I.

During the reign of his father Henry II, set up permanent court of professional judges and sent them throughout the land on frequent missions, criminal justice was to be administered all over the land in accordance with the same rules. [15] Clause 39 of the Magna Carta states “ No freeman shall be taken or imprisoned or disseised or exiled or in anyway destroyed nor will we go upon him nor send upon him, except by the lawful judgement of his peers or by the law of the land. “[16] This is stating that King John can’t imprison or exile someone that he wants to without having broken a law and be judged within a court in front of his peers.

Historian Clare Valente states within her book *The Theory and Practice of Revolt in Medieval England*, that clauses 39 and 40 are the utmost important due to the guaranteed free, available, impartial royal justice according to the law of the land. [17] The barons were demanding that John restore the judicial branch that England once had under the rule of his father. Also, with

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in the Magna Carta clause 52 states that all those who had been exiled without a lawful judgment was removed from exile and his rights were fully restored. 18] King John had removed the law system that his father and fore fathers had established that guided and helped their government develop. Instead of having the positions of law enforcements being held by those who had been educated and trained in the field, John replaced them with his close piers and those that he could trust to ensure that his ruling was going to be enforced throughout his real. The gratuitous concessions of Magna Carta, limited thought they were, came to be seen as offering a more general guarantee for local liberties, to be enforced, exploited and misinterpreted in their defence. 19] The barons who under the rule of Richard had withheld power do to the invention of the angevin machine that was created by Henry II that was designed in the absent of the king the king's alter ego who had sole direction of the government affairs and could issue chancery writs in his own name. [20] Under this concept the barons gained outstanding amount of power. During John's rule their power had been eliminated and they believed that it was their born right to have the feudal principle that vassal should give " aid and counsel" to his lord. 21] With their rights and power taken the creation of the Magna Carta was away to try to re-establish their rights. " All foreign knights and soldiers were thrown out of the country do to the belief that they were living in England to corrupt the government". [22] This clause was cruel to the barons, who believed that these foreigners were taking over England and influencing their lords over all decisions In addition with the nationality clause, With John agreeing to the terms of the Magna Carta, he was subjected to abide by each law.

If any laws were broken then they would have all rights to revolt against him once again. As quoted by 'The Twenty-five Barons of Magna Carta,' by C. R. Cheney: If the king or his officials violated anything in the charter or failed to do extension of judicial restraint, to obey him and attack his property until he reconfirmed his promises and restored justice, at which point normal relations would resume. [23] It is clearly stated that if John or any of his nobility that followed him were to break the law in anyway, his property not him would be attacked.

Within the clause itself it states that the twenty-five barons and the whole community have the right to seize their castles, lands, and possessions in anyway that they can until the situation has been obtained and meets their demands. The Magna Carta first set of laws that a monarch was forced to sign and accept to follow under his own barons. John had created a corrupted government by taking away power that was given to his barons from his father and brothers rule due to their absent and the invention of the Angevin machine.

The barons were allied with Archbishop Langston who also believed that John's ruling was in the wrong and that he should not be able to have any influence in the Church's decisions. BIBLIOGRAPHY I. PRIMARY SOURCES White, Albert Beebe and Notestein, Wallace. Magna Carta 1215. Edited by Source Problems in English History. New York: Harper and Brothers, 1915. II. SECONDARY SOURCES A. Books Cheney, C. R. , The Twenty-five Barons of Magna Carta. Bulletin of the John Rayland's Library, 50 (1967-68). Goodhart, Arthur L. Law of the land.

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