**Faculty of Letters and Languages – M’sila** **Department of English**

**Level:** Second year license **Course:** British Civilisation

**Instructor:** Bennaa Youcef

**Lecture Five: Magna Carta and the Decline of Feudalism**

With his [conquest of England](https://www.britannica.com/event/Norman-Conquest) in 1066, [William I](https://www.britannica.com/biography/William-I-king-of-England) secured for himself and his immediate successors a position of unprecedented power. He was able to dominate not only the country but also the [barons](https://www.britannica.com/topic/baron) who had helped him win it and the ecclesiastics who served the [English church](https://www.britannica.com/topic/Church-of-England). He forced Pope [Alexander II](https://www.britannica.com/biography/Alexander-II-pope) to be content with indirect control over the church in a land that the papacy hitherto had regarded as bound by the closest ties to [Rome](https://www.britannica.com/place/Rome). William’s son [Henry I](https://www.britannica.com/biography/Henry-I-king-of-England)—whose accession (1100) was challenged by his eldest brother, [Robert, duke of Normandy](https://www.britannica.com/biography/Robert-II-duke-of-Normandy)—was compelled to make concessions to the nobles and clergy in **the Charter of Liberties**, a royal edict issued upon his coronation. His successor, [Stephen](https://www.britannica.com/biography/Stephen-king-of-England) (1135), whose hold on the throne was threatened by Henry I’s daughter [Matilda](https://www.britannica.com/biography/Matilda-daughter-of-Henry-I), again issued a solemn charter (1136) with even more generous promises of good government in [church and state](https://www.britannica.com/topic/church-and-state). Matilda’s son [Henry II](https://www.britannica.com/biography/Henry-II-king-of-England) also began his reign (1154) by issuing a solemn charter promising to restore and confirm the liberties and free customs that King Henry, his grandfather, had granted “to God and holy church and all his earls, barons and all his men.” There developed, in fact, through the 12th century a continuous tradition that the king’s coronation oath should be strengthened by written promises stamped with the king’s [seal](https://www.britannica.com/topic/seal-authentication).

**1. The Origins of Magna Carta**

 Henry II made legal reform a central concern of his reign. For example, people could no longer simply be jailed or executed for no legal reason. There also had to be a court trial. These reforms strengthened the power of royal courts at the expense of feudal lords. Although the volume of [common law](https://www.britannica.com/topic/common-law) increased during that period, in particular during Henry II’s reign (which ended in 1189), no converse definition had been secured in regard to the financial liabilities of the baronage to the crown. The baronage also had no definition of the rights of [justice](https://www.britannica.com/topic/justice-social-concept) that they held over their own subjects. As the [Angevin](https://www.britannica.com/topic/house-of-Plantagenet) administration became ever more firmly established with learned judges, able financiers, and trained clerks in its service, the baronage as a whole became ever more conscious of the weakness of its position in the face of the agents of the crown. [Compounding](https://www.merriam-webster.com/dictionary/Compounding) discontent among the [nobility](https://www.britannica.com/topic/aristocracy) were **tax increases** during [Richard I](https://www.britannica.com/biography/Richard-I-king-of-England)’s reign (1189–99), which resulted from his [**Crusade**](https://www.britannica.com/event/Crusades), his **ransom**, and his **war with**[**France**](https://www.britannica.com/place/France).

 John Lackland, the successor of Richard I, was confronted with those myriad challenges upon his rise to the throne in 1199. He had already made himself unpopular with the three most important groups of people, **the nobles**, **the merchants** and **the Church**. John was unpopular mainly because he was greedy. The feudal lords in England had always run their own law courts and profited from the fines paid by those brought to court. But John took many cases out of their courts and tried them in the king's courts, taking the money for himself. As for the **merchants and towns, he taxed them at a higher level** than ever before. His position, already precarious, was made even weaker because of the rival claim of his nephew Arthur of [Brittany](https://www.britannica.com/place/Brittany-region-France) and the determination of [Philip II](https://www.britannica.com/biography/Philip-II-king-of-France) of France to end the English hold on [Normandy](https://www.britannica.com/place/Normandy).

 In 1204 King John became even more unpopular with his nobles. The French king invaded Normandy and the English nobles lost their lands there. John had failed to carry out his duty to them as duke of Normandy. He had taken their money but he had not protected their land.

 In 1209 John quarrelled with the pope over who should be Archbishop of Canterbury. John was in a weak position in England and the pope knew it. The pope called on the king of France to invade England, and closed every church in the country. At a time when most people believed that without the Church they would go to hell, this was a very serious matter. In 1214 John gave in, and accepted the pope's choice of archbishop.

On June 15, 1215, the document known as **the**[**Articles of the Barons**](https://www.britannica.com/topic/Articles-of-the-Barons) was at last agreed upon, and to it the king’s great seal was set. It became the text from which the draft of the charter was hammered out in the discussions at [Runnymede](https://www.britannica.com/place/Runnymede) (beside the [River Thames](https://www.britannica.com/place/Thames-River-Ontario), between [Windsor](https://www.britannica.com/place/Windsor-England) and [Staines](https://www.britannica.com/place/Staines), now in the county of [Surrey](https://www.britannica.com/place/Surrey-county-England)), and the final version of the Magna Carta was accepted by the king and the barons on June 19. The charter was a compromise, but it also contained important clauses designed to bring about reforms in judicial and local administration.

**2. Magna Carta and the decline of feudalism**

 This new agreement, known as 'Magna Carta, the Great Charter, was an important symbol of political freedom. The king promised all 'freemen' protection from his officers, and the right to a fair and legal trial. At the time perhaps less than one quarter of the English were 'free men'. Most were not free, and were serfs or little better. In fact, Magna Carta gave no real freedom to the majority of people in England. The nobles who wrote it and forced King John to sign it had no such thing in mind. They had one main aim: to make sure John did not go beyond his rights as feudal lord.

 Magna Carta marks a clear stage in the collapse of English feudalism. Feudal society was based on links between lord and vassal. At Runnymede the nobles were not acting as vassals but as a class. They established a committee of twenty-five lords to make sure John kept his promises. That was not a 'feudal' thing to do. In addition, the nobles were acting in cooperation with the merchant class of towns.

 There were other small signs that feudalism was changing. When the king went to war he had the right to forty days' fighting service from each of his lords. But forty days were not long enough for fighting a war in France. The nobles refused to fight for longer, so the king was forced to pay soldiers to fight for him. (They were called 'paid fighters', *solidarius,* a Latin word from which the word 'soldier' comes). At the same time many lords preferred their vassals to pay them in money rather than in services. Vassals were gradually beginning to change into tenants. Feudalism, the use of land in return for service, was beginning to weaken. But it took another three hundred years before it disappeared completely.

**3. Historical Significance of the Magna Carta**

 Magna Carta is considered as "the greatest constitutional document of all times - the foundation of the freedom of the individual against the arbitrary authority of the despot." It was Magna Carta, over other early concessions by the monarch, which survived to become a 'sacred text'. The charter was an important part of the extensive historical process that led to the rule of the constitutional law in the English speaking world. In the 17th century, when England’s [North American](https://www.britannica.com/place/North-America) colonies were shaping their own fundamental laws, the words of the Magna Carta were worked into them. The basic rights embodied in the [Constitution of the United States of America](https://www.britannica.com/topic/Constitution-of-the-United-States-of-America) (1789) and the [Bill of Rights](https://www.britannica.com/topic/Bill-of-Rights-United-States-Constitution) (1791) echo the charter, and the [Fourteenth Amendment](https://www.britannica.com/topic/Fourteenth-Amendment) (1868) can trace its ancestry to the Magna Carta as well.

**Exercises**

1. Define the following terms: Magna Carta - Ecclesiastics - Charter - [Angevin](https://www.britannica.com/topic/house-of-Plantagenet) - Ransom.

2. Write a paragraph in which you tackle the elements that led to the revolt of the barons against king John and the subsequent enactment of Magna Carta.