

Marx Hardy Machiavelli Joyce Austen
Defoe Abbot Melville Montaigne Cooper Emerson Hugo
Stoker Wilde Christie Maupassant Haggard Chesterton Molière Eliot Grimm
Garnett Engels Schiller Byron Maupassant Schiller
Goethe Hawthorne Smith Kafka
Cotton Dostoyevsky Kipling Doyle Willis
Baum Henry Nietzsche Hall
Leslie Dumas Flaubert Turgenev Balzac Willis
Stockton Vatsyayana Crane
Burroughs Verne
Curtis Tocqueville Gogol Busch
Homer Tolstoy Whitman Twain
Darwin Zola Lawrence Plato
Potter Freud Jowett Stevenson Dickens Scott
Kant Andersen London Descartes Cervantes Burton Harte
Poe Aristotle Wells Voltaire Hesse
Hale James Hastings Cooke
Bunner Shakespeare Chambers Irving
Richter Chekhov da Shaw Wodehouse
Doré Dante Pushkin Alcott
Swift Chekhov Newton



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**History of the English People,
Volume II The Charter, 1216-1307,
The Parliament, 1307-1400**

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- VOLUME II
- BOOK III
- THE CHARTER
- 1216-1307

- CHAPTER II
- HENRY THE THIRD
- 1216-1232

William Marshal

The death of John changed the whole face of English affairs. His son, Henry of Winchester, was but nine years old, and the pity which was stirred by the child's helplessness was aided by a sense of injustice in burthening him with the iniquity of his father. At his death John had driven from his side even the most loyal of his barons; but William Marshal had clung to him to the last, and with him was Gualo, the Legate of Innocent's successor, Honorius the Third. The position of Gualo as representative of the Papal overlord of the realm was of the highest importance, and his action showed the real attitude of Rome towards English freedom. The boy-king was hardly crowned at Gloucester when Legate and Earl issued in his name the very Charter against which his father had died fighting. Only 2-002] the clauses which regulated taxation and the summoning of parliament were as yet declared to be suspended. The choice of William Marshal as "governor of King and kingdom" gave weight to this step; and its effect was seen when the contest was renewed in 1217. Lewis was at first successful in the eastern counties, but the political reaction was aided by jealousies which broke out between the English and French nobles in his force, and the first drew gradually away from him. So general was the defection that at the opening of summer William Marshal felt himself strong enough for a blow at his foes. Lewis himself was investing Dover, and a joint army of French and English barons under the Count of Perche and Robert Fitz-Walter was besieging Lincoln, when gathering troops rapidly from the royal castles the regent marched to the relief of the latter town. Cooped up in its narrow streets and attacked at once by the Earl and the garrison, the barons fled in utter rout; the Count of Perche fell on the field, Robert Fitz-Walter was taken prisoner. Lewis at once retreated on London and called for aid from France. But a more terrible defeat crushed his remaining hopes. A small English fleet which set sail from Dover under Hubert de Burgh fell boldly on the reinforcements which were crossing under escort of Eustace the Monk, a well-known freebooter of the Channel. Some incidents

of the fight light up for us the naval 2-003] warfare of the time. From the decks of the English vessels bowmen poured their arrows into the crowded transports, others hurled quicklime into their enemies' faces, while the more active vessels crashed with their armed prows into the sides of the French ships. The skill of the mariners of the Cinque Ports turned the day against the larger forces of their opponents, and the fleet of Eustace was utterly destroyed. The royal army at once closed upon London, but resistance was really at an end. By a treaty concluded at Lambeth in September Lewis promised to withdraw from England on payment of a sum which he claimed as debt; his adherents were restored to their possessions, the liberties of London and other towns confirmed, and the prisoners on either side set at liberty. A fresh issue of the Charter, though in its modified form, proclaimed yet more clearly the temper and policy of the Earl Marshal.

Hubert de Burgh

His death at the opening of 1219, after a year spent in giving order to the realm, brought no change in the system he had adopted. The control of affairs passed into the hands of a new legate, Pandulf, of Stephen Langton who had just returned forgiven from Rome, and of the Justiciar, Hubert de Burgh. It was a time of transition, and the temper of the Justiciar was eminently transitional. Bred in the school of Henry the Second, Hubert had little sympathy with national freedom, and 2-004] though resolute to maintain the Charter he can have had small love for it; his conception of good government, like that of his master, lay in a wise personal administration, in the preservation of order and law. But he combined with this a thoroughly English desire for national independence, a hatred of foreigners, and a reluctance to waste English blood and treasure in Continental struggles. Able as he proved himself, his task was one of no common difficulty. He was hampered by the constant interference of Rome. A Papal legate resided at the English court, and claimed a share in the administration of the realm as the representative of its overlord and as guardian of the young sovereign. A foreign party too had still a footing in the kingdom, for William Marshal had been unable to rid himself of men like Peter des Roches or Faukes de Breauté, who had fought on the royal side in the struggle against Lewis. Hubert had to deal too with the anarchy

which that struggle left behind it. From the time of the Conquest the centre of England had been covered with the domains of great houses, whose longings were for feudal independence and whose spirit of revolt had been held in check partly by the stern rule of the kings and partly by the rise of a baronage sprung from the Court and settled for the most part in the North. The oppression of John united both the earlier and these newer houses in the struggle for the Charter. But the 2-005] character of each remained unchanged, and the close of the struggle saw the feudal party break out in their old lawlessness and defiance of the Crown.

Order restored

For a time the anarchy of Stephen's days seemed to revive. But the Justiciar was resolute to crush it, and he was backed by the strenuous efforts of Stephen Langton. A new and solemn coronation of the young king in 1220 was followed by a demand for the restoration of the royal castles which had been seized by the barons and foreigners. The Earl of Chester, the head of the feudal baronage, though he rose in armed rebellion, quailed before the march of Hubert and the Primate's threats of excommunication. A more formidable foe remained in the Frenchman, Faukes de Breauté, the sheriff of six counties, with six royal castles in his hands, and allied both with the rebel barons and Llewelyn of Wales. But in 1224 his castle of Bedford was besieged for two months; and on its surrender the stern justice of Hubert hung the twenty-four knights and their retainers who formed the garrison before its walls. The blow was effectual; the royal castles were surrendered by the barons, and the land was once more at peace. Freed from foreign soldiery, the country was freed also from the presence of the foreign legate. Langton wrested a promise from Rome that so long as he lived no future legate should be sent to England, 2-006] and with Pandulf's resignation in 1221 the direct interference of the Papacy in the government of the realm came to an end. But even these services of the Primate were small compared with his services to English freedom. Throughout his life the Charter was the first object of his care. The omission of the articles which restricted the royal power over taxation in the Charter which was published at Henry's accession in 1216 was doubtless due to the Archbishop's absence and disgrace at Rome. The suppression of disorder seems to have revived the older

spirit of resistance among the royal ministers; for when Langton demanded a fresh confirmation of the Charter in Parliament at London William Brewer, one of the King's councillors, protested that it had been extorted by force and was without legal validity. "If you loved the King, William," the Primate burst out in anger, "you would not throw a stumbling-block in the way of the peace of the realm." The young king was cowed by the Archbishop's wrath, and promised observance of the Charter. But it may have been their consciousness of such a temper among the royal councillors that made Langton and the baronage demand two years later a fresh promulgation of the Charter as the price of a subsidy, and Henry's assent established the principle, so fruitful of constitutional results, that redress of wrongs precedes a grant to the Crown.

2-007]

State of the Church

These repeated sanctions of the Charter and the government of the realm year after year in accordance with its provisions were gradually bringing the new freedom home to the mass of Englishmen. But the sense of liberty was at this time quickened and intensified by a religious movement which stirred English society to its depths. Never had the priesthood wielded such boundless power over Christendom as in the days of Innocent the Third and his immediate successors. But its religious hold on the people was loosening day by day. The old reverence for the Papacy was fading away before the universal resentment at its political ambition, its lavish use of interdict and excommunication for purely secular ends, its degradation of the most sacred sentences into means of financial extortion. In Italy the struggle that was opening between Rome and Frederick the Second disclosed a spirit of scepticism which among the Epicurean poets of Florence denied the immortality of the soul and attacked the very foundations of the faith itself. In Southern Gaul, Languedoc and Provence had embraced the heresy of the Albigenses and thrown off all allegiance to the Papacy. Even in England, though there were no signs as yet of religious revolt, and though the political action of Rome had been in the main on the side of freedom, there was a spirit of resistance to its interference with national concerns which broke 2-008] out in the struggle against

John. "The Pope has no part in secular matters," had been the reply of London to the interdict of Innocent. And within the English Church itself there was much to call for reform. Its attitude in the strife for the Charter as well as the after work of the Primate had made it more popular than ever; but its spiritual energy was less than its political. The disuse of preaching, the decline of the monastic orders into rich landowners, the non-residence and ignorance of the parish priests, lowered the religious influence of the clergy. The abuses of the time foiled even the energy of such men as Bishop Grosseteste of Lincoln. His constitutions forbid the clergy to haunt taverns, to gamble, to share in drinking bouts, to mix in the riot and debauchery of the life of the baronage. But such prohibitions witness to the prevalence of the evils they denounce. Bishops and deans were still withdrawn from their ecclesiastical duties to act as ministers, judges, or ambassadors. Benefices were heaped in hundreds at a time on royal favourites like John Mansel. Abbeys absorbed the tithes of parishes and then served them by half-starved vicars, while exemptions purchased from Rome shielded the scandalous lives of canons and monks from all episcopal discipline. And behind all this was a group of secular statesmen and scholars, the successors of such critics as Walter Map, waging indeed no open warfare with the Church, but noting with bitter sarcasm its abuses and its faults.

The Friars

To bring the world back again within the pale of the Church was the aim of two religious orders which sprang suddenly to life at the opening of the thirteenth century. The zeal of the Spaniard Dominic was roused at the sight of the lordly prelates who sought by fire and sword to win the Albigensian heretics to the faith. "Zeal," he cried, "must be met by zeal, lowliness by lowliness, false sanctity by real sanctity, preaching lies by preaching truth." His fiery ardour and rigid orthodoxy were seconded by the mystical piety, the imaginative enthusiasm of Francis of Assisi. The life of Francis falls like a stream of tender light across the darkness of the time. In the frescoes of Giotto or the verse of Dante we see him take Poverty for his bride. He strips himself of all, he flings his very clothes at his father's feet, that he may be one with Nature and God. His passionate verse claims the moon for his sister and the sun for his brother, he

calls on his brother the Wind, and his sister the Water. His last faint cry was a "Welcome, Sister Death!" Strangely as the two men differed from each other, their aim was the same--to convert the heathen, to extirpate heresy, to reconcile knowledge with orthodoxy, above all to carry the Gospel to the poor. The work was to be done by an utter reversal of the older monasticism, by [2-010] seeking personal salvation in effort for the salvation of their fellow-men, by exchanging the solitary of the cloister for the preacher, the monk for the "brother" or friar. To force the new "brethren" into entire dependence on those among whom they laboured their vow of Poverty was turned into a stern reality; the "Begging Friars" were to subsist solely on alms, they might possess neither money nor lands, the very houses in which they lived were to be held in trust for them by others. The tide of popular enthusiasm which welcomed their appearance swept before it the reluctance of Rome, the jealousy of the older orders, the opposition of the parochial priesthood. Thousands of brethren gathered in a few years round Francis and Dominic; and the begging preachers, clad in coarse frock of serge with a girdle of rope round their waist, wandered barefooted as missionaries over Asia, battled with heresy in Italy and Gaul, lectured in the Universities, and preached and toiled among the poor.

The Friars and the Towns

To the towns especially the coming of the Friars was a religious revolution. They had been left for the most part to the worst and most ignorant of the clergy, the mass-priest, whose sole subsistence lay in his fees. Burgher and artizan were left to spell out what religious instruction they might from the gorgeous ceremonies of the Church's ritual or the scriptural pictures and sculptures which were graven on the walls of its [2-011] minsters. We can hardly wonder at the burst of enthusiasm which welcomed the itinerant preacher whose fervid appeal, coarse wit, and familiar story brought religion into the fair and the market place. In England, where the Black Friars of Dominic arrived in 1221, the Grey Friars of Francis in 1224, both were received with the same delight. As the older orders had chosen the country, the Friars chose the town. They had hardly landed at Dover before they made straight for London and Oxford. In their ignorance of the road the first two Grey Brothers lost their way in the woods between Oxford and Baldon, and fearful of night

and of the floods turned aside to a grange of the monks of Abingdon. Their ragged clothes and foreign gestures, as they prayed for hospitality, led the porter to take them for jongleurs, the jesters and jugglers of the day, and the news of this break in the monotony of their lives brought prior, sacrist, and cellarer to the door to welcome them and witness their tricks. The disappointment was too much for the temper of the monks, and the brothers were kicked roughly from the gate to find their night's lodging under a tree. But the welcome of the townsmen made up everywhere for the ill-will and opposition of both clergy and monks. The work of the Friars was physical as well as moral. The rapid progress of population within the boroughs had outstripped the sanitary regulations [2-012] of the Middle Ages, and fever or plague or the more terrible scourge of leprosy festered in the wretched hovels of the suburbs. It was to haunts such as these that Francis had pointed his disciples, and the Grey Brethren at once fixed themselves in the meanest and poorest quarters of each town. Their first work lay in the noisome lazarett-houses; it was amongst the lepers that they commonly chose the site of their homes. At London they settled in the shambles of Newgate; at Oxford they made their way to the swampy ground between its walls and the streams of Thames. Huts of mud and timber, as mean as the huts around them, rose within the rough fence and ditch that bounded the Friary. The order of Francis made a hard fight against the taste for sumptuous buildings and for greater personal comfort which characterized the time. "I did not enter into religion to build walls," protested an English provincial when the brethren pressed for a larger house; and Albert of Pisa ordered a stone cloister which the burgesses of Southampton had built for them to be razed to the ground. "You need no little mountains to lift your heads to heaven," was his scornful reply to a claim for pillows. None but the sick went shod. An Oxford Friar found a pair of shoes one morning, and wore them at matins. At night he dreamed that robbers leapt on him in a dangerous pass between Gloucester and Oxford [2-013] with shouts of "Kill, kill!" "I am a friar," shrieked the terror-stricken brother. "You lie," was the instant answer, "for you go shod." The Friar lifted up his foot in disproof, but the shoe was there. In an agony of repentance he woke and flung the pair out of window.

Revival of Theology

It was with less success that the order struggled against the passion of the time for knowledge. Their vow of poverty, rigidly interpreted as it was by their founders, would have denied them the possession of books or materials for study. "I am your breviary, I am your breviary," Francis cried passionately to a novice who asked for a psalter. When the news of a great doctor's reception was brought to him at Paris, his countenance fell. "I am afraid, my son," he replied, "that such doctors will be the destruction of my vineyard. They are the true doctors who with the meekness of wisdom show forth good works for the edification of their neighbours." One kind of knowledge indeed their work almost forced on them. The popularity of their preaching soon led them to the deeper study of theology; within a short time after their establishment in England we find as many as thirty readers or lecturers appointed at Hereford, Leicester, Bristol, and other places, and a regular succession of teachers provided at each University. The Oxford Dominicans lectured on theology in the nave of their new church while philosophy was taught in the cloister. The first provincial of the 2-014] Grey Friars built a school in their Oxford house and persuaded Grosse-teste to lecture there. His influence after his promotion to the see of Lincoln was steadily exerted to secure theological study among the Friars, as well as their establishment in the University; and in this work he was ably seconded by his scholar, Adam Marsh, or de Marisco, under whom the Franciscan school at Oxford attained a reputation throughout Christendom. Lyons, Paris, and Koln borrowed from it their professors: it was through its influence indeed that Oxford rose to a position hardly inferior to that of Paris itself as a centre of scholasticism. But the result of this powerful impulse was soon seen to be fatal to the wider intellectual activity which had till now characterized the Universities. Theology in its scholastic form resumed its supremacy in the schools. Its only efficient rivals were practical studies such as medicine and law. The last, as he was by far the greatest, instance of the freer and wider culture which had been the glory of the last century, was Roger Bacon, and no name better illustrates the rapidity and completeness with which it passed away.

Roger Bacon

Roger Bacon was the child of royalist parents who were driven into exile and reduced to poverty by the civil wars. From Oxford, where he studied under Edmund of Abingdon to whom he owed his introduction to the works of Aristotle, he [2-015] passed to the University of Paris, and spent his whole heritage there in costly studies and experiments. "From my youth up," he writes, "I have laboured at the sciences and tongues. I have sought the friendship of all men among the Latins who had any reputation for knowledge. I have caused youths to be instructed in languages, geometry, arithmetic, the construction of tables and instruments, and many needful things besides." The difficulties in the way of such studies as he had resolved to pursue were immense. He was without instruments or means of experiment. "Without mathematical instruments no science can be mastered," he complains afterwards, "and these instruments are not to be found among the Latins, nor could they be made for two or three hundred pounds. Besides, better tables are indispensably necessary, tables on which the motions of the heavens are certified from the beginning to the end of the world without daily labour, but these tables are worth a king's ransom and could not be made without a vast expense. I have often attempted the composition of such tables, but could not finish them through failure of means and the folly of those whom I had to employ." Books were difficult and sometimes even impossible to procure. "The scientific works of Aristotle, of Avicenna, of Seneca, of Cicero, and other ancients cannot be had without great cost; their principal works have not been translated into Latin, and [2-016] copies of others are not to be found in ordinary libraries or elsewhere. The admirable books of Cicero de Republica are not to be found anywhere, so far as I can hear, though I have made anxious enquiry for them in different parts of the world, and by various messengers. I could never find the works of Seneca, though I made diligent search for them during twenty years and more. And so it is with many more most useful books connected with the science of morals." It is only words like these of his own that bring home to us the keen thirst for knowledge, the patience, the energy of Roger Bacon. He returned as a teacher to Oxford, and a touching record of his devotion to those whom he taught remains in the story of John of London, a boy of fifteen, whose ability raised him above the general level of his pupils. "When he came to me as a poor boy," says Bacon

in recommending him to the Pope, "I caused him to be nurtured and instructed for the love of God, especially since for aptitude and innocence I have never found so towardly a youth. Five or six years ago I caused him to be taught in languages, mathematics, and optics, and I have gratuitously instructed him with my own lips since the time that I received your mandate. There is no one at Paris who knows so much of the root of philosophy, though he has not produced the branches, flowers, and fruit because of his youth, and because he has had no experience in teaching. But he has the 2-017] means of surpassing all the Latins if he live to grow old and goes on as he has begun."

The pride with which he refers to his system of instruction was justified by the wide extension which he gave to scientific teaching in Oxford. It is probably of himself that he speaks when he tells us that "the science of optics has not hitherto been lectured on at Paris or elsewhere among the Latins, save twice at Oxford." It was a science on which he had laboured for ten years. But his teaching seems to have fallen on a barren soil. From the moment when the Friars settled in the Universities scholasticism absorbed the whole mental energy of the student world. The temper of the age was against scientific or philosophical studies. The older enthusiasm for knowledge was dying down; the study of law was the one source of promotion, whether in Church or state; philosophy was discredited, literature in its purer forms became almost extinct. After forty years of incessant study, Bacon found himself in his own words "unheard, forgotten, buried." He seems at one time to have been wealthy, but his wealth was gone. "During the twenty years that I have specially laboured in the attainment of wisdom, abandoning the path of common men, I have spent on these pursuits more than two thousand pounds, not to mention the cost of books, experiments, instruments, tables, the acquisition of languages, and the like. Add to all this the sacrifices I have 2-018] made to procure the friendship of the wise and to obtain well-instructed assistants." Ruined and baffled in his hopes, Bacon listened to the counsels of his friend Grosse-teste and renounced the world. He became a friar of the order of St. Francis, an order where books and study were looked upon as hindrances to the work which it had specially undertaken, that of preaching among the masses of the poor. He had written little. So

far was he from attempting to write that his new superiors prohibited him from publishing anything under pain of forfeiture of the book and penance of bread and water. But we can see the craving of his mind, the passionate instinct of creation which marks the man of genius, in the joy with which he seized a strange opportunity that suddenly opened before him. "Some few chapters on different subjects, written at the entreaty of friends," seem to have got abroad, and were brought by one of the Pope's chaplains under the notice of Clement the Fourth. The Pope at once invited Bacon to write. But difficulties stood in his way. Materials, transcription, and other expenses for such a work as he projected would cost at least, £60, and the Pope sent not a penny. Bacon begged help from his family, but they were ruined like himself. No one would lend to a mendicant friar, and when his friends raised the money he needed it was by pawning their goods in the hope of repayment from Clement. Nor was 2-019] this all; the work itself, abstruse and scientific as was its subject, had to be treated in a clear and popular form to gain the Papal ear. But difficulties which would have crushed another man only roused Roger Bacon to an almost superhuman energy. By the close of 1267 the work was done. The "greater work," itself in modern form a closely-printed folio, with its successive summaries and appendices in the "lesser" and the "third" works (which make a good octavo more), were produced and forwarded to the Pope within fifteen months.

The Opus Majus

No trace of this fiery haste remains in the book itself. The "Opus Majus" is alike wonderful in plan and detail. Bacon's main purpose, in the words of Dr. Whewell, is "to urge the necessity of a reform in the mode of philosophizing, to set forth the reasons why knowledge had not made a greater progress, to draw back attention to sources of knowledge which had been unwisely neglected, to discover other sources which were yet wholly unknown, and to animate men to the undertaking by a prospect of the vast advantages which it offered." The development of his scheme is on the largest scale; he gathers together the whole knowledge of his time on every branch of science which it possessed, and as he passes them in review he suggests improvements in nearly all. His labours, both here and in his after works, in the field of grammar and philology, his persever-

ance 2-020] in insisting on the necessity of correct texts, of an accurate knowledge of languages, of an exact interpretation, are hardly less remarkable than his scientific investigations. From grammar he passes to mathematics, from mathematics to experimental philosophy. Under the name of mathematics indeed was included all the physical science of the time. "The neglect of it for nearly thirty or forty years," pleads Bacon passionately, "hath nearly destroyed the entire studies of Latin Christendom. For he who knows not mathematics cannot know any other sciences; and what is more, he cannot discover his own ignorance or find its proper remedies." Geography, chronology, arithmetic, music, are brought into something of scientific form, and like rapid sketches are given of the question of climate, hydrography, geography, and astrology. The subject of optics, his own especial study, is treated with greater fulness; he enters into the question of the anatomy of the eye besides discussing problems which lie more strictly within the province of optical science. In a word, the "Greater Work," to borrow the phrase of Dr. Whewell, is "at once the Encyclopedia and the *Novum Organum* of the thirteenth century." The whole of the after-works of Roger Bacon--and treatise after treatise has of late been disinterred from our libraries--are but developements in detail of the magnificent conception he laid before Clement. Such a work was its own great reward.

2-021]

From the world around Roger Bacon could look for and found small recognition. No word of acknowledgement seems to have reached its author from the Pope. If we may credit a more recent story, his writings only gained him a prison from his order. "Unheard, forgotten, buried," the old man died as he had lived, and it has been reserved for later ages to roll away the obscurity that had gathered round his memory, and to place first in the great roll of modern science the name of Roger Bacon.

Scholasticism

The failure of Bacon shows the overpowering strength of the drift towards the practical studies, and above all towards theology in its scholastic guise. Aristotle, who had been so long held at bay as the most dangerous foe of mediæval faith, was now turned by the

adoption of his logical method in the discussion and definition of theological dogma into its unexpected ally. It was this very method that led to "that unprofitable subtlety and curiosity" which Lord Bacon notes as the vice of the scholastic philosophy. But "certain it is"--to continue the same great thinker's comment on the Friars--"that if these schoolmen to their great thirst of truth and unwearied travel of wit had joined variety of reading and contemplation, they had proved excellent lights to the great advancement of all learning and knowledge." What, amidst all their errors, they undoubtedly did was to insist on the necessity of 2-022] rigid demonstration and a more exact use of words, to introduce a clear and methodical treatment of all subjects into discussion, and above all to substitute an appeal to reason for unquestioning obedience to authority. It was by this critical tendency, by the new clearness and precision which scholasticism gave to enquiry, that in spite of the trivial questions with which it often concerned itself it trained the human mind through the next two centuries to a temper which fitted it to profit by the great disclosure of knowledge that brought about the Renaissance. And it is to the same spirit of fearless enquiry as well as to the strong popular sympathies which their very constitution necessitated that we must attribute the influence which the Friars undoubtedly exerted in the coming struggle between the people and the Crown. Their position is clearly and strongly marked throughout the whole contest. The University of Oxford, which soon fell under the direction of their teaching, stood first in its resistance to Papal exactions and its claim of English liberty. The classes in the towns, on whom the influence of the Friars told most directly, were steady supporters of freedom throughout the Barons' Wars.

Its Political Influence

Politically indeed the teaching of the schoolmen was of immense value, for it set on a religious basis and gave an intellectual form to the constitutional theory of the relations between king and people which was slowly emerging from the 2-023] struggle with the Crown. In assuming the responsibility of a Christian king to God for the good government of his realm, in surrounding the pledges whether of ruler or ruled with religious sanctions, the mediæval Church entered its protest against any personal despotism. The schoolmen pushed further still to the doctrine of a contract between

king and people; and their trenchant logic made short work of the royal claims to irresponsible power and unquestioning obedience. "He who would be in truth a king," ran a poem which embodies their teaching at this time in pungent verse--"he is a 'free king' indeed if he rightly rule himself and his realm. All things are lawful to him for the government of his realm, but nothing is lawful to him for its destruction. It is one thing to rule according to a king's duty, another to destroy a kingdom by resisting the law." "Let the community of the realm advise, and let it be known what the generality, to whom their laws are best known, think on the matter. They who are ruled by the laws know those laws best; they who make daily trial of them are best acquainted with them; and since it is their own affairs which are at stake they will take the more care and will act with an eye to their own peace." "It concerns the community to see what sort of men ought justly to be chosen for the weal of the realm." The constitutional restrictions on the royal authority, the right of the whole nation to 2-024] deliberate and decide on its own affairs and to have a voice in the selection of the administrators of government, had never been so clearly stated before. But the importance of the Friar's work lay in this, that the work of the scholar was supplemented by that of the popular preacher. The theory of government wrought out in cell and lecture-room was carried over the length and breadth of the land by the mendicant brother, begging his way from town to town, chatting with farmer or housewife at the cottage door, and setting up his portable pulpit in village green or market-place. His open-air sermons, ranging from impassioned devotion to coarse story and homely mother wit, became the journals as well as the homilies of the day; political and social questions found place in them side by side with spiritual matters; and the rudest countryman learned his tale of a king's oppression or a patriot's hopes as he listened to the rambling, passionate, humorous discourse of the begging friar.

Henry the Third

Never had there been more need of such a political education of the whole people than at the moment we have reached. For the triumph of the Charter, the constitutional government of Governor and Justiciar, had rested mainly on the helplessness of the king. As boy or youth, Henry the Third had bowed to the control of William

Marshal or Langton or Hubert de Burgh. But he was now grown to manhood, and his character [2-025] was from this hour to tell on the events of his reign. From the cruelty, the lust, the impiety of his father the young king was absolutely free. There was a geniality, a vivacity, a refinement in his temper which won a personal affection for him even in his worst days from some who bitterly censured his rule. The Abbey-church of Westminster, with which he replaced the ruder minster of the Confessor, remains a monument of his artistic taste. He was a patron and friend of men of letters, and himself skilled in the "gay science" of the troubadour. But of the political capacity which was the characteristic of his house he had little or none. Profuse, changeable, false from sheer meanness of spirit, impulsive alike in good and ill, unbridled in temper and tongue, reckless in insult and wit, Henry's delight was in the display of an empty and prodigal magnificence, his one notion of government was a dream of arbitrary power. But frivolous as the king's mood was, he clung with a weak man's obstinacy to a distinct line of policy; and this was the policy not of Hubert or Langton but of John. He cherished the hope of recovering his heritage across the sea. He believed in the absolute power of the Crown; and looked on the pledges of the Great Charter as promises which force had wrested from the king and which force could wrest back again. France was telling more and more on English opinion; and the claim which the French kings were advancing to a [2-026] divine and absolute power gave a sanction in Henry's mind to the claim of absolute authority which was still maintained by his favourite advisers in the royal council. Above all he clung to the alliance with the Papacy. Henry was personally devout; and his devotion only bound him the more firmly to his father's system of friendship with Rome. Gratitude and self-interest alike bound him to the Papal See. Rome had saved him from ruin as a child; its legate had set the crown on his head; its threats and excommunications had foiled Lewis and built up again a royal party. Above all it was Rome which could alone free him from his oath to the Charter, and which could alone defend him if like his father he had to front the baronage in arms.

England and Rome

His temper was now to influence the whole system of government. In 1227 Henry declared himself of age; and though Hubert