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Marriage, Inheritance, and the Balance of Power in Twelfth-Century England and France

Lindsay Mark Diggelmann

A thesis submitted in partial fulfilment of the requirements for
the degree of Doctor of Philosophy in History,
The University of Auckland, 2004

Abstract

This project attempts to chart the importance of the social institutions of marriage and inheritance in giving rise to political change in England and France during the period 1100-1215. It benefits from the study of diverse primary sources that include chronicle histories, legal and financial documents, charters, diplomatic treaties, letters, and contemporary works of imaginative literature. It also takes into account the extensive secondary literature dealing with the period both in the area of historical research and in related fields such as anthropology, political science, and literary criticism. The thesis is broadly divided into two parts, with four chapters devoted to an extended analysis of major themes and a further four providing a narrative reading of the period to illustrate the ideas put forward.

The central argument contends that a 'multipolar' balance of power existed among the quasi-independent states under the nominal lordship of the kingdom of France (and also involving England) around 1100; that this arrangement was disrupted frequently in the following years so that by around 1200 any remaining balance was more 'bipolar' in nature with the Plantagenet and Capetian kingdoms now dominating the smaller territorial units; and that the most important factors in creating this change were the political ramifications of marriage and inheritance episodes. The idea of a balance of power is developed and discussed by reference to similar ideas prevalent in the study of international relations among European states during the eighteenth century.

To support the argument several chapters are devoted to a close examination of the social practices and restrictions surrounding marriage and inheritance during the twelfth century. Issues such as the need for consent between marriage partners, marital restrictions on the basis of consanguinity, and the prevalence of primogeniture in the handing down of estates are all discussed at length. A central theme is the contested and provisional nature of all these issues during the period, with rules that were either unclear or not universally accepted creating opportunities for political advancement by members of the social elite. Further, this thesis

contends that earlier historiographical models describing a simple and consistent opposition between ecclesiastical leaders and lay magnates on questions of marriage are unrealistic. It looks to identify points of overlap and temporary alliance in secular and ecclesiastical policies, as well as noting the conflicts that occurred between them on other occasions. The project also aims to use the techniques and advantages of cultural history to add a significant extra dimension to the central political argument, by examining prevailing beliefs and value systems surrounding the institutions of marriage and inheritance.

Acknowledgements

I wish to thank my supervisors Tracy Adams, Michael Graves, and above all Kim Phillips for their consistently positive and insightful advice and encouragement. Thanks are also due to Joe Zizek for several suggestions that led to productive areas of research and to Mark Davies for checking some of the trickier passages in my Latin translations. This project was assisted by funding from the Foundation for Research, Science and Technology, an agency of the New Zealand government.

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Abbreviations

MGH-SS	<i>Monumenta Germaniae historica – scriptores</i>
MHB	<i>Materials for the History of Thomas Becket, Archbishop of Canterbury</i>
PL	<i>Patrologiae cursus completus</i> (commonly <i>Patrologia latina</i>)
RHF	<i>Recueil des historiens des Gaules et de la France</i>
RS	Rolls Series

Introduction

When contemplating a study of the past, even the most confident of scholars must stand nervously for a moment on the cliff-edge of doubt, pausing before the irreversible plunge into waters at once familiar and unknown. In this instant it is difficult not to feel one's shoulders bowed down by the weight of scholarship (whether brilliant, mediocre, or simply competent) that has come before. To reconcile oneself to this burden when making a contribution to one's chosen field it is essential to maintain clarity of purpose, consistency of argument, and respect for the relevant historiographical tradition. In this case, my project originates from a longstanding personal fascination with the political implications of royal marriages in the Middle Ages. To that extent it risks appearing unfashionable or outdated, since the 'great deeds' of 'great men' unavoidably constitute much of the focus here. Shaping and framing the material therefore takes on a dual importance. Firstly, the process of setting clear goals and pursuing a consistent line of argument reinforces the discipline of posing new questions to events that have become familiar to generations of historians. Secondly, employing methods and acknowledging influences that are relevant to the modern historical profession can enhance engagement with traditional research. Thus the burden of doubt is eased and the researcher can dive with vigour into the turbulent currents of historical debate.

Political developments in twelfth-century England and France have, of course, been studied in depth. It is hardly revolutionary to say that marriage was an important weapon in the arsenal of the powerful throughout premodern times, conducted with diplomatic or economic benefits in mind. This is especially evident during the twelfth century, yet the point often seems to have been taken for granted. Equally, the nature of the marriage ceremony in the medieval period (its rules, customs, and associated prohibitions) has received much attention, but usually from an anthropological or sociological point of view that does not necessarily

place specific royal or aristocratic marriages in their political context.¹ When examining marriages between members of the social elite during my chosen period from a political perspective, new questions arise. Who was responsible for arranging these marriages and what did they hope to achieve? Did widely understood rules exist on who could or could not be married for political advantage? If so, were those rules enforced (and by whom) or were they often ignored? How did the spiritual priorities of Church leaders clash with the more worldly motivations of secular powers in regulating the practice of marriage? The gap I hope to fill is one in which an analysis of the social customs surrounding noble marriage can aid our understanding of twelfth-century political developments. Naturally that historiographical slate is not entirely clean. One of this study's starting points is Georges Duby's *Medieval Marriage*, which examines changing marital practices by reference to a number of the most well-known and controversial examples of royal marriages (and separations) among the French royal family during the High Middle Ages.² Although I draw upon Duby at several points I also take issue with his conclusions, most notably his description of competing lay and ecclesiastical models of marriage.³

After looking at the political ramifications of marriage it soon became clear that to do justice to the subject would also entail an exploration of the closely related phenomenon of inheritance. There has been much debate on this topic from several points of view. The implementation and security of heritable tenure of fiefs has been of interest to legal historians concerned with the origins of English common law. Bequests and legacies have become important primary sources for scholars examining family relationships and cultural values.⁴ But here again there appeared to be a gap in which the impact of changing social practices related to inheritance

¹ Examples of this anthropologically inspired approach include David Herlihy, *Medieval Households*, Cambridge, MA, and London, 1985; Jean-Louis Flandrin, *Families in Former Times – Kinship, Household and Sexuality*, trans. Richard Southern, Cambridge, 1976; and Jack Goody, *The Development of the Family and Marriage in Europe*, Cambridge, 1983.

² Georges Duby, *Medieval Marriage - Two Models from Twelfth-Century France*, trans. Elborg Forster, Baltimore and London, 1978. Duby expands on the ideas in this relatively brief work in his *The Knight, the Lady and the Priest - The Making of Modern Marriage in Medieval France*, trans. Barbara Bray, Harmondsworth, 1983.

³ See ch. 1, pp. 40-1.

and succession on twelfth-century politics and international relations had been given less attention than it deserved. I have found it useful to re-examine familiar narratives (the contest for the throne between Stephen and Matilda; the ongoing conflict between Plantagenet and Capet) by asking questions that appear to have been enormously important to contemporary observers: how were these events influenced by the protagonists' desires to ensure that their properties and titles would be passed on smoothly to the next generation? And how did the uncertain and provisional nature of twelfth-century rules and customs concerning inheritance and succession provide an avenue of opportunity for politically ambitious magnates?

Marriage and politics, inheritance and politics. At this point the line of enquiry was clear, but the framework and argument had not yet emerged. I wished to focus on the Angevin period under Henry II and his sons (1154-1216) especially given the importance of Henry's famous marriage to Eleanor of Aquitaine after her separation from Louis VII of France. In order to find a meaningful starting point it became necessary to go back to the reign of Henry I (1100-35) and to the importance of marriage and inheritance issues in the conflicts that characterized his relations with his continental neighbours. A clear difference in the power structures of England and France in 1100 compared to the way they would appear by around 1200 was becoming apparent. In short, at the earlier point 'France' was little more than an idea or a geographical expression. Power (the ability to exercise feudal patronage; control over landed estates) and political self-identification resided in smaller regional units, duchies and counties such as Anjou, Blois, Flanders, or Aquitaine. In 1200, by contrast, two giants strode the stage: the 'Angevin empire' recently inherited by King John and the resurgent French kingdom of Philip Augustus. On its own there is nothing particularly original about this observation. But what struck me when looking at the progression from the earlier to the later moment was the importance of episodes involving conflicts over marriage and inheritance as causative factors in bringing about political change.

⁴ For examples see the works listed in ch. 2, notes 117 and 8 respectively.

Here again, political historians have occasionally noted this factor without analysing it in depth.⁵

This gave rise to an analogy that is (I believe) both original and illuminating: the idea that the political realities of 1100 can usefully be explained by reference to the concept of a ‘balance of power’, more normally associated with later periods of European history. The dynamics of political activity among the quasi-independent feudal territorial units, approximately equal in size, strength, and influence, appeared comparable to the similar interrelationship of the great powers in the eighteenth century (although clearly on a smaller scale). The political motivations of the leaders of these ‘states’ seemed to include promoting their own interests while at the same time limiting the capacity for others to become too powerful. Temporary alliances and coalitions were vital in keeping a check on potential hegemons. There was a tendency, in other words, towards the maintenance of a rough equilibrium in which no single state was allowed to become too influential at the expense of others: a balance of power. Recent historiography concerning the theoretical underpinning of the eighteenth-century system of international relations, especially the work of Paul Schroeder, includes a number of ideas (alliance flexibility, *raison d'état*) that appear to apply very well to the circumstances of feudal Europe.⁶

Thus the core of my argument emerged: that a ‘multipolar’ balance of power existed among the states of France (and involving England) around 1100; that this arrangement was disrupted frequently in the following years so that by around 1200 any remaining balance was more ‘bipolar’ in nature with the Plantagenet and Capetian kingdoms now dominating the smaller territorial units; and that the most important factors in creating this change were the political ramifications of marriage and inheritance episodes. To illustrate the final point it has also been necessary to establish the cultural significance of the social mechanisms of marriage and inheritance among

⁵ Karl Ferdinand Werner, for example, stresses the importance of marriage and inheritance to the strengthening of Capetian rule in his important article ‘Kingdom and Principality in Twelfth-century France’, but does not dwell on the matter. See Timothy Reuter, ed., *The Medieval Nobility – Studies on the Ruling Classes of France and Germany from the Sixth to the Twelfth Century*, Amsterdam, 1979, p. 264.

the elites of the period and to show that an attitude of applying these mechanisms to the achievement of political outcomes was integral to the mentality of the age.

Periodization always carries the risk of imposing artificial explanatory boundaries on the past, but in this case the project's chronological termini fell into place fairly easily. 1100 represents the moment at which the Capetian monarchy appeared at its weakest, with its practical power largely confined to the royal demesne lands in the Île de France. This made it no more powerful than its nominal feudal inferiors, the duchies and counties that made up its balance-of-power neighbours, rivals, and occasional allies. The pattern I have identified breaks down once and for all in 1214 with Philip Augustus's victory over John's allies at Bouvines. This was the first time since at least 1100 that a change in the political equilibrium occurred purely as a result of a set-piece military victory, rather than through the manipulation of marriage and inheritance, and it marks a new apogee for Capetian power.⁷ Two important documents also bookend the period: Henry I's Coronation Charter (1100) and Magna Carta (1215). Each bears great significance for the messages it carries regarding marriage and inheritance practices.⁸ In 1215 the Fourth Lateran Council under Innocent III eased restrictions on consanguineous marriages (a frequent source of conflict throughout the twelfth century) thereby changing the dynamics of political manipulation of the marriage bond. Together Bouvines, Magna Carta, and the Fourth Lateran Council provide an obvious end point for this study's thematic concerns. From a geographical perspective the focus is on the regions under the (real or nominal) control of the Anglo-Norman, Angevin, and Capetian monarchs throughout the century, since it is here that the explanations proposed appear the most effective. Outside regions (the kingdoms of Iberia, Germany, Scotland, and Sicily, among others) are not ignored, but tend to be discussed only when relevant to developments in the core areas of England and France.

⁶ See ch. 4, pp. 125-6.

⁷ On the importance of Bouvines see ch. 8, pp 298-9.

The project falls into two clear parts of four chapters each, broadly ‘thematic’ and ‘narrative’ in nature. Chapter one discusses the ongoing debate over the nature of the marriage bond during the twelfth century among canon lawyers and senior figures in the Church, and the way in which the uncertainties over definitions of marriage (in areas such as consent and consanguinity) fed through to the practical experience of secular magnates and their families. It also begins the examination of cultural factors (such as ideas of gift and reciprocity in feudal patronage) that bear relevance to an appreciation of the importance of the marriage bond in a political context. The chapter concludes by proposing a model of ‘flexible’ and ‘restrictive’ marriage practices that aims to allow for the inconsistencies and overlaps that appear in various contemporary understandings of marriage and separation.

Chapter two provides a similar overview of the development of inheritance practices during the period, again offering an interpretation that stresses the variety of contemporary understandings of the subject. Competing and contradictory methods of handing down wealth, land, and power to succeeding generations (primogeniture, partibility, *parage*) provoked misunderstandings and generated conflict, while allowing ambitious (and often unscrupulous) noblemen to advance personal and family prestige by taking advantage of uncertain rules of conduct. An appreciation of the place of noble women as inheritors is especially important here since it was so often the case that widows or heiresses became desirable targets as brides, based on the value of the estates they brought with them.

The third chapter concentrates on a ‘cultural’ analysis of the period, using contemporary imaginative literature and other texts to identify the beliefs and fears concerning marriage and inheritance that permeated noble society.⁹ In doing so it attempts to establish the importance of these social mechanisms in twelfth-century value systems as a prelude to positing their equivalent importance as agents of political change in later chapters. At the

⁸ On the Coronation Charter see ch. 1, p. 35; ch. 2, pp. 62-3; and ch. 5, p. 164. On Magna Carta see ch.2, pp. 78-80.

⁹ For my definition of ‘culture’ in this context see ch. 3, pp. 82-3.

same time there is a conscious effort to provide some balance to the picture of women that emerges in the second part. Since brides often had their fates decided for them by more powerful father or lords, there is a risk that women appear little more than passive victims of male domination. This is, of course, a one-sided and inaccurate depiction. While women were undoubtedly powerless to determine their own fate in marriage on many occasions, their own desires and fears are sometimes evident to us in literary representations. The chapter does not claim to be a comprehensive analysis of twelfth-century literary output, nor does it offer any especially sophisticated literary criticism. Rather, it highlights a number of examples that may allow us, when bearing in mind the intended audience, to hear the sorts of messages that aristocratic men and women were receiving about marriage and inheritance. To the extent that literature acts as a reflection of social values as well as an influence upon them, these examples are intended to improve our understanding of the ways contemporaries might have thought about the uses of marriage and inheritance in their own society.

The central political argument appears in chapter four. This section defines what I understand by the ‘balance of power’ in a twelfth-century context by reference to scholarship on the meaning of the term in the eighteenth-century environment. It also categorizes the differing uses of political marriage that are evident during the period (ensuring dynastic legitimacy, aiding territorial expansion, defensive alliance, and so on). The chapter offers a survey of the major ‘states’ that took part in the balance of power prevailing around 1100, as a starting point for the following narrative discussion. Furthermore it suggests that, along with the ‘horizontal’ balance of power that existed among these states, we can profitably identify a ‘vertical’ balance of power within states. The idea of a vertical balance helps to explain the relations between monarchs and major magnates, on the one hand, and the more minor nobility, on the other. Here, too, marriage and inheritance were matters of vital importance to those on each side of the vertical social divide.

The second group of four chapters presents a ‘narrative’ in the sense that it develops chronologically from 1100 to 1215. However, these chapters

attempt to offer an interpretation of events that may be superficially familiar by placing them in the context of the themes examined in part one. By developing a close reading of the ways in which twelfth-century political changes occurred as a result of values and practices associated with marriage and inheritance, I hope to show that these changes constitute a pattern in which the balance of power prevailing at the outset was continuously challenged, disrupted, re-established, and disrupted again. Several episodes bear particular importance: Henry I's reunification of the Anglo-Norman realm in 1106 (justified in terms of the monarch's inheritance claim to Normandy) and the threat that this appeared to pose to his continental neighbours; the marriage of Henry's daughter Matilda to Geoffrey Plantagenet in 1128; the marriage of Eleanor of Aquitaine to Louis VII in 1137, their separation in 1152, and her subsequent remarriage to Henry Plantagenet; the death of Henry 'the Young King' in 1183 and the changes this provoked in his father's plans for the succession of the 'Angevin empire'; the reassertion of feudal and regal rights over marriage and inheritance by Philip Augustus throughout his reign. These are simply the most obvious among a host of episodes that illustrate the cultural values and political model put forward here.

In comparison to students of later eras, those working on the twelfth century must suffer the relative lack of documentary sources. But they are fortunate in one respect: the wealth of contemporary chronicle histories. The great figures of the golden period of Anglo-Norman historiography will become familiar names to the readers of these pages (especially the 'narrative' chapters): Orderic Vitalis and William of Malmesbury for the first half of the century; Robert of Torigny, Ralph of Diceto, and Roger of Howden for the later years. Abbot Suger, Rigord, and William the Breton advance the Capetian point of view. There are many others of equal or lesser quality. It almost goes without saying that they were all male clerics and that issues that mattered to the Church shaped their worldview. But they were often eyewitnesses to significant events (or knew others who were) and for that reason their value as sources is high. We cannot take everything they say at face value. A healthy scepticism is vital when reading the chroniclers and (where possible) facts, dates, and opinions

must be checked against other sources. Nonetheless, since this is in part a cultural as well as a political history (dealing with *attitudes* towards marriage and inheritance, along with their political significance) the very biases and implicit judgements of contemporary commentators are just as useful as hard factual data. Alan Cooper, for example, makes a virtue of inherent bias in his delightfully titled article, “‘The Feet of Those that Bark Shall Be Cut Off’: Timorous Historians and the Personality of Henry I’.”¹⁰ Cooper argues that chroniclers writing about Henry I (including Orderic Vitalis and William of Malmesbury) are far more critical of the monarch in passages written after his death in 1135 than in pieces composed earlier. Once one recognizes that these types of issues colour chronicle texts it becomes easier to deal with their unavoidable subjectivity and to look elsewhere when more objective evidence is required.

Documentary sources for the period may be relatively scarce, but they do exist. A variety of legal texts provide useful information about marriage and inheritance practices. These include the rather sketchy *Leges Henrici primi* (c. 1115), the much fuller text commonly known as *Glanvill* (c. 1188), and the great codification of canon law, Gratian’s *Decretum* (c. 1140).¹¹ Some reference is also made to the financial records known as the Pipe Rolls and to the *Rotuli de dominabus*, which lists women and children under Henry II’s wardship.¹² Authors of imaginative literature (Geoffrey of Monmouth, Chrétien de Troyes, the Occitan troubadours, and others) provide the bulk of the primary material for chapter three and also bring occasional insights to other chapters.¹³ Diplomatic agreements, charters, and letters can give a first hand account of events, often from the mouths of the principal actors on the political stage. In this regard the great edited collections of medieval material (especially Bouquet’s *Recueil des*

¹⁰ Alan Cooper, “‘The Feet of Those that Bark Shall Be Cut Off’: Timorous Historians and the Personality of Henry I’, *Anglo-Norman Studies*, 23, 2001, pp. 47-67. The quotation in the title comes from the Prophecies of Merlin in Geoffrey of Monmouth’s *Historia regum Britanniae*. On critical approaches to the chroniclers see also the essays collected in Gabrielle M. Spiegel, *The Past as Text: The Theory and Practice of Medieval Historiography*, Baltimore, 1997.

¹¹ See, for example, ch. 1, pp. 30-2.

¹² See, for example, ch. 3, pp. 111-13; and ch. 7, pp. 242-3.

¹³ See, for example, the comments by Bertran de Born in ch. 8, p. 272; and by Peire Vidal in ch. 8, p. 289.

historiens des Gaules et de la France but also the *Regesta regum Anglo-Normannorum*, Migne's *Patrologia latina*, and the *Monumenta Germaniae historica* - *scriptores*) have been invaluable. Where modern textual editions and translations exist of any of the legal documents or chronicles (such as those in the *Oxford Medieval Texts* series) I have been happy to use them. In other instances the nineteenth-century collection known as the Rolls Series has been a constant companion. In all cases I have attempted to work with a reliable text in the original Latin, but for reasons of efficiency and flow I have not included the Latin equivalent when incorporating quotations in English into my own text. Translations are mine if not otherwise specified.¹⁴

Secondary material on the period is extensive. Given the nature of the sources it is an intrinsic quality of political historiography of the Middle Ages that personalities form a central focus. When studying an era of weak (or scarcely existent) institutions of state, kings and kingship remain important themes. Hence it is difficult to avoid the influence of the best of the monarchs' modern biographers: Warren Hollister on Henry I; Marjorie Chibnall on the Empress Matilda; Lewis Warren on Henry II; John Gillingham on Richard I.¹⁵ Yet the proliferation of methods and lines of enquiry among historians over the last several decades means that this project benefits from newer approaches (gender studies, cultural history) as much as it does from the more traditional political and legal histories. Anthropology, political science, and literary criticism add the perspectives of other disciplines where useful.¹⁶ Rather than giving a single overview of the relevant literature (a potentially massive task in itself) I have tried to include historiographical summaries at the appropriate points. These often take the form of reflections on particular debates, either broader in scope (the question of a 'tenurial crisis' in England; the nature of the 'Angevin empire') or more specific (arguments over Geoffrey Plantagenet's will or

¹⁴ As an example, quotations from Orderic Vitalis are taken from Marjorie Chibnall's edition (*The Ecclesiastical History of Orderic Vitalis*, 6 vols, Oxford, 1969-1980), universally accepted as the authoritative English text, whereas passages from Roger of Howden are my translations from the Rolls Series.

¹⁵ I do not mean to imply that these historians are biographers alone. Many of their other scholarly projects inform this discussion on numerous occasions.

¹⁶ See ch. 1, note 92; ch. 4, notes 4-7; and ch. 3, *passim*, respectively.

John's marriage to Isabella of Angoulême, discussions which also include critical consideration of the chronicle sources).¹⁷

Above all it is vital to keep in mind the 'inescapable perspectivism of historical research'.¹⁸ Modern historiography lacks the certainties that informed the age of Stubbs, Maitland, and Round (and by and large, despite the achievements of such figures, it is all the better for it). My interpretation is one of many possible readings, inspired by personal interests and promoting those facts and opinions that illuminate my argument, while passing over material that other scholars would find more interesting. I hope readers will find something stimulating here, whether in the wider argument or the narrower points of detail. As William of Malmesbury wrote in the dedication to his chronicle, 'I would like this work to serve as a summary of many fields of history'.¹⁹

¹⁷ See ch. 2, pp. 69-74; ch. 7, pp. 257-60; ch. 7, note 10; and ch. 8, notes 88-90.

¹⁸ Lloyd Kramer, 'Literature, Criticism, and the Historical Imagination' in Lynn Hunt, ed., *The New Cultural History*, Berkeley, 1989, p. 118.

¹⁹ William of Malmesbury, *Gesta regum Anglorum*, trans. R.A.B. Mynors, R.M. Thomson, and M. Winterbottom, Oxford, 1998, p. 13.

1. The Principles of Marriage

On 2 November 1160, at Neubourg in Normandy, a wedding ceremony took place that held profound implications for the balance of power in northern France. Henry, eldest surviving son of Henry II (ruled 1154-89) and Eleanor of Aquitaine, married Margaret, elder daughter of Louis VII of France (r. 1137-80) by his second wife, Constance of Castile. The episode challenged canonical rules, since the couple were related to one another and had not expressed personal consent to their union. Their age, too, raised the eyebrows of observers: Henry was five years old, his bride only two.¹ It was Henry II who engineered this bizarre spectacle, both to gain control of Margaret's dowry, the castles of the Norman Vexin, and to counter the political impact of the French king's own recent remarriage.² While a particularly egregious example of the manipulation of the marital bond for purposes of policy, the incident is nonetheless typical of the ways in which the institution of marriage and the execution of political strategy intertwined and overlapped during the High Middle Ages.

As historians have long recognized, marriage in the upper ranks of society was intended to carry territorial or political consequences, and to achieve far more than the simple union of man and woman in holy matrimony.³ Indeed, marriage in northern Europe had traditionally been a relatively secular, family-oriented affair, a moment for transactions to be ratified between households, and for new households to be formed. By the twelfth century, the Church had begun to assert more fully its authority to

¹ Roger of Howden, *Chronica magistri Rogeri de Houedene*, Rolls Series (RS) 51, vol. 1, p. 218.

² For a full discussion of the incident see my article 'Marriage as Tactical Response: Henry II and the Royal Wedding of 1160', *English Historical Review*, forthcoming September 2004.

³ For the importance of marriage in twelfth-century French politics see Georges Duby, *Medieval Marriage - Two Models from Twelfth-Century France*, trans. Elborg Forster, Baltimore and London, 1978; and *The Knight, the Lady and the Priest - The Making of Modern Marriage in Medieval France*, trans. Barbara Bray, Harmondsworth, 1983. A more general approach can be found in Christopher Brooke, *The Medieval Idea of Marriage*, Oxford, 1989; there is also a useful summary of the key ideas in Chris Given-Wilson and Alice Curteis, *The Royal Bastards of Medieval England*, London, 1984, ch. 2. John Gillingham, 'Love, Marriage and Politics in the Twelfth Century', *Forum for Modern Language Studies*, 25, 1989, pp. 292-303, argues for the possibility of emotional attachments even within overtly political marriages.

control the marital process, attempting to transform it completely from a secular into a spiritual rite. In the process, the factors that Henry II so studiously ignored (the consent of the couple, their youth, their kinship) became the battleground in the struggle for control between lay and ecclesiastical leaders.

But this same struggle was far from being a simple opposition between Church and State. Noblemen and monarchs using the institution of marriage as a political weapon were forced to take into consideration not only the potential reaction of ecclesiastical powers, but also the competing strategies of lay rivals. Furthermore, there was simply no unified doctrine of marriage, no firm position endorsed by all representatives of the Church. On many occasions secular leaders were able to exploit differences of opinion in still-evolving canon law and theology to force through marital agreements that suited their own purposes, sometimes with the participation and approval of senior clerics. A universal, unquestioned definition that may have labelled these unions illegal or illicit did not yet exist, though by the early thirteenth century it was at last beginning to emerge.

The Question of Consent

Henry II's action highlights the role of the male head of a household in controlling all aspects of the marriage pact in secular life. This traditional familial function stood at odds with the increasing (and conflicting) stress that the Church placed on the choices of the partners themselves as the century progressed. Clerical thinkers emphasized the necessity of mutual consent to validate any marriage agreement.

Before the great canon law advances of mid-century, confusion is apparent over just whose consent was necessary in marriage. One school of thought in the eleventh and early twelfth centuries held that 'consent' implied the approval of parents and family along with that of the couple themselves, a notion that was clearly very useful to fathers and guardians looking to arrange the marriages of their dependents. This was the view of

the early canonist Anselm of Lucca, though other reformers of the post-Gregorian period disagreed.⁴ Ivo of Chartres, in his *Panormia* written around 1100, strongly rejected Anselm's theory and the need for parental consent, stating 'nor does a marriage exist unless the consent of each partner is given, even if the mother and father have arranged it and wanted it to take place'.⁵

Even Gratian, the greatest twelfth-century compiler of canon law, provided grounds for dissent and debate. His widely influential *Decretum*, appearing around 1140, generally stressed the importance of mutual consent between the couple themselves, following Ivo's lead. Yet at one point he was able to say 'it is intended to be understood that paternal choice is desired in marriage, and that without it marriage is not legitimate'.⁶ Even though this is outweighed by the more numerous references to the consent of the marriage partners themselves, it is typical of the many inconsistencies within the *Decretum*, and indicative of the unsettled nature of ecclesiastical views on the matter. Gratian himself was not above manipulating questionable evidence to support his point of view. The canonist did not have a long tradition of free choice in Christian writings on marriage to follow, but instead picked his examples carefully in order to support the more recent view on consent that he had found in Ivo.⁷

Clearly, then, disagreement still existed in the early twelfth century over the exact definition of consent. In many circumstances over the following century arranged marriages paid little or no attention to the principle of

⁴ James A. Brundage, *Law, Sex, and Christian Society in Medieval Europe*, Chicago and London, 1987, p. 187.

⁵ Michael M. Sheehan, *Marriage, Family, and Law in Medieval Europe: Collected Studies*, Toronto, 1996, p. 121, quoting Ivo, *Panormia*, vi, 122. The text of the *Panormia* is available in J.-P. Migne, ed., *Patrologiae cursus completus* (commonly *Patrologia latina* or PL), vol. 161, Paris, 1855 (reprinted Turnhout, 1977) cols 1037-1344; this quotation at col. 1275.

⁶ Sheehan, pp. 96-7.

⁷ See John T. Noonan Jr., 'Power to Choose', *Viator*, 4, 1973, pp. 419-34. Gratian refers to a letter from Pope Nicholas I to Boris of the Bulgarians in 866 as an authority for papal views on the need for consent between bride and groom. Yet Nicholas had said of Christian marriage that 'the bonds are celebrated with the consent both of those who here contract and of those in whose power they are'. (Noonan, p. 423, quoting *Decretum*, C. 30, q. 5, c. 3). For the text of the *Decretum* see A.L. Richter and E. Friedburg, eds, *Corpus iuris canonici – decretum magistri Gratiani*, Leipzig, 1879 (reprinted Graz, 1959), vol. 1. Passages referred to here are at cols 1100 and 1105.

consent, and yet were not annulled.⁸ This is partly due to the fact that the papacy would act only in cases where it had received appeals from members of its flock (especially secular powers looking to use canon law as a means of disrupting the diplomatic plans of a secular rival). Nonetheless, one suspects that inertia in the face of a *fait accompli* often made it convenient for Church authorities to fall back on their doctrine of the indissolubility of the marital bond at the expense of a rigorous insistence on the principle of consent. Here again, inconsistencies in doctrine made it difficult for the Church to enforce a standard line, and hence to control members of the laity who acted according to their own set of principles.

The need for consent to the act of betrothal was another grey area in Church policy.⁹ Betrothal as a precursor to marriage had become common by the eleventh century. Church reformers at that time encouraged the habit, while not making it a formal prerequisite to marriage.¹⁰ Twelfth-century canonists did not consider a betrothal by itself to be a legally binding agreement, and were prepared to allow the renunciation of earlier promises should the parties change their minds before a marriage had been contracted.¹¹ In general this suited secular leaders, who also did not consider betrothal to be weighed down by any unbreakable finality. In the political arena betrothals functioned more as an indication of intent, and less as a confirmed contract. They could thus be broken, renegotiated, or extended as the two parties (the fathers of the bride and groom, in most cases) saw fit. At the top of the social hierarchy, political manoeuvring and changing diplomatic circumstances (in other words, balance-of-power considerations) meant that royal children could participate in several betrothals before meeting their eventual partner. Richard I of England was betrothed to Alice of France for over twenty years. The marriage never took place.¹²

⁸ Obvious examples include those where one partner was very young (see note 19).

⁹ Duby, *Medieval Marriage*, p. 17.

¹⁰ Brundage, p. 190.

¹¹ *ibid.*, p. 275.

¹² Howden, vol. 2, p. 78; and Richard of Devizes, *Chronicon*, in *Chronicles of the Reigns of Stephen, Henry II, and Richard I*, RS 82, vol. 3, p. 403. Before his accession, Louis VI of France was betrothed to Lucienne of Rochefort, but the arrangement was broken

The important point is that the consent of the partners, whether given at the moment of betrothal or of marriage, became increasingly important to Church authorities, and far outweighed the relevance of the act of betrothal itself. Regarding the well-known case of the Anstey family, Pope Alexander III (r. 1159-81) commented that 'the parties are married immediately from that moment when each willingly agreed to be the spouse of the other'.¹³ Yet as so often in the twelfth century, inconsistency among Church commentators muddled the waters of doctrinal clarity, and created loopholes that lay powers were only too ready to exploit.¹⁴

This is evident in the development of canon law with regard to the strictly legal foundation of marriage. Gratian put forward the opinion that marriage contained two distinct elements, requiring mutual consent and physical consummation for its genuine formation.¹⁵ For Peter Lombard, writing a few years later, consent needed to be more closely defined. The principle of future consent by an under-age bride or groom was not rigorous enough to ensure legal validity. In Lombard's view the exchange of *verba de presenti*, a solemn undertaking to accept one another as man and wife from the current moment on, based on ties of mutual affection, was the best means of ensuring the sanctity of the marriage bond. However if the exchange of *verba de futuro* (in effect a betrothal, and hence not on its own legally binding) was eventually followed by consummation, this

off (see Suger, *The Deeds of Louis the Fat*, trans. Richard Cusimano and John Moorhead, Washington, D.C., 1992, p. 41). For examples of baronial betrothals reneged upon in Champagne see Theodore Evergates, 'Aristocratic Women in the County of Champagne' in Evergates, ed, *Aristocratic Women in Medieval France*, Philadelphia, 1999, p. 91.

¹³ Charles Duggan, 'Equity and Compassion in Papal Marriage Decretals to England', in W. Van Hoecke and A. Welkenhuysen, eds, *Love and Marriage in the Twelfth Century*, Leuven, 1981, p. 69. On Richard of Anstey's long struggle to gain recognition of his inheritance rights see Patricia M. Barnes, 'The Anstey Case', in Patricia M. Barnes and C.F. Slade, eds, *A Medieval Miscellany for Doris Mary Stenton*, London, 1962, pp. 1-24; Brooke, *Medieval Idea of Marriage*, pp. 148-52; and *The Letters of John of Salisbury*, trans. W.J. Millor et al., vol. 1, London and Edinburgh, 1955, pp. 227-37 and 267-71. The case revolved around the doctrinal validity of the marriages of Richard's uncle, William de Sackville.

¹⁴ Interpretation of the subject is complicated to some extent by semantic issues. Michael Sheehan points out that the term *sponsalia* appears to refer in different sources either to the act of betrothal, or to the marriage itself. Equally, *matrimonium* may relate only to the wedding ceremony, or to the entire process from betrothal to eventual consummation (Sheehan, pp. 139-40).

¹⁵ Sheehan, p. 92.

too could constitute an acceptable marriage.¹⁶ The idea of *verba de presenti* tended to conflate the promises of betrothal and the vows of marriage into one ceremonial action.

Nor were these the only voices discussing the legal aspects of the marriage bond. The Italian legal scholar Vacarius, who spent much time in England after 1150, put forward a completely different definition. In his *Summa de Matrimonio* he proposed that a marriage takes place only when a *traditio*, a formal ceremony of handing over, occurs between the families of the bride and groom.¹⁷ This obviously placed a much higher value on the decisions of fathers and families, and much less on the desires of the couple themselves. In fact, Vacarius overtly opposed the more mainstream canonists by claiming that a young girl could not be legally married unless the consent of a parent or guardian was forthcoming.¹⁸ While Vacarius's opinion was never widely accepted in ecclesiastical circles, the proliferation of differing interpretations such as his can only have added to the impression of flux and uncertainty among Church authorities for lay observers. It was this lack of a definitive interpretation that gave monarchs and nobles the room to act with a measure of freedom in arranging the marriages of themselves and their relations.

The debate between the so-called 'Italian school' and 'French school' of canonists (for whom Gratian and Lombard were the greatest spokesmen) raised the issue of consent in the marriage of minors, normally undertaken by their parents for overtly political or property-related reasons.¹⁹ The practice of a young couple exchanging merely *verba de futuro*, a promise to consent to be married at some unspecified future date, was too open to

¹⁶ Brundage, p. 264.

¹⁷ F.W. Maitland, 'Magistri Vacarii summa de matrimonio', *Law Quarterly Review*, 50, 1897, p. 136; and Peter Stein, 'Vacarius and the Civil Law', in C.N.L. Brooke et al, eds, *Church and Government in the Middle Ages – Essays Presented to C.R. Cheney on his 70th Birthday*, Cambridge, 1976, pp. 119-37.

¹⁸ Maitland, p. 138.

¹⁹ As well as the case of Henry and Margaret, cited on p. 12, royal examples include the marriage of Henry I's daughter Matilda to Henry V of Germany, and the betrothal of King Stephen's two-year-old daughter, also Matilda, to Waleran of Meulan. See ch. 5, pp. 181-2; and ch. 6, p. 209. A notable test case from the 1150s involved Agnes, Countess of Oxford, who (as an adult) objected to her betrothal at the age of three on the basis that she had not given consent. See Brooke, *Medieval Idea of Marriage*, pp. 152-7; *The Letters and Charters of Gilbert Foliot*, ed. Z.N. Brooke et al., Cambridge, 1967, pp. 214-18; and ch 3, pp. 113-14.

manipulation by ambitious parents and guardians. Confusion reigned regarding the appropriate age at which *verba de presenti* could be considered valid. Alexander III appears here to have accepted Lombard's idea of the need for *verba de presenti*, which could be given by boys only from the age of 14, and by girls from the age of 12.²⁰ Yet in the decretal *Accesit ad presentiam* Alexander declared that betrothals and marriages should not be undertaken before the age of seven, implying that they were valid after that age.²¹ Here he seems to endorse Gratian, who accepted that consent could be exchanged as young as seven, with the marriage being validated when physical consummation occurred in later years.²² Alexander's own views developed during the course of his long pontificate. His late rulings formed a compromise between the Italian and French schools of thought, accepting both *verba de presenti* and *verba de futuro* plus later consummation. With regard to the age of consent, Alexander did not give a definite ruling, but instead retained the potentially confusing distinction of different minimum ages for the different methods of establishing the marital bond.²³

The provision of such loopholes was an invitation to abuse of the spirit of Church decrees by unscrupulous lay figures. At the 1175 Council of Westminster, Archbishop of Canterbury Richard of Dover loosened the reins of ecclesiastical restraint even further. Roger of Howden records the proceedings of the synod, at which Archbishop Richard stated the Church's position on marriage and other matters. It is worth reviewing the passage containing the Church's view on the necessity of consent:

Where there is not the consent of both parties, there is no marriage; therefore, those who give young girls in the cradle to boys in marriage (or *vice versa*) achieve nothing, unless each of the children shall give their

²⁰ Brundage, p. 357. See also Duggan, p. 82. On the vexed question of age at marriage relative to age at puberty see W. Onclin, 'L'âge requis pour le mariage dans la doctrine canonique médiévale', *Proceedings of the Second International Congress of Medieval Canon Law*, 1965, pp. 237-47.

²¹ Duggan, p. 69.

²² Brundage, p. 238.

²³ Charles Donahue Jr., 'The Canon Law on the Formation of Marriage and Social Practice in the Later Middle Ages', *Journal of Family History*, 8, 1983, p. 144.

consent after they have arrived at the age of reason. Therefore, on the authority of this decree, we forbid that anyone shall be united in marriage in future, if either partner has not reached the age appointed by the laws, and set forth by the canons, unless it shall at any time happen to occur that because of some urgent necessity, a marriage of this nature should be tolerated for the sake of peace.²⁴

Much of this text comes straight from Gratian.²⁵ But despite the strict tone of disapproval and prohibition, the final clause must have seemed like a free gift to the assembled lay notables. These included none other than Henry II and his twenty-year-old son, the Young King, married at the age of five to the two-year-old Margaret of France in 1160. Henry would certainly have claimed ‘urgent necessity’ as the reason for that union.

Henry’s subterfuge in 1160 had come dangerously close to contravening another canonical requirement: the need for openness in marital matters. Although Alexander III conceded that clandestine marriages might stand if the couple later exchanged their vows publicly in church, in general the idea of a private union was anathema to the spiritual community.²⁶ In 1102 Archbishop Anselm had declared secret marriages void, if disputed by either party.²⁷ The same synod of 1175 that banned infant marriage reiterated that no one should be allowed to marry in secret.²⁸

In this area, as in the debate over consent, Church rulings were evolving throughout the twelfth century and therefore often gave rise to inconsistency and contradiction. Since marriage had originally been a

²⁴ Howden, RS 51, vol. 22, p. 77. See also Dorothy Whitelock, et al., eds, *Councils and Synods with Other Documents Relating to the English Church*, vol 1, part 2, Oxford, 1981, pp. 965-93.

²⁵ Sheehan, pp. 121-2; and Gratian, *Decretum*, C. 30, q. 2 (col. 1100). Gratian took the phrase *pro bono pacis* (‘for the sake of peace’) from Pope Nicholas’s letter to the Bulgarians (see note 7). It had been used in the letter of dispensation granted in 1160 for young Henry’s marriage to Margaret. See *Recueil des historiens des Gaules et de la France* (RHF), 24 vols, Paris, 1737-1908, vol. 15, pp. 700-01; and Diggelmann, ‘Marriage as Tactical Response’.

²⁶ Duggan, pp. 82-3. John Gillingham argues more forcefully that Alexander III’s pronouncements in favour of freely given consent imply the acceptance of clandestine marriage. See Gillingham, ‘Love, Marriage and Politics’, p. 294.

²⁷ Eadmer, *Historia novorum in Anglia*, RS 81, p. 143. On the Council of Westminster at which these deliberations took place in 1102 see *Councils and Synods*, pp. 668-88.

more private, family-oriented affair, in one sense clergymen needed to impose themselves upon a social ceremony where their presence had not always been required. This process was well under way by 1100, but was by no means complete.²⁹

The growing emphasis on the need for consent directly undermined the trend towards public marriages endorsed by a representative of the Church. Gratian reluctantly admitted that a union based solely on mutual affection and consummation implied the possibility of clandestine marriage.³⁰ If this implicitly endorsed concubinage and allowed lay practitioners to form their own marital ties regardless of Church pronouncements, then an obvious dichotomy was apparent between the intention of Church policy, and a strict reading of the Church's own lawyers.³¹ Even worse, a further implication of marriage validated by consent alone was to make separation potentially just as simple, and based solely on the decision of the two partners. Allowing husband and wife to separate by mutual agreement would fly completely in the face of the Church's attempt to regulate and control divorce and annulment.³² It would also put at grave risk the doctrine of indissolubility, which remained a central part of Church teaching even while other policies were still being developed.

By the early thirteenth century, new policies were being put forward to deal with these problems. The Fourth Lateran Council of 1215 attempted to resolve the conflict by calling for the publication of banns prior to any wedding, a practice already common in England and northern France.³³ Priests were forbidden to be present at any marriage that was not conducted in an open, public manner, on pain of suspension from duty for three years.³⁴ The need to make such rulings implies that clandestine marriage was not only an ideological quandary, but also a real and ongoing occurrence in the secular world and one that the Church was determined to eliminate.

²⁸ Howden, RS 51, vol. 2, p. 77; and *Councils and Synods*, pp. 980 and 991.

²⁹ Brundage, p. 191.

³⁰ *ibid.*, p. 239.

³¹ Donahue, p. 146.

³² Sheehan, p. 85.

³³ *ibid.*, p. 99.

³⁴ *ibid.*, pp. 121 and 145.

Consanguinity and Affinity

A further major area of discord between Church opinion and secular practice concerned the issue of consanguinity. Here the Church found itself hoist on its own petard during the twelfth century, as enterprising nobles repeatedly used strict rules over the forbidden degrees of relationship as a pretext for the dissolution of unwanted unions. The ban on incestuous marriages had been extended to more distant degrees of relationship in the eighth century.³⁵ Before 1100 marriages within the seventh degree of kinship were officially taboo. In theory this probably disqualified most of the noble houses of western Europe from contracting marriages with anyone of similar rank, given the amount of inter-marriage in previous generations.³⁶ Nonetheless, Constance Bouchard has argued that noble families consistently respected the rules on incest during the tenth and eleventh centuries, before challenging these same rules more regularly in the twelfth.³⁷

The focus on incest in the case of the second marriage of Philip I of France (r. 1060-1108) seems to have raised awareness of the issue. Georges Duby believes that, following the influential canonist Ivo of Chartres, twelfth-century Church leaders took a much firmer stand on illicit marriages such as Philip's union with Bertrade of Montfort.³⁸ In Bouchard's view, this was not (as Duby implies) a consequence of the hardening of a more relaxed attitude to incestuous marriages in earlier times, but a reaction to a new social trend.³⁹ If, by 1100, lay powers were more willing to test the Church's resolve by negotiating illicit marriages, then the Church would respond with a firm hand. Ivo himself was

³⁵ Elizabeth Archibald, *Incest and the Medieval Imagination*, Oxford, 2001, pp.28-9. For a theoretical discussion of the incest ban and the principle of exogamy see Robin Fox, *Kinship and Marriage: An Anthropological Perspective*, 2nd edn, Cambridge, 1983, especially chs 2 and 7.

³⁶ Jean-Louis Flandrin, *Families in Former Times – Kinship, Household and Sexuality*, trans. Richard Southern, Cambridge, 1976, p. 24. Flandrin has calculated that a ban to the seventh degree of kinship would (on conservative assumptions) have prohibited an individual from marrying 2,731 cousins of his or her own generation. Since this was probably greater than the number of people any one individual could know personally, the ban 'bordered on the absurd'. For a discussion of Flandrin's calculation, and for a definition of the degrees of relationship, see Appendix.

³⁷ Constance B. Bouchard, 'Consanguinity and Noble Marriages in the Tenth and Eleventh Centuries', *Speculum*, 56, 2, 1981, pp. 268-87.

³⁸ Duby, *Medieval Marriage*, p. 44. See also below, ch. 4, pp. 137-8.

especially rigorous in pursuing those who sought to undertake marriages tainted by consanguinity or affinity.⁴⁰ This is not to say that the topic had been completely ignored by earlier commentators: during the eleventh century the canonists Burchard of Worms and Peter Damian, as well as Pope Gregory VII, had spoken out strongly in defence of the Church's position.⁴¹ Their view was reinforced by the greater acceptance of ecclesiastical judgement in matters relating to marriage, in preference to secular jurisdiction, that became evident by 1100. A synod of 1125 in England stated the Church's position in an impressively forthright manner: 'We prohibit marriages between those linked through consanguinity or affinity up to the seventh generation. If any contract such marriages, they are to be separated'.⁴²

Orders of service allowed these rulings to be disseminated through all levels of society. During wedding services, priests were exhorted to interrogate the couple regarding any impediments through kinship that may have existed between them. An example from Canterbury in the late twelfth century stated 'let the priest enquire whether the bride and groom may legitimately be brought together, in case they have been joined [previously] either by consanguinity or by some spiritual bond'.⁴³

Unfortunately the firm stand backfired, especially in light of the Church's equally rigorous but directly conflicting insistence on marital indissolubility. Ambitious laymen were quick to take advantage of this chink in the authorities' armour. Those seeking a dissolution for reasons of

³⁹ Bouchard, p. 272.

⁴⁰ Ivo repeatedly wrote to offenders, including detailed genealogies to prove relationships within the forbidden degrees. For examples, see PL, vol. 162, letter 45 (cols 57-8) to Robert of Meulan, and letter 129 (cols 139-40) to Godfrey of Vendôme. In the former case Ivo condemns Robert's relationship in the fourth and fifth degrees to his wife, and in the latter he points out the affinity of Godfrey and his bride-to-be: Godfrey was related to the woman's dead first husband, though only in the fourth and sixth degrees. See also ch. 5, pp. 166-70.

⁴¹ Brundage, pp. 191-2. On the influence of Peter Damian see Brooke, *Medieval Idea of Marriage*, pp. 135-6; and David d'Avray, 'Peter Damian, Consanguinity and Church Property' in Lesley Smith and Benedicta Ward, eds, *Intellectual Life in the Middle Ages: Essays Presented to Margaret Gibson*, London, 1992, pp. 71-80. On Burchard of Worms see Duby, *The Knight, the Lady and the Priest*, ch. 3.

⁴² John of Worcester, *The Chronicle of John of Worcester, Volume III*, trans. P. McGurk, Oxford, 1998, p. 165. For the 1125 Legatine Council of Westminster see *Councils and Synods*, pp. 733-41. This statement, forming canon 16 on consanguinity (*ibid.*, p. 741) was derived from the First Lateran Council of 1123.

⁴³ Sheehan, pp. 112-13.

their own were able to proclaim an actual or manufactured link of kinship within the seventh degree as a means to overcome the Church's dislike of marital separation. One side-effect of this trend was a growing interest in genealogy and lineage, as noblemen sought to recreate their family histories to use as evidence in courts of law.⁴⁴

Both the Italian and French schools of canonists recognized that incestuous unions often took place. While they asserted that dissolution was the only possible response if the relationship of the husband and wife was particularly close, they were prepared to compromise on more distant degrees of kinship. Both recommended that a papal dispensation might be more appropriate in cases where the couple were related only in the fifth or sixth degree.⁴⁵ This meant that the principle of indissolubility could be upheld much of the time, while the most flagrant breaches of consanguinity rules were punished. But the canonists' opinion undoubtedly undermined the rigour of the Church's position by allowing exceptions to a supposedly intractable regulation.⁴⁶

Closely related to the idea of consanguinity was the notion of affinity, dealing with marriages to relatives of a former spouse or sexual partner. Here, too, marriages within the relevant degrees of relationship were frowned upon. A husband could not, in the eyes of the Church, marry his dead wife's sister or female cousin.⁴⁷ Gratian stated that this ban, too, extended to seven degrees of relationship.⁴⁸ In 1200 Archbishop Hubert Walter's Council of Westminster set forth the rules regarding affinity, including a ban on marriages to relatives of an individual's godparents:

⁴⁴ Duby, *Medieval Marriage*, p. 27. For a discussion of the sense of family history in the writings of the chronicler Lambert of Wattrelos see Fernand Vercauteren, 'A Kindred in Northern France in the Eleventh and Twelfth Centuries', in Timothy Reuter, ed., *The Medieval Nobility – Studies on the Ruling Classes of France and Germany from the Sixth to the Twelfth Century*, Amsterdam, 1979, pp. 87-103; and Duby, 'The Structure of Kinship and Nobility', in his *The Chivalrous Society*, trans. Cynthia Postan, London, 1977, pp. 134-48. See also ch. 3, p. 102.

⁴⁵ Brundage, p. 289.

⁴⁶ Examples of consanguineous marriages during the twelfth century are plentiful, and will be dealt with at length in chs 5-8. See in particular ch. 5, pp. 166-70.

⁴⁷ Sir Frederick Pollock and F.W. Maitland, *The History of English Law Before the Time of Edward I*, 2nd edn, Cambridge, 1968 (originally 1895), vol. 2, p. 388-9; and Archibald, p. 28.

⁴⁸ Gratian, *Decretum*, C. 35, q. 2 and 3, c. 1, at col. 1264.

A man may not marry any woman related to his former wife; and, in the same way, a woman may not marry any man related to her former husband. A man who has been received at baptism may not marry the daughter of the person who baptized him, or of the person who received him, whether born before or since that time.⁴⁹

Often, a claim of consanguinity or affinity was more likely to be raised by a married man seeking separation than by a cleric concerned about the sinful nature of an incestuous union. The potential for fraud was certainly recognized. The 1125 Council of Westminster had asserted the following restriction: 'We forbid the acceptance of testimony of men accusing their own wives of consanguinity or of the witnesses whom they bring forward in their support'.⁵⁰ Yet ways could inevitably be found to circumvent such rules, as the famous case of Louis VII and Eleanor of Aquitaine only too readily revealed.⁵¹ The precedent of royal behaviour encouraged others seeking separation to manipulate canon law for their own ends. So great was the abuse of canonical principles, and so confusing the clash between the various elements of Church policy, that in 1215 the Fourth Lateran Council was forced to compromise by restricting the ban on incestuous marriages to those taking place within the fourth degree of kinship. At the same time the procedures for dissolution and dispensation were clarified, with a view to making separation harder to achieve, and the holy union of matrimony a more stable institution than recent history had suggested.⁵² The process begun by the Fourth Lateran Council culminated with the promulgation of Gregory IX's *Decretales* (or *Liber Extra*) in 1234.⁵³ This document attempted to reconcile the inconsistencies in Church policy and canon law, and over the following years provided a more stable platform for judgements on marital (and other) matters than that which had been available during the twelfth century.

⁴⁹ *Councils and Synods*, pp. 1067-8. This is canon 11.

⁵⁰ John of Worcester, p. 165; and *Councils and Synods*, p. 741 (canon 17).

⁵¹ See ch. 6, pp. 219-21.

⁵² Duby, *Medieval Marriage*, p. 80.

⁵³ Brundage, p. 327.

Adultery, Illegitimacy, and Separation

Differences of opinion are also apparent in attitudes towards adultery and illegitimacy. In the eyes of secular society a husband could indulge in sexual dalliance, since the children resulting from any illicit union would not disrupt the lines of inheritance. The patrimony could still pass unchallenged to the next (legitimate) generation. Yet if a married woman were to indulge in the same behaviour, the question marks raised over the fatherhood of any children might throw the legitimacy of the lineage into question.⁵⁴ Church figures naturally took an entirely different view of male adultery. Gratian was particularly harsh, claiming that adultery was not acceptable on any grounds. Peter Lombard conceded that a man could divorce a woman on the basis of her adultery, but that the reverse did not apply, implying a degree of legal (though not moral) sanction to sex outside marriage by males. Other decretists believed women could bring divorce proceedings against their husbands if they had concrete evidence of adultery. Men, on the other hand, could claim a divorce on the sole evidence of suspicion of their wife's behaviour.⁵⁵ Whatever the interpretation, adultery by men was viewed less severely than adultery by women.

It is unrealistic to claim that canon law always influenced secular social habits explicitly, directly, and consistently. But canonical principles were enforced at times. A decretal from Alexander III to Bartholomew of Exeter, *Ex presentium latoris*, dealt with the case of a man who confessed to adultery with another man's wife, and repeated the offence after doing penance. The couple were married after the first husband's death. Alexander ruled that the marriage should be invalidated if either party could be shown to have been involved in the death of the woman's first husband, or even if a promise of marriage had been made before the first husband died. Elsewhere, Alexander also ruled that husbands who had abandoned wives for concubines should be made to take back their proper consorts, and to show them the appropriate marital affection.⁵⁶

⁵⁴ Duby, *Medieval Marriage*, p. 7.

⁵⁵ Brundage, pp. 255 and 295.

⁵⁶ Duggan, p. 72.

This much stricter view of extra-marital relationships often conflicted with lay practice. Illegitimate children did not necessarily have to be endowed with lands and titles, yet were still useful tools in the pursuit of marriage politics. This is especially noticeable in marriage alliances between families of unequal rank. Henry I (r. 1100-35) employed his many bastard children to create or cement alliances with lesser noble houses both within and beyond his Anglo-Norman territories.⁵⁷ The prospect of marriage into the royal house, even to an illegitimate scion, proved a major social coup to many an ambitious but relatively unimportant noble family. The Church's stand on the issue of adultery and illegitimacy was not without impact on twelfth-century politics. Robert of Gloucester, illegitimate son of Henry I, was perhaps the individual most qualified to inherit the throne at the death of his father in 1135.⁵⁸ Bastardy was his only encumbrance.

Just as men practised adultery despite the admonitions of the Church, so too the repudiation of wives was commonplace, whatever the Bible or canon law may have said. Here again, doctrinal disputes allowed laymen to follow their own inclinations, since religious rulings on the issue of repudiation were often self-contradictory. At times Ivo of Chartres stressed the principle of indissolubility, even to the point of allowing endogamous marriages to continue, while at other times he forced laymen to abandon plans for consanguineous unions.⁵⁹ Gratian conceded that a marriage made by consent, but not yet consummated, could be dissolved. Technically, consent without consummation did not validate a marriage anyway in Gratian's view, but the stance of Peter Lombard and his supporters did not allow them so convenient an excuse for the annulment of unconsummated unions.⁶⁰ One way around the obvious conflict with the principle of indissolubility was to allow a divorce *a mensa et toro* (from board and bed). In these cases the Church allowed a couple to live apart from one

⁵⁷ On Henry I's bastards, see ch. 5, pp. 160-62; and Given-Wilson and Curteis, chs 4-5.

⁵⁸ This is the view of W.L. Warren, *Henry II*, London, 1973, p. 17. Similarly, Galbert of Bruges claims that William of Ypres was denied the comital seat of Flanders in 1127 due to his illegitimacy. See H.A. Cronne, *The Reign of Stephen 1135-54 – Anarchy in England*, London, 1970, p. 148.

⁵⁹ See ch. 5, pp. 166-70; and Brundage, p. 199.

⁶⁰ Brundage, pp. 243, and 288. On Gratian and Lombard see above, pp. 16-17.

another, while technically they remained married.⁶¹ This meant that neither partner was free to remarry, as they would be if their marriage were formally annulled. Full annulment entailed a ruling that a marriage had never officially taken place at all, since an impediment such as consanguinity rendered it invalid and illicit.

Other voices were also heard. Jean Leclercq has identified three legitimate reasons for separation put forward by monastic thinkers during the period. These were impotence or barrenness (since procreation became impossible), fornication or adultery (since this displayed the lack of the required mutual affection in the relationship), and mutual consent based on honest principles, such as the desire of one partner to enter a religious order.⁶² Clearly these principles were open to abuse. The urgent necessity to provide an heir, and the failure to do so, certainly led to a number of high-profile twelfth-century annulments.⁶³ But the pretext of barrenness also covered up other equally pressing reasons for separation, such as the need to form new alliances with other families as political circumstances changed. In the second case, allowing adultery as a reason for separation would seem to encourage it, rather than restrict it, and was thus directly at odds with mainstream Church teaching. Here again inconsistencies and contradictions in the ecclesiastical dialogue on marital matters can only have increased the opportunities for lay magnates to manipulate the rules of the game for their own ends.

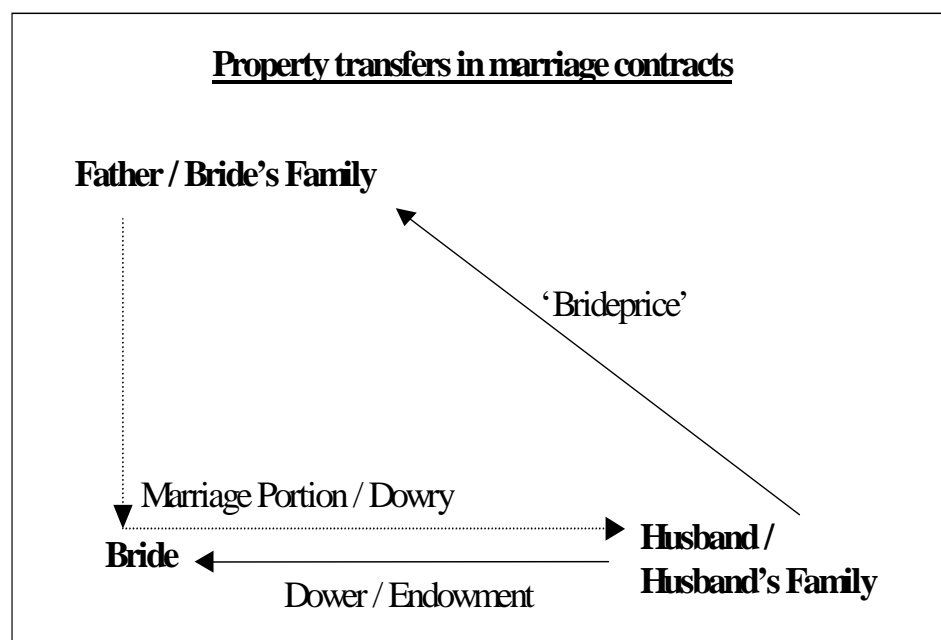
Marriage and Property

The Church's claim to supreme jurisdictional power in marital affairs repeatedly conflicted with the desire of lay figures to arrange matches that suited their own purposes. These were often economic in nature, and the marriage ceremony was accompanied by an exchange of gifts and property rights. In Germanic societies, the hopeful suitor had traditionally paid a compensatory 'brideprice' or 'bridewealth' to the father of his prospective

⁶¹ Pollock and Maitland, vol. 2, p. 394.

⁶² Jean Leclercq, 'L'amour et le mariage vus par des clercs et des religieux, spécialement au XII^e siècle', in Van Hoecke and Welkenhuysen, eds, p. 106.

partner in recognition of the father's loss of authority over his daughter. Even more widespread was the dowry, that part of the bride's family's wealth deemed to belong to the bride herself, and transferred to her husband on completion of the marriage.⁶⁴ This dowry often represented the money or property the bride might be expected to hold as her eventual inheritance, over which her husband now assumed control. In effect, this was synonymous with the marriage portion, a grant from the father to his daughter.⁶⁵ On occasions, property given with daughters as a dowry was peripheral family land, distant from the traditional patrimony.⁶⁶



The husband and his family were also expected to allocate a dower (or endowment) to the bride. This might take the form of an immediate payment, or a nominal allocation of lands intended to provide an income in the eventuality of her widowhood. In all likelihood the husband, now head

⁶³ The most prominent is that of Louis VII and Eleanor of Aquitaine. See ch. 6, pp. 219-21. The separation of King John from his first wife, Isabella of Gloucester, may also fall into this category. See ch. 8, pp. 279-80.

⁶⁴ Jo Ann McNamara and Suzanne Wemple, 'The Power of Women Through the Family in Medieval Europe, 500-1100', in Mary Erler and Maryanne Kowaleski, eds, *Women and Power in the Middle Ages*, Athens, GA, and London, 1988, pp. 83-101.

⁶⁵ Richard Mortimer, *Angevin England, 1154-1258*, Oxford, 1994, p. 29.

⁶⁶ Kathleen Hapgood Thompson, 'Dowry and Inheritance Patterns: Some Examples from the Descendants of King Henry I of England', *Medieval Prosopography*, 17, 1996, pp. 45-61.

of his own family unit, would keep control of the dower as well as the dowry or marriage portion during his lifetime.⁶⁷

In reality women had little jurisdiction over their entitlements, which were normally controlled by fathers, husbands, brothers, or sons. In earlier centuries payments from the husband to his bride and to her family formed the dominant aspect of marriage settlements. The Germanic brideprice owed to the woman's kin was supplemented by a morning gift (*morgengabe*) paid to the wife on the morning after the consummation of a marriage, as the price of her virginity.⁶⁸ Though payments in the opposite direction (from the bride and her family to the groom) were not unknown in the Carolingian era, they held less prominence. Dowries became noticeably more important in eleventh-century Europe, most evidently in the western Mediterranean region, while the payment of *morgengabe* became less common.⁶⁹ This trend suggests a decline in the economic leverage that a bride's family could apply in the arrangement of her marriage, and a corresponding increase in the power of husbands to dictate terms.

Although property transfers were required neither by theology nor by canon law, the Church strongly encouraged them, perhaps as another method of binding man and wife together. Ivo of Chartres included marriage gifts and the exchange of rings in his list of items that should accompany the public celebration of a wedding.⁷⁰ Gratian stated that no marriage should be made without the exchange of a dowry.⁷¹ Quite how this statement can be reconciled with his insistence on consent and consummation as the sole elements needed to validate a marriage is not immediately apparent.

⁶⁷ On dowry see Diane Owen Hughes, 'From Brideprice to Dowry in Mediterranean Europe', *Journal of Family History*, 3, 1978, pp. 262-96. On dower and its consequences (and its application in a specifically English context) see Janet S. Loengard, "'Of the Gift of her Husband': English Dower and its Consequences in the Year 1200", in Julius Kirshner and Suzanne F. Wemple, eds, *Women of the Medieval World: Essays in Honor of John H. Mundy*, Oxford and New York, 1985, pp. 215-55.

⁶⁸ Hughes, p. 266.

⁶⁹ *ibid.*, p. 276.

⁷⁰ Brundage, p. 189.

⁷¹ Gratian, *Decretum*, C30, q5, c6 (col. 1106).

The decretists who followed Gratian claimed that dower and dowry should be of equal value, but this admonition was rarely followed. David Herlihy has shown that the value of twelfth-century dowries usually exceeded the value of dowers, especially in Italy but also in other parts of Western Europe.⁷² This reinforces the idea that the value of women in the marital market place had fallen relative to the value of men. Practices and circumstances varied across regions. In Champagne, by 1200 formal legal documents promised women up to half of their husband's wealth, though exceptions to this more generous settlement were still common.⁷³

In England, rules on marital property transfers lay at the very heart of emerging common law. Here the rights of women were severely circumscribed. While a wife retained nominal ownership of her dower lands, at the time of marriage her chattels and movable goods became unequivocally the property of her husband.⁷⁴ So unbalanced were common law rules on the issue that Michael Sheehan is drawn to conclude, 'if the needs of the wife were respected it was by the choice of her husband rather than by requirement of law'.⁷⁵

Two well-known legal texts highlight the development of these rules, and the trend toward less generous settlements for women. The *Leges Henrici primi*, an unofficial collection of contemporary laws compiled around 1115, sets out the rules observed by its anonymous author in the decades before the common law came to be more clearly articulated. The normal property transfers at time of marriage are indicated by a clause dealing with the rights of widows:

If a wife survives her husband she shall have in permanent ownership her dowry and her *maritagium* [marriage portion]...and her morning-gift and a third part of all their jointly acquired property in addition to her clothing and her bed.⁷⁶

⁷² David Herlihy, *Medieval Households*, Cambridge, MA, and London, 1985, pp. 98-100.

⁷³ Evergates, pp. 91-5.

⁷⁴ Jack Goody, *The Development of the Family and Marriage in Europe*, Cambridge, 1983, p. 66.

⁷⁵ Sheehan, p. 20.

⁷⁶ *Leges Henrici primi*, ed. and trans. L.J. Downer, Oxford, 1972, p. 225 (ch. 70, 22).

This would seem to indicate that economic benefits had originally passed in both directions, with the dowry and marriage portion being offset by the gift presented by a husband to his wife. In this sense, the text supports the standard model of property exchange outlined above.

Typically of the *Leges*, however, the passage is confused and ambiguous. The phrase *dotem et maritagionem suam*, translated here as dowry and marriage portion (gifts from bride's family to groom) could alternatively be taken to refer to the husband's allotment to his wife. *Dos* can be interpreted both as dowry and as dower; marriage portion may be used here in its older sense of the fixed portion of the husband's estate with which he endows his wife. If the latter is the case, the *Leges* may be looking back to an older set of rules that endowed brides more generously.⁷⁷

Different arrangements are certainly apparent by the time of the legal text known as *Glanvill*, probably written between 1187 and 1189. This work explicitly outlines the dual meaning of the term *dos*:

The word “dos” has two meanings. In common English law usage it means that which a free man gives to his wife at the church door at the time of his marriage.⁷⁸

Glanvill later explains:

In Roman law the word “dos” has a different meaning: there “dos” is properly used for that which is given with a woman to her husband, which is commonly called “maritagium”, a marriage-portion.⁷⁹

Glanvill outlines a woman's right to be endowed by her husband, and her right to enjoy her dower lands after his death. These lands must not be more than (but may be less than) one third of the husband's holdings at the time of their marriage.⁸⁰ The woman's status (or, rather, her lack of status) is unmistakably outlined in the paragraph where *Glanvill* speaks of her rights during her husband's lifetime:

⁷⁷ *ibid.*, pp. 329 and 386. Certain parts of the text are known to echo older legal codes.

⁷⁸ *The Treatise on the Laws and Customs of the Realm of England Commonly Called Glanvill*, ed. and trans. G.D.G. Hall, London and Edinburgh, 1965, pp. 58-9 (VI, i).

⁷⁹ *ibid.*, p. 69 (VII, i).

⁸⁰ *ibid.*, p. 59 (VI, i).

It should be known that a woman cannot alienate any of her dower during the life of her husband. For since legally a woman is completely in the power of her husband, it is not surprising that her dower and all her other property are clearly deemed to be at his disposal. Therefore any married man may give or sell or alienate in whatever way he pleases his wife's dower during her life, and his wife is bound to consent to this as to all other acts of his which do not offend against God.⁸¹

There can be few clearer statements of the subordinate social position of twelfth-century English women. With the backing of a legal code as helpful as this, acquisitive twelfth-century nobles exploited the rules of marriage to increase their little empires and, as a consequence, to rattle their sabres a little louder on the political stage.

The practice of sealing property transactions by means of marriage contracts placed a premium on the value of healthy, marriageable children. The highest value fell on the eldest son, the potential heir. Things were not so straightforward for younger sons, whose prospects of wealth and inheritance were limited by the survival of an elder brother. Given the vagaries of health and life expectancy, however, younger sons were a vital insurance against the death of the heir, the extinction of the male line, and the consequent dispersal of the patrimony.⁸² The best solution for a younger son involved the discovery of an heiress. By marrying a woman without brothers who stood to inherit her father's lands, a younger son could establish himself as the head of a new family unit independent from that of his father and brother.⁸³

Naturally, such prized trophies were in short supply, and younger sons were discouraged from marrying anyone who did not bring the prospect of an improvement in the family's status or property holdings.⁸⁴ This led to a serious imbalance between the large supply of marriageable young women

⁸¹ *ibid.*, p. 60 (VI, iii).

⁸² Examples of younger sons surviving to inherit include the monarchs Henry I, Richard I, and John of England, and Louis VII of France.

⁸³ On the value of heiresses see Gillingham, 'Love, Marriage and Politics', pp. 295-8; and below, ch. 2, pp. 62-8.

(other than heiresses) and the drought of potential husbands willing to marry propertyless maidens. This helps to explain the rise in the value of the dowry, relative to that of the dower, during the twelfth century as families were forced to make the prospect of marriage to a spare daughter more appealing. For similar reasons, the marriage age of daughters tended to decline while that of sons rose. Evidence from the *Rotuli de dominabus* (a survey of 1185 tallying the possessions and children of widows over whom Henry II held rights of wardship) suggests that many aristocratic young women married at around the age of 17, and bore their first child at 18. At the same time, many men did not marry until after the age of 25, or even well into their thirties.⁸⁵ Women who could not be married off frequently ended up in a convent.

David Herlihy asserts that these diverging trends in the age and status of marriage partners were due in part to the greater emphasis on agnatic, or male-oriented, ties of lineage, creating 'a kind of fellowship of males, stretching backward and forward over time'.⁸⁶ The need to protect male valour, and to choose an appropriate female vessel through which to transmit it to one's descendants, encouraged men to wait for a suitable partner to appear.⁸⁷ Even if this is so, we should not ignore more down-to-earth economic factors: delayed marriage by males may have resulted simply from the need to wait for fathers or brothers to die before inherited property could be claimed. In either case, a focus on the importance of agnatic lineage weakened the status of women (other than heiresses) in the marriage market, lowered their economic value as brides, and encouraged parents to match them off as soon as a willing husband appeared.

⁸⁴ Duby, *Medieval Marriage*, p. 11.

⁸⁵ Herlihy, pp. 105 and 108. On the *Rotuli* see ch. 3, pp. 112-13.

⁸⁶ Herlihy, p. 82. See also Stephen D. White, *Custom, Kinship, and Gifts to Saints: The Laudatio Parentum in Western France, 1050-1150*, Chapel Hill and London, 1988, pp. 135-7; Karl Schmid, 'The Structure of the Nobility in the Earlier Middle Ages', in Reuter, ed., pp. 37-59 (especially p. 39); and Duby, 'The Structure of Kinship and Nobility', pp. 139-46.

⁸⁷ Duby, *The Knight, the Lady and the Priest*, p. 37.

Marriage, Patronage, and Social Status

Marriage within the elite, then, was in many ways a property-related phenomenon. Land was the primary medium and measure of material wealth in feudal society, and noble marriage usually implied access to control over land, often held in fief from feudal superiors.⁸⁸ Leverage over the social mechanisms by which feudal tenancies and independent, allodial holdings changed hands was therefore a vital material consideration. Of these mechanisms, marriage was among the most important and efficient. It is for this reason that magnates sought to maintain such close control over their own marital policies despite the Church's growing desire to be the ultimate arbiter of marital matters.

At the same time, land stood for far more than simple pecuniary success. Land brought not just wealth, but status. While social status in twelfth-century Europe was bestowed principally by lineage and proximity of relationship to the crown (and hence to all the mystical, semi-divine attributes with which monarchy was endowed), in practice this status was made manifest and tangible through the control of landed estates.⁸⁹ Patronage was thus one of the most vital functions carried out by the monarch and by his major feudal vassals in their turn. It allowed the rewarding of favoured retainers and the sharp and sudden improvement of their social status (thus ensuring loyalty to the provider of their newfound privileges and wealth) through the allocation of landed estates. While these could be granted directly to the individual concerned (either confiscated from the previous incumbent, or given as a new award from the royal demesne), frequently the most efficient method of allocation was to arrange the marriage of the favoured party to the heiress in whose hands nominal control of particular estates lay. Therefore marriage was a desirable commodity, a powerful asset both for those bestowing status and

⁸⁸ In using the (often controversial) term 'feudal' I prefer a narrow definition, seeing 'feudal' as the adjective of 'fief', and thereby restricting its use to a description of the legal and technical relationship between lord and vassal in the upper echelons of high medieval society. In this I largely follow F.L. Ganshof, *Feudalism*, trans. Philip Grierson, 3rd edn, London, 1964.

⁸⁹ Classic accounts of the nature of medieval kingship include Marc Bloch, *The Royal Touch; Sacred Monarchy and Scrofula in England and France*, trans. J. E. Anderson, London, 1973; and E.H. Kantorowicz, *The King's Two Bodies: A Study in Mediaeval Political Theology*, Princeton, 1957.

for those seeking it. Twelfth-century monarchs guarded jealously the right to arrange the marriages of aristocratic heiresses within their sphere of influence.⁹⁰

When Henry I acceded to the throne of England in 1100, he issued a Coronation Charter that recognized, among other things, the rights of his subjects to arrange the marriages of their family members as they wished. The king retained a right of veto, but pledged to keep his interference in his vassals' domestic affairs to a minimum:

If any of my barons or of my tenants shall wish to give in marriage his daughter or his sister or his niece or his cousin, he shall consult me about the matter; but I will neither seek payment for my consent, nor will I refuse my permission, unless he wishes to give her in marriage to one of my enemies...and I order that my barons shall act likewise towards the sons and daughters and widows of their men.⁹¹

Despite his reassuring tone, the ramifications of the marriages of his magnates' children were often too politically significant for Henry to ignore. At the head of the social order sat a monarch whose interests were often best served by exercising as much influence as possible (whatever he might have promised in 1100) over the disposition of the assets represented by available noble children.

So control of the marital process was important because it implied control of land, and control of land implied both wealth and status. Another way of approaching this idea is to consider feudal relationships from a non-economic point of view. The methods of exchange in high medieval Europe lay part way between those of the modern, capitalist, monetized economy, and those of more primitive societies where value was expressed in non-monetary terms. Anthropologists have long studied the idea of gift and reciprocity in primitive cultures in an attempt to

⁹⁰ Henry I and Henry II were particularly adept at this. For several examples (among many) see ch. 5, p. 165; and ch. 7, pp. 240-2.

⁹¹ David C. Douglas and George W. Greenaway, eds, *English Historical Documents, Volume 2: 1042-1189*, London, 1953, p. 401.

understand their value systems.⁹² Historians have identified a similar mentality in medieval Europe, particularly in relation to gifts made to religious institutions in return for the promise of salvation.⁹³ It may be useful to extend these notions of reciprocal obligation to the social and political relationships of twelfth-century Europe, with a view to understanding the way that control of marriage and land also contributed to the accumulation of non-economic social status. In short, the more territory one controlled, the more wealth one was able to give away. The propensity towards conspicuous generosity, summarized in the chivalric ethos by the term *largesse*, fits into the value system of a society where prestige arose not by the creation of wealth alone, but, paradoxically, by its simultaneous dispersal.⁹⁴ The ability to make a gift immediately implied the superior social status of the donor with respect to the recipient. This can be seen in the workings of patronage, especially where a gift of land was made from the donor's own demesne. By reducing his own territorial holdings, the monarch or magnate marked himself out as standing above the recipient in the social hierarchy. Equally, the gift of an heiress or underage heir removed that individual from the inventory of a magnate's disposable assets. While a fee was often charged on the marriage of a vassal to an heiress, the transaction was far from being purely economic in nature. The patron gained a less tangible asset in the form of the gratitude of the bride's new husband towards his benefactor, further reinforcing the social status of the respective parties.

For the gift also demanded a reciprocal gesture: in feudal terms, the pledge of fealty or homage, the promise of loyalty and service (military or

⁹² See, in particular, Marcel Mauss, *The Gift – The Form and Reason for Exchange in Archaic Societies*, trans. W.D. Halls, London, 1990 (originally 1925). Other key works include Marshall D. Sahlins, *Stone Age Economics*, Chicago, 1972 (especially chs 4-5) and C.A. Gregory, *Gifts and Commodities*, London and New York, 1982. Natalie Zemon Davis includes a very useful survey of the development of anthropological and historical thinking on the subject since Mauss in the introduction to her recent work, *The Gift in Sixteenth-Century France*, Madison, Wisconsin, 2000.

⁹³ On France see White, *Custom, Kinship, and Gifts to Saints*, chs 2 and 5; Emily Zack Tabuteau, *Transfers of Property in Eleventh-Century Norman Law*, Chapel Hill and London, 1988, pp. 14-27, 44-51, and 115-9. For an English example see Frank Stenton, *The First Century of English Feudalism 1066-1166*, 2nd edn, Oxford, 1961, p. 39.

⁹⁴ Perhaps 'anti-economic' is preferable to 'non-economic' as a description of the values contained in the idea of *largesse*, since they appear to be the polar opposite of the

otherwise). The obligation to respond may lead us to question whether the initial exchange is really a 'gift' at all, but the important point is that we can observe in feudal society a system of relationships between lord and vassal that cannot be explained in capitalist terms, even while the motivation of wealth accumulation can be identified simultaneously. So while the acquisition of wealth, principally through the acquisition of land, mattered for its own sake, it had an opposite value as well. It allowed the feudal magnate to reach the point where he was able to display his character and elevated status by the gift of a portion of that wealth to social inferiors. Marriage, as a method both of acquiring land and of dispensing patronage, was a vital tool for furthering the process of social advancement.

One way of illustrating this concept is to examine the language of feudal obligations. Contemporary charters are replete with terminology that hints at the type of value systems suggested here, as one example can attest. Around 1131 Henry I granted to William de Mauduit the lands and daughter of the recently deceased Michael of Hamslope, and published his decision in a charter made known to the notables of the realm:

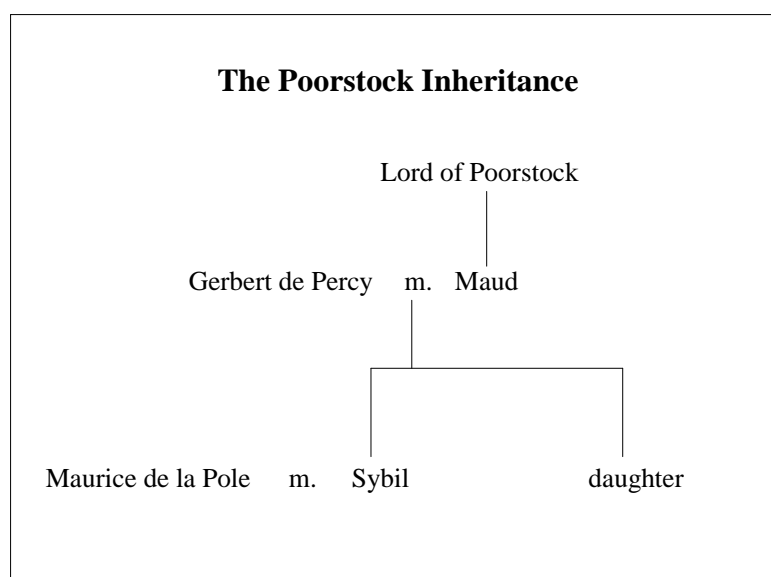
Know that I have given and handed over to my chamberlain, William de Mauduit, in return for his service, all the land that Michael of Hamslope held at his death, in fee and inheritance, regardless of whom he held it from before, since Michael made me his heir during his lifetime. I also grant Matilda, Michael's daughter, in marriage to William.⁹⁵

The verbs used in the charter (*dedisse*, *concessisse*, *dono*) formalize the idea of the gift made by the monarch from his own holdings (since Michael had nominated the king as his heir, and Henry took control over

normal motivation of economic relationships, the desire for wealth accumulation. On *largesse* see Maurice Keen, *Chivalry*, New Haven, 1984, especially pp. 151, 155, 158.

⁹⁵ *Regesta regum Anglo-Normannorum 1066-1154, Volume II: Regesta Henrici primi 1100-1135*, ed. Charles Johnson and H.A. Cronne, Oxford, 1956, item 1719, pp. 254 and 375.

the fate of Michael's unmarried daughter), for which William has the obligation to reciprocate with service, past, present, and future.⁹⁶



Similar ideas are evident in the administrative records of Plantagenet England. The number of knights' fees that comprised a larger estate measured military service owed to the monarch. The Devon barony of Totnes, for example, owed military service (or scutage, its monetary equivalent) for between 55 and 75 knights' fees at various times during the reign of Henry II. Of these, Maurice de la Pole, a vassal of the Totnes barons, held six. Looking to improve his standing, Maurice found a bride in Sibyl, daughter and co-heir of Gerbert de Percy, baronial lord of Poorstock, in Dorset. Gerbert himself had climbed the social ladder by his marriage to the Poorstock heiress, Maud, having paid a fee of 100 marks to the crown for the privilege (see chart above).⁹⁷ This gained him a title and an estate owing the service of 30 knights' fees to the monarch. His two daughters each inherited half of the barony, allowing Maurice de la Pole to add 15 knights' fees to the six for which he owed service in

⁹⁶ For a discussion of these Latin verbs of giving in Norman charters see Tabuteau, pp. 144-5.

⁹⁷ The fee is symptomatic of the hybrid nature of the feudal economy, both monetary and non-monetary, as discussed above. On one level Gerbert's 'acquisition' of the heiress Maud is a purely commercial transaction between baron and crown. On another, Maud and the estates attached to her name are a 'gift' to be repaid with service and loyalty, made from the assets at the monarch's disposal.

Totnes, though he too had to pay a fee to the crown to undertake the marriage and to improve his social position.⁹⁸

The anecdote illustrates a mentality of status achieved through debt and obligation: the more one owed to the crown, the greater one's social position. Reading between the lines, we can ask why it was that both Gerbert and Maurice paid substantial sums in order to marry heiresses to large estates. For both men, it appears that this was an investment in the future prosperity and prestige of themselves and their line. Marriage meant social advancement and access to land, and the level of status achieved can be measured (in a rough and ready fashion, admittedly) by the size of the obligations owed to the crown. Within this system of values, the desire to retain control over the mechanisms of marriage lent itself readily to conflict with other powers, both secular and ecclesiastical, who sought to restrict the practice of marriage for political, economic, or doctrinal reasons.

'Flexible' and 'Restrictive' Marriage Policies

When looking at marriage as it was practised in the twelfth century, rather than as it was conceptualized, what strikes one is the number of occasions on which supposedly hard and fast rules were broken, either when creating marriages or when bringing them to an end. As the preceding discussion has attempted to show, this reflects the fact that the existence of clear rules is an illusion: despite the Church's dogmatic approach, its own position was far from consistent and was the subject of debate throughout the century. Lay habits, too, were in a state of evolution. What marks the twelfth century out from the periods immediately before and after is the degree of change in marital practices that is apparent, as real social situations forced compromises from those setting the standards of behaviour. In this context, doubt and inconsistency over what could be done are more evident than the steady application of fixed rules.

⁹⁸ Based on data in I.J. Sanders, *English Baronies – A Study of their Origin and Descent 1086-1327*, Oxford, 1960, pp. 72 and 89. For a similar example, involving four generations of the de Bohun family, see Sidney Painter, 'The Family and the Feudal System in Twelfth-Century England', in his *Feudalism and Liberty – Articles and Addresses of Sidney Painter*, ed. Fred A. Cazal, Jr., Baltimore, 1961, pp. 205-6.

Opportunism filled the void created by the absence of any unitary, easily enforceable model of how and why the phenomenon of marriage should operate.

This is not to say that all lay magnates acted purely out of cynicism and self-aggrandizement (though there were many who did). Those upholding the social order had genuine familial responsibilities that the ritual of marriage allowed them to fulfil. Nor should we presume that the actions of Church leaders were always driven by politically disinterested, spiritual motivations. Representatives of the Church could not fail to be mindful of the need to promote the Church's own authority in a secular as well as a spiritual context.⁹⁹ These complications inevitably tainted the application of doctrine, already compromised by internal contradictions, in difficult and ambiguous real-world situations.

This analysis is intended to build upon, and yet to diverge from, Georges Duby's influential description of the two models of twelfth-century marriage, the lay and the ecclesiastical.¹⁰⁰ Duby draws a stark contrast between the visions of marriage put forward by his two competing models. While the ecclesiastical model stressed indissolubility, exogamy, and the need for consent between the partners, the lay model was concerned with the safeguarding, extension, and inter-generational transmission of family property and influence through marital alliances. Yet this strictly bipolar model cannot hide inconsistencies and internal contradictions (as Duby himself acknowledges). Despite this, he seeks to invest each of his two models with a unique, internally coherent character, and to depict the twelfth century as a time of manichaean opposition between these ideological extremes. For him, the period is defined by 'the conflict between two radically different and antagonistic models – the lay model of

⁹⁹ David d'Avray has examined the flexibility of papal enforcement of consanguinity rules in the thirteenth-century context, concluding that, at the remoter degrees (relationship in the third or fourth, after 1215), these were not absolute values, and could at times be sacrificed for pragmatic or political reasons. See David d'Avray, 'Lay Kinship Solidarity and Papal Law', in Pauline Stafford, Janet L. Nelson, and Jane Martindale, eds, *Law, Laity, and Solidarities: Essays in Honour of Susan Reynolds*, Manchester and New York, 2001, pp. 193-5.

¹⁰⁰ Duby, *Medieval Marriage*, especially chapter 1.

marriage, created to safeguard the social order, and the ecclesiastical model, created to safeguard the divine order'.¹⁰¹

My concern is to examine twelfth-century aristocratic marriage in its social and political context, rather than in its philosophical underpinnings. Rather than seeing the lay and ecclesiastical models as irreconcilable opposites, we may profit more from examining the points of overlap and uneasy alliance between them. It may be beneficial to consider twelfth-century marriage as a dialogue filled with continuous tension between two models we might label the 'flexible' or 'open', and the 'restrictive' or 'closed'. Once again, it is important to note that this arrangement does not attempt to categorize the philosophies underlying the differing views on marriage. Rather, it aims to show how the results of those philosophies sometimes overlapped, working in accord as often as they worked in opposition. Strict rules could be either applied or dispensed with in the face of specific problems and incidents, leading to a variety of temporary contests and alliances, rather than a consistent opposition between lay and ecclesiastical powers.

In the flexible model, marriages were easier to formulate, but also easier to bring to an end. Magnates who ignored doctrinal restrictions based on consanguinity, age, or lack of consent were attempting to facilitate marriages with clear familial benefits, usually economic or diplomatic. Cunning rulers exploited loopholes within stated rules.¹⁰² At the same time, Church policies could promote this process, rather than hinder it. In numerous instances dispensations allowed matches that clearly contravened Christian doctrine to go ahead.¹⁰³ Church leaders could also

¹⁰¹ *ibid.*, p. 3. Such a definitive opposition is also open to question on methodological grounds. As Dominick LaCapra warns, 'Analytic or polar opposites always leave a problematic difference or remainder for which they do not fully account' (LaCapra, *Rethinking Intellectual History: Texts, Contexts, Language*, Ithaca and London, 1983, p. 152.) As an alternative approach Lloyd S. Kramer suggests that historians, while not abandoning organization and classification of ideas, 'should give far more attention to the way their categories overlap or contest one another' (Kramer, 'Literature, Criticism, and Historical Imagination', in Lynn Hunt, ed., *The New Cultural History*, Berkeley, 1989, p. 113).

¹⁰² An example is Henry II's manipulation of the *pro bono pacis* clause (see pp. 18-19 and note 25).

¹⁰³ As in the dispensations provided for the marriages of Robert of Meulan (ch. 5, p. 169), Geoffrey Plantagenet with Constance of Brittany (ch. 7, p. 245), and John of England with Isabella of Gloucester (ch. 8, p. 268).

approve of illicit marriages in a passive sense, by simply ignoring them. Indeed, action was often taken only when secular rivals of the alleged rule-breaker raised complaints. This *de facto* acceptance of dubious marriages amounted to an implicit endorsement of secular practices. Lay behaviour and Church response often stood in accord, rather than in opposition. (See section **A** of the table on page 43).

Those who wished to prevent particular marriages taking place were able to invoke the tenets of the restrictive model (section **B**). In these cases, the conditions under which marriages might take place were defined more strictly. Certainly this might mean that Church leaders of a rigorous spiritual bent, men such as Ivo of Chartres or Bernard of Clairvaux, could and did object to specific marriages purely on doctrinal grounds.¹⁰⁴ But the restrictive model was not applied by such men alone. It was equally useful to secular powers who objected to their rivals' plans for political, rather than intellectual reasons.¹⁰⁵

At various times, both lay and spiritual leaders had an interest in making marriage more difficult to accomplish in a general sense, rather than as a response to particular circumstances. Here again, secular and ecclesiastical motivations, different in origin as they may have been, came together in a temporary coalition of interests. From the lay perspective, the importance of avoiding the fragmentation of patrimonial lands meant that marriage became a restricted privilege. Younger sons, as Duby points out, were discouraged from entering the married state unless they could find an available heiress and become the head of a household already well established.¹⁰⁶ Many entered holy orders. The ban on clerical marriages, enforced with increasing severity as the twelfth century progressed, ensured that a sizeable percentage of younger sons were taken out of the marriage market, helping to alleviate the imbalance of demand (too many younger sons searching for an available heiress) and supply (not enough heiresses to go around).

¹⁰⁴ See ch. 5, pp. 167-9; and ch. 6, pp. 220-1.

¹⁰⁵ As seen, for example, in the attempt of Louis VII and his allies to stop Eleanor of Aquitaine's remarriage to Henry II in 1152. See ch. 6, pp. 221-2.

¹⁰⁶ Duby, *Medieval Marriage*, pp. 11-12.

	Forming Marriages	Ending Marriages
<p>Flexible Model</p> <p>(Marriages easier to form, easier to end)</p>	<p>A</p> <ul style="list-style-type: none"> - allow (or fail to prevent) consanguineous marriages (passive Church stance) - give dispensations where marriages contravene agreed rules (active Church stance) - allow underage marriage (including <i>pro bono pacis</i> loophole) - allow/formulate marriage without consent of partners - encourage marriage to avoid sexual sin 	<p>C</p> <ul style="list-style-type: none"> - allow divorce/annulment on grounds of consanguinity (passive Church stance) - <u>demand</u> divorce/annulment on same grounds (active Church stance) - allow repudiation of wives - female adultery as pretext - physical incompatibility (especially lack of issue) - declare clandestine marriages void
<p>Restrictive Model</p> <p>(marriages harder to form, harder to end)</p>	<p>B</p> <ul style="list-style-type: none"> - uphold consanguinity as a barrier to marriage - set a minimum age for marriage (inconsistency of Church view) - demand consent of partners - restrict marriage to 'seniors' (elder sons/inheritors) - allow fornication/abduction by 'youths' and unmarried males (lay view) - insistence on social status of partner (lineage consciousness) - ban clerical marriage 	<p>D</p> <ul style="list-style-type: none"> - insistence on indissolubility - insistence on monogamy (disapproval of remarriage) - economic pressure to stay married (maintain territorial gains) - maintenance of feudal obligations (repudiation of wife gained through patronage represents snub to feudal lord)

On the other hand, the difficulty of entering the marital state for younger sons could lead to opposition between religious and secular points of view. In this case it was the Church's rules of conduct that were more flexible, the secular world's more restrictive. Since Christian powers encouraged marriage as a means of avoiding fornication and other sexual sins, the status of unmarried, non-clerical youths posed a problem. Their families discouraged them from marrying, thus prompting the release of sexual energy through abduction, rape, prostitution, or adultery with a married woman. Clearly such behaviour was unacceptable in the eyes of the Church, which preferred that this energy be directed solely to the purpose of procreation within legitimate marriage.

In summary, neither the ecclesiastical nor the secular view was consistent with regard to the process of forming marriages. The Church could be restrictive while lay powers were more flexible, or vice versa. At times, both allowed marriages to take place with relative freedom (even if this meant the Church was ignoring its own rules) while at others both philosophies made it much harder for marriages to be contracted between certain individuals. The advantage of this perspective is that it highlights the inconsistencies of each philosophy as they worked themselves out in actual social situations. A focus on supposedly rigid lay and ecclesiastical doctrines can obscure the fact that the translation of ideas from theory to practice involved the watering down of dogma, and the need for compromise. Royal and noble marriage was more often than not a political institution, and politics, as always, was the art of the possible.

When looking at the ways marriage was ended or dissolved (other than by the death of one of the partners) a similar pattern emerges. Generally speaking, secular magnates wanted flexibility. (See section C of the table on page 43). They coveted the ability to repudiate wives who no longer brought the social or economic benefits originally anticipated, whether through disinheritance, incapacity to bear children, changing diplomatic circumstances, or even simple personal incompatibility.¹⁰⁷ The Church's

¹⁰⁷ Examples include Nigel d'Aubigny, who repudiated his first wife Maude de Mowbray in 1118 in order to marry Gundred de Gournay, apparently for property-related reasons (see Orderic Vitalis, *The Ecclesiastical History of Orderic Vitalis*, trans. Marjorie

clear line on the indissolubility of the sacred act of marriage opposed all forms of repudiation in theory, offering a severely restrictive interpretation of the right to bring unwanted marriages to an end. On occasions, the restrictive model was firmly enforced. But here again, the reality did not always match the rhetoric. Church policies and practices often lent themselves to the ambitions of powerful husbands wishing to bring marriages to an end. Allowing divorce or annulment on the basis of a hitherto unremarked close relationship between the parties represents passive Church acquiescence to lay desires for repudiation. Claims of consanguinity could usually be constructed easily enough in a relatively closed society such as the Anglo-Norman and French nobility of the twelfth century. Owning up to a forbidden marital relationship, proclaiming *mea culpa*, and shedding crocodile tears while clerical authorities provided the sought-after annulment, were all part of a familiar pattern that allowed the effective endorsement of repudiation.¹⁰⁸

Church figures could also reinforce the desires of secular magnates in a more active sense. The proclamation of the sin of consanguineous marriage was often as loud as the demand for indissolubility, its polar opposite. When Ivo or Bernard or their ilk railed against the follies of incestuous unions, it often played into the hands of the very individuals they condemned, or set a strong precedent for future action. The irony here is that a rigorous doctrinal standpoint (opposition to consanguineous marriages, and the call for their annulment) strongly reinforced the flexible approach sought by lay magnates.

Yet there were occasions when the realities of twelfth-century politics and economics lent themselves to a more restrictive approach among the holders of temporal power (section **D** of the table on page 43). Separation, however desirable at a personal level, could interfere with the maintenance

Chibnall, Oxford, 1969-1980, vol. 4, pp. 282-5, and vol. 6, pp. 192-3; and R.W. Southern, 'The Place of Henry I in English History', *Proceedings of the British Academy*, 48, 1962, p. 143). Philip Augustus repudiated his second wife, Ingeborg of Denmark, on the day after their wedding in 1193, for reasons that remain obscure. See Duby, *Medieval Marriage*, pp. 75-81, and *The Knight, the Lady and the Priest*, pp. 203-6; and below ch. 8, pp 292-5. Philip used consanguinity as a pretext for his separation; Nigel claimed affinity.

¹⁰⁸ See previous note. Louis VII did much the same in divorcing Eleanor of Aquitaine in 1152. See ch. 6, pp. 219-21.

of territorial acquisitions, the building blocks of status and wealth in feudal society. This was the case when rights to land descended through (or had been granted to) the wife's family. Repudiation of a wife could therefore imply repudiation of territorial control, at least over those parts of the family holdings that did not descend through the husband's own lineage. In such situations, the motivation to maintain the marriage for worldly reasons could be reinforced by the doctrine of indissolubility, or opposed by Church figures in those cases where the union was seen to be sinful or incestuous. Pressure brought to bear by lay rivals seeking to reduce a magnate's power by reducing the size of his estates or his diplomatic influence also contributed to this process.¹⁰⁹ The Church was not acting in a vacuum, but in the midst of social situations where lobbying by one party or the other could ensure the enforcement of one of several sets of rules, depending on specific circumstances.

The process of bringing marriages to a close therefore showed just as much variety as the process of bringing them into existence. Despite the differing underlying philosophies, secular and clerical aims could coalesce in allowing marriages to be dissolved, or in forcing them to continue. On some occasions, clergy displayed a restrictive view of the right to repudiation, in the face of secular desires for a more flexible approach, while at other times the opposite set of circumstances prevailed.

Can this analysis help us to understand the marriage between young Henry of England and Margaret of France?¹¹⁰ At the very least, it should allow us to place the events of November 1160 more comfortably into their social and political context. In choosing a flexible interpretation of inconsistent and often contradictory rules and customs (circumventing potential constraints raised by the age and relationship of the parties), Henry II was acting out of self-interest and political calculation. Papal representatives

¹⁰⁹ Henry I, for example, pressured Pope Calixtus II into annulling the marriage of William Clito and Sibylla of Anjou in 1124. See ch. 5, pp. 176-8.

¹¹⁰ See p. 12.

and local Norman clerics supported the monarch and sought to interpret scripture and canon law in such a way as to justify the monarch's actions. At the same time Henry's political opponents, having voiced a more restrictive view towards the children's marriage, made their anger known.¹¹¹

The episode reveals much about the centrality of the institution of marriage to the acquisition of wealth, prestige, and power in the twelfth century. In many ways, this single incident is typical of the process in which ecclesiastical attempts to regulate the practice of marriage in the lay community were compromised by contradiction, uncertainty, and the tendency of the secular holders of social power to manipulate theological doctrine to suit their own ends. The interaction of secular and religious views of the marriage pact repeatedly provided fertile ground for political conflict as the twelfth century progressed.

¹¹¹ See ch. 7, pp. 236-7.

2. The Principles of Inheritance

Matthew, younger son of Thierry, Count of Flanders (r. 1128-61), did well for himself in the marriage market. Beset by the younger sibling's problem of establishing himself without the prospect of inheriting a patrimony, he twice married heiresses who carried with them the promise of land, wealth, and status.¹ His first marriage (in 1160) was to Mary, last surviving child of King Stephen (r. 1135-54), who brought with her the County of Boulogne. Robert of Torigny thought this a remarkable event, since Mary was Abbess of Romsey, and had to be dragged unwillingly from the abbey to the altar.² After the union was later dissolved, Matthew married the younger daughter (and joint heiress) of Ralph of Vermandois, herself the widow of William, Count of Nevers.³ While keeping the title and lands of the County of Boulogne (though no longer married to its heiress) Matthew brought further territories under his sway. His career demonstrates how the exchange of lands through marriage was inextricably linked with their transfer from one generation to the next, and how manipulation of the accepted practices of inheritance allowed astute magnates to make political and territorial gains. As John Gillingham concludes, 'the twelfth century is a century of heiresses. To an ambitious politician capturing heiresses came to be at least as important as capturing castles'.⁴ Yet as with the rules of marriage, the principles of inheritance remained in a state of transition throughout the period. Areas of controversy included division among multiple heirs, the inheritance rights of women, and the contest between

¹ On the plight of younger sons see ch. 1, pp. 32-3.

² Robert of Torigny, *Chronica*, RS 82, vol. 4, p. 207. Stephen himself had gained Boulogne by marriage to its heiress. John Gillingham notes that the hijacking of women from religious institutions had been relatively common in the eleventh century, but was rare by the middle of the twelfth (John Gillingham, *The Angevin Empire*, London, 1984, p. 22). On the marriage of Matthew and Mary see also Herbert of Bosham, RS 67, vol. 3, p. 328; and the genealogical treatises on the lines of the counts of Flanders and Boulogne, in RHF, vol. 13, pp. 414 and 585 respectively.

³ Robert of Torigny, p. 246. For more on Matthew see ch. 7, pp. 232-4. On Ralph of Vermandois see Georges Duby, *Medieval Marriage - Two Models from Twelfth-Century France*, trans. Elborg Forster, Baltimore and London, 1978, pp. 65-73; and Duby, *The Knight, the Lady and the Priest - The Making of Modern Marriage in Medieval France*, trans. Barbara Bray, Harmondsworth, 1983, pp. 198-202.

⁴ Gillingham, *Angevin Empire*, p. 6.

lords and families for power over the mechanisms of land transfer through the generations.

In Georges Duby's view, 'the knights of the twelfth century were basically inheritors'.⁵ The period witnessed the completion of that process of transformation in which the older noble class merged with the predominantly military caste below it to form a new social grouping: an inter-dependent community of lords and vassals relying on landed wealth for income and status.⁶ As a result, an urgent need arose for a clearer definition of property rights, and of the rules by which property might be passed on to subsequent generations. This was very much a secular process: whereas ecclesiastical courts ruled on issues relating to the legitimacy of potential heirs or the validity of marriages, questions of property and inheritance *per se* fell within the domain of lay jurisdiction.⁷

Transfers of property took several forms. Among those below the elites, land could be sold for cash, gifted, or exchanged.⁸ But in the upper levels of twelfth-century society, references in the source material to outright sales of land are rare enough to strike one as exceptional, rather than commonplace.⁹ Far more frequently, estates changed hands by being passed down from one generation to the next, or as a result of a marital alliance that in effect passed control to a new household and patriarch. Marriage that carried with it not only immediate benefits, but also the reasonable possibility of expanded territorial holdings in the subsequent

⁵ Duby, *Medieval Marriage*, p. 9.

⁶ This process is documented in detail by Jean-Pierre Poly and Eric Bournazel, *The Feudal Transformation, 900-1200*, trans. Caroline Higgitt, New York and London, 1991, especially ch. 3. The authors note a clear, long-term trend, even while taking account of regional variation within France.

⁷ Charles Duggan, 'Equity and Compassion in Papal Marriage Decretals to England', in W. Van Hoecke and A. Welkenhuysen, eds, *Love and Marriage in the Twelfth Century*, Leuven, 1981, p. 75.

⁸ For northern and western France see Stephen D. White, *Custom, Kinship, and Gifts to Saints: The Laudatio Parentum in Western France, 1050-1150*, Chapel Hill and London, 1988, ch. 5; and (for a slightly earlier period) Emily Zack Tabuteau, *Transfers of Property in Eleventh-Century Norman Law*, Chapel Hill and London, 1988, ch. 3.

⁹ Examples of land purchases by monarchs include the sale of the Viscounty of Bourges to Philip I of France in around 1097 by Eudes Arpin (who sought to raise money for crusading); and Henry II's purchase of La Marche from its count, Audebert, in 1178. See Robert Fawtier, *The Capetian Kings of France*, trans. Lionel Butler and R.J. Adam, London, 1960, p. 104; and Roger of Howden, *Chronica magistri Rogeri de Houedene*, RS 51, vol. 2, pp. 147-8. In the second case, it is notable that Audebert's only son and

generation, was a central means of social and economic advancement for individuals and for their families.¹⁰

From one perspective we can see the passing down of land and wealth as a form of inter-generational ‘gift’: the larger the gift, the greater the prestige of the benefactor. In return, heirs held the obligation to respect and live up to the memory of their predecessors, by maintaining and (if possible) expanding the value of the estate to be handed on to future generations. Landed wealth mattered not just for its current economic and status value, but also for its power as a marker of status over time, for its value as an indicator of inter-generational prosperity.¹¹ The growth in awareness of lineage and family history that has been noted as a key twelfth-century cultural development contributed to the urgency with which patriarchs sought to ensure the well-being of their descendants, and to the desires of noble but landless individuals to better themselves by association with heiresses or widows.¹²

With the development of more secure inheritance practices, the arbitrary ability of monarchs and magnates to confiscate and reallocate land as punishment or reward was reduced. A clearer set of rules began to emerge, especially in England with Henry II’s judicial reforms of the 1160s and 1170s and subsequently with Magna Carta, but also in France under Philip Augustus. Of course, patronage and regal whim did not disappear, but in relative terms inheritance assumed a greater importance as a medium of wealth transfer once patriarchs became reasonably assured that their right to hand down lands that were now seen more overtly as ‘belonging’ to the

heir had died, thus preventing him handing down the patrimony to the next generation in the normal manner.

¹⁰ The link between marriage and inheritance is reinforced by David d’Avray’s observation that consanguinity rules effectively endorsed inheritance rights, since ‘the people who have a right to inherit are the people you cannot marry’. This rule of thumb appears in Gratian (*Decretum*, C. 35, q. 2 et 3, c. 2, at col. 1264). In making this point, d’Avray seeks to oppose the view of Jack Goody that consanguinity restrictions were intended to channel more property into the Church’s own hands. See David d’Avray, ‘Lay Kinship Solidarity and Papal Law’, in Pauline Stafford, Janet L. Nelson, and Jane Martindale, eds, *Law, Laity, and Solidarities: Essays in Honour of Susan Reynolds*, Manchester and New York, 2001, pp. 195-6; and Jack Goody, *The Development of the Family and Marriage in Europe*, Cambridge, 1983, pp. 45-59.

¹¹ For comments on the mentality of gift and exchange, see ch. 1, pp. 35-9.

¹² See ch. 1, p. 33; and ch. 3, pp. 101-2.

family (despite feudal technicalities) would not be challenged.¹³ In the view of S.F.C. Milsom, the right of inheritance can be said to exist if, after the death of an incumbent landholder, an heir gains immediate title to an estate ‘under abstract rules of law’, and is able to take possession without interference from any external authority.¹⁴ By 1200, this comes close to describing the state of affairs in England and northern France.

Hence as the twelfth century progressed the significance of inheritance as a conduit of wealth, power, and status was enhanced. To put this another way, the centrality of landed wealth to twelfth-century conceptions of power and status implied that the most efficient methods of transferring and acquiring property would also be the most vital media for conferring social prestige. Along with marriage, inheritance carried far greater implications than its immediate functions might suggest, because it functioned also as the currency of power. As we shall see, twelfth-century episodes of strategic political change (moments of transition in the balance of power) frequently resulted from altered prospects for the future inheritance of important territories and the lordships that accompanied them.

Primogeniture or Partibility?

During the twelfth century, primogeniture was finally beginning to take hold among elite social groups as the accepted method of handing down wealth to the next generation. This was not true everywhere in Europe. The most public example of the passing on of status and power, the choice of an heir to the throne, remained in part a matter of election in Germany.¹⁵ But in France and England primogeniture became common, though far

¹³ Paradoxically, this greater certainty of tenure may have been accompanied by a stricter requirement to pay homage for lands held of a feudal superior, though the right of inheritance would not be dependent upon the act of homage. See Susan Reynolds, *Fiefs and Vassals – The Medieval Evidence Reinterpreted*, Oxford, 1994, pp. 297.

¹⁴ S.F.C. Milsom, *The Legal Framework of English Feudalism*, Cambridge and New York, 1976, p. 154.

¹⁵ On the nature of German kingship during the period see Timothy Reuter, ‘The Origins of the German *Sonderweg*? The Empire and its Rulers in the High Middle Ages’, in Anne J. Duggan, ed., *Kings and Kingship in Medieval Europe*, London, 1993, pp. 179–211; and Benjamin Arnold, *Princes and Territories in Medieval Germany*, Cambridge, 1991, especially ch. 8.

from universal.¹⁶ The Capetian monarchs had established this trend during the eleventh century, although the situation remained more fluid in England until the reign of Henry II. None of the four Norman kings was his predecessor's eldest surviving son. But Henry II's concern to adopt primogeniture as the basis for property transfers, clearing the legal fog of Stephen's reign, helped to reinforce the principle throughout his dominions. Equally, his clear establishment of a succession plan involving his four sons, with the eldest receiving the entire patrimony that Henry himself had inherited, set a precedent for his subjects to follow. The untimely death of two of them may have complicated matters, but by then the example had been furnished.¹⁷

Even in the eleventh century, the larger territorial units (principalities and counties, such as Flanders or Toulouse) were already considered impartible.¹⁸ The question then became whether these entities should be passed on to the eldest son of the previous ruler, or whether other candidates could also be considered. This was a significant change from earlier times. Both Roman and Germanic property customs had been based upon the principle of partible inheritance. Feudalism, with its social structures based on military service, upset the older tradition. The division of larger fiefs may have been seen as creating strategic military weakness, and as making the gathering of forces owed by feudal vassals logistically more difficult.¹⁹ Smaller fiefs did not succumb to the trend of impartibility as quickly as the great lordships, but the same forces can be observed lower down the social hierarchy. In any case, partibility died out far more quickly in military tenures than it did in cases of non-military holdings. In England, purely agricultural tenures were said to be held 'in soke'.²⁰ For the author of *Glanvill*, writing in the 1180s, inheritance rules unquestionably depended on the dead man's status:

¹⁶ Reynolds, p. 296.

¹⁷ See ch. 7, pp. 244; and ch. 8, pp. 262-7.

¹⁸ Marjorie Chibnall, *Anglo-Norman England, 1066-1166*, Oxford, 1986, p. 56; and Jane Martindale, 'Succession and Politics in the Romance-speaking World', in Michael Jones and Malcolm Vale, eds, *England and her Neighbours, 1066-1453: Essays in Honour of Pierre Chaplais*, London, 1989, pp. 23-4.

¹⁹ David Herlihy, *Medieval Households*, Cambridge, MA, and London, 1985, pp. 93-4.

²⁰ Chibnall, *Anglo-Norman England*, p. 182.

For if he was a knight, then...the eldest son succeeds to his father in everything, so that none of his brothers can lawfully claim any part thereof. If, however, he was a free sokeman, then, if the sokage land was anciently partible, the inheritance will be divided among all the sons.²¹

As in other spheres of social development, the process that led to this definitive statement was neither sudden nor clear-cut. The preceding century had been a period of uncertainty and experiment, characterized by the provision of *ad hoc* solutions to inheritance questions.

Once impartibility was generally accepted as the best means to maintain the viability of military fiefs, the problem of providing for several children came to the fore. Different approaches to this dilemma are apparent in different regions. In Capetian France, as Duby has shown, the claims of elder sons were strongly favoured. Younger sons were discouraged from marrying and creating collateral lines that might complicate the succession.²² This model of behaviour did not apply universally. In England, J.C. Holt argues, 'younger sons acquired estates, married, [and] established junior lines, with relative ease'.²³ This was partly due to the greater flexibility available to Anglo-Norman nobles who had acquired new estates in the century after the Conquest. Elsewhere, in Languedoc primogeniture tended to replace the fully partible system of inheritance that had prevailed in the eleventh century.²⁴ While equal shares for sons are still evident in the mid twelfth century, some areas (notably Montpellier) were beginning to practise primogeniture more regularly.²⁵ Partibility remained more common in Champagne.²⁶

In Normandy and Anjou, by contrast, *parage* remained the dominant (though not the only) form of property disposal. This compromise system

²¹ *The Treatise on the Laws and Customs of the Realm of England Commonly Called Glanvill*, ed. and trans. G.D.G. Hall, London and Edinburgh, 1965, p. 75 (VII, iii).

²² Duby, *The Knight, the Lady and the Priest*, pp. 247-9.

²³ J.C. Holt, 'Feudal Society and the Family in Early Medieval England: III. Patronage and Politics', *Transactions of the Royal Historical Society*, 34, 1984, pp. 15-16.

²⁴ Jean Dunbabin, *France in the Making 843-1180*, Oxford, 1985, pp. 170-1.

²⁵ Fredric L. Cheyette, *Ermengard of Narbonne and the World of the Troubadours*, Ithaca and London, 2001, p. 28.

²⁶ Theodore Evergates, 'Aristocratic Women in the County of Champagne', in Evergates, ed., *Aristocratic Women in Medieval France*, Philadelphia, 1999, p. 85.

did allow younger sons to participate in the economic benefits accruing from a family's estate, but still valued the primacy of the senior line. Pollock and Maitland, in their important study of early English laws, describe the system thus:

the younger heirs hold of the eldest 'in parage'; they do him no homage; they swear to him no fealty; they are his peers, equally entitled with him to enjoy his inheritance; but he and he alone does homage to the lord and is responsible for the whole service of the fee.²⁷

Even in Normandy, however, *parage* remained more common at the lower levels of noble feudal society than at the top of the hierarchy. Strategic and security concerns often rendered the major Norman military fiefs impartible in practice, though even in these cases, in a nod to tradition, the eldest son was expected to provide for his siblings' welfare and honour, sometimes by grants of land from within the patrimony.²⁸ In the Duchy, then, no single, unchallenged model of property rights can be identified.²⁹ In the same way, English customs cannot be encompassed by one uniform mode of behaviour. Although primogeniture came to prominence in England in the generation after the Conquest, *parage* still had its place.³⁰ By the mid twelfth century, it would be used in particular for the division of estates among daughters, where no male sibling survived.³¹ In the Île de France, too, the device retained some attraction for families holding smaller territories, despite the general acceptance of primogeniture. Philip

²⁷ Sir Frederick Pollock and F.W. Maitland, *The History of English Law Before the Time of Edward I*, 2nd edn, Cambridge, 1895 and 1968, vol. 2, p. 264. On *parage* see also F.L. Ganshof, *Feudalism*, trans Philip Grierson, London, 1952, pp. 140-1.

²⁸ Pollock and Maitland, p. 265. Katharine Keats-Rohan has called this process of sub-infeudation 'a sort of informal banking system' for self-reliance within the wider kin group, especially among Norman and Breton families who had settled in England after the Conquest. See K.S.B. Keats-Rohan, 'The Bretons and Normans of England 1066-1154: The Family, the Fief and the Feudal Monarchy', *Nottingham Medieval Studies*, 36, 1992, p. 45.

²⁹ The inconsistent, *ad hoc* nature of eleventh-century developments contributed to ongoing uncertainty in the twelfth. See George Garnett, "'Ducal" Succession in Early Normandy', in George Garnett and John Hudson, eds, *Law and Government in Medieval England and Normandy: Essays in honour of Sir James Holt*, Cambridge, 1994, pp. 80-110.

³⁰ J.C. Holt, 'Feudal Society and the Family in Early Medieval England: II. Notions of Patrimony', *Transactions of the Royal Historical Society*, 33, 1983, p. 211.

³¹ See below, pp. 63-6.

Augustus banned *parage* in the region in 1209, insisting on either a full and clear division of lands or none at all, rather than the compromise position that *parage* represented.³²

The lack of a single, unchallenged model contributed to the desire for a clearer set of rules concerning succession and inheritance, especially in England. Both Henry I and Stephen had disinherited many noble families, as each monarch sought to reward followers and punish opponents by the granting or confiscation of estates.³³ By mid-century, civil war had shown this practice to be untenable in the long term. Baronial desire for greater control of their own affairs, backed by a legal system that recognized the sanctity of hereditary rights and protected vassals from the whims of an unscrupulous monarch, was fundamental to the general acceptance of the principle of primogeniture. Coupled with this, a realization that power depended on larger estates spread throughout the realm pushed feudal lords to maintain the unity of their holdings, rather than splitting them between numerous heirs.

During the later twelfth century, common procedure in England dictated that a father could not pledge any part of his own patrimony to a younger child without first gaining the approval of his heir, the eldest son.³⁴ In practice, examples of younger sons gaining a portion of the heritable lands are still found, but there is no reason why this should not have occurred if the heir consented to endow his siblings with some assets of their own. The principle of primogeniture is still upheld, even if the outcome appears different. Apparently not all heirs were as obstreperous as the Young King, whose anger at his father's grant of three castles in Anjou to the youngest son, John, led directly to the outbreak of the great rebellion of 1173.³⁵

Those who acquired lands other than by inheritance had more flexibility when it came to dividing their holdings among several children. Lands acquired by conquest, purchase, or marriage were considered to be separate from the patrimony itself, and could thus be bequeathed to

³² Elizabeth Hallam, *Capetian France 987-1328*, London and New York, 1980, p. 156.

³³ R.H.C. Davis, *King Stephen*, 3rd edn, London and New York, 1990, pp. 120 and 151. See also ch. 5, p. 158.

³⁴ Richard Mortimer, *Angevin England, 1154-1258*, Oxford, 1994, p. 30.

³⁵ See ch. 7, pp. 252-4.

younger children without compromising the rules of primogeniture.³⁶ If only one son survived, he would inherit the entire estate, which could then be passed on as a single patrimony to the subsequent generation. For this reason Normandy (the patrimony) and England (an acquisition by conquest) had been separable on the death of the Conqueror in 1087, but later formed a single heritable unit during the Angevin period (having been reunited by Henry I).³⁷

In fact, the ability to divide feudal estates in this way had been 'remarkably convenient for an aggressive and burgeoning aristocracy' in the period after 1066.³⁸ In many cases, elder sons retained their family's original Norman lands, while younger sons were able to take possession of English estates acquired during the Conquest.³⁹ Parents in the Anglo-Norman nobility tried to retain as much flexibility as possible when it came to providing for the economic needs of younger children.⁴⁰ The *Leges Henrici primi* recognized the potential division of inherited and acquired lands, stating, 'the first-born son shall have the father's ancestral fee; the latter shall give any purchases or subsequent acquisitions of his to whomever he prefers'.⁴¹

Seventy years later, *Glanvill* drew a similar distinction, but at the same time acknowledged that a father could bequeath some part of his inherited land as he pleased, providing his heir's consent was forthcoming:

If he has both inherited and acquired land, then it is beyond question that he can give in perpetuity any part or all of his acquired land to whom he pleases; he can also, notwithstanding this, give a reasonable part of his inherited land, as has been explained above.⁴²

³⁶ J.C.Holt, 'Politics and Property in Early Medieval England', *Past and Present*, 57, 1972, pp. 3-52. See especially pp. 12-14 for the division of inherited and acquired lands.

³⁷ Gillingham, *The Angevin Empire*, p. 32.

³⁸ Holt, 'Politics and Property', pp. 18-19.

³⁹ *ibid.*, p. 14.

⁴⁰ Stephanie Mooers Christelow, 'The Division of Inheritance and the Provision of Non-Inheriting Offspring among the Anglo-Norman Elite', *Medieval Prosopography*, 17, 1996, pp. 3-44.

⁴¹ *Leges Henrici primi*, trans. L.J. Downer, Oxford, 1972, p. 225 (ch. 70, 21).

⁴² *Glanvill*, p. 71 (VII, i).

The final phrase refers to the author's earlier discussion of the requirement for the heir's consent. Despite the apparent clarity of *Glanville's* comment, however, the vague phrasing ('a reasonable part') is almost an invitation to dispute among potential heirs.⁴³

The accepted split between inherited and acquired lands appears to have prevailed for most of the twelfth century.⁴⁴ One important impact of this arrangement was to increase the rivalry between siblings vying for a portion of their father's lands. In any system that recognized the absolute rights of the eldest son (as came to be the case later) or a defined split between co-heirs, disputes were less likely to arise. A half-formed legal system that allowed for a significant measure of personal whim on the part of the donor, by contrast, opened the door to uncertainty, rivalry, and sibling conflict in the allocation of family lands. This was especially so in those instances where children from several marriages survived their father. On the death of Hugh Bigod in 1177, his widow claimed much of his acquired land in East Anglia, and even the earldom of Norfolk, for her son, leaving only Hugh's smaller original patrimony to his elder son from a previous marriage. The legal precedent in such cases was far from fixed at this point, since no ruling was forthcoming until 1189, when Richard I granted the entire estate to the elder line.⁴⁵ The lengthy delay suggests that, despite the apparently clear procedures set out in *Glanvill* and the *Leges*, reality was a far more complicated business.

Contested successions could also be settled by the lottery of brief life expectancy and early death. Of the 25 earldoms that existed in England during the Angevin period (1154-1216) a mere five were held continuously in the direct male line. Seven died out completely, and three new honours were created. Two were divided between heiresses, and eight

⁴³ On the likely gap between the firm statement of theory in *Glanvill* and the less certain reality of contemporary practice see Sidney Painter, 'The Family and the Feudal System', in Painter, *Feudalism and Liberty – Articles and Addresses of Sidney Painter*, ed. Fred A. Cazel, Jr., Baltimore, 1961, pp. 197-201.

⁴⁴ Not all historians have accepted this model. For an alternative view, considering the division of inherited and acquired lands as unusual rather than commonplace, see John Le Patourel, 'Normandy and England 1066-1144' in his *Feudal Empires, Norman and Plantagenet*, ed Michael Jones, London, 1984, section VII, pp. 4-5.

⁴⁵ J.C. Holt, 'Feudal Society and the Family in Early Medieval England: I. The Revolution of 1066', *Transactions of the Royal Historical Society*, 32, 1982, p. 205.

were transferred through a female heiress to a new dynasty by means of marriage.⁴⁶ Against this background, the chances of dynastic success being achieved by attaching oneself to even a younger scion of a noble or wealthy family improved enormously. Survival when elder siblings were rapidly disappearing could eventually bring economic and political benefits.⁴⁷

By contrast, the death of a sole male heir, or the lack of sons to whom a patrimony could be passed down, could restrict a family's political opportunities. This was the fate of the Gouet family, lords of the County of Perche in Normandy.⁴⁸ The uncertainties of inheritance by daughters or widows further clouded the already murky waters of inter-generational land transfer. If the twelfth century is characterized by doubt over the merits of split or impartible inheritance, it is also replete with examples of anxiety over female property rights.

Inheritance rights of women

Understanding the place of women, both as wives (or widows) and as daughters, in twelfth-century inheritance conventions is crucial to an appreciation of the political importance attached to exchanges of property. As seen above, the right to distribute lands acquired by arms or by purchase (as opposed to those originally inherited) raised one set of problems. The bequest of lands acquired by marriage was further complicated by the not insignificant fact that the wife through whom the assets were brought into the family often outlived her husband. If a wife died first her dowry, being a gift from her family to her husband, could be

⁴⁶ Mortimer, p. 79.

⁴⁷ A notable case involving the Bourbourg family is documented in Duby, *The Knight, the Lady and the Priest*, p. 267. In one generation, seven brothers died childless or without male heirs, allowing the patrimony to pass to a surviving sister and her husband. See also ch. 1, p. 32.

⁴⁸ On several occasions during the twelfth century the family suffered a noticeable decline in its regional influence as a result of the absence of a male heir. See Kathleen Thompson, 'The Formation of the County of Perche: the Rise and Fall of the House of Gouet', in K.S.B. Keats-Rohan, ed, *Family Trees and the Roots of Politics: The Prosopography of Britain and France from the Tenth to the Twelfth Century*, Woodbridge, Suffolk, 1997, pp. 299-314.

legally held by the husband and later inherited by any children.⁴⁹ But if the husband died first, disputes tended to arise between the mother and eager sons over control of the dowry lands. A widow's son might even assume his mother's title while she still lived, not necessarily with her approval.⁵⁰ When no children survived, the dowry normally passed back to the wife's family.⁵¹

A widow might also have trouble controlling her dower, nominally a gift to her from her husband at time of their marriage. In practice this was not a permanent transfer, but a 'lifetime concession'.⁵² Even then, a woman really held any control over her dower lands only after her husband's death. The dower would eventually pass to their children at her own death, or would revert to the husband's family if the marriage had been childless. In this case a woman could not pass on her dower lands to any children of a subsequent marriage. Nor did she have the right to give away or sell any of her dower lands during her husband's lifetime.⁵³ All the same, the period between her first husband's death and her own might be lengthy, meaning a second husband could gain the benefits of control over his wife's original dower lands for some years. Though these lands could not be passed on to his own heirs, the economic benefits of marriage to a young widow could be substantial. Given the youth of many brides, widows in their teens or twenties were not uncommon. In one case during the 1180s, Thomas fitz Bernard's ten-year-old daughter Matilda married John de Bidun, who died not long after the wedding. Matilda later remarried, and held her dower lands until her own death some seventy years later.⁵⁴ The canonists insisted that widows should be allowed to

⁴⁹ Frances and Joseph Gies, *Marriage and the Family in the Middle Ages*, New York, 1987, p. 128.

⁵⁰ Andrew W. Lewis, 'Anticipatory Association of the Heir in Early Capetian France', *American Historical Review*, 83, 1978, p. 918.

⁵¹ Mortimer, p. 29.

⁵² Gies, p. 128. See also Janet S. Loengard, "'Of the Gift of her Husband': English Dower and its Consequences in the Year 1200", in Julius Kirshner and Suzanne F. Wemple, eds, *Women of the Medieval World: Essays in Honor of John H. Mundy*, Oxford and New York, 1985, p. 217.

⁵³ Mortimer, p. 29.

⁵⁴ Loengard, p. 238. On Matilda see also ch. 3, pp. 112-13.

remarry or remain single as they chose.⁵⁵ But the economic opportunities presented by wealthy widows made them inevitable targets of men like Matthew, Count of Boulogne, who sought to improve their own fortunes.⁵⁶

The power to decide on the disposition of amalgamated family lands lay firmly with the male head of the household. But the wife's rights, greater in theory than in practice, were nonetheless recognized in law and upheld in court. The Assize of Northampton ruled in 1176 that 'the wife...of the deceased is to have her dower and the part of his chattels which belongs to her', and declared that the king's justices could form juries to rule on any disputes of this type.⁵⁷ Although a wife could not make a will disposing of her lands without her husband's consent, neither could he sell or give away property that was technically hers if she did not approve. In cases where this happened, the wife was theoretically able to recover her rightful property through the courts once she was widowed.⁵⁸

Even when a husband managed and benefited from his wife's property in practice, he still depended on her technical and legal right to the land to justify his own control. Evidence of this is provided by a dispute from the reign of Richard I over the manor of Clif, held by Philip, bishop of Durham, but claimed by Robert de Turnham. Robert asserted that the manor belonged to his wife, and asked for a jury of twelve men to be convened to adjudicate on the dispute. If successful, Robert was quite prepared to pay homage to the bishop for the lands in question, but the economic benefit of direct control of the manor would accrue to him and his wife, and not to the episcopal lord. The jury ruled in Robert's favour and swore an oath:

that the manor was the hereditary right of the wife of the
said Robert, daughter of William Fossard. So the bishop

⁵⁵ Michael M. Sheehan, *Marriage, Family, and Law in Medieval Europe: Collected Studies*, Toronto, 1996, p. 19.

⁵⁶ See above, p. 48. In the same way Brian fitzCount, an illegitimate son of Alan of Brittany, married Maud, the widow of Milo of Wallingford who had died in 1107 (see I.J. Sanders, *English Baronies – A Study of their Origin and Descent 1086-1327*, Oxford, 1960, p. 93). Brian's bastardy made him ineligible for his father's lordship, but his honour of Wallingford, gained through his wife, became a crucial Angevin stronghold during the civil war of the 1140s.

⁵⁷ Howden, vol. 2, p. 90.

⁵⁸ Mortimer, p. 29.

gave up the manor of Clif, which his predecessors had held in a peaceful and undisputed way for a great length of time.⁵⁹

The wife's property rights were unequivocally upheld, even though the bishopric had controlled the manor uncontested for a number of years. In an era where possession was often the strongest argument, and where 'time immemorial' meant little more than a generation, the right of a woman to her inheritance triumphed over the *de facto* ownership of a powerful and influential incumbent. In the light of this result, the attraction of heiresses and widows to men seeking their fortune through marriage becomes obvious.

Accepted practice regarding debts owed to the monarch sheds further light on the position of widows. This has come down to us in the *Dialogus de Scaccario*, the detailed account of the workings of the Exchequer compiled by Henry II's treasurer, Richard fitz Nigel, during the 1170s. The document deals specifically with cases where debtors have died and left their liabilities to be managed by their heirs.⁶⁰ If either a husband or a wife died, the surviving spouse was to be summoned to pay outstanding debts, and to speak on behalf of any children who may now have been the legal owners of the family's property. This property should be used to cover those debts, except in the case of a woman's dower, 'because it is the price of her modesty'.⁶¹ If a woman's husband died and she married again, his debts were to be assumed by the children of the first marriage. If none survived, the second husband became liable for the money owed.

Here again we see a clear distinction between the property rights of women and those of the family as a whole. The fiscal authorities recognized the need to protect a woman's personal property, and to delineate it as markedly separate from a family's total estate. While both partners were still alive, few problems were likely to arise, and the husband would assume *de facto* control of the combined holdings. But a

⁵⁹ Howden, vol. 4, p. 69.

⁶⁰ Richard fitz Nigel, *Dialogus de scaccario – The Course of the Exchequer*, trans. Charles Johnson, Oxford, 1983, pp. 114-15.

⁶¹ The phrase recalls the older Germanic payment of *morgengabe* from groom to bride on the morning after consummation of their marriage. See ch. 1, p. 29.

woman's fragile independence after her husband's death required clear control of the property pertaining to her individually, as the Exchequer's pronouncements imply. The clarity of this distinction became both a strength and a weakness. Widows who were able to retain control of the income accruing from their lands could enjoy a measure of self-reliance. But at the same time their independent wealth made them attractive targets for those males seeking to improve their status and economic fortunes through marriage. On a higher level, the focus of political manoeuvring in the twelfth century was concentrated time and again on the need to control the destiny of those widows and heiresses whose property rights held the key to ownership of great estates and noble titles.⁶²

Naturally, daughters who stood to inherit their father's wealth were valued at least as highly as widows. In fact, daughters were an even greater prize, since lands acquired through marriage to a young heiress could be permanently subsumed into a husband's estate. The concentration of inheritance rights on a narrower family grouping, to the exclusion of collateral lines, tended to increase the number of heiresses, since male lines died out more easily when cousins were not included.⁶³

In England during the first third of the twelfth century, only one daughter would gain control of an estate as heir if she had no living brothers, even when other sisters survived. Henry I's Coronation Charter of 1100 implies that this daughter should be unmarried, allowing her feudal lord to arrange her marriage (and thus to control the disposition of her lands through patronage):

And if, on the death of one of my barons or of one of my tenants, a daughter shall be his heir, I will dispose of her

⁶² Prominent heiresses who became the focus of political attention include Eleanor of Aquitaine (see ch. 6, pp. 219-22), Mary of Boulogne (p. 48 and note 2), and Constance of Brittany (ch. 7, pp. 244-5) to name a few.

⁶³ Pauline Stafford, 'Women and the Norman Conquest', in Lester K. Little and Barbara H. Rosenwein, eds, *Debating the Middle Ages: Issues and Readings*, Malden, Mass., and Oxford, 1998, p. 262. On the value attached to heiresses see also John Gillingham, 'Love, Marriage and Politics in the Twelfth Century', *Forum for Modern Language Studies*, 25, 1989, pp. 295-7.

in marriage and of her lands according to the counsel
given me by my barons.⁶⁴

On the basis of this passage, S.F.C. Milsom speculates that an estate was more likely to fall to a younger, unmarried daughter in preference to her older, married sister.⁶⁵ The issue was control: the lack of a husband meant one less male figure vying for power over the estates represented by the daughter, allowing greater leverage to feudal lords, and especially to the king. Milsom suggests that any dowry already provided for married daughters would have been considered a sufficient share of the estate. In effect, marriage disqualified daughters from acting as heiresses, if an unmarried sister existed.⁶⁶ Whether or not this is an accurate interpretation, it is clear that the rules of Henry I's day were less fixed, and more open to manipulation by the king, than those prevailing later in the century.

Differences of opinion over the rules of inheritance were at the heart of the civil war in Stephen's reign (1135-54). The struggle for the throne between two cousins (Stephen and Matilda) is paralleled by numerous episodes of contested patrimonies during the period, especially where one of the parties was a woman. Inheritance of the Lacy family's territories in Herefordshire, for example, passed down through the female line for three generations. Disputes between branches of the family were frequent. In 1137 Stephen was so desperate to gain the support of Miles of Gloucester that the monarch confirmed the entire Lacy fief to Cecilia, one of several Lacy claimants, who had married Miles's son Roger. A wealthy fief became the tangible price of political support.⁶⁷

A significant change in the legal status of daughters in England occurred at some time between 1130 and 1145 with the promulgation of the obscure

⁶⁴ David C. Douglas and George W. Greenaway, eds, *English Historical Documents, Volume 2: 1042-1189*, London, 1953, p. 401. On the Coronation Charter see also ch. 1, p. 35.

⁶⁵ S.F.C. Milsom, 'Inheritance by Women in the Twelfth and Early Thirteenth Centuries', in Morris S. Arnold et al., eds, *On the Laws and Customs of England – Essays in Honour of Samuel E. Thorne*, Chapel Hill, 1981, p. 65.

⁶⁶ *ibid.*

⁶⁷ H.A. Cronne, *The Reign of Stephen 1135-54 – Anarchy in England*, London, 1970, pp. 156-8. Stephen's decision soon proved ill-founded, as a rival branch of the Lacy family rose in revolt, while Miles and his family went over to the Angevin party after 1139. On the fate of Miles of Gloucester's own patrimony, also affected by descent through

but important *statutum decretum*. This document created an explicit change to a system of *parage* in cases of inheritance by daughters.⁶⁸ Whereas the 1130 Pipe Roll contains 27 examples of inheritance by women, with single daughters being referred to in every case, the splitting of estates between several sisters is apparent from the middle of the 1140s.⁶⁹ A charter dealing with the rights of the daughters of Walter de Valognes states the new position explicitly:

where there is no son the daughters divide their father's land by the spindles, nor can the elder take from the younger her half of the inheritance without violence and injury.⁷⁰

It is interesting to consider that while male inheritance in England was moving away from divided estates, and towards impartibility, female inheritance was doing exactly the opposite. J.C. Holt believes that the shift to *parage* among sisters occurred because it was beneficial to all relevant parties. Younger sons now had a much greater chance of finding an available heiress to wed, easing the pressure on their fathers to allocate resources to them. Fathers of girls had several potential heiresses, rather than unwanted spare daughters, under their control. In short, 'those who disposed of marriages and controlled succession benefitted...for it multiplied their resources; and the king benefitted most of all'.⁷¹ (It is notable that all the beneficiaries in this scheme are male: whether the daughters themselves were better off appears to have borne little importance).

Yet *parage* undoubtedly posed a threat to the integrity of large estates. If the elimination of the claims of collaterals meant that daughters were more likely to inherit, and at the same time those daughters were obliged to share their father's lands between them, then partibility effectively

the female line, see p. 65. On the Lacy family see also W.E. Wightman, *The Lacy Family in England and Normandy, 1066-1194*, Oxford, 1966.

⁶⁸ J.C. Holt, 'Feudal Society and the Family in Early Medieval England: IV. The Heiress and the Alien', *Transactions of the Royal Historical Society*, 35, 1985, p. 10.

⁶⁹ *ibid.*, p. 8.

⁷⁰ Sir Frank Stenton, *The First Century of English Feudalism 1066-1166*, 2nd edn, Oxford, 1961 (originally 1932), p. 39. See also Chibnall, *Anglo-Norman England*, p. 174.

⁷¹ Holt, '...The Heiress and the Alien', p. 20.

remained in force. As Pollock and Maitland point out, if three daughters share an inheritance, and each herself has three daughters (and no sons), within a generation a single estate will have been split into ninths. The theory is reflected in actual circumstances: part of the estate of William Marshall, regent for the young Henry III, became divided into thirty-fifths, since one of his five daughters herself left seven daughters as co-heirs.⁷² Provision did exist to reunite such scattered territories. Under *parage*, siblings were able to inherit in the event that a brother or sister died childless.

The contrasting destiny of estates in England bequeathed to male or female heirs after these mid-century developments is amply illustrated by the fate of the barony of Miles of Gloucester. After Miles' death in 1143, each of his four sons in turn inherited the barony. All four were dead by 1166, apparently without heirs in each case. By this latter date, the barony had been split between Miles' three daughters, with female *parage* replacing male primogeniture within the same family. As a result of the daughters' marriages, the estate that Miles had painstakingly built by a lifetime of loyal service to Henry I and Matilda was split permanently, with a third being added to the territories of each of the daughters' husbands.⁷³

The change to *parage* also meant that married daughters were now more likely to inherit along with their unmarried sisters. Indeed, it was the husband of the eldest sister who was obliged to perform homage to the feudal lord for an entire estate, as *Glanvill* makes clear:

The husband of the eldest daughter will...do homage to the chief lord for the whole fee....Younger daughters or their husbands are...bound to do the service for their tenements to the chief lord by the hand of the eldest daughter or her husband.⁷⁴

⁷² Pollock and Maitland, vol. 2, pp. 306-7.

⁷³ Based on data in Sanders, p. 7.

⁷⁴ *Glanvill*, p. 76 (VII, iii). The performance of homage by a husband for his wife's property also became common in France by the late twelfth century. See Ganshof, p. 143.

While the role of the husband indicates the *de facto* passing of power and property control to an outside male marrying into the inheriting family, *Glanvill* is at pains to remind his readers that, officially at least, ownership of the estate remained within the family itself:

it should be known that husbands of any women whatsoever cannot alienate any part of the inheritance without the consent of their heirs, nor remit any part of the right of those heirs, except for the term of their lives.⁷⁵

The passage indicates that it is the heirs of the current generation of daughters, the grandsons of the previous incumbent who was unfortunate enough to die without sons, who are considered the true beneficiaries of the estate. A grandson was able to inherit even while his mother was still alive, indicating the primacy of his claim over that of female relatives.⁷⁶ Daughters were considered mere vessels through which the estate was passed, temporary guardians of a patrilineal legacy momentarily without a legitimate male figurehead. Further elaboration by *Glanvill* reinforces the lowly status of women as heirs:

If anyone has a son and heir and also a daughter or daughters, the son succeeds to everything: from this it follows that if a man has several wives and by each he has a daughter or daughters, but by the last he has an only son, that son alone takes the inheritance, because the general rule is that a woman never shares in an inheritance with a man.⁷⁷

In France, women were no better off than in England. The stress on agnatic ties of kinship from the eleventh century raised fears of control passing to outsiders through the marriage of inheriting daughters, especially among the princes of the larger territories. While inheritance rights could pass through the female line, there are no eleventh-century examples of the great honours of Capetian France being passed to a

⁷⁵ *ibid.*

⁷⁶ Holt, '...The Heiress and the Alien', p. 3.

⁷⁷ *Glanvill*, p. 77 (VII, iii).

woman in her own right.⁷⁸ At the lower levels of society, the sharing of legacies between sons and daughters had previously been known. But the rights of women gradually gave way to the claims of their brothers during the twelfth century. In particular, married daughters sacrificed their rights to a large share of their father's estate. If a dowry was considered to be the full and final award that a daughter could expect from her family's property, only a relatively small percentage of the patrimony was at risk of being alienated.⁷⁹ Dowries also became more frequently allocated in cash or kind, rather than in land. In 1209 Alphonse II, Count of Provence, stated in his will that he wanted his daughter Grisenda 'to be married with money and without [any] part of the land of Provence'.⁸⁰ This seems to be part of an explicit move to equate the allocation of a dowry with the disinheritance of a daughter at the time of her marriage, quite the reverse of the custom of earlier ages.

Of course continental magnates, just as much as their English counterparts, had no choice but to see landed estates pass through their daughters on some occasions, no matter how distasteful the process may have been. As in England, the birth of a son (even by a later marriage) was enough to invalidate the claims of daughters, and allowed the patrilineal descent to remain unbroken. The birth in 1165 of Philip Augustus, the only son of Louis VII and his third wife, Adela of Blois-Champagne, immediately barred Louis's daughters by his first and second wives not only from the succession, but also from any significant share in the Capetian estate.

From one perspective, the issues surrounding female inheritance may have caused headaches for fathers wishing to retain the integrity of a cherished patrimony. From another viewpoint, inheritance by women meant opportunity, not so much for daughters or widows themselves, but for their current or prospective husbands. At the same time, the wealthier

⁷⁸ Martindale, 'Succession and Politics', pp. 32-3. Martindale also points out (*ibid.*, p. 37) that some of the most complicated succession disputes, such as that in Flanders in 1127 (on which see ch. 5, p. 185), involved competing claimants descended from different female ancestors within the wider kin group.

⁷⁹ Duby, *The Knight, the Lady and the Priest*, pp. 102-3.

⁸⁰ Diane Owen Hughes, 'From Brideprice to Dowry in Mediterranean Europe', *Journal of Family History*, 3, 1978, p. 281.

or more politically important a disputed territory may have been, the more likely it became that feudal lords would choose to exercise their own right to adjudicate on inheritance matters, often to their own advantage.

Lords and Families

The degree to which lands held in fief were automatically heritable was a debated issue, especially in the first half of the twelfth century. As with marriage, no clear set of rules existed that was accepted by all parties or in all regions. Here, too, we can discern an ongoing contest between a model of inheritance rights that restricted to a narrower group (feudal lords) the power to determine how estates would be allocated across generations, and a more open model that granted this power to a wider grouping, the fathers and families who controlled directly the estates in question. The contest of wills between lords and their tenant families, and between monarchs and magnates, over the right to determine disputed episodes of inheritance and succession was central to the development of twelfth-century politics.

Customary right gave feudal lords several important functions, including the arrangement of marriages for the children of vassals.⁸¹ On other occasions lords gave judgement on disputed legacies, or in cases of inheritance by minors. Given the monarch's role as the supreme feudal lord, he held a position of enormous influence in matters relating to the wardship and welfare of unmarried heirs and widows.⁸² At the same time, monarchs asserted their right to charge a relief to inheriting vassals. This was a fee owed to the king by all tenants-in-chief at the time they assumed control of their inheritance. Tenants-in-chief could charge a similar fee to their own vassals, recouping some of the cost.⁸³ Relief payments were also charged to widows reclaiming a dowry. The amount was unspecified and

⁸¹ Mortimer, p. 31. Henry I, for example, arranged for the marriage of the son of Robert of Meulan to the Breteuil heiress in 1121. Both families were Henry's vassals (see ch. 5, p. 12). Alternatively, Sue Sheridan Walker has argued that wards were still largely able to follow their own desires in marriage (thus upholding the principle of consent) providing that they compensated guardians or feudal lords by means of a fine, acting effectively as a tax on marriage. See S.S. Walker, 'Free Consent and the Marriage of Feudal Wards in Medieval England', *Journal of Medieval History*, 8, 1982, pp. 123-34.

⁸² For the development of royal powers in this area see S.F.C. Milsom, 'The Origin of Prerogative Wardship', in Garnett and Hudson, eds, pp. 223-44.

⁸³ Mortimer, p. 45.

negotiable: Henry I stated only that reliefs should be ‘just and lawful’.⁸⁴ Some monarchs (notably King John) plundered this ready source of cash more than others.⁸⁵ In France relief payments tended to be set at the level of one year’s revenue from the fief in question, though monarchs could override this at will. Louis VI charged a much larger relief when investing William Clito with the County of Flanders in 1127.⁸⁶ Philip Augustus raised a great deal of revenue by the opportunistic imposition of relief payments on heirs.⁸⁷

Wardship of under-age heirs and their estates, or the exercise of control over lands where no heir survived or the inheritance was disputed, supplemented income from the royal demesne. This latter practice, known as escheat, was an effective means of increasing revenues while retaining lands that might later be used to reward retainers or endow other members of the royal family.⁸⁸ The temptation for monarchs to hold on to escheat lands as long as possible is apparent: not only was the extra income valuable, but the estates in question could be dangled in front of headstrong feudal vassals as a carrot to ensure ongoing loyalty. As Susan Reynolds comments, the line between escheat and outright confiscation was noticeably thin.⁸⁹

Given these opportunities for interference by monarchs and by lesser feudal lords in the transfer of land, how reliable were the mechanisms of inheritance during the twelfth century? Over the last 50 years, historians of Anglo-Norman England have conducted a lengthy debate concerning the nature of inheritance customs, and the power structures in which those customs operated. Older historians had tended to accept the fact of heritability of estates in the aftermath of the Conquest, assuming a fixed, unquestioned method of property transfer that understates the difficulties apparent in reality. Frederick Maitland and Sir Frank Stenton both stood in this camp. Stenton asserted that ‘there is no room for doubt that knights’

⁸⁴ Douglas and Greenaway, p. 401.

⁸⁵ For examples from the reign of King John see pp. 77-8.

⁸⁶ Ganshof, p. 138. On Clito and Flanders, see ch. 5, pp. 185-7.

⁸⁷ Reynolds, pp. 298-9.

⁸⁸ Mortimer, pp. 42-3.

⁸⁹ Reynolds, p. 385.

fees were in fact normally hereditary from the time of the first enfeoffments' (that is, from the Conquest onwards).⁹⁰

These old shibboleths were questioned by Samuel Thorne in his 1959 article 'English Feudalism and Estates in Land'.⁹¹ Thorne saw the twelfth century as a period of gradual change, with tenants eventually overcoming their feudal lords as the dispensers of real power in the handing down of lands. Earlier in the period, in this analysis, estates were not truly heritable but were instead dependent on a renewed grant from lord to tenant in each generation. Reliefs were an incentive to encourage the lord to renew the right to a fief in favour of his previous tenant's heir. Only by 1200 was the tradition of renewal so accepted that the grant to an heir was merely a formal recognition of a *de facto* act of hereditary possession. Only then, in this view, did holders of feudal tenure (vassals) have freedom to alienate or allocate their lands as they saw fit, without requiring the consent of their lord.⁹² The clear implication of Thorne's theory is that feudal lords were invested with far greater powers of discretion over the allocation of lands in the Anglo-Norman period than earlier historians may have been willing to concede.

Other historians have placed the point of change in mid-century, rather than towards 1200. By the 1140s, feudal tenants were starting to push for a greater degree of certainty over the disposal of their lands (including the ability to make unencumbered provision for sons, daughters, and widows) while feudal practice had not yet shifted to accommodate these new demands. Edmund King argues that there was far more to the 'anarchy' of Stephen's reign than mere opportunism on the part of the barons. King asserts that fief-holders who changed sides were doing so in the search for decisive leadership, in an attempt to uphold, rather than to destroy, the

⁹⁰ Pollock and Maitland, vol. 1, p. 314; Stenton, p. 161.

⁹¹ S.E. Thorne, 'English Feudalism and Estates in Land' *Cambridge Law Journal*, 1959, pp. 193-209.

⁹² Others who have broadly supported this view include S.F.C. Milsom, *Legal Framework*, pp. 139 and 179-80; R.C. Palmer, 'The Origins of Property in England', *Law and History Review*, 3, 1985, pp. 1-50 (especially pp. 4-5); and Stephen D. White, 'Succession to Fiefs in Early Medieval England', *Past and Present*, 65, 1974, pp. 118-27.

model of feudal government.⁹³ Feudalism demanded a strong figure at the top, one who allowed feudal institutions (such as the right of fathers to pass estates to their sons) to function smoothly. Neither Stephen nor Matilda could fit the bill. R.H.C. Davis has similarly seen the ‘anarchy’ as a dispute over succession: both the succession to the crown itself, and the quest by the barons for the right to succeed to their inherited lands without interference by the monarch or by feudal lords.⁹⁴ Davis points to the wording of the 1153 Treaty of Westminster, which designated Henry Plantagenet as Stephen’s adopted son and heir, as a clear signal that succession was now to be based firmly on hereditary right.⁹⁵ The solution which brought peace and established hereditary (rather than elected) monarchy on a firmer footing indicated that inheritance rights further down the feudal social scale were also to be treated with a newfound respect.

A further group of historians has located a clear mentality of heritability earlier, in the reign of Henry I. Both R.W. Southern and J.C. Holt argue for this position, but both recognize that a general awareness of the right to inherit did not always translate into action. While this represents, superficially at least, a move back to the older view of early heritability held by Maitland and Stenton, the argument is more complex.⁹⁶ Southern stresses the influence of royal whim, seeing Henry I as the first great figure in ‘the history of patronage as an instrument of government’.⁹⁷ In support of this idea, we might look to a charter from around 1131, in which Henry confirms to Eustace fitz John,

⁹³ Edmund King, ‘King Stephen and the Anglo-Norman Aristocracy’ *History*, 59, 1974, pp. 180-94. See also Edmund King, ‘The Tenurial Crisis of the Early Twelfth Century’, *Past and Present*, 65, 1974, pp. 110-17.

⁹⁴ R.H.C. Davis, ‘What Happened in Stephen’s Reign’, *History*, 49, 1964, pp. 1-12. See also Davis, *King Stephen*, Appendix IV, pp. 150-3; and John Le Patourel, ‘What Did Not Happen in Stephen’s Reign’, *History*, 58, 1973, p. 15. Le Patourel identifies a similar trend in Anjou, with Geoffrey Plantagenet (r. 1129-51) being forced to concede more reliable hereditary tenure during the 1140s.

⁹⁵ Davis, *King Stephen*, p. 119. The agreement is also frequently referred to as the Treaty of Winchester, by Davis himself among others. It resulted from a meeting of the parties in Winchester, and was later promulgated at Westminster in December 1153. See also J.C. Holt, ‘1153: The Treaty of Winchester’, in Edmund King, ed., *The Anarchy of King Stephen’s Reign*, Oxford, 1994, pp. 291-316.

⁹⁶ See note 90.

⁹⁷ R.W. Southern, ‘The Place of Henry I in English History’, *Proceedings of the British Academy*, 48, 1962, p. 130.

and to his heirs after him in fee and hereditary tenure the land of Brompton, with all its appurtenances, just as Roger de Clere has gifted it to him and conceded it in hereditary tenure.⁹⁸

While Henry's charters 'are the first to emphasize consistently the hereditary nature of feudal tenures', ironically the very existence of charters allocating lands and brides implies regal interference.⁹⁹ There is a difference, in other words, between the conciliatory language of royal pronouncements and the reality of power as wielded by the monarch. Roger may have granted lands in fee to Eustace, but Henry's approval was still necessary to formalize the arrangement.

Holt identifies these complications of royal interference, along with other difficulties of enforcement, as constituting a 'tenurial crisis' in the Anglo-Norman period, reaching its zenith in the civil war of the 1140s.¹⁰⁰ In Holt's view, Henry I's Coronation Charter 'clearly assumes the whole structure of inheritance as it is later revealed in the records of the twelfth century', and yet on many occasions estates were not transferred smoothly between generations.¹⁰¹ In the document, Henry had laid out the ground rules for fair and reasonable practice in the management of these issues, emphasizing the need for consultation and consensus. The right of the king to give widows and heiresses in marriage was spelt out clearly, but Henry pledged to do so fairly and with the approval of all concerned parties. The property rights of widows were confirmed, in cases where heirs were alive as well as those where the marriage had been childless.¹⁰²

But despite these fine sentiments, Henry exercised personal discretion when judging cases of disputed inheritance. For example, he ruled on the descent of the barony of Marshwood, giving preference to a son from the previous lord's second marriage and disregarding the claims of the elder

⁹⁸ *Regesta regum Anglo-Normannorum 1066-1154, Volume II: Regesta Henrici primi 1100-1135*, ed. Charles Johnson and H.A. Cronne, Oxford, 1956, item 1722, pp. 254 and 375.

⁹⁹ Southern, p. 145.

¹⁰⁰ Holt, 'Politics and Property', p. 44.

¹⁰¹ *ibid.*, p. 9.

¹⁰² Douglas and Greenaway, p. 401. On the Coronation Charter see above, pp. 62-3; and ch. 1, p. 35.

son. This was acceptable, in Henry's mind, since his new tenant was 'a better knight' than his elder sibling.¹⁰³ Forfeiture of the estates of those considered disloyal was another means of manipulating the fortunes of his subjects. Families whose lands had been removed from their own control by royal command in these ways formed a nucleus of resentment around which opposition to excessive monarchic interference in feudal affairs later coalesced, bringing Holt's 'tenurial crisis' to a head in the 1140s.¹⁰⁴

Following Holt, historians of the 1980s and 1990s have looked for firmer evidence of an underlying norm and expectation of heritability in England during the first quarter of the twelfth century, even while acknowledging the lack of fixed rules and the possibilities for manipulation. John Hudson claims an identifiable perception among contemporaries that heritability of estates was possible and practical before 1135, whether or not the practice was strictly enforceable in law.¹⁰⁵ Susan Reynolds agrees that 'it was generally accepted that nobles and free men in England after the Norman Conquest...normally had a right to inherit their parents' land and to pass it on to their own children'.¹⁰⁶ RàGena DeAragon concludes that as many as 80% of baronies show evidence of continuity of succession in Anglo-Norman England, and therefore of security of heritable possession.¹⁰⁷

What conclusions may we draw from the debate over the heritability of fiefs? The course of historiographical consensus appears to have travelled full circle from Maitland and Stenton to Hudson and Reynolds, all arguing for a date of secure transfer of land much earlier than those of Thorne

¹⁰³ Holt, 'Politics and Property', p. 17.

¹⁰⁴ On Robert Bellême and his son William Talvas, whose lands were confiscated by Henry I, see ch. 5, pp. 159-60; and ch. 6, p. 194.

¹⁰⁵ John Hudson, 'Life-Grants of Land and the Development of Inheritance in Anglo-Norman England', *Anglo-Norman Studies*, 12, 1990, pp. 67-80. Hudson examines several charters restricting tenure to a life-grant (ie: not heritable), arguing that their detail and specificity suggest they are exceptions to a broader pattern of heritable tenure. See also John Hudson, 'Anglo-Norman Land Law and the Origins of Property', in Garnett and Hudson, eds, pp. 198-222.

¹⁰⁶ Reynolds, p. 345.

¹⁰⁷ RàGena DeAragon, 'The Growth of Secure Inheritance in Anglo-Norman England', *Journal of Medieval History*, 8, 1992, p. 383. R.H.C. Davis put this number at 52% ('What Happened in Stephen's reign', p. 9), with the rest suffering escheat, forfeiture, or lack of a male heir. DeAragon's higher number includes baronies that passed through a female line. It is doubtful whether these represent examples of secure inheritance, given the opportunities (discussed above) for interference in situations of inheritance by women. Davis and DeAragon both base their analyses on the estates listed in Sanders, *English Baronies*.

(1200) or Davis (1153).¹⁰⁸ At the very least, the debate serves to illustrate the extent to which the contest to control the levers of power by acting as an arbiter over rights of inheritance was a fact of life among the twelfth-century nobility. If the monarch was, on occasions, a self-interested participant in this contest, then there was no consistent source of disinterested, fair-minded justice and arbitration over inheritance matters. Customs were one thing, but a fixed body of laws did not yet exist. Focus on the issue also highlights the degree to which concerns over the heritability of land were at the forefront of the minds of twelfth-century fathers and families. With that in mind, we may better understand the importance of inheritance and succession concerns in political rivalries at the upper end of feudal society.

Doubt over the extent to which lords could interfere was not confined to England. Though the heritability of estates had become more readily accepted in Capetian France by 1100, confusion still arose when there was no obvious heir.¹⁰⁹ Furthermore, there was no universally accepted method of reaching agreement in situations such as disputes between collateral lines. Adjudication, negotiation, and reliance on *ad hoc* local assemblies are all in evidence, especially in western regions.¹¹⁰ In Normandy, instances of relief, wardship, and the marriages of heiresses arranged by feudal lords all became more frequent in the late eleventh century, suggesting a social expectation of heritability of fiefs similar to that in England.¹¹¹

In Aquitaine, local nobles jealously guarded their ancient customs against the intrusions of their Angevin lords. Vulgrin III, count of Angoulême, died in 1181, leaving an only daughter as his heir. Richard, later king of England but at the time duke of Aquitaine, claimed wardship

¹⁰⁸ For further recent comments on this historiography see Graeme J. White, *Restoration and Reform 1153-1165: Recovery from Civil War in England*, Cambridge, 2000, p. 100.

¹⁰⁹ Ganshof, p. 134. Louis VI, for example, was able to intervene in a disputed inheritance in the Bourbonnais in 1109. See ch. 5, p. 170.

¹¹⁰ Stephen D. White, 'Inheritances and Legal Arguments in Western France, 1050-1150', *Traditio*, 43, 1987, pp. 55-103. For references to the scholarly consensus on an early date for the acceptance of father-to-son heritability in France, *ibid.*, p. 90 and n. 156.

¹¹¹ Tabuteau, p. 64.

of the girl and the fief.¹¹² This was, as W.L. Warren comments, ‘a tempting opportunity to lay his hands on the most troublesome of the baronies, and to determine its future by marrying the heiress to a man of his choice’.¹¹³ Awkwardly for Richard, local custom did not accord with this common procedure found elsewhere in the Angevin dominions. Angoulême tradition held that the dead man’s two brothers had a strong claim to inherit the title (especially when the heir was a child and a woman). They had already been associated with Vulgrin in ruling the county after their father’s death. An armed struggle ensued in which Richard enjoyed his normal success, driving the brothers to take refuge with their relatives in Limoges. But this was not enough to overcome the resentment of the Aquitainian barons in general at the imposition of the foreign practice of primogeniture in place of their established methods of deciding on succession issues. Richard was unable to impose his will on the county, and his control of the presumed heiress became meaningless. Her two uncles ruled the county in succession.

More famously, confusion over the nomination of an heir created political strife at Richard’s own death in 1199. The rivalry between Arthur and John reflects the absence of consistent, established practice in cases where no direct heir existed, both in England and on the continent. Arthur’s claim rested on the right of a nephew to succeed, being the son of Richard’s dead brother Geoffrey. John, being Richard’s youngest brother, probably had a weaker claim to the throne, but held the advantages of adulthood and proximity to the centre of power.¹¹⁴ Notably, Aquitaine generally supported John, perhaps a reflection of the stronger claim of brothers in that region (as seen above).¹¹⁵ John’s eventual success in claiming the throne (whether by fair means or foul) set a precedent that favoured the rights of brothers rather than nephews in inheritance disputes

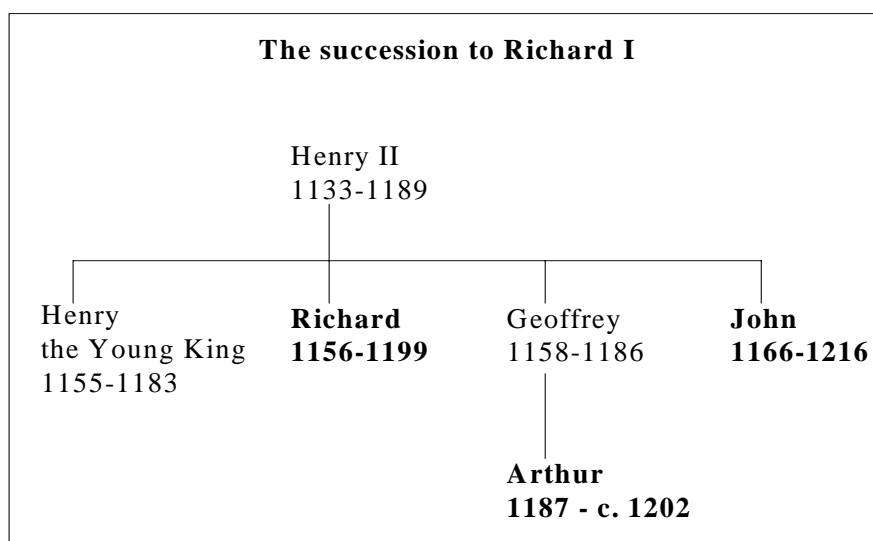
¹¹² W.L. Warren, *Henry II*, London, 1973, pp. 576-7.

¹¹³ *ibid.*, p. 577.

¹¹⁴ Roger of Wendover, *Flores historiarum*, RS 84, vol. 1, pp. 315-6, records the contemporary belief that John murdered Arthur to secure the throne for himself. See also ch. 8, p. 281.

¹¹⁵ W.L. Warren, *King John*, London, 1961, p. 51.

during the early thirteenth century, though legal commentators (including Bracton as late as the 1250s) expressed caution on the matter.¹¹⁶



As common law in England began to be more fully articulated, some legal advances favoured heirs.¹¹⁷ Vassals' new rights to determine the fate of their own lands were enshrined in Henry II's two key judicial assizes, the writs of *novel disseisin* (appearing in the 1160s) and of *mort d'ancestor* (1176). The former gave a right of appeal to all those who felt they had been wrongly deprived of their lands, and was especially useful for disgruntled heirs seeking restitution of a family estate. The latter put in place a formal judicial process wherein witnesses could be called to testify that an individual was the son and heir of the previous holder of a particular fief, and that his father had been in possession of the land in question on the day he died. If these facts could be ascertained, then the son's right to the estate was assured.¹¹⁸ The importance of these rulings lies in the fact that they imply the formal recognition in common law of the sanctity of hereditary right, male primogeniture, and patrilineality, and

¹¹⁶ Mortimer, p. 31; and Ralph V. Turner, 'Exercise of the King's Will in Inheritance of Baronies: The Example of King John and William Briwerre', *Albion*, 22, 1990, pp. 394-6.

¹¹⁷ On the development of common law see R.C. Van Caenegem, *The Birth of the English Common Law*, 2nd edn, Cambridge, 1988; and Milsom, *Legal Framework* (especially ch. 5 on inheritance).

the rejection (or, at least, the diminution) of regal whim as the basis for tenurial settlements.¹¹⁹

Feudal lords retained responsibilities in several circumstances. When a vassal died, leaving only children as his heirs, a lord had the right to control the futures of his new vassals by taking them into his care until they reached maturity. An article from the 1176 Assize of Northampton further clarified the rights of heirs, and the duties of lords to protect them from unscrupulous fortune-seekers or disgruntled claimants to the estate:

If any freeholder dies, his heirs shall remain in the same seisin [feudal possession] as their father held on the day he died, regarding both fee and chattels. They shall divide this among themselves in line with the wishes of the dead man...And if the heir shall happen to be under age, the lord of the fee is to receive his homage and to keep him in his care as long as he is entitled.¹²⁰

Yet despite legal advances, the power of heirs remained tenuous. The growing royal requirement for larger and more reliable streams of income as the twelfth century progressed still prompted monarchs to take advantage of inheritance customs when opportunities arose, even in the face of a more robust legal environment. The payment of relief money continued to enrich the royal coffers. King John, displaying his habitual lack of sensitivity to the subtleties of feudal relationships, extorted as much as he could from the process. While relief payments were often as small as £100, both for heirs and widows, the Pipe Rolls show that much larger amounts were commonly demanded, especially for those who were out of royal favour. John Lacy was forced to pay 7000 marks (about £4700) in 1211 to assume his inheritance. Amabile, the wife of Hugh Bardolf, was required to pay 2000 marks (about £1300) to recover her

¹¹⁸ Chibnall, *Anglo-Norman England*, pp. 178-9. See also Donald W. Sutherland, *The Assize of Novel Disseisin*, Oxford, 1973, ch. 1; and Van Caenegem, pp. 42-5.

¹¹⁹ Susan Reynolds offers an alternative view, suggesting that the assizes merely formalized earlier customs, and in fact reinforced regal power by limiting inheritance rights in some cases. See Reynolds, p. 374. R. Palmer, 'Origins of Property', pp. 16-19, similarly sees the assizes as a reaction to Henry II's 'immediate political-military problems', designed to reduce the power of the great feudal magnates by firming up the legal rights of their tenants. See also Turner, 'Exercise of the King's Will', p. 396.

¹²⁰ Howden, RS 51, vol. 2, p. 90.

dowry after her husband's death. By comparison, average annual baronial income was probably around £200.¹²¹ As a result, these payments often became debts owed to the king, further increasing John's leverage over his subjects and giving him the opportunity to increase his popularity by a judicious round of debt cancellations.

Interference by the monarch was most likely in the largest feudal tenancies, and especially when the standard pattern of father-to-son inheritance was interrupted. Ralph V. Turner has calculated that 38 English baronies were divided among co-heirs between 1189 and 1237. Of these, 18 (48%) show some evidence of royal initiative in the selection of an heir. In the same period, barons were succeeded by their brothers 30 times. On eight occasions (mostly under Richard I and John) large reliefs were imposed.¹²² Although some progress had been made, the contest between lords and families for the right to determine inheritance issues had not been fully resolved by the reigns of John and Philip Augustus. But whereas the French monarch was able to impose his will on his subjects more often than not, in England discontent over interference in traditional family concerns was one of the major reasons behind the baronial reaction of 1215.

Magna Carta: Inheritance Issues Resolved?

Many of the issues raised by questions of inheritance in England were dealt with by Magna Carta. John had pushed his luck in pursuing regal privileges to the point where his barons sought clarification and codification of rights and responsibilities. Several of these were directly related to marriage and inheritance, and their prominence in the early part of the document attests to their importance in the eyes of the barons assembled at Runymede. Relief payments were standardized at a level deemed to be that of traditional practice:

If any of Our earls, barons, or others holding of Us in chief by knight's service shall die, and at the time of his

¹²¹ Warren, *King John*, p. 183. See also Loengard, p. 235. For a particularly strong statement on the 'practically unlimited coercive license of the Angevin crown' see J.E.A. Joliffe, *Angevin Kingship*, London, 1955, pp. 50-53.

death his heir shall be of full age and owe a relief, he shall have his inheritance by ancient relief; [namely] the heir or heirs of an earl of an entire earl's barony, £100, the heir or heirs of a baron of an entire barony, £100; the heir or heirs of a knight of an entire knight's fee, 100s. at the most; and he that owes less shall give less according to the ancient custom of fees.

If, however, any such heir shall be under age and in ward, he shall, when he comes of age, have his inheritance without relief or fine.¹²³

Guardians of the lands of under-age heirs, including those appointed by the king, were exhorted not to plunder the estates under their control for personal gain during their wards' minority. All that could be taken from those estates was 'reasonable issues, customs, and services, without destruction or waste of men and property', while guardians also carried a responsibility to 'maintain the houses, parks, fishponds, pools, mills, and other things pertaining thereto'.¹²⁴ Implicit in these statements is a strong desire to protect the integrity of property rights and the value of family patrimonies, the central, crucial element on which the smooth functioning of the feudal system depended.

Magna Carta also took steps to protect the property rights of widows, confirming their legal status as owners of both dowry and dower in the event of a husband's death:

A widow, after the death of her husband, shall immediately and without difficulty have her marriage portion and inheritance. She shall not give anything for her marriage portion, dower, or inheritance which she and her husband held on the day of his death...¹²⁵

The care taken to lay down these precepts indicates how great the abuse of fair practice had become over recent decades. John's example of feudal

¹²² Turner, 'Exercise of the King's Will', pp. 387 and 392.

¹²³ *Magna Carta: Text and Commentary*, ed. and trans. A.E. Dick Howard, revised edn, Charlottesville and London, 1998, p. 37 (chs 2 and 3 of the charter).

¹²⁴ *ibid.*, pp. 37-8 (chs 4 and 5).

¹²⁵ *ibid.*, p. 38 (ch. 7).

extortion presumably set a precedent for greedy and unscrupulous members of the lower nobility, to the point where the very foundations of social cohesion (the right to hold one's property and one's inheritance without interference or excessive taxation) were in doubt.

The document also set out accepted practice for the marriage of widows and heirs. To avoid the social erosion of a forced marriage to an upstart of lower social rank, the document dictated that,

Heirs shall be married without loss of station [ie: not to someone of inferior status], and the marriage shall be made known to the heir's nearest of kin before it is contracted.¹²⁶

Furthermore,

No widow shall be compelled to marry so long as she has a mind to live without a husband, provided, however, that she give security that she will not marry without Our assent, if she holds of Us, or that of the lord of whom she holds, if she holds of another.¹²⁷

Once again the need to rule on these issues indicates how frequently fair principles had gone unheeded in previous years. Indeed, we might question how much progress had been made since Henry I's Coronation Charter, which dealt with similar issues in a surprisingly similar tone.¹²⁸ In one sense, Magna Carta looks back to the precedent of earlier royal pronouncements to establish the guidelines of accepted behaviour. In another, it shows how difficult the enforcement of such behaviour remained, given the need to reiterate the protection of widows and heiresses that Henry had pledged to undertake more than a century earlier.¹²⁹

¹²⁶ *ibid.*, (ch. 6).

¹²⁷ *ibid.*, (ch. 8).

¹²⁸ On the Coronation Charter see above, pp. 62-3; and ch. 1, p. 35.

¹²⁹ The secondary literature on Magna Carta is extensive, though much deals with the legacy of the document rather than its context in the events of the early thirteenth century. Useful commentaries from the latter perspective include Sidney Painter, 'Magna Carta', *American Historical Review*, 53, 1947 pp. 42-9 (reprinted in his *Feudalism and Liberty*, pp. 244-53); Warren, *King John*, pp. 232-40; J.C. Holt, *Magna Carta*, Cambridge, 1965 (especially ch. 8); J.A.P. Jones, *King John and Magna Carta*,

Many times in the intervening 115 years, the requirements of diplomacy and the machinations of politics, along with the simple greed of ambitious men, turned the spotlight on the fortunes of heirs, heiresses, and widows. The attention paid to them was far more than concern for the continuing prosperity of a family line. It reflected instead the way in which control of rights over property and inheritance meant control of the levers of power in twelfth-century Europe.

3. The Cultural Context of Marriage and Inheritance

Having outlined the practical workings of marriage and inheritance in the previous chapters, and before moving on to link them into a political framework in the next, I wish to pause to consider the wider cultural context in which these social phenomena functioned. In this chapter I examine a number of prominent twelfth-century works of imaginative literature. The aim is to identify social and cultural attitudes that may help us to understand the motivations of those involved in and affected by political manoeuvrings using the tools of marriage and inheritance (in other words, those whose actions will be explored in depth in the second half of this thesis). This grouping includes both the decision makers, the conspicuous holders of power, and others who at first glance appear more passive: the brides, sons, and daughters whose fates were decided by husbands, fathers, and lords. What can we know about the attitudes and expectations of this latter group, in particular? Whereas the chronicles and documentary sources are largely silent on the views and feelings of the men and women impacted by the decisions of their social superiors (the twelve-year-old girl sent as a bride to a distant corner of Europe, for example), literary works can suggest something of their own views of their experience. In the pages that follow I attempt to identify prevailing cultural ideas concerning marriage, concerning inheritance, dynasty, and lineage, and concerning the social status of women in aristocratic society.

Such an enterprise immediately raises the thorny question of exactly what we mean by ‘culture’. Here I use the term in its broad sense, to indicate the web of common values, understandings, and symbolic meanings, often implicit and ill defined, by which the members of a social group communicate amongst themselves, and by which they make sense of the actions of their contemporaries. In this regard I am following the trail of cultural historians of the last three decades, who continue to pay homage to the anthropologist Clifford Geertz and his efforts to untangle the ‘piled-up structures of inference and implication’ from which we create

‘our own constructions of other people’s constructions of what they and their compatriots are up to’.¹

To what extent can literature help us to understand these constructions? A literary text is, of course, the product of an individual mind but at the same time it is informed by its author’s own experience of the cultural milieu in which he or she lives and works. Imaginative literature therefore has the capacity to reflect the social conditions and cultural understandings of the environment in which it is produced. But it should not be seen as a purely passive receptor of values and attitudes. The text, in its turn, may influence the ideas, emotions, and practices of the audience to whom it is addressed. Text and context are thus inextricably linked.² This is a central concept in cultural history. Lynn Hunt, for example, in studying the growth of the idea of nationalism during the French Revolution, contends that ‘words did not just reflect social and political reality; they were instruments for transforming reality’.³ Once we have grasped the importance of what Carroll Smith-Rosenberg identifies as ‘the dialectic between language as social mirror and language as social agent’⁴, we can attempt to approach twelfth-century cultural values through important literary (and non-literary) texts of the period. Indeed, Howard Bloch has seen the High Middle Ages as an especially relevant period for an examination of literature as a reflection of ‘public consciousness’, given the relative anonymity of so many authors. For Bloch, ‘literature... constituted a kind of common property belonging to no individual poetic voice but to the voice of the community as a whole, and occupying a liminal space between that which it reflects and affects’.⁵ This is even

¹ Clifford Geertz, *The Interpretation of Cultures; Selected Essays*, New York, 1973, pp. 7 and 9. This idea from Geertz’s famous essay on ‘thick description’ also hints at the unavoidably subjective nature of cultural enquiry; the way in which it is difficult or impossible to remove the influence of one’s own cultural assumptions when examining the past.

² These comments are in part influenced by Dominick LaCapra, *Rethinking Intellectual History: Texts, Contexts, Language*, Ithaca and London, 1983, especially pp. 114-17. However, it must be acknowledged that my use of the terms ‘text’ and ‘context’ for present purposes puts forward a vastly simplified (and perhaps simplistic) rendering of LaCapra’s argument.

³ Lynn Hunt, ed., *The New Cultural History*, Berkeley, 1989, p. 17.

⁴ Cited in *ibid.*, p. 18.

⁵ R. Howard Bloch, *Etymologies and Genealogies: A Literary Anthropology of the French Middle Ages*, Chicago, 1983, pp. 15-16.

more the case when we consider the aural nature of so much literary reception in the Middle Ages, with texts far more likely to have been heard by an audience in a communal setting than contemplated alone by the individual reader.⁶

Techniques from the field of the history of mentalities can also assist here. One of its foremost practitioners, Michel Vovelle, sees this branch of historiography as concerned with ‘attitudes, forms of behaviour, and unconscious collective representations’, through which it is possible to attempt an understanding of the ‘collective imagination’.⁷ For Jacques Le Goff, such an approach has the benefit of widening the range of informative source material, and of bringing literature and art into the realm of historical evidence, since the historian of mentalities is ‘concerned not so much with “objective” phenomena as with the representation of these phenomena’.⁸ Vovelle, too, favours the use of imaginative literature as evidence, despite the potential problem it creates in setting up an ‘ambiguous dialogue between the collective and the unique’ (that is, in raising questions over the degree to which a single author’s point of view can be said to represent wider social attitudes).⁹ Vovelle sees the mentalities technique as one that can help historians to engage with the ‘collective attitudes of the mass of the people’ rather than exclusively with the privileged elites whose voices have come down to us in more traditional source material.¹⁰ Although it is the cultural assumptions of those same elites (rather than those of the still largely silent masses) with which I am concerned, it may be possible to hear, however faintly, the voices of the less historically articulate members of powerful and privileged families by reading the romances and poetry with which they themselves became familiar in the fire-lit halls of courts and castles.

⁶ For comments on the nature of medieval audiences (in the context of a discussion on orality and literacy) see M.T. Clanchy, *From Memory to Written Record: England, 1066-1307*, London, 1979, pp. 214-20.

⁷ Michel Vovelle, *Ideologies and Mentalities*, trans. Eamon O’Flaherty, Cambridge, 1990, pp. 5 and 9.

⁸ Jacques Le Goff, ‘Mentalities: A History of Ambiguities’, in Jacques Le Goff and Pierre Nora, eds, *Constructing the Past: Essays in Historical Methodology*, Cambridge, 1985, pp. 166-80 (quote at p. 174).

⁹ Vovelle, p. 24.

¹⁰ *ibid.*, p. 27.

The texts I have chosen to examine provide a cross-section of literary styles, and represent a range of geographical and cultural locations at different moments in the twelfth and early thirteenth centuries. Appearing in England in the mid 1130s, Geoffrey of Monmouth's *Historia regum Britanniae* popularized the figure of Arthur and provided a largely mythical history for Britain from its supposed Trojan origins down to about the year 700. Geoffrey's work has been considered 'one of the most influential books of history that has ever been written' and its popularity is attested by the fact that over 200 manuscript copies survive.¹¹ In the 1150s the Norman cleric Wace, among the first of many imitators who took up the Arthurian story, adapted Geoffrey's Latin text into Norman French as the *Roman de Brut*. The popularity of Arthur and his court were cemented from about 1170 onwards with the appearance in French of the lengthy verse romances of Chrétien de Troyes, writing mostly for the court of Champagne. There, too, the chaplain Andreas (Andreas Capellanus) composed his famous mock-Ovidian treatise *De Amore* (*On Love*) in which ideas on love and marriage are discussed in a possibly satirical tone. Around the same time the mysterious 'Marie de France' (whose identity is still unclear despite the attention of generations of scholars) penned a number of brief *lais* that deal with themes similar to those found in Chrétien's romances. Meanwhile, the region that now comprises southern France (generally identified by more recent scholars of the period as 'Occitania' to indicate its cultural and linguistic separation from the north) gave rise to the phenomenon of troubadour lyric verse, emerging around 1100 and flourishing throughout the century before being largely obliterated in the cultural and political cataclysm of the Albigensian Crusade after 1209. Especially relevant here are the female troubadours, or *trobairitz* (including several women of noble rank), whose songs give us rare access to medieval female voices discussing subjects of personal and emotional import: love and desire, marriage and adultery, openness and secrecy in matters of the heart.

¹¹ Rees Davies, *The Matter of Britain and the Matter of England*, Oxford, 1996, p. 3.

In the search for evidence of ideas and outlooks, ‘literature’ need not be restricted to works of imaginative creation. In addition to the items mentioned above, several other ‘texts’ of a less overtly literary nature can provide hints of cultural attitudes. An examination of two administrative documents from the 1180s (the *Rotuli de dominabus* and one of the series of financial records known as the Pipe Rolls) reinforces some of the themes evident in contemporary literature. Furthermore, twelfth-century chronicle histories, while not the central focus of attention here, can also occasionally provide interesting details of cultural viewpoints.¹²

How sure can we be that artistic works both reflect and inform the thoughts and behaviour of members of contemporary society, from the old and powerful to the young and vulnerable? An identification of the patrons to whom many of the works listed above were addressed gives one indication. Geoffrey of Monmouth dedicated his *Historia* to Robert of Gloucester and Waleran of Meulan, each a central figure in the political crisis that followed the death of Henry I in 1135.¹³ Chrétien wrote firstly for Marie of Champagne (daughter of Louis VII and Eleanor of Aquitaine) and subsequently for Philip, Count of Flanders.¹⁴ Both Wace and Marie de France wrote for the Plantagenets, while troubadour lyrics make frequent reference to prominent figures among the noble houses of Occitania.¹⁵ This appears to confirm that audiences for the century’s great works of literature included many of the most prominent political figures and members of their families and entourages. As a consequence, we can see how literary creation and actual experience became intertwined through a mutual exchange of perspectives. Did Henry II see himself in the figure of

¹² I have deliberately relied less on the chroniclers in this chapter, in part because they form the core of my primary evidence in much of the rest of the project, and in part because they tend to represent the ‘normative’ (in the sense of traditionally privileged) male, clerical viewpoint, which I seek to move beyond in the current discussion.

¹³ Geoffrey of Monmouth, *The History of the Kings of Britain*, trans. Lewis Thorpe, London, 1969, p. 34 (book 1, section 1). In referring to literary texts I give page numbers from the translation used, followed by line or section numbers from the original text where appropriate. On Robert see ch. 5, p. 161; and ch. 6, pp. 197 and 207. On Waleran see ch. 5, pp. 162-4 and 176; ch. 6, pp. 208-9; and ch. 7, p. 242.

¹⁴ *The Complete Romances of Chrétien de Troyes*, trans. David Staines, Bloomington and Indianapolis, 1993, pp. ix-xi.

¹⁵ Wace, *The Life of King Arthur*, ed. and trans. Judith Weiss and Rosamund Allen, London, 1997, pp. xviii-xix; and *The Lais of Marie de France*, trans. Glyn S. Burgess and Keith Busby, Harmondsworth, 1986, p. 12.

Wace's Arthur, as one critic has suggested?¹⁶ That may be an unanswerable question, but there are undoubtedly grounds for believing that courtly literary activity was part of an ongoing 'propaganda war' between Plantagenet and Capet, each seeking to assert cultural superiority alongside political supremacy.¹⁷

What follows can hope to be only a brief examination of certain relevant aspects of twelfth-century aristocratic cultural practices, both reflected by and influenced by contemporary literature. It does not claim to be comprehensive, nor does it seek to assert an unrealistically direct and uncomplicated relationship between life and art. Naturally, literature does not always portray society accurately, nor does it always give a clear indication of social ideals and realities. Fiction can provide a venue for exploring ideas of illicit or dangerous behaviour (such as adultery) in a relatively safe setting. Bearing this in mind, I wish simply to suggest a few ways in which members of twelfth-century elite society may have thought about the social customs surrounding marriage and inheritance, and about the status of the women in their midst. Within the context of the wider argument, the aim here is to illuminate some of the cultural assumptions that underpinned marriage and inheritance practices, before placing these practices in the specific context of balance-of-power politics to be discussed in the following chapter.

Images of Marriage

It is easy to assume that twelfth-century aristocratic marriages were always matters of politics and property, and that there was therefore no room for affection or sentimental choice.¹⁸ Literary output suggests otherwise.

¹⁶ Beate Schmolke-Hasselmann, 'The Round Table: Ideal, Fiction, Reality', *Arthurian Literature* 2, 1982, pp. 41-75 (at pp. 61-8).

¹⁷ Karl D. Uitti, 'Vernacularization and Old French Romance Mythopoesis with Emphasis on Chrétien's *Erec and Enide*', in Rupert T. Pickens, ed., *The Sower and His Seed: Essays on Chrétien de Troyes*, Lexington, KY, 1983, pp. 87-8.

¹⁸ Historians of previous generations often made this assumption. H.G. Richardson saw medieval marriage as 'severely practical', and 'a matter of calculation rather than inclination' ('The Marriage and Coronation of Isabelle of Angoulême', *English Historical Review* 61, 1946, p. 289). C.N.L. Brooke similarly claimed that 'the practice of marriage was normally wholly unromantic, so far as our evidence goes' (quoted in John Gillingham, 'Love, Marriage and Politics in the Twelfth Century', *Forum for Modern Language Studies* 25, 1989, p. 292).

There is a strong emphasis on the spiritual and physical pleasures of affective marriage, and an ongoing debate over the issue of adultery caused by the lack of affection between marital partners. Political marriages, too, appear frequently enough in literary works. The image that emerges is one of competing, overlapping models of marital relationships: one based on consent and love, the other on politics and family choice. One may be the ideal, the other a concession to practical realities, but neither held an exclusive grip on the imagination of twelfth-century authors and their audiences.

As several critics have noted, the Church's increasing insistence on consent created an environment in which (despite the patristic tradition of misogyny) women were encouraged to make their own choice of marital partner.¹⁹ Dominant doctrine thus created the opportunity for marriages to be based on love and affection. Even Bernard of Clairvaux, when encouraging the virgin Sophia to remain chaste, used a metaphor of marriage to make his point. In a message that must surely have confused the poor girl, Bernard promised 'that as a happy bride you will be admitted face to face to contemplate the glory of the Bridegroom [Christ]', whereupon his 'left hand will pillow your head, and his right hand embrace you'.²⁰ If even prominent Church figures were speaking in such tones, it is not surprising that the place of love in marriage was a topic of frequent discussion. Perhaps the supreme image of a love match in twelfth-century literature is the marriage of Alexander and Soredamor in Chrétien de Troyes' *Cliges*.²¹ Crucially, the union has the unquestioned approval of Soredamor's royal parents (it is her mother who finally brings the couple together) thus presenting an image of marriage in which personal and family motivations are reconciled. Despite her royal status, politics do not interfere in Soredamor's choice of husband. In fact the union becomes the starting point of a successful dynasty (giving birth to the romance's hero,

¹⁹ See, for example, Simon Gaunt, 'Marginal Men, Marcabru and Orthodoxy: The Early Troubadours and Adultery', *Medium Aevum* 59, 1990, pp. 55-72 (at p. 68). On consent see ch. 1, pp. 13-20.

²⁰ *The Letters of St. Bernard of Clairvaux*, trans. B.S. James, London, 1953, p. 175 (letter 116).

²¹ Chrétien de Troyes, pp. 114-16 (*Cliges*, ll. 2222-2357). Line numbers in Chrétien's romances may vary slightly depending on the edition consulted.

Cliges) thereby demonstrating that political prosperity need not be sacrificed in a marriage which acts as 'a paradigm of ideal harmony, love, prowess and wisdom'.²²

Jean Charles Payen has commented on the emergence of the theme of *dilectio* (mutual affection with physical rather than purely spiritual overtones) in literature after 1100, in texts as well known as the letters of Heloise and Abelard.²³ Neil Cartlidge argues that this theme not only is evident in literature, but also reflects the possibility that romantic love could exist in actual marriages. Cartlidge thus rejects the views of critics from C.S. Lewis to Georges Duby who see affective marriage in literature as a form of escapism from worldly realities.²⁴ Less convincing is John Gillingham's contention that political and property considerations could engender a degree of affection in marriage, based on the value of assets to be foregone if a husband were to repudiate an inheriting wife.²⁵ Nonetheless, if we accept that twelfth-century audiences would often have listened to fictional tales in which desire and policy are not incompatible, we can look once again to Chrétien de Troyes to provide an extended account of mutual love within noble marriage.

In *Erec and Enide* Chrétien depicts the initial meeting and marriage of the eponymous couple from the male point of view: Erec sees Enide, is captivated by her beauty, and wins the right to her hand in a contest of

²² L.T. Topsfield, *Chrétien de Troyes: A Study of the Arthurian Romances*, Cambridge, 1981, p. 64.

²³ Jean Charles Payen, 'La "Mise en Roman" du mariage dans la littérature française des xii^e et xiii^e siècles: de l'évolution idéologique à la typologie des genres', in Willy Van Hoecke and Andries Welkenhuysen, eds, *Love and Marriage in the Twelfth Century*, Leuven, 1981, pp. 219-35 (at pp. 220-3).

²⁴ Neil Cartlidge, *Medieval Marriage: Literary Approaches, 1100-1300*, Cambridge, 1997, pp. 1-11. Cartlidge views Duby's lay and ecclesiastical models (on which see ch. 1, pp. 40-1) as too firmly based on economic and utilitarian values, and as not allowing for emotional considerations.

²⁵ Gillingham, 'Love, Marriage and Politics' p. 297. Gillingham asserts that 'marriages to heiresses involved a much higher degree of commitment, especially on the man's part...Given the costs of failure it was vital that husband and wife should get on together'. Yet this motivation for mutual respect (if not romantic love) ignores political realities. After the rebellion of 1173, Henry II contemplated repudiating his wife Eleanor of Aquitaine, a central figure in the revolt. But formal separation would have involved giving up Aquitaine and Poitou, so instead Henry simply locked Eleanor up for 15 years and retained *de facto* control of her territories. This hardly argues for mutual affection. See Gervase of Canterbury, *Opera historica*, RS 73, vol. 1, pp. 256-7.

knightly prowess.²⁶ Enide's perspective at this point is suppressed. Yet much of the later part of the tale involves tasks and challenges through which the couple's relationship matures from one of initial infatuation and superficiality into one of mutual respect and psychological depth. As numerous critics have observed, love *within* marriage is Chrétien's ideal, especially a love in which each partner has the opportunity for self-expression and self-fulfilment.²⁷ This can develop only over time, and by the end of the romance the open, personally liberating union of Erec and Enide serves as a model against which to measure the secretive, restricting relationship of the contrasting couple in the 'Joy of Court' episode, where Mabonagrain is held in servile subjection to his mistress's whims.²⁸ But marriage cannot be a merely personal affair: with it come the tasks of governance and public responsibility that are the central function of the noble class. Z.P. Zaddy sees the overall theme of the romance as the couple's 'joint apprenticeship to marriage and to the duties they assume on the death of [Erec's father] King Lac'.²⁹ Married love becomes the prerequisite for a successful transfer of rulership to the next generation by means of inheritance: in Chrétien's ideal, personal happiness and public order are linked. As Leslie Topsfield comments, 'joy for Erec and Enide lies in their knowledge of harmony within themselves, within their marriage and with society'.³⁰

An oft-repeated theme in the literature of the period is the association of beauty with nobility. In this we can recognize an implicit appeal to sensuality and desire in the description of marriageable men and (especially) women, but also a cultural hierarchy in which external appearance reflects the inner virtue accorded to and displayed by those of noble stock. For Geoffrey of Monmouth, Guinevere is 'descended from a

²⁶ Chrétien de Troyes, pp. 6-15 (*Erec and Enide*, ll. 393-1088).

²⁷ Peter S. Noble, *Love and Marriage in Chrétien de Troyes*, Cardiff, 1982, p. 31; Topsfield, p. 38; and Helen C.R. Laurie, *Two Studies in Chrétien de Troyes*, Geneva, 1972, p. 38. For an extended discussion of the development of the relationship between Erec and Enide see Z.P. Zaddy, *Chrétien Studies: Problems of Form and Meaning in Erec, Yvain, Cligés and the Charrete*, Glasgow, 1973, pp. 1-59. See also Cartlidge, pp. 44-58.

²⁸ Chrétien de Troyes, pp. 67-79 (*Erec and Enide*, ll. 5365-6406). See also Noble, pp. 24-6; Topsfield, pp. 54-5; and Zaddy, pp. 48-54.

²⁹ Zaddy, p. 54.

noble Roman family' and is also 'the most beautiful woman in the entire island'.³¹ The two features are mutually dependent, giving Guinevere the perfect credentials to be Arthur's queen. Enide is similarly described on several occasions by Chrétien, who has the Count of Limors observe, 'we may easily recognize from her wisdom and beauty that she comes from a most noble family'.³² The troubairitz Beatritz, Countess of Dia, portraying herself as spurned in love, cannot understand why her lover (himself both 'handsome' and 'noble') rejects her, since she possesses all necessary qualities,

My worth and noble birth should have some weight
my beauty and especially my noble thoughts...
I want to know, my handsome noble friend,
why I deserve so savage and so cruel a fate.³³

To be noble is therefore to possess beauty and vice versa, at least in the value systems of the era if not in reality. Thus a noble heiress should be desirable not simply because of the economic and prestige value she represents, but because her noble status lends her a beauty that one of lower rank could not possibly possess. It is not hard to see how this idea might lead to disappointment in real-world situations: imbued with the image of the delightful nobles of romance tradition, an aggressive suitor might find that the heiress who fulfilled his economic or political ambitions fell short when it came to satisfying more personal desires.³⁴

Perhaps as a result of this gap between ideal and reality, other authors denied the possibility of love within marriage. Andreas Capellanus, whose

³⁰ Topsfield, p. 54.

³¹ Geoffrey of Monmouth, p. 198 (book 9, section 9).

³² Chrétien de Troyes, p. 59 (*Erec and Enide*, ll. 4754-6). See also *ibid.*, p. 31 (ll. 2413-33). In the same way, in *Cliges* the Emperor of Constantinople seeks a bride who 'should be beautiful and charming, wise, elegant, and noble'; *ibid.*, p. 119 (*Cliges*, ll. 2630-2).

³³ Meg Bogin, *The Women Troubadours*, New York and London, 1980, p. 87. For an analysis of this lyric, *A chantar m'er de so qu'ieu non volria*, see Fredric L. Cheyette, *Ermengard of Narbonne and the World of the Troubadours*, Ithaca and London, 2001, pp. 242-5.

³⁴ One wonders if Philip Augustus suffered from this kind of disillusionment when he repudiated Ingeborg of Denmark immediately after their wedding. See ch. 8, pp. 292-5. However, E. Jane Burns has recently stressed the importance of clothing and luxury items in constructing paradigms of love and desire in courtly culture. Such markers may have mitigated the impact of physical appearance. See E. Jane Burns, *Courtly Love Undressed: Reading through Clothes in Medieval French Culture*, Philadelphia, 2002.

On Love may in part be a satirical response to the viewpoint put forward by Chrétien, presents a philosophical debate on the question presided over by Marie, Countess of Champagne.³⁵ In a fictional dialogue between a noble man and woman, the male speaker argues that love (*amor*) and marital affection (*dilectio* or *maritalis affectio*) are separate emotional categories. Love depends upon secrecy or upon denial of access to the object of desire, and therefore is incompatible with the married state. Furthermore, since *amor* is an ‘uncontrolled desire’ it can only lead to sin in marriage, where sexual relations must be confined to ‘discharge of obligations’ (in other words, to procreation rather than pleasure).³⁶ The woman counters these arguments, but in a supposed letter of judgement on the issue Andreas has the Countess of Champagne concur with the man’s view: ‘love cannot extend its sway over a married couple’.³⁷ Even if the treatise acts as a satire on contemporary legal, doctrinal, and medical opinions on the nature of love (if, therefore, the denial of sensual love in marriage is not intended as a serious statement) Andreas provides an alternative point of view that could be heard and considered by his noble audience.³⁸

If those who read Andreas were persuaded that love could not exist within marriage, then how far did this justify adultery, whatever the restrictions of Church doctrine on the subject? That the social realities of arranged political marriages created a motivation for adultery by either partner should not be surprising. Literary works once again display a range

³⁵ Andreas Capellanus, *On Love*, ed. and trans. P.G. Walsh, London, 1982, pp. 147-57 (book 1, dialogue G). For a summary of critical interpretations of Andreas see Cartlidge, pp. 24-5.

³⁶ Andreas Capellanus, pp. 147 and 151. Andreas twists this doctrinal point by implying that, since excessive love *within* marriage is sinful, it is morally acceptable *outside* marriage. For the Church, of course, non-procreative sexual activity was sinful whether or not the couple were married.

³⁷ *ibid.*, p. 157. On the semantic differences between the various Latin terms for ‘love’ found in twelfth-century texts (*amor*, *dilectio*, *caritas*, *amicitia*) see Georges Duby, *Love and Marriage in the Middle Ages*, trans. Jane Dunnett, Chicago, 1994, ch. 2; and Constant J. Mews, *The Lost Love Letters of Heloise and Abelard: Perceptions of Dialogue in Twelfth-Century France*, London, 1999, ch. 5.

³⁸ Cartlidge, pp. 25-6. Cartlidge himself sees the treatise as a ‘witty burlesque’ of contemporary views, in which the author’s ‘own ethical position [is] almost irrecoverable’. For further analysis of Andreas’s position, see Paolo Cherchi, *Andreas and the Ambiguity of Courtly Love*, Toronto, 1994, pp. 28-41.

of views on the subject, from enthusiastic approval to outraged moral condemnation.

A common figure in literary representations of marriage is the jealous older husband, whose young wife is bound to him by ties of economic or political pragmatism, rather than affection. The couple are normally depicted as a dysfunctional pair, with the bride described as *malmariée*, inappropriately wed. Such episodes reveal an attitude of natural human curiosity or even disapproval towards marriages between partners of vastly different ages: they may have been common enough, but this does not mean that contemporaries viewed unions that were politically prudent yet socially awkward as by any means 'normal'. There is a sense of oddness attending the literary representation of the *malmariée* bride and her decrepit husband, as if such unnatural cohabitations were bound to end in personal and political disaster, with adultery by the younger, sexually unfulfilled wife the most likely outcome.

In Marie de France's *lai* entitled *Guigemar*, the hero encounters just such a couple:

She was noble, courtly, beautiful and wise, and he was exceedingly jealous, as befitted his nature, for all old men are jealous and hate to be cuckolded. Such is the perversity of age.³⁹

The jealous husband has his wife closely guarded by a eunuch in an enclosed garden. In it is a chamber whose walls are decorated with scenes of Venus that contemplate the idea of love, the ideal they set forth in direct contrast to the lack of true emotion within the marriage itself. To break out of such a stultifying environment, the woman elopes with Guigemar. As her maidservant tells the hero, 'if you remain faithful to each other, the love between you will be right and proper. You are handsome and she is beautiful'.⁴⁰ Marie also plays on the theme of the *malmariée* and her jealous husband in *Yonec*. Here the lord of Caerwent's treatment of his wife is even crueller, and he is explicitly described as having taken a bride

³⁹ Marie de France, p. 46 (*Guigemar*, ll. 209-17).

⁴⁰ *ibid.*, p. 49 (ll. 451-3).

solely in order to have children who might inherit his large estate.⁴¹ The lady's lover is described not only as honourable but also as a model of Christian piety (despite having the magical skill of transforming himself into a hawk) thus lending an element of religious sanctification to their adulterous relationship. In both *Guigemar* and *Yonec* that relationship is spoken of approvingly, either by a sympathetic minor character or by the narratorial voice itself.

Nonetheless, Marie does not ignore the problems created by infidelity. The husband's cruelty in *Yonec* stems from a desire to protect his bloodline from possible contamination if his wife were to fall pregnant to an outsider (as indeed happens), while in *Laüstic* the death of the nightingale symbolizes the triumph of authority and jealousy over the lovers' attempts to consummate their passion and also suggests the physical violence that the adulterous knight risks if caught.⁴² There are similarities in these episodes to the treatment of infidelity in Chrétien de Troyes. Along with the famous, doomed affair of Lancelot and Guinevere in *Le Chevalier de la Charrette* (*The Knight of the Cart*) Chrétien deals with the theme at length in *Cliges*. In the latter case he implicitly condemns the purely political, arranged marriage of an older male (Alis) and a younger female (Fenice).⁴³ Yet the lack of an emotional bond with her husband does not allow Fenice to pursue her passion for Alis's nephew Cliges with impunity. She must maintain her chastity (all the while, through an intricate plot device involving magic potions, tricking Alis into believing that their marriage is consummated) until the opportunity for marriage and sexual fulfilment with Cliges arrives.⁴⁴ For Chrétien, then, love and fidelity within marriage remain the ideal, to the point where even

⁴¹ *ibid.*, p. 86 (*Yonec*, ll. 11-20). On the use of the *mal mariée* motif in this *lai* see Susan Johnson, 'Christian Allusion and Divine Justice in *Yonec*', in Chantal A. Maréchal, ed., *In Search of Marie de France, A Twelfth-Century Poet*, Lewiston, NY, 1992, pp. 161-74 (at pp. 163-5).

⁴² Marie de France, pp. 86 and 94-6 (*Yonec*, ll. 21-36 and *Laüstic*, ll. 91-160). For an analysis of the pattern of love triangles evident in the *lais* see Douglas Kelly, "'Diversement comencier" in the *lais* of Marie de France', in Maréchal, ed., pp. 107-22 (at pp. 109-12).

⁴³ Topsfield, pp. 78-9.

⁴⁴ Chrétien de Troyes, pp. 123-8 (*Cliges*, ll. 2960-3356).

in unsatisfactory marriages the act of adultery must be avoided if the individual's spiritual well-being is not to be compromised.

Elsewhere, the practical consequences of adultery are seen to bear upon the welfare of the state, most obviously in the case of Guinevere and Mordred. Although Geoffrey of Monmouth downplays the significance of the adultery between Arthur's wife and nephew (emphasizing instead the wickedness of Mordred's treason), in the later version of the story Wace gives a central role to Guinevere's shame and guilt.⁴⁵ Thus personal and political treachery combine to bring about the destruction of the Arthurian state and the downfall of its monarch. In a similar way, repudiation of wives (a common enough twelfth-century practice) is problematized in literary treatments, and personal decisions are seen to bear political consequences. When the Saxon monarch Ethelfrid abandons his wife and banishes her in the latter stages of Geoffrey of Monmouth's narrative, the repudiation leads directly to the extended conflict between the couple's son Edwin and the British king Cadwallo in the following generation.⁴⁶ Once again the link between the personal and the political is made clear, a message likely to resonate among the upper ranks of a feudal society where personal relationships carried unquestioned political significance.

The tenuous existence of the marital bond, threatened by the temptations of adultery and repudiation, also forms an important theme in the work of the troubadours and trobairitz. This is not the place to enter the debate on the nature of supposedly adulterous 'courtly love' in troubadour poetry that has raged since Gaston Paris and C.S. Lewis popularized the term. Broadly speaking, the view that the genre records examples of actual adulterous relationships between noble women and suitors of lower rank is now largely discredited, with the critical emphasis being placed more on the image of the 'lady' as a mirror of the male poet's own psyche.⁴⁷ Even

⁴⁵ Geoffrey of Monmouth, p. 233 (book 10, section 13); and Wace, p. 101 (ll. 13201-22).

⁴⁶ Geoffrey of Monmouth, pp. 243-51 (book 12, sections 1-4).

⁴⁷ On the critical tradition surrounding 'courtly love' see Roger Boase, *The Origin and Meaning of Courtly Love*, Manchester, 1977 (especially ch. 1). An important recent work arguing for the impact of 'courtly' culture on modern sensibilities is Sarah Kay, *Courtly Contradictions: The Emergence of the Literary Object in the Twelfth Century*, Stanford, 2001. For views on the motif of adultery in troubadour lyric see Gaunt, 'Marginal Men', pp. 55-6; and Linda Paterson, 'Fin'amor and the Development of the

so, many of the poems present a dramatized version of love and desire that seems to take place outside the marriage partnership, thus suggesting at the very least fornication (or the desire to indulge in it) if not outright adultery. In many cases the love triangle is again completed by the figure of the jealous husband, often referred to simply as *lo gilos*, the jealous one.⁴⁸ Poetic creation and personal reality seem to have blurred in the minds of the contemporary audience: in the thirteenth century *vida* (brief biography) of the troubadour Bernart de Ventadorn (active around 1150) the poet takes on the characteristics of the adulterous lover. He conducts an affair with the wife of his lord, the Viscount of Ventadorn, until the Viscount 'banishe[s] Bernart and then ha[s] his wife locked up under guard'.⁴⁹ Subsequently Bernart resides at the court of the 'Duchess of Normandy' (Eleanor of Aquitaine) falling in love with her in turn. There is no way of verifying these tales (in all likelihood pure fantasy extracted from the material within Bernart's own poems) but they reveal a cultural attitude in which adultery is celebrated and the lovers lionized, their actions seen as a natural expression of human passion. Thus ideas of escape from social restrictions and the breaking of taboos are explored and experienced in the safe setting of the imagination. By contrast, the marital bond is seen as a prison, the jealous husband its jailor. On occasions the husband's agents or *lauzengiers* (eavesdropping spies) appear in verse to render even more acute the sense of personal imprisonment within marriage. The Countess of Dia, for example, berates the 'nasty-worded *lauzengiers*' who 'are out to do me harm' by reporting her every action to the 'gossiping *gelos*'.⁵⁰

Several anonymous troubadour ballads, possibly of female authorship, present the theme of infidelity especially powerfully while focusing on the woman's perspective. The song *Quant lo gilos er fora* is overtly expressed in a female voice,

When the jealous husband is away,

Courtly *canso*', in Simon Gaunt and Sarah Kay, eds, *The Troubadours: An Introduction*, Cambridge, 1999, pp. 28-46 (at pp. 35-7).

⁴⁸ See, for example, the poems of Giraut de Borneil in Alan R. Press, ed., *Anthology of Troubadour Lyric Poetry*, Edinburgh, 1971, pp. 143 and 151.

⁴⁹ *The Songs of Bernart de Ventadorn*, ed. and trans. Stephen G. Nichols, Jr, et al., Chapel Hill, N.C., 1962, p. 30-1.

⁵⁰ Bogin, p. 91. The song is entitled *Fin ioi me don' alegranssa*.

handsome friend, come to me...
 with joy I would kiss you...
 If the jealous man threatens me...
 with stick or club...or if he beats me...
 I assure you, my heart will not change.⁵¹

Similarly the lively *A l'entrada del tens clar* celebrates carefree passion in contrast to the emotionally barren circumstances of the woman's marriage (it is interesting to note that in this case the married couple are described as 'king' and 'queen'),

The king comes here from elsewhere – *aya*
 In order to break up the dance – *aya*
 For he fears it – *aya*
 In case someone wants to steal away
 The April queen...
 But in vain he will do it – *aya*
 For she has no interest in an old man – *aya*
 but in a carefree bachelor – *aya*
 who knows well how to amuse
 the lusty lady.
Be off, be off, jealous one!
Leave us, leave us
*To dance together.*⁵²

These celebrations of marital infidelity contrast strongly with the attitude seen in Chrétien and elsewhere, in which adultery is more often problematic or destructive than life affirming as it seems here.

Male troubadours, too, cannot agree on a single approach to the subject. The earliest known troubadour, William IX, Duke of Aquitaine (died 1127), revels in sexual by-play and innuendo, as when he describes his

⁵¹ Carol Jane Nappholz, *Unsung Women: The Anonymous Female Voice in Troubadour Poetry*, New York, 1994, p. 113. For questions of attribution and possible female authorship in these and other anonymous poems see *ibid.*, pp. 1-27 and 126-31; and François Zuffery, 'Toward a Delimitation of the Trobairitz Corpus' and Frank M. Chambers, *Las trobairitz soiseubudas*, both in William D. Paden, ed., *The Voice of the Trobairitz: Perspectives on the Women Troubadours*, Philadelphia, 1989, pp. 31-43 and 45-60 respectively.

⁵² Nappholz, p. 43.

exploits with the wives of two knights in the poem *Farai un vers pos mi sonelh*.⁵³ Bertran de Born (active c. 1180 – c. 1200) fantasizes about a relationship with Matilda, Duchess of Saxony, in strongly sexual terms,

Her joyous, young, noble, lovable body does not deceive
by its beauty – it offers no mere illusion. She becomes
more beautiful still if you unlace her, and the more
clothes you took away the more eager you would
become; for her breast makes night seem day, and if you
could see farther down, the whole world would glow.⁵⁴

It is not unusual that a cleric such as the chronicler William of Malmesbury would disapprove of these sentiments: he describes the Duke of Aquitaine as ‘a lecher and a fool’ who ‘set himself to wallow in every vice’.⁵⁵ It is perhaps more interesting that not all troubadours celebrate adultery, a theme that has traditionally been seen as central to their corpus.⁵⁶ In *Ab lo pascor m’es bel q’eu chant*, Cercamon (active around 1140) expresses disillusionment with the adulterous triangle,

False lovers, in my opinion,
Yours will be the loss...
It is to consent to great folly
When one cheats and betrays another...
Lover, wife, and husband – all three –
May you be joined together in sin.⁵⁷

There may be irony in this lyric, considering the poet’s emphasis on the pleasures of love in other songs. There is, however, little suggestion of irony in Cercamon’s contemporary Marcabru (also active in the 1140s). In

⁵³ Paul Blackburn and George Economou, eds, *Proensa: An Anthology of Troubadour Poetry*, Berkeley and London, 1978, pp. 9-11.

⁵⁴ *The Poems of the Troubadour Bertran de Born*, ed. and trans. William D. Paden Jr, Tilde Sankovitch, and Patricia H. Stäblein, Berkeley, 1986, p. 166. The poem is entitled *Casutz sui de mal en pena*. Matilda, the eldest daughter of Henry II and Eleanor of Aquitaine, was not only married to Henry the Lion, Duke of Saxony, but was pregnant at the time Bertran met her in 1182. For more on this episode see my ‘Exile and the Poetic Standpoint of the Troubadour Bertran de Born’ *Parergon*, forthcoming January 2005.

⁵⁵ William of Malmesbury, *Gesta regum Anglorum*, trans. R.A.B. Mynors, R.M. Thomson, and M. Winterbottom, 2 vols, Oxford, 1998, p. 783.

⁵⁶ See above, note 47.

⁵⁷ *The Poetry of Cercamon and Jaufre Rudel*, ed. and trans. George Wolf and Roy Rosenstein, New York and London, 1983, p. 57.

several lyrics he condemns adulterous behaviour on moral grounds and equates it with baseness and stupidity. Each sex feels the sharp edge of his tongue. Women who take two or three lovers ‘and would not keep faith with one’ are condemned for lacking moderation and courtliness.⁵⁸

Unfaithful husbands are equally unworthy,

You married men, you act like goats...
The errors they make are always the same.
And one thing Marcabru’s never seen,
and that’s these merry married men
give up their cheating
when love’s the game.⁵⁹

It seems clear, then, that adultery raised passionate debate in aristocratic circles, as reflected in the variety of views on the subject in contemporary literature. But even if infidelity forms an expected response to marriages based on policy rather than passion, its risks are all too apparent. In 1175 Philip, Count of Flanders, accused Walter de Fontaines, a noble renowned ‘in feats of arms ahead of all his compatriots’, of an adulterous relationship with his wife Isabel of Vermandois. Although Walter protested his innocence, Philip sought the harshest of penalties for the assumed insult to his manhood and the threat to the integrity of his dynastic ambitions. ‘In the fury of his rage’, Roger of Howden tells us, Philip ordered Walter killed, whereupon,

the executioners grabbed him, bound him hand and foot,
beat him with clubs, and hung him up by the feet half
dead, with his head hanging down over a disgusting
sewer. After being suffocated by the stench from the
sewer, his life ended in a most appalling manner.⁶⁰

The chronicler does not record what punishment Philip deemed fit for his wife. But the severity of his reaction suggests how urgent the need was to discourage such activity, whatever the literary fashions of the day might have said. The exalted lady and her devoted suitor (whether real or

⁵⁸ In *Cortesamen vuoill comenssar*; Press, ed., p. 61.

⁵⁹ From *Dirai vos en mon lati*; Blackburn and Economou, eds, p. 62. See also Gaunt, ‘Marginal Men’, pp. 60-5.

imagined) in this example found themselves at the mercy of a jealous and powerful husband whose sympathies did not extend to playful adultery.

Finally, it is worth noting that explicitly political marriages also have their place in literary texts. References to actual events may occur, but are difficult to verify. For example, critics have debated whether the Christmas coronation scene at Nantes in Chrétien's *Erec and Enide* is intended to celebrate the betrothal of Geoffrey Plantagenet (Henry II's third son) to Constance of Brittany, which was confirmed at a lavish court held in Nantes at Christmas 1169.⁶¹ More generally, marriages are represented as a means of settlement or provocation in political negotiations. This is particularly true in Geoffrey of Monmouth, where dynastic developments are central to the narrative, but are often problematic. Marriages may be used as a simple confirmation of political alliance, as in the union between Brennius and the only daughter of the Gallic leader Segnius. In this case Brennius stands to inherit Segnius's lordship in right of his wife, if the older man should die without male heirs.⁶² Marriage can imply political subjugation, when the Emperor Claudius promises his daughter to the British leader Arvirargus in return for recognition of Roman supremacy.⁶³ It can also lead to war, especially when promises are broken. When Locrinus decides to marry the beautiful Estrildis, this leads directly to conflict with Corineus and his daughter Gwendolen, whom Locrinus had earlier promised to marry.⁶⁴

Similarly, Vortigern's marriage to the daughter of the Saxon Hengist causes strife because the dower Vortigern awards to the girl (the county of Kent) is not his to give. Both Geoffrey and Wace stress that Vortigern's

⁶⁰ Roger of Howden, *Chronica*, RS 51, vol. 2, pp. 82-3.

⁶¹ Chrétien de Troyes, pp. 83-6 (*Erec and Enide*, ll. 6690-6950). See Laurie, pp. 18-20; Topsfield, p. 58; and Beate Scmolke-Hasselmann, 'Henry II Plantagenêt, roi d'Angleterre, et la genèse d'*Eric et Enide*', *Cahiers de civilisation médiévale* 24, 1981, pp. 241-6.

⁶² Geoffrey of Monmouth, p. 75 (book 3, section 6). The contingent nature of the inheritance provisions is remarkably similar in tone to actual examples of alliances from the period. In the (admittedly somewhat later) Treaty of Le Goulet, agreed between John of England and Philip of France in 1200, the political outcome depended upon the birth (or lack) of children in two marriages. See ch. 4, pp. 143-4; and ch. 8, pp. 282-3.

⁶³ Geoffrey of Monmouth, p. 101 (book 4, sections 14-15). It is interesting to note Geoffrey's anachronistic use of contemporary political tactics (a marriage of alliance) in a setting where they would not have been employed (the Roman invasion of Britain).

marriage displays poor politics and poor leadership, by alienating family members and vassals and choosing a wife based on physical attraction rather than hard-headed considerations of state.⁶⁵ By contrast, correct management of dower provisions is an important factor in the marriage of Erec and Enide. Chrétien emphasizes the care that Erec takes to honour Enide's father and family by reaching a property settlement appropriate to the noble status of the marriage.⁶⁶ Such examples (just a few of the many that occur in the works cited) give an impression of the centrality of marriage negotiations to the language and practice of twelfth-century diplomacy. It is implicit in the social worlds created by Geoffrey of Monmouth or Chrétien de Troyes, worlds that undoubtedly bear the partial imprint of contemporary realities, that the business of feudal politics could be done through the medium of discussions over marriage, whether or not emotional considerations were taken into account as well.

The texts examined here are just some of the voices discussing marriage that twelfth-century noble audiences had available for consideration. The overriding impression is one of the diversity of opinions being expressed. Whether exalting marriage as the ideal site of transcending love or denying that love could exist within marriage at all, whether recognizing the practical necessity of adultery in a world of arranged marriages or condemning infidelity on moral grounds, literary works undoubtedly provided a valuable forum for assessment of the social, philosophical, and political relevance of the marital bond.

Images of Inheritance

As with the theme of marriage, literature can illuminate ideas and assumptions surrounding inheritance in twelfth-century noble society. Given the uncertainties of actual practice, the variety of accepted customs, and the changes that took place over the course of the period, it is not surprising that literary works served the useful function of creating a space

⁶⁴ *ibid.*, p. 57 (book 2, sections 2-4).

⁶⁵ *ibid.*, p. 138 (book 6, section 12); and Wace, p. 11 (ll. 6981-96). One wonders whether later condemnations of King John by the chroniclers Roger of Wendover and Matthew Paris (over his marriage to the young and beautiful Isabella of Angoulême) were influenced by these passages. See ch. 8. p. 285.

in which important social issues (especially that threatened or disrupted prevailing assumptions) could be examined. There is an ongoing emphasis on the necessity of providing an undisputed heir to ensure the continuation of social and economic prosperity. The mirror image of this concern is the palpable fear of inheritance disputes and the problems caused when no male heir survives to inherit from the previous generation. The specific inheritance issues connected to the royal family and the question of political succession also emerge as a literary theme that bears direct relevance to contemporary social and political concerns.

Connected to the growing practice of primogeniture was a cultural insistence on the importance of dynasty and lineage (the shift to an 'agnatic' understanding of family connections).⁶⁷ A strong sense of family history is evident among the twelfth-century aristocracy, nowhere more so than in the literary-historical genealogies that traced the descent of major and minor noble houses alike. Genealogies written for the Counts of Flanders sought the origins of their line in semi-mythical figures such as Lidricus and his son Ingelrannus, who had supposedly served as Charlemagne's principal officers in the region.⁶⁸ Various noble houses (in Boulogne and Namur, Gascony, Poitou and Aquitaine, and Anjou, among others) reconfigured their past in similar ways, or simply retold the exploits of their more recent ancestors.⁶⁹ As Andrew Lewis concludes, 'conditioned by the pervasive societal structures of inheritance...the concept of descent may be viewed as a mode of thought'.⁷⁰

Just as *Erec and Enide* comments on the benefits of love within marriage, so too it presents an idealized image of descent and of property transfer through inheritance. Erec's father, King Lac, willingly gives up the castles and estates that Erec had promised as a dowry to Enide, thus ensuring by an act of selfless generosity that the handing down of assets to

⁶⁶ Chrétien de Troyes, pp. 17-18 (*Erec and Enide*, ll.1307-40).

⁶⁷ On the idea of agnatic kinship, see ch. 1, p. 33.

⁶⁸ Several genealogies of the Counts of Flanders are available in RHF, vol. 13, pp. 411-18. Lidricus and Ingelrannus make their appearance on p. 417.

⁶⁹ RHF, vol. 13, p. 585; vol. 12, pp. 385-6; vol. 12, pp. 408-11; and vol. 12, pp. 534-9.

⁷⁰ Andrew W. Lewis, *Royal Succession in Capetian France: Studies on Familial Order and the State*, Cambridge, MA, and London, 1981, p. 122.

future generations will be smooth and beyond dispute.⁷¹ Erec makes clear and careful arrangements for the disposal of his lands when setting out on a dangerous adventure.⁷² Enide, for her part, displays a piety that will help to ensure the continued prosperity of the family line (and the ability to bequeath assets without confusion) by praying ‘devoutly to Jesus and the Virgin Mary that they might give the couple, in their lifetime, an heir to receive their inheritance’.⁷³

The desire for an undisputed inheritance is also evident in *Cliges*. Chrétien explains Fenice’s strenuous efforts to avoid intercourse with her husband Alis not only as a result of her passion for Cliges, but also as a consequence of her admirable awareness of the need to protect the purity of the latter’s bloodline: Fenice ‘thought to preserve her virginity in order to save [Cliges’s] inheritance for him’.⁷⁴ While this selfless action perhaps reveals more of its male author’s attitude than it does of realistic female concerns, it certainly carries an undercurrent of the horror with which noble audiences may have viewed the confusion over property and inheritance rights that resulted from female adultery or even remarriage. By refusing to procreate with Alis (Cliges’s uncle) Fenice ensures that the family line can pass down only through Cliges himself. She must preserve her bodily integrity so that the eventual transfer of power to any children she may have with Cliges cannot be questioned. The romance implies acceptance of a system of primogeniture, since Cliges is always presented as the true heir of his father Alexander, even though the throne has passed to Alexander’s brother. Indeed, Z.P. Zaddy captures the essence of the entire tale by describing it as ‘the story of a man who eventually gains possession of the kingdom and the wife that his uncle has usurped and that should by rights be his’.⁷⁵

Chrétien’s depiction of a responsible attitude to inheritance matters, linked as it is to two of his greatest love matches, stands in stark contrast to portrayals of the personal and public consequences of inheritance

⁷¹ Chrétien de Troyes, p. 24 (*Erec and Enide*, ll. 1851-74).

⁷² *ibid.*, p. 35 (ll. 2728-43).

⁷³ *ibid.*, p. 30 (ll. 2363-8).

⁷⁴ *ibid.*, p. 126 (*Cliges*, ll. 3208-10).

⁷⁵ Zaddy, p. 171.

problems. The lack of an adult male heir is consistently seen as the greatest of failures. Geoffrey of Monmouth describes the reign of King Lucius as a time of peace and increased Christian worship, but this progress is stalled because of his lack of a son. The causal link is clearly established: 'he had no heir to succeed him, so that after his death dissension arose among the Britons, and the power of Rome was weakened'.⁷⁶

A male heir need not be the son of an incumbent: a nephew is acceptable as long as there are no other possible claimants. Wace describes how Ewain succeeds his uncle Angusel in Scotland without contention, since the latter 'had neither son nor wife to take the kingdom' instead.⁷⁷ The succession is further sanctioned by Arthur's patronage, and is tellingly juxtaposed with Arthur's own inheritance problems. Arthur has a nephew, too, but Mordred is ineligible by dint of treason and incest. Wace links Arthur's political fall to his family problems much more closely than does Geoffrey of Monmouth. At the time of the king's marriage Wace looks ahead to the subsequent downfall of the dynasty by adding a note of warning to Geoffrey's description of Guinevere's beauty and nobility: 'Arthur loved her deeply and held her very dear; but the two of them produced no heir, nor could they have any children'.⁷⁸ He reiterates the importance of this failure at the moment of Arthur's departure for Avalon, lamenting, 'it was a great loss he had no children'.⁷⁹

As dangerous as having no heir was having a son who had not yet reached manhood. William IX of Aquitaine produced a poem on this issue, of great interest because of his dual position as both poet and feudal magnate. William contemplates his forthcoming 'exile' (a metaphor for his

⁷⁶ Geoffrey of Monmouth, p. 106 (book 5, section 1). Geoffrey's story is paralleled by real examples of warfare at the death of a childless magnate. Flanders, for example, was wracked by civil war after the murder of Count Charles the Good in 1127. See ch. 5, pp. 185-7.

⁷⁷ Wace, p. 100 (ll. 13195-6).

⁷⁸ Wace, p. 49 (ll. 9656-8). For Geoffrey's comments on Guinevere see above, pp. 90-1 and note 31.

⁷⁹ Wace, p. 102 (l. 13294). By way of comparison, witness the joy with which the birth of Philip Augustus was greeted in France in 1165. His father Louis VII, then aged about 45 and in his third marriage, had not previously produced a male heir. One anonymous observer comments '[Louis] was afraid that the kingdom of France would cease to be governed by an heir born of his own seed' (*Historia gloriosi regis Ludovici VII*, RHF, vol. XII, p. 129). Gervase of Canterbury notes that Louis was 'moved by the desire for a male child' (Gervase, vol. 1, p. 167). See also ch. 7, pp. 251-2.

death) and foresees difficulties in the next generation: 'at war shall I leave my son, and his neighbours will do him harm'.⁸⁰ William places his son in the wardship of Fulk of Anjou, but recognizes that even this strategy may be ineffective. The fact that William's son is 'young and feeble' will inevitably encourage contenders for the duchy to come forward. William fears that 'they in great numbers will do him harm' and 'soon will have cast him down'.⁸¹

Families who produced only daughters as heirs also anticipated problems. The attentions of an aggressive, unwanted suitor seeking to make his fortune by marriage to a wealthy heiress were real enough, and it is therefore unsurprising to find this theme examined in fictional literature.⁸² In *Eliduc* Marie de France links the existence of a female rather than male heir not only to dynastic uncertainty, but also to warfare and ruin,

In this country...lived a very old and powerful man, who had no male heir of his own, just a daughter of marriageable age. Because he refused to give her to one of his peers, this latter was making war upon him and laying waste all his lands.⁸³

The scene may have sounded familiar (if exaggerated for literary effect) to many of Marie's audience, and certainly would have reinforced notions of the importance of producing male heirs. Contests for succession could also arise between a daughter and her male cousin, the nephew of the previous incumbent. The conflict between Matilda and Stephen, daughter and nephew of Henry I, is the most obvious twelfth-century example.⁸⁴ Geoffrey of Monmouth's story of Octavius, whose inheritance is fought over by his daughter and her husband, on the one hand, and his nephew Conan, on the other, bears a striking resemblance to the circumstances

⁸⁰ Press, ed., p. 23. The poem is entitled *Pos de chantar m'es pres talentz*. At the time of William's death in 1127 his son was already an adult. The context suggests the poem may have been written some years earlier during the future William X's adolescence. Alternatively, it may not represent a real situation so much as a poetic exercise on the theme of the underage heir.

⁸¹ *ibid.* The guardian is Fulk V, Count of Anjou, on whom see ch. 5, pp. 170-8 and 186-8.

⁸² On women and inheritance, see ch. 2, pp. 58-68.

⁸³ Marie de France, p. 112 (*Eliduc*, ll. 91-8).

⁸⁴ See ch. 6, pp. 197-201 and 207-18.

of Matilda (with her ‘foreign’ husband Geoffrey of Anjou) and Stephen.⁸⁵ Since the *Historia regum* came to public prominence in the late 1130s, this episode must surely have taken on the appearance of a commentary on current affairs in England, and a warning against the perils of failing to provide a son as unrivalled heir.

Equally familiar were disputes over inheritance between other family members. In part this reflects the uncertainty over splitting estates or leaving them unified when handing them on to the next generation.⁸⁶ Geoffrey of Monmouth’s pseudo-history is replete with inheritance contests between brothers, perhaps indicating how central a concern this was to the twelfth-century nobility. In some cases territories are split peacefully, as when the sons of Brutus divide the island of Britain between them.⁸⁷ In others, such as the story of the five sons of Morvidus, primogeniture is implied but is not universally accepted, since younger sons contest the passing down of an estate or kingdom to their eldest brother.⁸⁸ Several other episodes deal with conflicts between two brothers among whom seniority of age is not specified. These generally display an abhorrence of the naked ambition revealed in the fight to succeed a dead father, and of the civic discord that accompanies quarrels among the families of the elite. In the story of the brothers Ferrex and Porrex who compete for their father’s throne, Ferrex is murdered by Porrex. This deed is avenged by their mother, Judon, whose killing of her own son is described in its full horror (she ‘set upon him with her maidservants and hacked him to pieces’).⁸⁹ Unnatural familial self-destruction is accompanied by lengthy civil wars throughout Britain: once again, the evil consequences of a disputed succession are graphically revealed and private strife leads to public disorder.

⁸⁵ Geoffrey of Monmouth, pp. 114-18 (book 5, sections 9-11). The concerns expressed by the British nobility over the possible marriage of Octavius’s daughter to a foreigner (which carried with it the potential for the kingdom to pass into foreign hands) match the concerns expressed by English magnates after Matilda’s marriage to Geoffrey of Anjou.

⁸⁶ See ch. 2, pp. 51-8.

⁸⁷ Geoffrey of Monmouth, p. 56 (book 2, section 1).

⁸⁸ *ibid.*, pp. 83-5 (book 3, sections 16-18). Although Gorbodanus (the eldest of the five) rules peacefully, conflicts arise when Arcturion (the next in line) succeeds at the death of Gorbodanus.

Sisters and their offspring were just as likely to fight over inheritance rights if literary portrayals are any guide, with the lack of a male heir and the absence of authoritative legal procedures for ensuring a smooth handing down of property rights again highlighted. Geoffrey's version of the story of Lear's daughters (which served as a source for Shakespeare) sees Cordelia surviving to inherit her father's entire kingdom, before being dethroned by the sons of Regan and Goneril.⁹⁰ In *Yvain* (or *Le Chevalier au Lion*) Chrétien de Troyes depicts at length an inheritance conflict between the two daughters of the Lord of the Black Thorn.⁹¹ In this case Arthur's court is the setting in which justice is dispensed, with Gawain and Yvain acting as each sister's champion in a trial by combat. But while the plot device provides a dramatic attempt at resolution in the context of a literary romance, the core of the episode is the preceding debate over whether the elder sister should inherit the entire patrimony or whether it should be split. In other words, should primogeniture or partibility prevail? This is the very same debate that was continuing in mid century in families where daughters rather than sons survived.⁹² Here Arthur seems to favour a split, and the elder sister is consistently characterized as grasping and greedy in her demands for the entire estate.⁹³ Since the trial by combat ends in stalemate, Arthur makes a final decision that allows for a division of lands between the two sisters, but one in which the younger sister must be the 'liegwoman' of the elder and perform homage to the elder for her share. These are similar to the technical requirements of *parage*, and it serves here as a method of sharing lands fairly while saving honour on all sides.

In those cases where inheritance was complicated because it involved succession to the throne, further questions arose. Even when the right of descent through family lines was relatively clear, other interested parties

⁸⁹ *ibid.*, pp. 68-9 (book 2, section 16).

⁹⁰ *ibid.*, pp. 62-7 (book 2, sections 11-15).

⁹¹ Chrétien de Troyes, pp. 313-34 (*Yvain*, ll. 4703-6528). For commentary on this episode see Topsfield, pp. 199-202; and Grace M. Armstrong, 'Questions of Inheritance: *Le Chevalier au Lion* and *La Queste del Saint Graal*', *Yale French Studies* 95, 1999, pp. 171-92 (at pp. 181-4).

⁹² See ch. 2, pp. 62-4.

⁹³ Chrétien de Troyes, pp. 327 and 330 (*Yvain*, ll. 5911-13 and ll. 6168-94).

could make their voices heard. Nobles raised objections when power threatened to pass to an outsider, suggesting that an elective system remained a possible means of determining royal succession.⁹⁴ Younger brothers appealed to their noble supporters for promotion to the throne ahead of siblings who were better qualified by primogeniture.⁹⁵ Wace explores these continued uncertainties over royal succession in an episode concerning the Kingdom of Norway.⁹⁶ After the death of the childless King Sichelin the candidate best qualified by family ties is his nephew Loth, whom Sichelin had favoured as his successor. The expected smooth transfer of power is interrupted when the Norwegian nobles refuse to have a foreigner as their monarch and lord, fearing that 'he would give to others abroad what he should give to them'.⁹⁷ They put forward an alternative candidate from among their own number. The situation is resolved only when Loth's brother-in-law Arthur intervenes to crush Norwegian resistance with overwhelming military strength. Although the passage seems to argue for succession by inheritance rather than election, the need for force and the merciless way in which it is applied add a hint of doubt to Loth's legitimacy, and the debate remains very much open.

Perhaps we will leave the last word on matters of inheritance, succession, and descent to Marcabru, whose focus on the moral dangers of adultery includes a sense of the degradation of lineage caused by sexual dalliance outside marriage over the course of generations. As Howard Bloch points out, Marcabru's worldview is one of decline in which the current generation fails to live up to the standards set by its predecessors.⁹⁸ Such a view presents the inverse, negative image of those self-congratulatory genealogies so beloved by Marcabru's contemporaries.⁹⁹ For the troubadour, moral laxity is just as great a threat to inheritance and lineage as is a lack of sons, as his image of natural decay attests,

⁹⁴ For example, the Scottish nobility objected strongly to Richard I's plan to make his nephew Otto of Saxony their king. See ch. 8, pp. 276-9. Opposition to Henry I's son-in-law Geoffrey Plantagenet provides a similar case – see above, pp. 105-6 and note 85.

⁹⁵ Both Henry I and Stephen gained the throne of England despite elder brothers who were also strong candidates. On the latter see ch. 6, pp. 197-8.

⁹⁶ Wace, pp. 51-2 (ll. 9805-62).

⁹⁷ *ibid.*, p. 52 (ll. 9825-6).

⁹⁸ Bloch, pp. 110-11.

⁹⁹ See above, p. 102.

Dead are the good old trees, and those that live are only
branches and sticks...Thus the most recent (living trees)
do not resemble their fathers in all the good ways.¹⁰⁰

From a modern perspective anxieties over romantic love in marriage may seem familiar. But as Marcabru attests, concerns over inheritance, lineage, and succession were equally pressing and equally valid.

Images of Women

One final element of cultural understanding that demands attention is that relating to the social status accorded to women involved in marriage and inheritance episodes. Since much of the later part of this project focuses on the actions of the powerful, there is a risk that those affected by their decisions (particularly brides and heiresses, although the group could also include young male vassals and wards) appear passive and reactive, unable to influence their own circumstances. While this must surely have been the case at times (in marriages involving child brides, for example), in other instances noble or royal wives and daughters certainly could display power and influence of a sort, either in a public, political sense or within the private bonds of the marital relationship. Literary and administrative treatments of marriage can shed some light on cultural attitudes regarding the position of women within that social institution. The aim here is not to retread the well-worn path that leads to a full examination of the lives of twelfth-century women.¹⁰¹ It is simply to inject a spark of life into the portrait of brides and heiresses whose personalities might otherwise be subsumed within a political narrative, and to understand a little more of their own (and their husbands' and lords') preconceptions about the place of married and inheriting women in noble society.

At one end of the scale, it is possible to discern an attitude and linguistic register in which women are treated as a commodity, whether in the ribald verse of William IX or the sophisticated romance of Chrétien de Troyes. In

¹⁰⁰ Bloch, p. 109.

¹⁰¹ A good starting point for enquiry is Mary Erler and Maryanne Kowaleski, eds, *Women and Power in the Middle Ages*, Athens, GA, and London, 1988. Important recent works include Fredric L. Cheyette, *Ermengard of Narbonne and the World of the*

pondering the difficult choice he must make between 'Lady Agnes' and 'Lady Arsen', the Duke of Aquitaine employs an extended metaphor comparing the qualities of his two warhorses, and also comments on the assets he holds in the form of two castles and their fighting men.¹⁰² The clear implication is that the women, too, are assets that add to the greater glory of the Duke himself, prized not for themselves but for the value they represent. As Simon Gaunt comments, it is typical of Duke William's verse that he 'treats women as a form of currency in a masculine exchange, with little regard for the sanctity of marriage'.¹⁰³

In the early stages of *Erec and Enide*, Chrétien similarly depicts the relationship of the eponymous couple as one in which Enide is subordinate, passive, and largely silent. This establishes a starting point against which the later development of their marriage into a genuine loving partnership can be measured. Nonetheless, the early relationship reflects a chivalric code in which women are objects to be fought for and prizes to be won, and indeed Erec must win Enide in the contest of the sparrowhawk. When Enide is first presented to her future husband, she remains 'totally silent', and Erec considers her a 'gift' that is 'beautiful and precious'.¹⁰⁴ To her father she is 'my fortune and my treasure', who must be married only to a count or a king. This is partly for reasons of prestige, but it is also an economic strategy designed to alleviate the poverty into which Enide's family has fallen. Her passivity is reinforced on their wedding night when, despite her love for Erec, her activities amount to no more than 'endur[ing] everything, however painful'.¹⁰⁵ At this stage of the poem, Enide is just as much a reflection of male desires and priorities as are the women in William IX's self-centred boasts.

The commodification of women seen here reflects a world in which they were often treated as embodiments of economic value and social prestige,

Troubadours, Ithaca and London, 2001; and Theodore Evergates, ed., *Aristocratic Women in Medieval France*, Philadelphia, 1999.

¹⁰² Press, ed., p. 13. The poem is *Companho, faray un vers*.

¹⁰³ Gaunt, 'Marginal Men', p. 60.

¹⁰⁴ Chrétien de Troyes, pp. 9 and 17 (*Erec and Enide*, l. 684 and ll. 1270-2). Note the strong emphasis on the idea of gift in the second example, with the repetition of 'donee...dons...dons'.

¹⁰⁵ *ibid.*, p. 26 (ll. 2063-5).

especially when being evaluated as desirable marital partners. By ensuring dynastic certainty, virginity increased a bride's value. In Marie de France's *Milun*, the pregnancy of the lord's unmarried daughter brings potential shame upon her and a threat that she will be 'sold as a slave in another country': a firm indication of the reduction in her economic worth.¹⁰⁶ In a related fashion, children (whether male or female) can be represented as assets to be deployed for maximum economic or political benefit. Geoffrey of Monmouth's description of the mythical British king Ebraucus dwells on the fact that he fathered 20 sons and 30 daughters with his 20 wives. The daughters are all sent to Italy to marry nobles from the line of Trojan rulers, while the sons stay behind.¹⁰⁷ There is surely a thinly veiled reference here to the procreation-as-policy strategy of Henry I, whose numerous bastard daughters were allocated as brides to various allies on Henry's Norman borders.¹⁰⁸

These cultural attitudes reappear in the linguistic formulae of contemporary administrative documents. In the Pipe Roll of 1182, for example, both Walter 'de Everinton' (in Berkshire) and William 'de Chaisneto' (in Northamptonshire) are fined because each 'took as a wife without the king's licence a woman who was in the gift of the king'.¹⁰⁹ We can only speculate as to the large difference in the fines imposed (Walter was assessed a fine of £17, 6s and 8d; William a hefty £62, 15s and 2d) but it seems likely that this resulted from the varying age or social status (and thus economic value) of the women in question, neither of whom is named. Furthermore, the phrase 'in the gift of the king' (*de donatione Regis*) not only suggests a mentality of economic value surrounding those wards and heiresses over whom the monarch had direct control, but also reinforces the idea of a more non-monetary set of values

¹⁰⁶ Marie de France, p. 98 (*Milun*, l. 62). On this episode see also Emanuel J. Mickel, Jr., 'Antiquities in Marie's *Lais*', in Maréchal, ed., pp. 123-37 (at pp. 125-6).

¹⁰⁷ Geoffrey of Monmouth, p. 60 (book 2, section 8).

¹⁰⁸ See ch. 5, pp. 161-2. There are other hints that Ebraucus may be modelled loosely on Henry I, including his appearance (tall and strong) his foreign wars (both leaders invade 'Gaul') and the length of his reign: 39 years for Ebraucus, 35 for Henry, who had died shortly before the appearance of the *Historia regum*.

¹⁰⁹ J.H. Round, ed., *The Great Roll of the Pipe for the Twenty-Eighth Year of the Reign of King Henry II A.D. 1181-1182 (PR 28 H2)*, London, 1910, pp. 105 and 131. The wording is the same in each case. See also ch. 7, p. 243.

(based on gift and mutual exchange) discussed earlier.¹¹⁰ By depriving Henry II of women in his 'gift', Walter and William deny their monarch the chance to express his liberality by rewarding loyal supporters with prestigious wives. In either case, the women themselves appear in the records as no more than commodities to be allocated.

The document known as the 'Ladies' Roll(s)' (*rotuli de dominabus*) provides a register of all the women and children officially under the king's guardianship in 1185 and gives a slightly fuller picture of the experience of married women, especially in widowhood.¹¹¹ Of the 124 entries dealing with widows of the minor land-holding nobility, 98 refer to the women by their own names, although in all cases they are also identified by relationships to male relatives (wife/widow of..., daughter of..., mother of..., and occasionally sister of..., aunt of..., or granddaughter of...). Two entries from Norfolk give an impression of the variety of situations in which widowed women could find themselves, from relatively prosperous and free to completely dependent:

Alice of Hainford holds Hainford as dower by the gift of Gilbert Blunt, and it is worth eight pounds...She is the daughter of Richard Colechirche, and is 40 years old. She holds Hainford from her son Hubert, who is in the custody of the Bishop of Ely and is 20 years old.¹¹²

The girl called Matilda who was the wife of the younger John de Bidun is in the gift of the lord king. She is ten years old, and is the daughter of Thomas, the son of Bernard. Her land in Kirby is worth six pounds...¹¹³

Despite the fact that Alice is available for remarriage at the king's whim, for the moment she would appear to have *de facto* control over her dower land, especially since its nominal feudal tenant (her son) has not quite reached his legal majority. It is interesting to note that Alice is referred to

¹¹⁰ See ch. 1, pp. 35-9.

¹¹¹ J.H. Round, ed., *Rotuli de dominabus et pueris et puellis*, London, 1913. The full title translates as 'Rolls of ladies and boys and girls'. The surviving fragments cover the eastern counties of England, from Lincoln to Surrey.

¹¹² *ibid.*, p. 47.

by the name of her dower (*de Hemeford*) suggesting that the emergence of surnames based on landed estates could apply to women as well as men. By contrast, young Matilda had been a child bride and is already widowed at the age of ten. Her assets and her youth (as a potentially fruitful provider of heirs) make her a prime candidate for remarriage to a beneficiary of royal patronage. She must have been married well below the usual age of consent and would have had little or no chance to influence her own affairs.¹¹⁴

Matilda's experience shows us that child marriage was not restricted to the sons and daughters of royalty and the senior nobility. It formed part of that culture of unions arranged for political or economic purposes in which the requirement for the couple's consent (and particularly that of the bride) was ignored. Literary treatments of marriage occasionally explore the woman's (or girl's) point of view in these circumstances, helping us to gain a sense of the emotional upheaval facing a woman married against her will. Marie de France gives a lengthy speech to the Lord of Caerwent's wife in *Yonec*, in which she laments her fate: 'Cursed be my parents and all those who gave me to this jealous man and married me to his person'.¹¹⁵ As many as two thirds of Marie's *lais* depict marriages in which a wife feels motivated to betray her husband, perhaps a rough indication of the prevalence of marriages not based upon mutual consent.¹¹⁶ Similarly, Chrétien de Troyes places a strong emphasis on Fenice's emotional response when she is forced to marry Alis rather than Cliges. The princess feels 'anguished and distraught', suffering sleepless nights, illness, and exhaustion.¹¹⁷ Peter Noble views this scene as Chrétien's explicit 'protest against arranged marriages', perhaps a bold statement for an author reliant on the patronage of great families for whom such marriages were the fundamental path to wealth and prestige.¹¹⁸

¹¹³ *ibid.*, p. 49.

¹¹⁴ On Matilda see also ch. 2, p. 59.

¹¹⁵ Marie de France, p. 87 (*Yonec*, ll. 81-4). See also pp. 93-4 above.

¹¹⁶ Heather Arden, 'The *Lais* of Marie de France and Carol Gilligan's Theory of the Psychology of Women', in Maréchal, ed., p. 217.

¹¹⁷ Chrétien de Troyes, pp. 123-5 (*Cliges*, ll. 2960-3076). See also p. 94 above.

¹¹⁸ Noble, p. 36.

Yet even child brides could later take action to atone for perceived wrongs. In the 1160s and 1170s Agnes, daughter of Henry of Essex, appealed first to Gilbert Foliot, Bishop of London, and later to Pope Alexander III in order to validate her marriage to Aubrey de Vere, Earl of Oxford. This took place when Agnes was about 12. Earl Aubrey appears to have wanted to repudiate Agnes, using the excuse that she had earlier been betrothed to his brother Geoffrey when she was only three years old and he a man in his 30s. Agnes denied that the marriage to Geoffrey had ever been valid, even though at age six she had been taken into Geoffrey's household where he 'showed her every respect befitting his future wife in all things except the sharing of the conjugal bed'. Agnes argued strongly that,

even if her father made a contract with Geoffrey as was said, she didn't know about it at the time [when she was three] nor did she approve of it now, nor had she ever offered her consent to the things that went on between them.¹¹⁹

Pope Alexander eventually ruled in Agnes's favour, stressing the importance of consent to validate marriage and forcing Aubrey to maintain her as his wife. In this case a wife was able to use official channels to defy a powerful husband, even though (paradoxically) this meant maintaining what may have been a loveless marriage.

Young brides had less ability to influence their own affairs when marriage involved separation from family and removal to a foreign land. This was more likely to be the case for royal children, such as Henry I's daughter Matilda (sent to Germany at age eight) or Henry II's youngest daughter Joanna, dispatched to Sicily to marry the Norman monarch William II in 1177.¹²⁰ Chronicle accounts of these and similar examples of child marriage give us little or no idea of the emotional impact on the child herself, tending to focus instead on the political implications or the honour

¹¹⁹ *The Letters and Charters of Gilbert Foliot*, ed. Z.N. Brooke et al., Cambridge, 1967, p. 215. See also C.N.L. Brooke, *The Medieval Idea of Marriage*, Oxford, 1989, pp. 152-7.

¹²⁰ See ch. 5, pp. 181-2; and ch. 7, p. 248. For a discussion of the impact of early marriage on young noble women see Fiona Harris Stoertz, 'Young Women in France and England, 1050-1300', *Journal of Women's History* 12.4, 2001, pp. 22-46.

achieved for the family as a whole. Literary versions of similar episodes, on the other hand, do not overlook the feelings of the bride and give a useful indication of the very human response that the uncertainties and unfamiliarity of a new life in a new land may have evoked. When Brutus marries Ignoge, daughter of the Greek monarch Pandrasus, and takes her with him to his new home in Britain, Geoffrey of Monmouth fills the scene with pathos,

Ignoge stood on the high poop and from time to time fell fainting in the arms of Brutus. She wept and sobbed at being forced to leave her relations and her homeland; and as long as the shore lay there before her eyes, she would not turn her gaze away from it. Brutus soothed and caressed her...until, worn out with crying, she fell asleep.¹²¹

Separation could be just as wrenching for parents as it was for children. Decisions made to send away a child for political or economic reasons do not necessarily imply a lack of emotional attachment. When Enide leaves her home with Erec, her parents realize that her departure will bring them honour and wealth. But this does not reduce the difficulty of the moment,

Kissing their daughter again and again, her father and her mother could not hold back their tears...The tears came from deep tenderness and the gentleness of the parents' love for their child. Nevertheless they knew their daughter would be going to a place where she would receive great homage.¹²²

At this point it is important to distinguish between the *act* of marriage (the ceremony itself and the negotiations leading up to it) and the *state* of marriage (the relationship between the couple throughout the years of their partnership). While a bride (like Ignoge or Enide) may have had little input into the act of getting married, she inevitably had more influence on the state of the subsequent relationship, especially in emotional terms. Several literary representations tell us much about the power structures

¹²¹ Geoffrey of Monmouth, p. 45 (book 1, section 11).

within noble marriages, if by 'power' we understand the private, internal, and personal dynamics of a marital partnership. Trobairitz verse provides a variety of feminine perspectives on the joys and burdens of marriage. These include bawdy reflections on sexual dissatisfaction,

I do not believe my husband has such a large one;
rather, he has half of what he says
for I have felt a lack and an inadequacy,¹²³

and on the physical toll of childbirth,

taking a husband pleases me, but I think that making
babies is heavy penance, for one's breasts start to droop
and one's belly stretches and becomes ugly.¹²⁴

Women are seen as active emotional partners, prone to the same doubts and jealousies as their husbands. Female voices tell of the fading of desire and of the necessity to hide one's true feelings, as in this anonymous ballad,

I am pretty, yet I am very concerned
about my husband, for I no longer love or desire him...
I pretend to love him...
yet when I see him I'm so ashamed
that I pray death comes to take him soon.¹²⁵

The aristocratic poetess Garsenda de Forcalquier expresses similar thoughts on the need for dissimulation, although in her case social expectations are a contributing factor,

For a lady doesn't dare uncover
her true will, lest those around her think her base.¹²⁶

Elsewhere, forbidden desire is a powerful motivation,

How I wish just once I could caress
that chevalier with my bare arms

¹²² Chrétien de Troyes, p. 19 (*Erec and Enide*, ll. 1446-58).

¹²³ Nappholz, p. 93 (*D'una don'ai auzit dir*). Although included in the trobairitz corpus, there is no definitive evidence of female authorship in this case (and our understanding of the ballad might change significantly if we assume a male author adopting a female voice).

¹²⁴ Quoted in Tilde Sankovitch, 'The trobairitz', in Gaunt and Kay, eds, p. 123.

¹²⁵ Nappholz, p. 75 (*Coindeta sui, si cum n'ai greu cossire*).

¹²⁶ Bogin, p. 109 (*Vos que.m semblatz dels corals amadors*). Garsenda was the wife of Alfonso II of Provence, himself the brother of the King of Aragon.

for he would be in ecstasy
 if I'd just let him lean his head against my breast.¹²⁷

Sentiments such as these add depth to our appreciation of women's emotional lives, especially within the confines of noble marriage.

At times women are also portrayed as active suitors seeking marriage or illicit love. Marie de France explores this idea, perhaps as a teasing inversion of the normal processes of courtship, in *Lanval*, where the hero is pursued firstly by a mysterious maiden of obvious wealth and status (whom he accepts) and secondly by Arthur's queen (whom he rejects).¹²⁸ In *Yvain* Chrétien de Troyes examines a similar situation from the woman's perspective, as the widowed Laudine seeks a second husband. While Chrétien plays upon the theme of love and female desire he also depicts Laudine's concerns as more practical and worldly, driven by the need to find a powerful partner to protect her feudal possessions.¹²⁹ But in each case the portrayal of powerful women as aggressive suitors, even in a fantasy or romance context, suggests a much more balanced view of sexual politics and gender roles than that implied by a view of women as merely embodied economic or diplomatic assets.

Finally, it is worth noting several portrayals of women exercising power in more overt, public settings. Much recent scholarship has concentrated on uncovering evidence of noble women controlling feudal relationships and running estates on their own, even if acting in a husband's name.¹³⁰ A prime example is Adela of Blois, daughter of William the Conqueror and mother of King Stephen, who exercised military command and significant political influence during the absence of her husband Stephen-Henry of Blois on crusade and then after his death in 1102.¹³¹ Literary and chronicle

¹²⁷ *ibid.*, p. 89 (*Estat ai en greu cossirier*, by the Countess of Dia). On this type of adulterous desire see also pp. 95-97 above.

¹²⁸ Marie de France, pp. 74-7 (*Lanval*, ll. 39-310).

¹²⁹ Chrétien de Troyes, pp. 270-83 (*Yvain*, ll. 1142-2165). The episode is complicated by the presence of a third party, Lunete, who acts as a go-between and influences the thoughts and actions of the potential lovers.

¹³⁰ At the noble level see the books by Cheyette and Evergates listed in note 101. The most frequently discussed royal example is Eleanor of Aquitaine, on whom see the articles in Bonnie Wheeler and John Carmi Parsons, eds, *Eleanor of Aquitaine, Lord and Lady*, New York, 2002.

¹³¹ Kimberly A. LoPrete, 'Adela of Blois: Familial Alliances and Female Lordship', in Evergates, ed., pp. 7-43.

representations occasionally depict noble wives as regents for dead or absent husbands, with varying degrees of approval, and as mediators between divided families or factions. Geoffrey of Monmouth uses the device of the queen as mediator to bring an end to the conflict between the Roman leader Vespasian and King Arviragus of Britain. After the two sides fight to a stalemate, it is Arviragus's wife Genvissa who acts as go-between to establish peace.¹³² A very similar incident occurred just a few years after Geoffrey wrote the episode, when Stephen's wife, Queen Matilda, negotiated a settlement with the Scots after the Battle of the Standard in 1138.¹³³ Richard of Hexham attributes the success of the settlement to Matilda's 'female shrewdness' and to 'the passion of a woman's heart', suggesting that only a woman could have succeeded in reconciling the warring parties.¹³⁴ The gender assumptions evident here carry over into the depiction of female regents.

Characteristics seen to be typically feminine (at least by male authors) allow certain women to be effective regents. Beauty is an asset since it indicates nobility and wisdom, as in the description of Sibyl of Conversano (wife of Robert Curthose, Duke of Normandy),

The countess was a beautiful woman of excellent character and renowned for her wisdom. At times during the duke's absence she managed the private and public affairs of the duchy better than the duke would have done, had he been present.¹³⁵

There are strong similarities in Geoffrey of Monmouth's portrait of Marcia, wife of King Guithelin. She is 'skilled in all the arts', 'extremely intelligent and most practical', and rules effectively during the minority of her son, to the point of even devising a new law code.¹³⁶ By contrast, women who lack femininity make poor regents. Gwendolen, repudiated

¹³² Geoffrey of Monmouth, p. 103 (book 4, section 16).

¹³³ See ch. 6, p. 213.

¹³⁴ Richard of Hexham, *De gestis Regis Stephani et de bello standardii*, RS 82, vol. 3, p. 176.

¹³⁵ *Gesta Normannorum ducum*, trans. Elisabeth M.C. Van Houts, vol. 2, Oxford, 1995, p. 223. On Robert Curthose, see ch. 5, pp. 156-60. On the perceived link between beauty and nobility see above, pp. 90-1.

¹³⁶ Geoffrey of Monmouth, pp. 81-2 (book 3, sections 13-14).

wife of King Loctrinus, makes war on her husband and rules Britain after his death. Her regency for her son is marked by violent revenge against her husband's lover and their child. Instead of displaying the feminine virtues of peacefulness and wisdom, Gwendolen 'behav[ed] in the same extravagant [ie: violent] fashion as her father had done'.¹³⁷ However, the difficulties women faced in trying to exercise power in feudal society are apparent when regents are conversely accused of being too feminine. When Helwise, Countess of Evreux, ruled the county on her husband's death she was accused by her barons of exhibiting rashness and poor judgement, which in this case are depicted as specifically female faults. Despite being 'beautiful and eloquent' and 'distinguished by her illustrious birth', Helwise is 'heartily disliked for her woman's presumption' by barons annoyed at not being consulted over the county's affairs.¹³⁸

Women in positions of power thus had to negotiate the fine line between an unfeminine display of violence and military strength, and a politically destructive reliance on perceived female weaknesses. Depictions of women in literature and contemporary records range from treating their subjects as commodities available for use by male lords and relatives, to recognizing the role of women in positions of private or public influence. Occasionally, women's own voices tell us more about their own experience of marriage, separation, or desire.

If we accept that literary representations are both reflective of and influential upon lived experience, we can use the examples discussed above to glean some indications of cultural attitudes towards marriage, inheritance, and the status of women in twelfth-century noble society. Views on marriage encompassed competing models that saw the institution either as a loving partnership based on mutual consent or as a

¹³⁷ *ibid.*, p. 58 (book 2, sections 5-6).

¹³⁸ Orderic Vitalis, *The Ecclesiastical History of Orderic Vitalis*, trans. Marjorie Chibnall, vol. 6, Oxford, 1978, p. 149.

mechanism for economic and political advancement. As a consequence of the latter viewpoint the problem of adultery and emotional escape from a loveless marriage became an important theme in literary accounts. Anxieties over the developing but still unclear customs of inheritance and dynastic succession formed an equally pressing concern, while literary treatments help us to appreciate the variety of attitudes expressed towards (and by) women of the nobility. Bearing in mind Gabrielle Spiegel's observation that 'literature offers...an index of socially construable meaning rather than an image of reality', the examples offered here may help us to move closer to an understanding of cultural beliefs and practices among twelfth-century social elites.¹³⁹

With these observations behind us, it is time now to turn to political developments in twelfth-century England and France and to place the social, legal, and cultural understandings of marriage and inheritance examined so far into the context of international relations.

¹³⁹ Gabrielle M. Spiegel, *The Past as Text: The Theory and Practice of Medieval Historiography*, Baltimore, 1997, p. 5.

4. The Balance of Power

In June 1119 the heir to England and Normandy, William Atheling, married Matilda, daughter of Fulk V, Count of Anjou. The arrangement brought an end to several years of conflict between William's father, Henry I, and a coalition of continental states. Fulk broke away from an alliance with Baldwin VII, Count of Flanders, and Louis VI, King of France (Fulk's nominal lord) in order to pursue a separate peace with the Anglo-Norman realm.¹ In the event, any long-term plans the parties may have had were ruined by William's death in the *White Ship* disaster a year later. But in the summer of 1119 the prospect of co-operation between Henry and Fulk must have alarmed their counterparts in northern and western France, signalling an immediate expansion of Henry's sphere of influence, and the possibility of a more formal union of England, Normandy, and Anjou in a future generation under the leadership of any son William and Matilda might produce.

If it can be established that marriage and inheritance were the primary, intertwined media of social and economic exchange in twelfth-century Europe (the methods by which power, status, and wealth were transferred both among and within family groups) it should then be possible to identify the repeated and significant impact of these social mechanisms on the political *status quo* throughout the century. The marriage of William and Matilda represents one such moment, when the distribution of political power (the ability of some states to exert influence over others) clearly changed. This chapter looks more closely at the idea of a balance of power in the twelfth-century context, at the states involved in that balance, and at the ways in which leaders employed marital strategies to challenge, defend, or alter the prevailing political equilibrium to promote their own interests and to enhance the prestige of their family and lineage.

¹ Orderic Vitalis, *The Ecclesiastical History of Orderic Vitalis*, trans. Marjorie Chibnall, vol. 6, Oxford, 1980, p. 225; Suger, *The Deeds of Louis the Fat*, trans. Richard Cusimano and John Moorhead, Washington, D.C., 1992, p. 116; and John of Worcester, *The Chronicle of John of Worcester*, trans. P. McGurk, vol. 3, Oxford, 1998, p. 145. For further discussion of the marriage of William and Matilda see ch. 5, pp. 171-5.

A Twelfth-Century Balance of Power?

Political power in high medieval Europe, in the age before the rise of the nation-state, centred on smaller geographical units. After the breakdown of the Carolingian system, the effective units of authority tended to be numerous tiny, extremely localized entities, wherein castellans and minor barons held sway with little interference from above. By the late eleventh century, however, power was tending to coalesce in geographical groupings that were larger than the area controlled by a single castle, yet which still operated at the sub-national level. Whereas the Conquest brought a degree of unity to Norman England, in France the Capetian monarchy reached the nadir of its power around 1100, and remained weak (though strengthening) until well into the reign of Philip II.² In its place, regional political entities assumed primary importance. It was at the level of the duchy and the county that incumbent rulers were able to act with relative freedom from the influence of those above them in the social hierarchy (the monarch) while exercising a much fuller (though far from complete) authority over the more minor nobility whose allegiance they demanded.

In this way, France around 1100 takes on the appearance of a collection of quasi-independent mini-states, the major ones being of roughly similar size and influence. These included Normandy, Brittany, Anjou, Poitou-Aquitaine (larger in size, but weaker in influence), Toulouse, Burgundy, Blois-Champagne (the combined counties of Blois and Troyes), Flanders, and the Capetian royal demesne surrounding Paris (see map below). The last exercised nominal suzerainty over the others, and was differentiated by the status of its ruler as a monarch, but in reality its powers were little more (and at times substantially less) than those of its counterparts. England, while somewhat larger and wealthier than these continental

² C. Warren Hollister, 'Normandy, France, and the Anglo-Norman *Regnum*', in his *Monarchy, Magnates and Institutions in the Anglo-Norman World*, London, 1986, pp. 37-8; and Karl Ferdinand Werner, 'Kingdom and Principality in Twelfth-century France', trans T. Reuter, in Timothy Reuter, ed., *The Medieval Nobility – Studies on the Ruling Classes of France and Germany from the Sixth to the Twelfth Century*, Amsterdam, 1979, p. 244.

fiefdoms, can profitably be seen around 1100 as another regional power, vying for influence with its rivals across the Channel.



France in the late eleventh century.

(Source: Elizabeth Hallam, *Capetian France 987-1328*, p. 5)

Two points need to be made when relating the political arrangements of twelfth-century western Europe to those aspects of contemporary social arrangements discussed earlier. Firstly, there may be value in assessing twelfth-century political change as a series of 'balance-of-power' rivalries (for which I offer a fuller definition below) between a number of more-or-less evenly matched sub-national fiefdoms. This is an approach more familiar to students of the eighteenth century and its great-power rivalries.

The benefit of the apparent anachronism is that it helps us to move away from the problems inherent in trying to assess feudal politics through the metaphor of feudal theory. The familiar image of the triangular hierarchy, with the semi-divine monarch at the apex, his chief tenants beneath him, and levels of sub-tenants extending below, most certainly has its uses in defining the philosophy of the age, but it does not resemble the political reality circa 1100.³ The Capetian monarch was more of a rival than a superior to most of the magnates who were technically his vassals, although this situation had changed drastically by 1200. Further, the image of the feudal pyramid tends to imply fixed relationships and loyalties, extending vertically through the layers of society. This obscures the shifting nature of alliances and oppositions that is so characteristic of twelfth-century politics. As circumstances and ambitions changed, so too did friendships and enmities. From this point of view, the 'balance-of-power' model more adequately captures the inherently protean nature of politics during the period in question than does a metaphor of fixed, vertical social relationships.

Secondly, the numerous shifts in rivalries and alliances among the political units of England and France during the twelfth century can be explained by reference to the social phenomena of marriage and inheritance. The rises and falls in strength and influence as several states sought to break out of the restraints of balance-of-power politics (successfully or otherwise) mirror the successes and failures of their political leaders in implementing marital strategies for those individuals in their sphere of influence.

³ In the field of sociology, for example, Max Weber characterized feudal society as a series of rigidly defined hierarchical relationships in his early-twentieth-century *magnum opus*. See Max Weber, *Economy and Society: An Outline of Interpretative Sociology*, ed. and trans. Guenther Roth and Claus Wittich, Berkeley, 1968 (originally 1922-5), vol. 2, pp. 1070-87. Jean-Pierre Poly and Eric Bournazel (*The Feudal Transformation, 900-1200*, trans. Caroline Higgitt, New York and London, 1991, ch. 6) note the fundamental weakness of the French monarchy in the eleventh century, despite ideas of sacred kingship. They show how practice had come more into line with theory by the end of the twelfth century as the Capetian monarchy reasserted its strength, partly by using ideas of sacred kingship and feudal hierarchy to its advantage. Joseph L. Strayer similarly comments that only in the thirteenth century did legal advances allow a social structure resembling the feudal 'pyramid' to emerge from the realm of theory into reality. See Joseph L. Strayer, 'Feudalism in Western Europe', in Fredric L.

The term 'balance of power' needs more formal definition in this context. The idea of an equilibrium of political and diplomatic influence among the nation-states of eighteenth-century Europe, for example (a 'multipolar' balance), or between the superpowers during the Cold War (the 'bipolar' variety), has long exercised scholarly interest.⁴ The eighteenth-century rivalries manifest in the series of conflicts from the War of the Spanish Succession (1702-13) to the Congress of Vienna (1815) have been viewed in this light, by contemporaries themselves as well as by modern commentators.⁵ Fundamental to the concept of balance has been the idea that the pursuit of self-interest by individual states will lead to mutual containment. The achievement of hegemony by one nation is impossible, since rivals will form temporary defensive alliances to counter the aggressor. Once the potential hegemon is contained, alliances will lapse or be realigned to meet other threats. Thus the stability of the system is assured.⁶

This traditional view of the dynamics of balance-of-power politics has been questioned in recent years, especially in the work of Paul Schroeder.⁷ Far from providing a stable platform for international relations, in such a system 'the promise of stability and security...was illusory'.⁸ Schroeder identifies three components that characterized European international relations during the eighteenth century. The first is the idea of the trade-off. For any state to concede a territorial or economic advantage to a rival,

Cheyette, ed, *Lordship and Community in Medieval Europe: Selected Readings*, New York, 1968, pp. 15-16.

⁴ See especially Hans J. Morgenthau, *Politics Among Nations: The Struggle for Power and Peace*, 4th edn, New York, 1967, pp. 161-215; Inis L. Claude, Jr, *Power and International Relations*, New York, 1962, pp. 11-93; and Kenneth N. Waltz, *Man, the State, and War: A Theoretical Analysis*, New York and London, 1959, pp. 198-210. Waltz defines the balance of power as 'a series of coalitions in which the momentarily disadvantaged combine and recombine to prevent the ascendancy...of the opposing country or coalition' (ibid., pp. 206-7).

⁵ For eighteenth-century views on the subject see M.S. Anderson, 'Eighteenth-Century Theories of the Balance of Power', in Ragnhild Hatton and M.S. Anderson, eds, *Studies in Diplomatic History: Essays in Memory of David Bayne Horn*, London, 1970, pp. 183-98.

⁶ For a full discussion of these ideas and a consideration of subtle variations in the general scheme of balance-of-power theory see Ernst B. Haas, 'The Balance of Power: Prescription, Concept, or Propaganda?', *World Politics*, 5, 1953, pp. 442-77.

⁷ Paul W. Schroeder, *The Transformation of European Politics 1763-1848*, Oxford, 1994. See also Robert Jervis, 'A Political Science Perspective on the Balance of Power and the Concert', *American Historical Review*, 97, 1992, pp. 716-24.

an offsetting benefit was expected.⁹ Secondly, the system involves ‘alliance flexibility’, those ‘evasions of...commitments and sudden reversals of alliances’ that indicate an underlying motivation of self-interest by participating states, rather than any binding ideology.¹⁰

The third characteristic is in some ways the driving force of the previous two. This is the doctrine of *raison d'état*, the desire to advance the interests of the state for no other reason than that power is desirable in itself. These interests include the enhancement of political strength, wealth, and security, but also of ‘the monarch’s honour and prestige...and rank among other princes’.¹¹ Power, in other words, is important for its own sake as a marker of personal prestige in a system dominated by absolute rulers.

In Schroeder’s assessment, the idea that the pursuit of narrow self-interest will lead to stability, the reduction of war, and the prevention of hegemonic empire (analogous to Adam Smith’s notion of the ‘invisible hand’ in economic policy) is fallacious.¹² Instead, the result is instability and an increased likelihood of conflict. In the eighteenth century, ongoing and increasingly exhaustive wars undertaken in the name of balance-of-power requirements led eventually to ‘destruction for some, mutilation for others, dependence for still others, and hegemony, if not outright empire, for one or two’.¹³ Only the scope and nature of the Napoleonic threat eventually forced a reassessment of the value of conducting diplomacy in balance-of-power terms, with Europe’s new order enshrined in the principles of the Congress of Vienna.

How is this relevant to twelfth-century Europe? In my view, the model of an inherently unstable, competitive network of relationships between a

⁸ Schroeder, p. 10.

⁹ *ibid.*, pp. 6-7. I am here combining Schroeder’s discussion of ‘compensations’ and ‘indemnities’ into one category. See also Morgenthau, pp. 173-4.

¹⁰ *ibid.*, p. 7. In this sense the eighteenth-century balance of power among several nations with similar aims and strategies differs from that prevailing during the Cold War, fought between two clear camps distinguished by mutually hostile ideological positions. From a twelfth-century point of view Fulk of Anjou’s change of sides in 1119, discussed in the introductory section of this chapter, is a clear example of ‘alliance flexibility’.

¹¹ *ibid.*, p. 8.

¹² *ibid.*, pp. 9-10. On the ‘invisible hand’, see also Jervis, p. 718; and Claude, pp. 45-7.

¹³ *ibid.*, p. 10.

number of roughly equal, independent (or quasi-independent) states holds explanatory value for politics and diplomacy in England and France around 1100. The development and eventual breakdown of this system by the early thirteenth century can be better understood once the point of departure is defined in this way. Furthermore, the notion that the quest for prestige is an important factor in the dynamics of state rivalries is particularly relevant in an era when the 'state' was not yet a bureaucratic abstraction, but could still be closely identified with the leading family or individual. Personal prestige and state prestige went hand in hand. Max Weber recognized this almost a century ago, commenting that, for the holders of power in feudal society, 'power for their political community mean[t] power for themselves, as well as the prestige based on this power'.¹⁴ In Weber's view, claims to prestige by political entities invariably constitute a challenge to similar claims by neighbours and rivals. Challenge leads to competition and, frequently, to war in the name of defending prestige. This is true equally for the great powers of a later era, and for the 'holders of privileges' in feudal society.¹⁵ Weber's insights would seem to reinforce the idea that a balance of power, when it exists, is a temporary and unstable manifestation of political relationships. Rather than preventing conflict, the unstable balance and the search for prestige promote it.

To my mind, this describes the state of affairs in England and France around 1100: a temporary equilibrium, constantly open to challenge by individual states seeking enhanced prestige, and eventually set to break down as first the Anglo-Norman state, then its Angevin successor, and finally the Capetians managed to assert their own dominance at the expense of the fragile balance. The multipolar balance of 1100 reappeared at times (most notably the late 1140s) but in the second half of the twelfth century moments of balance in political affairs tended to be more bipolar in nature. As Angevins and Capetians gained strength and influence, smaller states often lined up on one side or the other of a simple divide,

¹⁴ Weber, vol. 2, p. 911.

¹⁵ *ibid.*, vol. 2, pp. 911 and 1086.

rather than attempting to reassert their own independence in the face of the growing power of the English and French monarchies.

In this context, it is important to distinguish carefully between the ideas of ‘balance’ and ‘distribution’ of power. Balance refers strictly to the type of equilibrium outlined above: a state of affairs where no single power holds excessive influence over others, to the point where it is able to assert its will largely unchallenged. It represents, in other words, the opposite of a hegemonic situation where one state holds leverage over and is able to dominate its neighbours. The assertion of hegemony therefore represents not so much a *shift* in the balance of power (a phrase that it is all too easy to use incorrectly) but a breakdown or disruption of the prevailing balance. The process of change is more correctly labelled a shift in the *distribution* of power: one state now holds more leverage or power than it did previously, others hold less.¹⁶ States threatened by such a shift might seek to reassert the balance of power by weakening the position of the hegemon. Thus they seek an offsetting redistribution of power and influence (perhaps by means of marriage alliances among themselves) to recapture that which is lost: the state of balance, where no single power holds undue influence over others. Even this is merely a prelude rather than an end in itself. A magnate does not seek the balance of power for its own sake, but as a stepping stone on the way from subjugation or lack of influence, through the reassertion of balance, on to an attempt to enhance *raison d'état* by challenging the new equilibrium in his own right.

To validate this ‘balance-of-power’ thesis, it is necessary first to establish the effective independence of the supposedly ‘feudal’ states within the Kingdom of France, and to analyse the nature of the relationships between them. Karl Ferdinand Werner has argued that the use of the term *regnum* in charters from around 1100 implies a ‘closed territor[y] with definite borders’, ruled by a *princeps* or *dux*.¹⁷ Among these *regna*, ‘the royal domain...was only one unit among several, and the king, as far as his practical power was concerned, appeared as *primus inter*

¹⁶ Schroeder, p. 6, discusses the semantic difficulties of the term ‘balance of power’.

¹⁷ Werner, pp. 249-51 (quote at p. 251). Examples come from Normandy, Brittany, and Flanders.

pares in the strict sense of the phrase'.¹⁸ *Principes* such as the Dukes of Brittany and the Counts of Anjou or Flanders held significant fiscal and judicial rights in their own territories.¹⁹ This is not to say that such men denied the power or position of the monarch, but respect for the crown tended to reflect expediency rather than subjugation. Military service and homage were more a sign of temporary alliance than of permanent commitment.²⁰ As such, service could be withheld or homage ignored as political requirements changed.

Susan Reynolds' iconoclastic study of our basic assumptions about feudal society reinforces this view. Reynolds argues that tenure granted by a feudal superior, and homage done for land, 'need not have implied that either duchy or county was held with less than the normal full rights and minimal obligations of noble property'. As a result, 'relations between king and counts were...more like those between independent powers'.²¹ The position of the Capetians could easily have deteriorated even further in the late eleventh century, leaving them as little more than Dukes of Francia.²² In this case, the monarch would have been differentiated from his nominal inferiors, the *principes*, by little more than ceremony and sentiment, a situation not unlike that which characterized the last Carolingians. Instead, the shifting rivalries between states ensured that a rough balance of power was maintained, allowing the Capetians to survive and, eventually, to prosper. Warren Hollister agrees that the ducal and comital 'power centres' were 'still virtually autonomous' around 1100, before becoming the building blocks of Henry II's 'empire' and subsequently of Philip Augustus's reinvigorated kingdom of France.²³

An example of diplomacy from the very start of our period helps to illuminate the world-view suggested here. In 1101 Henry I of England reached agreement concerning mutual aid with Robert II, Count of

¹⁸ *ibid.*, p. 251.

¹⁹ *ibid.*, pp. 254-5, and note 38 at p. 282.

²⁰ Hallam, pp. 29 and 95.

²¹ Susan Reynolds, *Fiefs and Vassals – The Medieval Evidence Reinterpreted*, Oxford, 1994, pp. 271-2.

²² Robert Fawtier, *The Capetian Kings of France*, trans. Lionel Butler and R.J. Adam, London, 1960, p. 16.

²³ C. Warren Hollister, 'War and Diplomacy in the Anglo-Norman World: The Reign of Henry I', in his *Monarchy, Magnates and Institutions*, p. 289.

Flanders.²⁴ Robert pledged to provide Henry with 1000 knights if the king should require military support in England in the event of rebellion or invasion. Henry, using as his comparative advantage the wealth of the kingdom of England he had recently inherited, agreed to pay Robert an annual retainer of 500 pounds in return for this commitment.²⁵ The carefully worded document takes account of the fact that Robert owes primary service to his feudal lord, Philip I of France. If Philip were planning to invade England, Robert pledged firstly to try to dissuade him from such a course of action, and secondly to provide Philip with the minimum number of knights that he could justify under his obligations of fealty, for the shortest possible time (40 days). Thereafter, Robert would do all he could to help Henry directly.

The treaty shows balance-of-power politics in action in 1101. The trade-off is readily apparent: in this case, one side provides military and diplomatic support; the other, cash.²⁶ Robert's compromising of his feudal commitment to Philip I illustrates beautifully the potential for alliance flexibility. The count will not break his feudal bond with neighbouring France, but will gain leverage over any expansionary tendencies by his monarch through an offsetting agreement with Henry. Robert appears to be positioning himself with a foot in each camp, keeping himself in favour with neighbouring states while awaiting developments, able to lean either way as best suits Flanders' interests. And in the meantime his efforts have brought him diplomatic kudos and an unexpected source of revenue, enhancing the power of Robert himself, the prestige of his family line, and the *raison d'état* of his county.

The treaty is effectively an agreement between independent states, confirmed by mutual good will (and by the exchange of hostages). Though

²⁴ The text of the treaty (and of a similar document reconfirming the arrangements between the two leaders in 1110) is available in Pierre Chaplais, ed., *Diplomatic Documents Preserved in the Public Record Office – Volume 1, 1101-1272*, London, 1964, pp. 1-7. For commentary see George P. Cuttino, *English Medieval Diplomacy*, Bloomington, 1985, pp. 4-5.

²⁵ The exchange of service for monetary compensation has been termed a 'money-fee' treaty. This is the earliest surviving example.

²⁶ The attitude underlying the 'trade-off' resembles the mentality of reciprocal obligation suggested in ch. 1, pp. 35-9. More frequently, diplomatic agreements involved the

Robert has commitments to France, in a way these are little different from his new commitments to Henry: the promise of mutual assistance from time to time as required, without the implication of subordination, and without compromising Robert's ability to run his domestic affairs as he sees fit. Robert may be Philip I's vassal, but he is no lackey. His capacity to enter into a treaty with Henry's England defines Flanders, *ipso facto*, as a political unit largely in control of its own destiny. In 1101 we see Robert II acting to protect his own best interests by ensuring that he will be able to influence, modify, or counter the effects of any alteration in the rough balance of power involving England and the states of northern France.

The States of France c. 1100

Before undertaking (in the following chapters) a close analysis of the shifting twelfth-century distribution of power and the ways that manipulation of marriage and inheritance contributed to this process, we can identify briefly the 'states' that were involved in the rough balance that prevailed around 1100.²⁷ The relationships between them (or, more accurately, between their ruling houses) form a starting point for analysis of the changes that would take place in later years. Here I treat England as a single unit, relatively unified internally (thanks in part to the effects of Norman administration after the Conquest) with the French regions, by contrast, functioning largely as independent states.

Though England and Normandy had been united by conquest in 1066, they had been separated again in 1087 on the Conqueror's death.²⁸ William II of England (r. 1087-1100) held some power over Normandy during Robert Curthose's absence on crusade in the late 1090s, but by the end of 1100 William was dead, and Curthose had returned to face the hostility of

exchange of power over land (rather than a cash payment) confirmed through specific marriage and inheritance arrangements. Examples are discussed at length in chs 5-8.

²⁷ It may be useful, when reading this section, to refer to the map on p. 123.

²⁸ John Gillingham sees the settlement of 1087 as an example of a defined split between inherited lands (Normandy, given to the eldest son, Robert Curthose) and acquired lands (England, given to William Rufus). For this idea see ch. 2, pp. 55-7. John Le Patourel, by contrast, argues that the Conqueror's intention was to pass both England and Normandy intact to his eldest son, but that Robert's rebelliousness forced him to change his plans at the very end of his life. See Gillingham, *Angevin Empire*, p. 32; and

his younger brother, Henry I.²⁹ Rivalry between the Norman brothers no doubt suited many of their continental counterparts. The prospect of a reunited Anglo-Norman realm implied the existence of a strong, wealthy, political unit that could potentially overshadow the other powers of northern France. It shaped, in other words, as a significant threat to the balance of power in the region. While Normandy and England remained apart, this threat was reduced. Together, a monarch of the combined realm would hold a significant strategic advantage over his neighbours and rivals.

Even on its own, the Norman state had posed an ongoing problem for the rulers of France since the arrival of the northmen in the early tenth century. Normandy benefited from clear and mostly defensible borders, and its dukes may have seen themselves more as equals than as subordinates to their nominal Carolingian or Capetian overlords. Though they fulfilled the feudal requirement of homage for lands held from the king, this was more often performed on the borders of Normandy and France, rather than at the monarch's court. The symbolism of this *hommage en marche* may suggest a relationship of near equality between two individual states, one fully sovereign, and the other independent in all but name.³⁰

Evidence of the threat posed to the French royal demesne by a strong Norman state around 1100 comes from Abbot Suger. In describing the disputed Vexin borderland between Normandy and the Île-de-France, with its major fortification at Gisors, the Capetians' principal adviser is under no illusions regarding the importance of sound defences. Gisors, lying on the Epte ('a river pleasantly full of fish', says Suger),

offers easy entry for the Normans to rush into France while it hinders a French approach. Whenever the means to possess the castle became available, its location and the protection it afforded made it necessary...for the king

Le Patourel, 'Normandy and England 1066-1144', reprinted in his *Feudal Empires, Norman and Plantagenet*, ed Michael Jones, London, 1984, section VII, pp. 4-5.

²⁹ Marjorie Chibnall, *Anglo-Norman England, 1066-1166*, Oxford, p. 59.

³⁰ Hollister, 'Normandy, France, and the Anglo-Norman *Regnum*', pp. 19-20.

of the French no less than the king of the English to covet it.³¹

Other states felt the Norman threat as well. To Normandy's west, Brittany remained something of a country apart, held back by its own internal rivalries and geographic isolation. Even after a series of marriages between the comital families of Rennes, Nantes, and Cornouaille formed a single ruling dynasty in the middle of the eleventh century, ducal power remained fragmented and relatively weak.³² Inheritance disputes saw the area around Nantes return to a state of virtual autonomy under a junior line of the ducal family for long periods.³³ Breton settlers in England after 1066 had brought with them the byzantine intricacies of their factionalism, split broadly between the houses of Dol and Penthievre.³⁴ These internal disturbances held back the cherished cause of Breton independence, and allowed outside influences to interfere. Normandy, Anjou, and Blois all claimed a special interest in Brittany, and successive generations attempted to bring the region under their sway. William I of Normandy had invaded the province in the 1060s, and his great-grandson Henry II would bring Brittany fully into the Anglo-Norman orbit a century later.³⁵

In the north the county of Flanders straddled the boundary between the kingdom of France and the Holy Roman Empire. Despite several violent succession disputes within the ruling house that raised the possibility of partition during the mid eleventh century, the indivisibility of Flanders was reasonably assured under the rule of Robert I ('the Frisian', r. 1071-93) and Robert II ('the Jerusalemite', r. 1093-1111).³⁶ Though less coherent as a political unit than England or Normandy, Flanders was considerably more advanced in this respect than the principalities of the south and west. In part this was due to the longevity of the ruling family and their descent

³¹ Suger, *The Deeds of Louis the Fat*, p. 71. The passage was written after Henry I had regained Normandy in 1106.

³² Judith Everard, *Brittany and the Angevins: Province and Empire 1158-1203*, Cambridge, 2000, p. 17.

³³ *ibid.*, pp. 28-30.

³⁴ K.S.B. Keats-Rohan, 'The Bretons and Normans of England 1066-1154: The Family, the Fief and the Feudal Monarchy', *Nottingham Medieval Studies*, 36, 1992, pp. 48-53.

³⁵ Surveys of Breton history in the period 1000-1150 include Patrick Galliou and Michael Jones, *The Bretons*, Cambridge, MA, and Oxford, 1991, chs 8-9; and Everard, ch. 1.

³⁶ For the details of Robert I's difficult succession, see Hallam, p. 50.

from Charlemagne, which enhanced a sense of legitimacy and right to rule.³⁷ While the counts had to take into account the commercial interests of the emerging urban communes, as well as castellans and barons, their ability to advance Flemish interests on the wider political stage was substantial. This was helped by the county's strategic location between France, England, and the Empire. Though owing allegiance to the King of France, the Flemish counts were often able to play off this obligation against requests for alliance or support from England (as in the 1101 treaty discussed above), trimming their sails time and again in the face of the shifting political breeze. Flanders is perhaps the best example of a principality where alliance flexibility was clearly used as a means of enhancing state and dynastic prestige, and in this way its counts were among the finest exponents of balance-of-power politics during the period.³⁸

At the opposite end of the kingdom the county of Toulouse, with its Occitan culture and Mediterranean perspective, was a peripheral member of the family of states included within the geographical boundaries of France. Indeed, the possibility existed during the eleventh century that Toulouse would remove itself entirely from the French orbit (particularly given the weakness of its nominal Capetian overlords) and be subsumed into a loose confederation, bound together by ties of blood and marriage, with its neighbours in Provence, Barcelona, and Aragon.³⁹ However, dynastic politics ensured that Toulouse would retain its ties to the north throughout the twelfth century. As in other areas of the south, feudal structures were weak. Many communes were virtually self-governing, castellans were often unruly, and ideas of service and hierarchy were less prominent than in the north.⁴⁰ This should warn us against assuming an image of the county (or any of its neighbours) as an efficient, centralized, administrative unit. The 'state' was first and foremost a family enterprise, and balance-of-power politics in the twelfth-century context meant the

³⁷ Jan Dhondt, 'Medieval "Solidarities" – Flemish Society in Transition, 1127-1128', in Cheyette, ed, p. 283.

³⁸ On the activities of the Flemish Counts Robert II, Baldwin VII, Philip, and Baldwin IX see above, pp. 129-30; ch. 5, pp. 171-2; ch. 7, pp. 253-6; and ch. 8, pp. 288-90.

³⁹ W.L. Warren, *Henry II*, London, 1973, p. 82.

working-through of family rivalries and strategies for family advancement. In Toulouse, as elsewhere, *raison d'état* was synonymous with family prestige. It was an ongoing dispute over inheritance that eventually kept the county within the sphere of interest of northern magnates, especially through the efforts of Eleanor of Aquitaine's husbands to press her claim to the region.⁴¹ The rivalry between Capet and Plantagenet played itself out, in part, at the very southern limits of the kingdom of France.

In Aquitaine, too, ducal control of nominal subordinates was often limited. This region of western and central France was easily the largest of the principalities in the late eleventh century (especially after the addition of overlordship of Gascony in 1063) but size did not necessarily imply strength or influence.⁴² As in Toulouse, viscounts and castellans held a measure of independence from their lord, reinforced by castle-building and local loyalties. This was especially the case in the peripheral eastern areas of La Marche and Auvergne, but even in the ruling family's ancestral homeland of Poitou powerful clans such as the Lusignans could run their own affairs with little interference from above.⁴³ As a result, the Poitevin dukes of the early twelfth century, William IX (the famed troubadour, r. 1086-1127) and William X (r. 1127-37), tended to concentrate more on consolidating their internal strength, rather than on expansion.⁴⁴ The region had relatively little influence on balance-of-power rivalries until the marriage of William X's heiress Eleanor to Louis VII in 1137. Thereafter, control of Aquitaine was an important factor in the relative strength of the northern powers.

Further north, the combined counties of Blois and Champagne (or Troyes) were in the unique position of being a single political unit split by a rival territory: the royal demesne. The two counties were at times held by

⁴⁰ Hallam, pp. 54-60.

⁴¹ Eleanor's grandfather, William IX of Aquitaine, had married Philippa of Toulouse, a daughter of the senior comital line. The county eventually passed to the younger line in the person of Raymond IV, Count of St. Gilles (r. 1093-1105), and his descendants. On the efforts of Louis VII and Henry II to exploit Eleanor's claim see ch. 7, pp. 229-31.

⁴² Hallam, p. 53.

⁴³ See Sidney Painter, 'Castellans of the Plain of Poitou in the Eleventh and Twelfth Centuries', and 'The Lords of Lusignan in the Eleventh and Twelfth Centuries', both reprinted in his *Feudalism and Liberty*, pp. 17-40 and pp. 41-72 respectively.

⁴⁴ On William IX's literary significance see ch. 3, pp. 97-8, 104-5, and 109-10.

separate branches of the same family, but were often reunited under a single head.⁴⁵ Geographical separation had advantages and drawbacks: political unity became more difficult to achieve and to maintain, but the effective encirclement of the Capetian territories put the Thibaudian counts of Blois in a strong position to offer or to withdraw support for the monarch, as circumstances changed. Throughout the eleventh century the counts had increased their regional influence by a series of marriages with many other important northern French families.⁴⁶ Around 1100, Hugh III ruled Champagne, while Blois was controlled by Adela (a daughter of William the Conqueror) acting as regent for her absent husband Stephen-Henry.⁴⁷ Adela's ties to the ruling house of Normandy and England, and the proximity of the county of Blois to the borders of Normandy, tended to see Blois supporting Henry I in the early years of the twelfth century. This in turn created pressure on Louis VI to form offsetting alliances with other major houses in order to counter growing Norman strength. Hence Blois, though not the strongest of entities on its own, nonetheless held a form of political leverage over its neighbours through a combination of geography and family ties. Adela's descendants would continue to exploit these advantages throughout the century.

To the west lay the County of Anjou. Its counts had been gaining in strength and influence in the late eleventh century, especially by winning power over the region of Touraine from the Thibaudians.⁴⁸ Like Blois and Champagne, Anjou had not been a vice-regal unit in the Carolingian period, as had Normandy or Flanders. The power of its counts by 1100 was built, instead, by their ability as 'amassers of counties'.⁴⁹ Bernard Bachrach sees the eleventh-century counts as possessing a mentality of

⁴⁵ This was the case when Theobald IV of Blois inherited Champagne from his uncle Hugh in 1125, becoming Theobald II of Champagne and recombining the family lands. In 1100, the two counties were nominally separate but closely allied.

⁴⁶ Hallam, p. 45.

⁴⁷ Hugh and Stephen-Henry were half-brothers. The latter spent several years in the east during the First Crusade. On the career of Adela see Kimberly A. LoPrete, 'Adela of Blois: Familial Alliances and Female Lordship', in Evergates, ed, pp. 7-43.

⁴⁸ R.W. Southern, *The Making of the Middle Ages*, London, 1953, pp. 80-90. Count Geoffrey Martel captured Tours in 1044.

⁴⁹ Werner, p. 250.

expansion, for the purpose of glorifying the comital lineage.⁵⁰ As was the case for its rivals, the Angevin 'state' was far from being a centralized, administratively unified entity capable of controlling closely the lives of its population. But the state clearly existed as an idea, an expression of the pride and ambition of its counts. Their strategy had resulted in a loose 'empire' that was, in reality, 'an agglomeration of diverse lands and rights connected through marriage, inheritance, and other means for the purpose of enhancing the political interests of a family and directed by the head of that family'.⁵¹

There are few better testaments to the increased interest in lineage and family prestige that emerged at this time than the personal tribute to his ancestors recorded by Count Fulk IV le Rechin (r. 1068-1106). In it he pays tribute especially to his grandfather, Fulk Nerra (r. 987-1040), whose deeds included the building of castle and abbeys, the fighting of battles, and several voyages to Jerusalem.⁵² There is a sense of independence here, of reliance on no man, which is the result of a personal and family quest to garner prestige and power in and beyond the traditional geographical area associated with the line. The King of France may have been Fulk Rechin's nominal overlord, but in reality he answered to no-one more than to the memory of his ancestors.

In fact, the relationship between the Capetian Philip I (r. 1060-1108) and the Angevin Fulk le Rechin was complicated by the fact that Philip had stolen Fulk's wife. Repudiating his first wife Bertha of Holland, Philip took as his consort Bertrade of Montfort, though she was still technically married to Fulk. In a startlingly misguided breach of the rules of marriage, Philip earned the wrath of Ivo of Chartres and other prominent figures in the Church, as well as the inevitable animosity of his Angevin vassal.⁵³ In

⁵⁰ Bernard S. Bachrach, 'The Idea of the Angevin Empire', *Albion*, 10, 1978, pp. 293-9. See also Bachrach, *State-Building in Medieval France – Studies in Early Angevin History*, Aldershot, 1995.

⁵¹ Bachrach, 'Idea', p. 298.

⁵² RHF, vol. 11, pp. 137-8 and vol. 12, p. 491; and Southern, pp. 83 and 86. For similar examples of laudatory genealogical tracts, see the treatises on the lineage of the counts of Flanders and Boulogne, in RHF, vol. 13, pp. 414 and 585 respectively. See also ch. 3, p. 102.

⁵³ The incident is dealt with at length by Duby, *Medieval Marriage*, pp. 29-44, and *The Knight the Lady and the Priest*, pp. 5-17. Philip and Bertrade were excommunicated

this case, political adversity stemmed from reckless neglect of acceptable behaviour in marital affairs.

The relative weakness of Capetian authority around 1100 is amply demonstrated by the difficulties the French monarch experienced in controlling his own narrow territory, the royal demesne surrounding Paris. The castellans of Montlhéry, 15 miles south of the capital, were among the Capetians' most active opponents, causing 'chaos and confusion' for those travelling between Paris and Orléans.⁵⁴ These particular foes were pacified by means of a marriage between Elizabeth, the daughter of the castellan Guy Trousseau, and Philip, a younger son of Philip I.⁵⁵

In part, marriage was such a useful instrument in the pacification of obstreperous subordinates because the nature of the relationship between lords and their vassals was not strictly defined.⁵⁶ This affected the monarch's dealing with local castellans just as much as it did with the princes of the larger states. Certainly the Capetians, as kings of France, tended to hold greater sway over matters such as the award of ecclesiastical offices, forest rights, and coinage than did their rivals.⁵⁷ But in terms of enforcing their will over those around them, power depended much more on personal charisma than on institutional precedent or on any quantifiable legal claim. In the Capetians' case, conspicuous generosity weakened their position in the late eleventh century. Donation of lands alienated from the royal demesne may have been in keeping with the philosophy of royal prestige and patronage, but an excess of this activity (in effect mismanagement of regal *largesse*, the awarding of gifts without

three times in the 1090s. Their sins included bigamy, adultery, and marriage to an affine, since Fulk was Philip's cousin and Bertrade was therefore his relative by marriage. In the terms outlined in chapter 1, we might see Philip's action as invoking an extremely flexible interpretation of marriage customs.

⁵⁴ Suger, p. 41. Though Suger's account of the anarchic conditions may be exaggerated, given his desire to celebrate the achievements of his patron Louis VI in restoring order in the region, nonetheless the passage is indicative of severe royal weakness.

⁵⁵ *ibid.* Suger comments that the marriage resulted in a much easier passage between Paris and Orléans for travellers. See also Fawtier, pp. 16-17.

⁵⁶ Strayer, pp. 12-21.

⁵⁷ Hallam, pp. 82-4.

the capacity to enforce reciprocal service and support from beneficiaries) weakened resources and devolved economic strength to the recipients.⁵⁸

In sum, by 1100 the King of France still held a fairly tenuous grip on the region immediately surrounding Paris. His ability to influence his nominal tenants-in-chief, the lords of the great principalities, was grounded in feudal ideals rather than the practicalities of hard-headed politics. Yet the monarch was far from dispensable. Alliance with the royal house still held value at times, but Capetian France was just one among several states whose effective power was roughly equal, and who sought to keep potential hegemons in check through a series of shifting alliances and trade-offs.⁵⁹ In time the Capetians would emerge from the pack to assert regal authority more fully and successfully, but in 1100 that time still lay some decades in the future.

The Political Functions of Marriage

In his recent contribution to the *New Oxford History of England*, Robert Bartlett comments that, in the twelfth century, 'high politics was dynastic politics...the structure of political life at its highest level was the same as that of family life...success as a dynastic ruler thus rested in large part on successful family strategies'.⁶⁰ Bearing this in mind, we can turn from the broader idea of a balance of power and the states involved in maintaining or challenging that balance, to a more specific analysis of the ways in which marital strategies were used to achieve political ends.

Several motivations for contracting political marriages are apparent. The first priority for any ruling house, as indeed for any lesser noble family, was undoubtedly to propagate its own line. From this perspective, marriage among the nobility was almost always undertaken for reasons of *dynastic necessity*. A preference for marrying one's offspring into families of similar aristocratic pedigree limited the choice of partners. If scions of a

⁵⁸ Fawtier, pp. 97-8. For similar mistakes made by Robert Curthose, Duke of Normandy, see ch. 5, pp. 157-8.

⁵⁹ The idea that 'France' and 'the French' refer strictly to the narrow royal demesne and its inhabitants is reflected in contemporary views. See, for example, poetic allusions to 'France' in *The Poetry of Cercamon and Jaufre Rudel*, ed. and trans. George Wolf and Roy Rosenstien, New York and London, 1983, pp. 35 and 39.

⁶⁰ Robert Bartlett, *England under the Norman and Angevin Kings*, Oxford, 2000, p. 6.

ruling royal or comital house were not to marry below their rank, this technically ruled out anyone from other families within the same feudal state. (These pressures were not as prevalent at the next level down, and yet class preferences still created a relatively narrow group of potential partners for the lesser nobility.) Marriage to distant cousins, in an effort to keep power and prestige within a wider family grouping, was also made more difficult (though not impossible) by the strictures of the ban on endogamous marriages.⁶¹ As a result, magnates were forced to look outside their own borders for partners for themselves and their children. Marital and dynastic priorities were a constant source of dialogue and interaction between states. Rather than marriage negotiations being purely a result of political alliances, dynastic necessity frequently drove states' rulers (or, more literally, their children) into each other's arms. Marriage, in other words, was often a cause rather than an effect of political change, and of developments in the network of alliances that formed part of the balance-of-power system.

A second consequence of this phenomenon played itself out over a longer time-frame. When two states formed an alliance through the marriage of children of the ruling households, it was possible that the offspring of that marriage would inherit all or part of both political units. This was by no means inevitable: the survival of other children, especially brothers of the bride, could eliminate the chance of political amalgamation on the basis of family ties. Yet the possibility of a union of feudal estates through inheritance clearly existed, and came to pass often enough. Hence those negotiating marriages in the here and now had to think beyond the immediate diplomatic repercussions, and needed to take into account the diplomatic consequences for future generations. Leaders did not always do so, giving rise to complicated and disputed successions, and the political instability that accompanied them.⁶²

Such negotiations could, however, lead to an improvement in *dynastic prestige* for the lesser party. Marriage of a family member into an

⁶¹ See ch. 1, pp. 21-4.

established, respected lineage could improve an *arriviste's* status immeasurably. Connection to families of Carolingian descent, for example, helped to improve the esteem of Capetian monarchs as they reasserted their influence in France during the later twelfth century. In England, Norman monarchs used marriages to families descended from the Anglo-Saxon ruling house to reinforce their own legitimacy to rule.⁶³

On most occasions, there was more at stake in political marriages than dynasticism alone. Other motivations complicated the process of family continuity. Magnates seeking *territorial expansion*, for example, could use marriage to further their aims, given the close connection between marital alliance and the acquisition or disposal of wealth, expressed through the medium of land. A marital link between states was sought as a means of realizing political ambitions, for at least one of the parties involved. The degree of power exercised by the expansionist state over its diplomatic partner could vary. Disruption to the balance-of-power *status quo* could be immediate and widespread – the marriage of Henry II and Eleanor of Aquitaine is probably the clearest twelfth-century example. In this case Eleanor's womanhood allowed her new husband to assume control of his wife's territorial assets in reality and in name, as contemporary customs permitted.⁶⁴ In other cases, an eager suitor may have had to wait longer for territorial ambitions to come to fruition, until the death of a father-in-law or the defeat of rival claimants.

Within a finely balanced system of state rivalries, such expansionism created a threat to other powers, and called for a response. Here again, marriage could be a useful tool in reasserting political equilibrium by not allowing one state to rise in influence above all others. The building of *diplomatic alliance* allowed states to combine their efforts in the face of a threat to the prevailing system, while maintaining their individual autonomy. There is no reason why marriage needed to be a part of such arrangements (and formal alliances did on occasion take place without it)

⁶² The clearest twelfth-century example of a disputed succession is the conflict between Stephen and Matilda for the throne of England and Normandy after the death of Henry I in 1135. See ch. 6, pp. 197-201.

⁶³ For the descent of the wives of both Henry I and Stephen from the Anglo-Saxons see ch. 5, pp. 154-5 and 165-6.

but in many cases political and personal unions went hand in hand. The custom of sealing alliances by family ties is so pervasive as to appear part of the mentality of the age. Such arrangements added an element of the personal and familiar to the hard-headed business of the exercise of power. But if personal ties were meant to ensure that diplomatic alliances endured and prospered, the strategy did not always succeed. Alliances could be broken, and wives repudiated as circumstances changed. The death of one partner might render immediately invalid the diplomatic friendship built around a particular marriage, as was the case after the death of William Atheling in 1120.⁶⁵ Perhaps the most spectacular example of repudiation bearing immediate diplomatic consequences was the rejection by Philip Augustus of his bride Ingeborg of Denmark, on the very day after their wedding in 1193. Philip's change of heart not only ruined the coalition negotiated with the Danish monarch (possibly intended to undertake an invasion of England) but brought about a long-lasting feud with the papacy that undermined Philip's authority in his own kingdom.⁶⁶

States wishing to counter the threat of rivals could also look to marital ties as a means of acquiring *defensive support*. A weak state threatened by a stronger rival could look to help from a third party, either one with whom the links of marriage were already in place or with a marriage sealing an agreed military alliance. In several instances, geography dictated marriage partners: a defensive alliance was especially useful with a partner who could open up a 'second front' by threatening to attack a hostile state that lay between the two allies. Such a strategy brought the aid of the Holy Roman Emperor to Henry I of England in 1124 during his ongoing struggle with Louis VI's France. In a similar way, Richard I sought a defensive ally before his departure on the Third Crusade. His own marriage to Berengaria of Navarre brought that state's help in the defence

⁶⁴ See ch. 6, p. 221.

⁶⁵ See above, p. 121; and ch. 5, pp. 175-6.

⁶⁶ See ch. 8, pp. 292-5.

of Richard's southern territories, particularly against a hostile Toulouse, while the Lionheart's attentions were focused elsewhere.⁶⁷

In the case of defensive support, it is worth noting that marital links could be either the cause or the effect of the military agreement. While Richard's marriage appears to have been arranged for the specific purpose of the security it brought with it, Henry I's marriage of his daughter Matilda to the German Emperor had been conducted many years previously. In this second example, defensive assistance was a useful and perhaps unforeseen adjunct to other benefits that the union had already provided.⁶⁸

Thus diplomatic agreements between states were sealed by marriages between members of the ruling houses' families. Negotiations over such alliances were central to the way business was done in twelfth-century Europe. We might go so far as to say that the very language of politics itself revolved around references to the social phenomenon of marriage, and would have been unworkable without the terminology associated with the institution. In the case of William Atheling and Matilda of Anjou (highlighted at the beginning of this chapter) their marriage was not simply a result of peace initiatives between their parents, Henry I and Fulk V, but the very mechanism through which peace was achieved. The fact that good relations broke down immediately after William's death indicates the centrality of the marital strategy to the peace accord between the two states.⁶⁹

A fine example from the other end of the century is the Treaty of Le Goulet, made between John of England and Philip II of France in 1200. After setting out a series of complex territorial provisions, dealing precisely with the control of numerous Norman fiefs, the text announces the marriage of Philip's son Louis to John's niece, Blanche of Castile. The match was more than mere window-dressing, having an integral connection with the territorial aims Philip wished to achieve.

⁶⁷ For the 1124 incident see ch. 5, p. 182. For Richard's relations with Navarre see ch. 8, pp. 272-3; and John Gillingham, 'Richard I and Berengaria of Navarre', *Bulletin of the Institute of Historical Research*, 53, 1980, pp. 157-73.

⁶⁸ On Matilda's first marriage see ch. 5, pp. 180-2.

⁶⁹ See above, p. 121; and ch. 5, pp. 175-6.

The treaty sets forth the dowry lands that John is to provide on his niece's behalf, and declares that 'of all these we [Philip] shall remain in possession until such time as the marriage may be consummated'.⁷⁰ In other words, Philip uses the marriage to ensure John's loyalty and compliance. Should John fail to live up to his word, the dowry lands would effectively be forfeit and Philip's territorial gains from the treaty would be greatly enhanced, with no corresponding benefit to John. A further provision allows for the return of the dowry lands to John in the event that Louis and Blanche should not produce an heir. By the same token, if John himself were to die without a direct heir, further lands would be granted to Louis as an extended dowry for Blanche. The point here is that the territorial and political outcomes of the Treaty of Le Goulet depended to a large extent on the continuing status not just of Blanche and Louis's marriage, but of John's as well. Consummation and the production or absence of heirs could lead to a variety of possible results in the diplomatic arena. Here, marriage is both a result of diplomatic agreement, and a force in shaping the very nature of the treaty being negotiated.

One further useful distinction may be made between political marriages whose purpose was broadly *strategic*, and those where the rationale was specifically *tactical*. The former group comprises the majority of royal and noble marriages, where some longer-term goal (acquisition of land; diplomatic advantage; improved prestige) was at stake for each participating family. Strategic unions generally provided clear benefits for each party, either immediately (by means of the exchange of dower and dowry) or potentially in future years (when the child of the marrying couple would benefit from the enhanced prestige or economic advantages gained by combining the assets of the two families). They were, in other words, openly negotiated, mutually agreed, and mutually beneficial.

Tactical marriage, by contrast, was shorter-term in its focus and confrontational. Rather than being undertaken in a spirit of co-operation, it was used to obstruct or to counter the political programme of a rival. One

⁷⁰ Chaplais, ed., *Diplomatic Documents*, pp. 20-3 (this quotation at p. 21). For general commentary on the Treaty of Le Goulet see Ralph V. Turner, *King John*, London and New York, 1994, pp. 53-4; W.L. Warren, *King John*, London, 1961, pp. 54-5.

marriage might be undertaken to offset the benefit of a recent marriage by the leader of a neighbouring state or family. The clearest twelfth-century example is the marriage of Henry of England to Margaret of France in 1160, arranged as an immediate response by Henry II to the betrothal of Louis VII to Adela of Blois-Champagne.⁷¹ Tactical marriage was therefore reactive, and inherently focused on immediate political manoeuvring. While such unions might well hold longer-term strategic benefits (in this sense, tactical marriage is a subset of the larger grouping of strategic marriages, rather than a completely separate category) the primary rationale was political one-up-manship.⁷²

Another illustration of this idea comes from 1153, with the betrothal of Louis VII's two daughters from his first marriage to the brothers Henry I of Champagne and Theobald V of Blois. Louis's initial reaction to the marriage of Henry Plantagenet (soon to become Henry II of England) and Eleanor of Aquitaine, immediately after the French king's own separation from the same woman, had been a military assault on the Angevin heartland. This had proven a fiasco, easily repelled by Henry II despite support for Louis from Henry of Champagne and from Henry II's own younger brother, Geoffrey Plantagenet.⁷³ Instead, Louis tried another method of undermining the unexpected union of Anjou and Aquitaine: the betrothal of Eleanor's own daughters to Henry of Champagne and Theobald of Blois. This confirmed the rift between Blois-Champagne and the Norman ruling house, often allies in the past, shifting the former more-or-less permanently into the Capetian sphere of influence.⁷⁴ The betrothals were therefore undertaken in a spirit of confrontation, and were clearly reacting to other political developments. Though the friendship of Blois-

⁷¹ See ch. 1, p. 12. I have also discussed the idea of tactical versus strategic marriage in my 'Marriage as Tactical Response: Henry II and the Royal Wedding of 1160', *English Historical Review*, forthcoming September 2004.

⁷² Other examples include the marriages of William Atheling and Matilda of Anjou in 1119; their siblings Matilda of England and Geoffrey of Anjou in 1128; both of William Clito's marriages during the 1120s; Henry II and Eleanor in 1152; John of England and Isabella of Angoulême in 1200. All combine the qualities of reactivity and confrontation that I use to define tactical marriage. All are discussed in chs 5-8.

⁷³ Robert of Torigny, *Chronica*, RS 82, vol. 4, pp. 165-6; and ch. 6, p. 221-2.

⁷⁴ Henry Plantagenet had inherited Anjou from his father in 1151, and had been invested with his mother's Norman duchy in 1150. To clarify the relationships mentioned here see the genealogical table in ch. 6, p. 255.

Champagne with the French royal house suggests a longer-term strategic aspect to the marital alliance, short-term tactical motivations are also readily apparent.⁷⁵

Further Perspectives on Marriage and Politics

The principles of marriage undertaken for political, economic, or other strategic benefit apply equally to the layers of society below the ruling families of the great principalities. An agreement between Roger, Earl of Warwick, and Geoffrey de Clinton, made probably in the late 1140s, brought together two powerful individuals and families whose interests were aligned, with their agreement sealed by Roger's gift of his daughter to Geoffrey. The marriage is the first and most prominent item in the charter recording the details of the alliance, the necessary foundation on which all subsequent provisions are built:

Know that I have given Agnes, my daughter, in marriage to Geoffrey the chamberlain...and with her I have given 10 knights for service out of the 17 which he holds from me in fee, that these 10 knights may be quit and free of all service which pertains [to me].... And besides this I grant to Geoffrey and his heir to hold the county of Warwick from me and from my heirs in the same manner as I hold and may hold it from the king.⁷⁶

The reciprocal ties of gift and counter-obligation are set forth explicitly throughout. In return for daughter, knights, and county, Geoffrey must maintain his loyalty both to Roger as his immediate feudal superior, and to the king, providing his knights in military service (or a financial contribution based on their number) if required. After the initial clauses dealing with the union of Geoffrey and Agnes, Roger formally grants the County of Warwick to his new son-in-law. From one perspective, Roger was not really giving away the county at all, since any child of the

⁷⁵ On the relationship between the French king and the brothers of the house of Blois-Champagne see Theodore Evergates, 'Louis VII and the Counts of Champagne', in Michael Gervers, ed, *The Second Crusade and the Cistercians*, New York, 1992, pp. 109-17.

marriage between Geoffrey and Agnes stood to inherit it in future. In a sense Roger grants the county to a hoped-for grandson, with Geoffrey as a temporary custodian in the interim. Clearly, then, the award could not have been so generous, nor the ties of friendship between the parties so close, if the diplomatic agreement had not had as its centre-piece the marriage which bound two families together as allies and as relatives. Diplomatic and dynastic imperatives come together in a mutually beneficial political and familial arrangement.

A second example highlights the impact of regal patronage on this secondary tier of the nobility. In 1180 Henry II awarded to William of Mandeville, Count of Essex, the daughter and heiress of the Count of Aumâle (over whom the king had rights of wardship) as a bride. William thus added an important Norman county to his English possessions. The text of the marriage agreement (recorded by the chronicler Ralph of Diceto) contains a strong sense of diplomacy and political settlement, and places a particular emphasis on the importance of faith. In an exchange of gift and reciprocity, Henry's largesse must be compensated by William's ongoing loyalty to his monarch as much as to his wife:

Because the twin authorities of the two counties [Essex and Aumâle] lie together in one and the same person (Count William) the Count must be held to account by an oath so that he shall always behave faithfully in the faith of the marital bed, bound by a great promise of faith.⁷⁷

This agreement suggests that the idea of balance-of-power rivalries within the twelfth-century political system can also apply beyond the relationships among the main principalities themselves. Along with a 'horizontal' approach (covering relations between states of more-or-less equal magnitude and influence) we need to consider the contest for power on a 'vertical' basis; that is, among individuals and family groups representing different levels of power and hierarchy within a single state. A failure to control the ambitions of restive vassals could fatally weaken

⁷⁶ David C. Douglas and George W. Greenaway, eds, *English Historical Documents, Volume 2: 1042-1189*, London, 1953, p. 929.

⁷⁷ Ralph of Diceto, *Opera historica*, RS 68, vol. 2, p. 3.

the ability of a state to assert its strength on the international stage. Whereas in the example above Henry II shows an astute ability to manage the expectations of a major vassal through marital patronage, the reigns of Stephen and John in England provide perhaps the best examples of failure in this area. Similar problems are evident in France during the reigns of Philip I and Louis VI, while local barons provided constant headaches for the Dukes of Aquitaine throughout the century.⁷⁸

Frequently, failure to curb the baronial challenge (with the vertical balance of power being disturbed in favour of the vassals, and to the detriment of their feudal superior) was the direct result of a lord's mismanagement of political issues relating to marriage and inheritance. Noble patriarchs wanted, above all, to control their estates and family affairs, and to pass on their patrimonies without interference to the following generation.⁷⁹ Those monarchs and magnates who heeded these desires, and who used the tools of patronage available to them wisely, ensured that their focus on international affairs would not be upset by chaos at home. Others who abused their rights of patronage, granting fiefs and brides to vassals in situations that created disputed successions and acrimonious rivalry, found their control of domestic affairs unravelling over the longer term. Feudalism, as has often been noted, was a social system that revolved around personal relationships and mutual ties of service.⁸⁰ Within such a system, the personal became political. Since the feudo-vassalic bond united lord and vassal in a symbiotic relationship of obligation and counter-obligation, each party had a duty to deal fairly with the needs and desires of the other. If this did not occur (as in the blatant disregard for baronial concerns under John) the delicate balance of feudal relations sank into the quagmire of civil strife.

Here, too, we can see the dynamics of balance and competing self-interest at work. 'Vertical' social relationships exhibit characteristics similar to those evident between states: the need for mutually acceptable trade-offs of power, territory, or influence; the flexibility to offer,

⁷⁸ See above, pp. 135 and 137-8; and ch. 2, pp. 74-5.

⁷⁹ Refer to the section entitled 'Lords and Families' in ch. 2, pp. 68-78.

withdraw or transfer tangible support to those higher or lower in the hierarchy; and the pursuit of prestige, especially at the family level, as a motivating force behind political action.⁸¹

At times this vertical balance of power broke down, with barons able to assert their interests forcefully. John le Patourel uses the Bellême family as an example of those Norman barons whom he sees indulging in ‘empire-building’: enhancing familial prestige through the acquisition of land, but to a degree that threatened the security of their feudal superiors. Around 1100, the three brothers Robert, Roger, and Arnulf held territories (gained either by inheritance or marriage into other families) in England, Wales, and Poitou as well as in Normandy.⁸² They offered their support to Robert Curthose, Duke of Normandy, in his struggle against his younger brother Henry I of England, perhaps as a result of Curthose’s more lenient attitude toward his feudal subordinates.⁸³ Holding lands from more than one lord allowed (or sometimes forced) powerful tenants to choose between them, with the protection or enhancement of their own prosperity in mind. On this occasion the Bellême family’s strategy succeeded only in angering Henry I, who banned the brothers from England and Wales in 1102. Banishment for offenders signalled a desire to re-establish regal authority against those barons unwilling to make the necessary trade-off between family prestige and the interests of the monarch. In weaker feudal states such as Burgundy and Aquitaine, castellans and viscounts were able to act largely with impunity, building castles or amassing territories in defiance of ducal opposition.⁸⁴ This suggests an imbalance in the distribution of power within these states, a vertical relationship that strongly favoured major tenants rather than their nominal lords.

Relations between Church and State can also be seen in the light of political rivalries. The investiture controversy that dogged the early part of the century was only one aspect of the contest for temporal power between

⁸⁰ As discussed, for example, in F.L. Ganshof, *Feudalism*, trans Philip Grierson, London, 1952, pp. 83-98.

⁸¹ Compare the discussion of balance-of-power principles above, pp. 125-7.

⁸² John Le Patourel, ‘Norman Barons’, in his *Feudal Empires*, section VI, pp. 20-1. On Robert of Bellême see ch. 5, pp. 158-9.

⁸³ See ch. 5, pp. 156-8.

⁸⁴ Hallam, pp. 28 and 30-33; and Werner, pp. 250-1.

secular and ecclesiastical opponents.⁸⁵ Church policies, while informed by spiritual motives, could not be entirely disentangled from political pressures and the need to interact with lay authorities. The struggle to define the nature of the matrimonial bond, for example, was a continuing element in the arena of international relations throughout the twelfth century, and one that brought dogma and canon law into contest with political realities.⁸⁶ Ecclesiastical influence over lay political behaviour tended to wax and wane along with the Church's own ability to present a united front. Periods of schism allowed secular magnates to gain leverage by offering or withdrawing support for rival papal candidates. Taking sides in a papal contest could also present an opportunity to play out temporal rivalries by other means. In the schism of 1133-5, for example, Louis VI of France and William X of Aquitaine pledged their support to Innocent II and Anacletus II, respectively.⁸⁷ In the same way, Alexander III, backed by Louis VII of France, contested the papacy in 1160 against Victor IV, the candidate favoured by Frederick Barbarossa and the princes of Germany. Henry II of England eventually sided with Alexander, but only after extorting a dispensation from papal representatives that enabled him to push through the marriage of his five-year-old son Henry to the even younger Margaret of France.⁸⁸

Power over ecclesiastical appointments and property formed another area of conflict, at the local level just as much as in the international arena. In areas where the influence of the Church was relatively weak, including some parts of the south of France, local lords managed at times to gain control of episcopal assets, passing them on as inheritance or dowry to

⁸⁵ For a summary of the investiture controversy see Alfred Haverkamp, *Medieval Germany, 1056-1273*, trans. Helga Braun and Richard Mortimer, Oxford, 1988, pp. 124-30. On the English context see Norman F. Cantor, *Church, Kingship, and Lay Investiture in England, 1089-1135*, Princeton, 1958.

⁸⁶ See ch. 1, *passim*.

⁸⁷ Werner, p. 253.

⁸⁸ On the schism following the death of Adrian IV in 1159 see Frank Barlow, 'The English, Norman and French Councils called to deal with the Papal Schism of 1159', *English Historical Review*, 51, 1936, pp. 264-8 (reprinted in Frank Barlow, *The Norman Conquest and Beyond*, London, 1983, pp. 297-301); Mary Cheney, 'The Recognition of Pope Alexander III: some neglected evidence', *English Historical Review*, 84, 1969, pp. 474-97; and Dorothy Whitelock, et al., eds, *Councils and Synods with Other Documents Relating to the English Church*, vol. 1, part 2, Oxford, 1981, pp. 835-41. On the dispensation, see my 'Marriage as Tactical Response'.

their own children.⁸⁹ In the eleventh century it had been reasonably common for bishops to perform homage and swear fealty to lay magnates for their territories.⁹⁰ Although this practice tended to decline as the Church asserted its authority more forcefully, in the early years of the twelfth century the holders of secular power still sought to gain influence over the Church in their region by controlling the process of appointment.⁹¹ Some monarchs made it a deliberate policy to gain the backing of the Church as a form of spiritual validation for their rule. Others seemed openly to defy papal or episcopal authority, often to their own detriment. Philip I imprisoned Ivo of Chartres in 1093 as a result of the bishop's opposition to Philip's marriage with Bertrade of Montfort, and suffered excommunication as a result.⁹² Philip II received a similar punishment a century later after his repudiation of Ingeborg of Denmark.⁹³ By contrast, Louis VI saw the benefits of adding spiritual legitimacy to temporal power. His patronage of the Abbey of St Denis and his willingness to cast himself as the defender of the Church's interests against other secular powers contributed to the beginnings of the resurgence of Capetian power.⁹⁴ It is important, then, to consider the Church and its representatives, at times united and on other occasions split into their own competing factions, as players on the field of international politics alongside secular monarchs and magnates. Adopting Church figures as allies could be politically advantageous for an astute politician, whereas failing to take account of the ecclesiastical response to one's own actions (especially in the field of marital politics) might prove a costly oversight.

⁸⁹ Werner, pp. 253-4.

⁹⁰ Fawtier, p. 71.

⁹¹ Investiture may have been a central issue in the marriage alliance between Henry V, King of the Germans, and Henry I of England in 1110. See ch. 5, p. 181.

⁹² Hallam, p. 106. Despite this, Philip retained the allegiance of several bishops (including Walter of Meaux and John of Orléans) to whom he had sold their offices. See also pp. 137-8 and note 53.

⁹³ See above, p. 142.

⁹⁴ Fawtier, p. 20.

In all these ways, the politics of the twelfth century were made up of a series of oppositions, numerous contests to assert power and status by some parties, while others attempted to rein in those who sought to raise themselves too far above the accepted equilibrium. At the centre of these contests, the institution of marriage and the closely connected phenomenon of inheritance provided the means by which alliances and rivalries took shape and played themselves out. Contemporary documents reveal a mindset in which political conflict could be negotiated and resolved using the terminology of marriage and inheritance as a medium of dialogue and dispute.

Perhaps we might turn to the sociologist Pierre Bourdieu to summarize these ideas. In discussing the anthropology of marriage, Bourdieu compares matrimonial strategies to a game of cards. Success depends on the cards held (equivalent to 'the material and symbolic capital possessed by the families concerned') and on the skill of the player ('the competence which enables the strategist to make best use of this capital').⁹⁵ As we shall see, dexterity in marshalling and deploying economic and human capital through marriage alliances was an absolute prerequisite for those wishing to make their presence felt in the competitive world of twelfth-century balance-of-power politics.

⁹⁵ Pierre Bourdieu, *Outline of a Theory of Practice*, trans. Richard Nice, Cambridge and New York, 1977, p. 58.

5. Anglo-Norman Reunification and the Continental Response, 1100-30

Looking back at the reign of Henry I (r. 1100-35) from the vantage point of the 1180s, Walter Map reflected on the tension that the new king had inherited between the Norman ruling class and their Anglo-Saxon subjects. Under William Rufus, Walter believed, ‘throughout all the realm there had been a state of fierce sedition’. But Henry,

by arranging marriages here and there between them, and
by all other means he could contrive, federated the two
peoples in firm amity, and reigned long and happily over
England, Wales, Normandy and Brittany.¹

No one would mistake Walter for a serious historian. But his impressions of Henry’s reign do tell us something about the image that remained of the Norman king several generations later. His use of marriage as a tool to unite the disparate peoples of his Anglo-Norman realm had been handed down by popular memory as a key feature of his reign. This general notion rings true: Henry used marriage alliances time and again to secure the power of his dynasty and to play off his major rivals against one another. The manipulation of inheritance practices, too, was an important weapon, especially in bringing about and consolidating the reunification of England and Normandy early in his reign. The resulting political entity threatened the balance of power in northern France, to the point where the Capetian monarchy under Louis VI (r. 1108-37) and its allies (especially Fulk V of Anjou, r. 1109-31) responded to Henry’s challenge with their own marital politics over the first quarter of the century.

Henry I and Matilda of Scotland

Henry I’s actions reveal an awareness of the importance of family property in the smooth functioning of feudal society. Henry allowed his supporters to establish landed dynasties and hand them on to the next generation; his enemies were more often than not denied this same crucial means of social

¹ Walter Map, *De nugis curialium*, trans. Montague R. James, London, 1923, p. 241.

advancement through confiscation or capture of their family estates.² By and large, Henry was successful in winning over allies, fending off foes, and strengthening the kingdom he inherited, and his skilful control of the politics of marriage and inheritance was integral to that success.

Henry's own first marriage is a shining example of this process. Though 31 at the time he assumed the throne, he had not yet committed himself to a match. But by the end of 1100 Matilda of Scotland had already been crowned as Henry's queen. The *Gesta Normannorum ducum* records the very public juxtaposition of Matilda's marriage and coronation, hinting that Henry deliberately wished to be seen to join his Scottish princess with him in his rule:

In this same year, so as to live lawfully, the king married the venerable Matilda, daughter of Malcolm, king of Scotland, and Margaret...she was married to the most noble King Henry at Westminster and on the same day crowned with royal dignity by Anselm, archbishop of pious memory.³

The union served several purposes. As for any monarch, Henry's first marital duty was to produce an heir to continue the royal line. But his marriage to Matilda meant that any heir would inherit a dual legacy. Matilda's mother was St Margaret, a scion of the Anglo-Saxon royal house. Besides the prestige that association with a woman of holy reputation added to Henry's rule, his children by Matilda would unite the Anglo-Saxon and Norman lines, putting an end to questions of the Norman kings' dynastic legitimacy. By recognizing the propaganda value of establishing a link with the unseated Anglo-Saxons, Henry was implicitly acknowledging the tenuousness of his own claim to the throne, and acting decisively to strengthen it. The *Anglo-Saxon Chronicle* notes approvingly

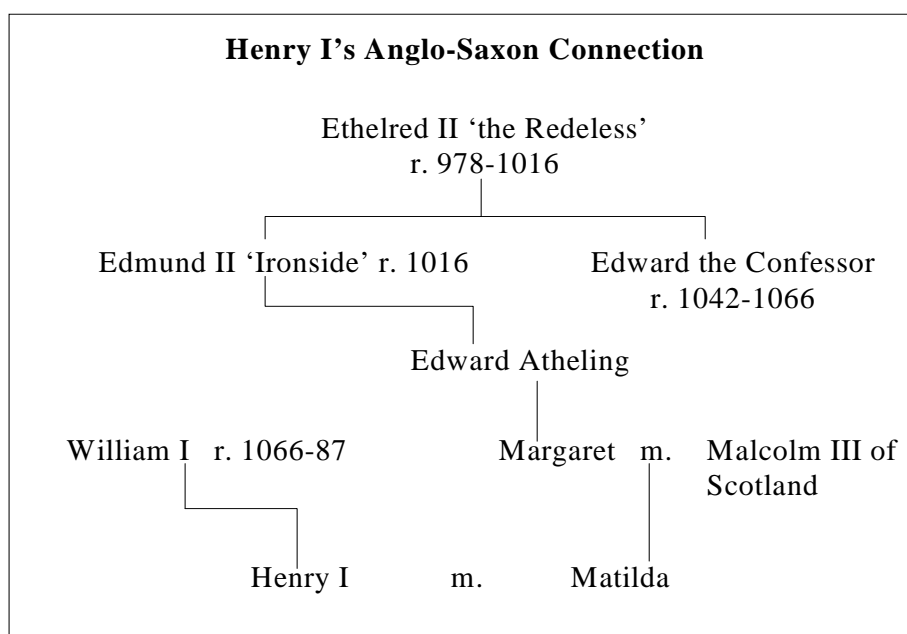
² For examples see below, pp. 158, 165, 172-3, 175, and 179-80.

³ William of Jumièges, Orderic Vitalis, and Robert of Torigny, *Gesta Normannorum ducum*, trans. Elisabeth M.C. Van Houts, vol. 2, Oxford, 1995, p. 217. John of Worcester also emphasizes the public nature of the ceremony (*The Chronicle of John of Worcester*, trans. P. McGurk, vol. 3, Oxford, 1998, p. 97). For a useful overview of relations between the neighbouring British kingdoms during the period see Judith Green, 'Anglo-Scottish relations, 1066-1174', in Michael Jones and Malcolm Vale, eds, *England and her Neighbours, 1066-1453: Essays in Honour of Pierre Chaplais*, London, 1989, pp. 53-72.

that Matilda was ‘the kinswoman of King Edward, of the true royal family of England’.⁴ Orderic Vitalis ascribes to the new queen a sanctity that reflects her mother’s beatified status:

So Henry in his wisdom, appreciating the high birth of the maiden whose perfection of character he had long adored, chose her as his bride in Christ.⁵

Henry hoped to benefit from the reflected glow of St Margaret’s halo, through her Scottish daughter.



Henry’s awareness of the usefulness of the Scottish marriage is suggested by the fact that he dragged Matilda out of a nunnery at Romsey in order to make her his queen.⁶ It is unclear whether Matilda herself had taken religious vows before her wedding. William of Malmesbury claims that she had not, and wore the veil only ‘so as to find a reason to reject the unworthy offers of marriage which her father had laid before her more than once’.⁷ She certainly managed to convince Archbishop Anselm that this was the case, and he duly allowed the marriage to proceed, after earlier

⁴ *The Anglo-Saxon Chronicle*, trans. Dorothy Whitelock, London, 1961, p. 177.

⁵ Orderic Vitalis, *The Ecclesiastical History of Orderic Vitalis*, trans. Marjorie Chibnall, Oxford, 1969-1980, vol. 5, pp. 299 and 301.

⁶ Walter Map, p. 259.

⁷ William of Malmesbury, *Gesta regum Anglorum*, trans. R.A.B. Mynors, R.M. Thomson, and M. Winterbottom, Oxford, 1998, vol. 1, p. 755.

opposition.⁸ Even so, Henry risked a serious breach of etiquette in proposing to marry a woman with a close connection to a religious institution. Not for the last time, he was prepared to risk the disapproval of the Church in order to pursue a course of action that suited his political ends. Henry put forward a flexible interpretation of what constituted an acceptable marriage (in this case, to a woman whose religious status made her eligibility questionable) and, on this occasion, he was rewarded by the passive acquiescence of Anselm's council. The monarch's future gambles would not always pay off so handsomely.

Tinchebrai and Anglo-Norman Reunification

Only once in his reign did Henry make an overt attempt to expand his realm by means of the sword: the campaign to reunite England and Normandy that culminated in his victory at Tinchebrai in 1106. This was the last successful challenge to the balance of power in England and France created by military means until Bouvines in 1214.⁹ Even here, the military action can profitably be seen as the resolution of a contested inheritance and succession. Warren Hollister and Thomas Keefe have argued that this expedition, far from being an act of aggressive expansionism on Henry's part, was an attempt to reunite the two parts of William I's legacy.¹⁰ On the Conqueror's death in 1087 his Norman patrimony had gone to the eldest son, Robert Curthose, while the acquired lands across the Channel had been bequeathed to the second son, William Rufus, whom Henry, the youngest son, had succeeded.¹¹

It did, however, raise issues of divided loyalties for many Norman nobles who had followed William I to England. Many of these magnates (or their heirs) now held lands on both sides of the Channel, which created conflicts

⁸ Eadmer, Anselm's biographer, claims to have been present at a meeting of senior clerics convoked at Lambeth to discuss the matter. See Eadmer, *History of Recent Events in England*, trans. Geoffrey Bosanquet, London, 1964, p. 131.

⁹ On the Battle of Bouvines, see ch. 8, pp. 296-9.

¹⁰ C. Warren Hollister and Thomas K. Keefe, 'The Making of the Angevin Empire', *Journal of British Studies*, 12, 1973, pp. 1-25. Their argument opposes the older view held by R.W. Southern, who sees Henry's 1106 campaign as manifesting 'an ambition indefensible in its general purpose, deleterious in its effects, and unjust in the measures by which he was obliged to encompass it'. See R.W. Southern, 'The Place of Henry I in English History', *Proceedings of the British Academy*, 48, 1962, p. 134.

of interest at times of rivalry between Robert and Henry. Those who owed feudal service to both princes could not hope to fulfil their obligations to one master without betraying the other. Henry's conquest of Normandy was no more than an attempt to rectify this untenable situation by reuniting both realms under one feudal lord.¹² Thereafter, his aims appear to have centred around the defence of his expanded realm, rather than any strategy to increase it further.

Robert of Torigny gives another reason for Henry's expedition:

King Henry,...very angry that his brother so squandered the paternal inheritance, the duchy of Normandy, that he scarcely maintained anything in demesne except the city of Rouen, which he might have handed over like the other places if its inhabitants had permitted him to do so, was infuriated by these actions and crossed the sea as quickly as possible.¹³

Despite Torigny's pro-Henry slant, he highlights an issue that could only have enraged any self-respecting feudal lord: excessive disposal of inherited lands. While the allocation of feudal holdings to tenants was the oil that kept the wheels of patronage turning, a fine line separated an appropriate degree of allocation from an excess. By the Treaty of Alton negotiated in 1101, Henry stood to inherit Normandy should Robert Curthose die without male heirs. The agreement provided that 'whichever of the brothers should survive the other should be heir of all England and Normandy as well, unless the deceased should have an heir in lawful wedlock'.¹⁴ Though Henry's inheritance of Normandy was made less likely by the existence of Robert's son, he could nonetheless argue as the potential heir that Robert was eroding the economic and prestige value of the Norman duchy to an unacceptable degree. As an excuse for war,

¹¹ On the division of inherited and acquired lands see ch. 2, pp. 55-7.

¹² Hollister and Keefe, pp. 2-3.

¹³ *Gesta Normannorum ducum*, vol. 2, p. 221.

¹⁴ *Anglo-Saxon Chronicle*, p. 177. The treaty also made provision for an annual payment of 3000 marks from Henry to Robert, as a way of dissuading him from any further military action against England. This appears to be an early example of Henry's cynical exploitation of economic diplomacy, since 'the king had promised him this with no intention of paying it' (William of Malmesbury, *Gesta regum*, p. 705).

mismanagement of an inherited patrimony was a pretext likely to strike a chord with feudal barons, and to win their support for the English king.

Even before Tinchebrai, Henry attempted to weaken the power of Robert Curthose's supporters by depriving them of their inherited English lands. Hostile magnates who accompanied Curthose's abortive invasion of England in 1101 (brought to an end by the Treaty of Alton) were severely punished. Henry pounced as soon as overt disloyalty gave him a pretext for action, imposing fines, disinheritance, and exile.¹⁵ Among those most affected were Robert Bellême, Curthose's greatest supporter, and also William, Count of Mortain, son of the Conqueror's half-brother, who 'worked against the king, for which reason the king deprived him of everything and confiscated what land he had in this country'.¹⁶

Henry hit his enemies where it hurt: in their inherited property holdings. As the English king would show repeatedly, economic measures suited his temperament. Rarely, if ever, was Henry's first impulse to use open warfare to realize his aims. As W.L. Warren comments, '[b]ribery, intrigue, and the combination of the two known as diplomacy were his preferred weapons'.¹⁷ When war did become unavoidable, Henry did his best to ensure a favourable outcome. Before Tinchebrai, we hear,

almost all the Normans nobles abandoned their duke and lord [Robert Curthose] and the fealty owed to him, and rushed over to the gold and silver the king [Henry] had brought with him, and handed castles over to him, and fortified cities and towns.¹⁸

Seen in this light, we may better understand Henry's tactics. Blatant bribery helped to take the uncertainty out of military encounters. Yet the loyalty of those won over by English gold could not be taken as permanent. How much more effective, then, to cement similar but longer-lasting ties of loyalty with potential allies by more robust diplomatic means: the arrangement of mutually beneficial marriage alliances, and the rewarding of supporters with grants of land, often the very land

¹⁵ Orderic Vitalis, vol. 6, p. 13.

¹⁶ *Anglo-Saxon Chronicle*, p. 179.

¹⁷ W.L. Warren, *Henry II*, London, 1973, p. 8.

confiscated from enemies. Henry's preference for diplomacy over war is emphasized in William of Malmesbury's description: 'he preferred to do battle in the council-chamber rather than the field, and won his victories without bloodshed if he could, and with very little if he could not'.¹⁹

Was Henry a usurper, or did his actions form an acceptable response to Robert Curthose's ineptitude as a feudal ruler? Orderic reports a supposed conversation between Robert Bellême and Henry's ally Helias, Count of Maine. In it the two nobles express differing opinions on the action at Tinchebrai. Robert Bellême, cast by Orderic in the role of spokesman for Robert Curthose, condemns Henry's actions in terms that stress the importance both of feudal loyalties and of primogeniture:

A younger brother has rebelled against an elder, a servant has conquered his master in war and thrown him into chains. Moreover he has robbed him of his ancestral inheritance and, as a perjured vassal, has taken his lord's right into his own hand.²⁰

In reply, Helias puts forth a 'law and order' argument, one that implies the necessity of rectifying through battle the imbalances caused by divided responsibilities to more than one lord:

One battle has been fought between two brothers for the purpose of putting an end to perpetual wars, which drenched the earth daily with the blood of its sons.²¹

Though almost certainly fictitious, the conversation highlights differing contemporary opinions on the events of 1106, and helps us to understand that a clear, uncontested set of rules on feudal practice (especially those relating to inheritance) did not yet exist. Speaking in favour of primogeniture suited the circumstances of those backing Robert Curthose; by contrast, those favouring Henry could stress the instability created by a divided inheritance, and the need for unified rule by whichever male family member was best equipped for the task.

¹⁸ John of Worcester, p. 107.

¹⁹ William of Malmesbury, *Gesta regum*, p. 745.

²⁰ Orderic Vitalis, vol. 6, p. 95.

²¹ *ibid.*, p. 97.

Orderic later puts another speech into the mouth of Henry himself, justifying his seizure of Normandy to Pope Calixtus II:

I did not deprive my brother of the duchy of Normandy,
but laid legal claim by battle to the just inheritance of our
father, which my brother and nephew did not really
possess themselves, because villainous bandits and
blasphemous scoundrels utterly wasted it.²²

Here again, mismanagement of the patrimony is seen as grounds for disinheritance.

Tinchebrai made Henry a force to be reckoned with in European affairs. It significantly destabilized the balance of power in the northwest by creating a new, larger state that *appeared* to threaten its smaller neighbours, whether or not Henry's intentions were expansionary. For the rest of his reign Henry would find himself opposed by hostile states, especially Flanders, Anjou, and the (still relatively limited) Capetian kingdom. His diplomatic strategy aimed to ensure the integrity of his own domains by enlisting the help of smaller political units whose masters had their own rivalries with the major French magnates. And at the core of this strategy were the immensely useful weapons of marriage and inheritance.

Family Politics

In the years after 1106 Henry I acted to build up a comprehensive grouping of allies and dependencies, especially by close management of one of his most prolific resources: his own family. In most cases Henry married his daughters to barons who held land on the edges of the Anglo-Norman realm, as if he wished to create a series of friendly buffer states between himself and his rivals. Male relatives, on the other hand, were usually married to domestic heiresses, rather than to foreign brides. In each case these royal relatives included a large number of illegitimate children whom Henry seems to have considered useful bargaining chips.²³ While they

²² *ibid.*, p. 285.

²³ For a full survey of Henry's illegitimate children see Chris Given-Wilson and Alice Curteis, *The Royal Bastards of Medieval England*, London, 1984, chs 4 and 5. In the same way, in 1117 Louis VI married his illegitimate daughter Isobel to William, son of the lord of Chaumont in the French Vexin. See Judith Green, 'Lords of the Norman

owed their existence to the completely apolitical factor of the healthy sexual appetite that Henry is thought to have possessed (the chronicler Henry of Huntingdon accused him of 'debauchery, since he was at all times subject to the power of women, after the manner of King Solomon'²⁴), it is probable that he fully recognized the diplomatic value of bastard children once he had indulged himself in the pleasure of their procreation.²⁵

Among his illegitimate sons, the best example of Henry's policy is the marriage of Robert Fitzroy to Mabel, daughter of Robert FitzHamon, Earl of Gloucester. Robert Fitzroy eventually became Earl of Gloucester in right of his wife, the most powerful baron in England, and a contender for the throne.²⁶ Henry's bastard daughters, meanwhile, were betrothed to vassals in his border lands or to neighbouring barons and princes. In the north these included Alexander, king of Scotland (Henry's own brother-in-law), and Fergus, earl of Galloway. On the continent Henry made sons-in-law of Conan III of Brittany, Roscelin of Beaumont, Viscount of Maine, Rotrou of Perche, William of Montmirail, and Matthew of Montmorency (see map below).²⁷ A marriage alliance was also undertaken with Eustace, Count of Boulogne (to Normandy's northeast).

Considering the geographical pattern that emerges from this list, Henry's own second marriage to Alice of Louvain (in modern Belgium) is consistent with a policy of diplomatic encirclement of the Anglo-Norman realm, and the gathering of allies to assist in any confrontation with the larger powers of France, Anjou, or Flanders.²⁸ The principle of the balance-of-power trade-off is apparent: Henry gains greater influence over

Vexin', in John Gillingham and J.C. Holt, eds, *War and Government in the Middle Ages – Essays in Honour of J.O. Prestwich*, Cambridge, 1984, pp. 59-60.

²⁴ Henry, Archdeacon of Huntingdon, *Historia Anglorum (History of the English People)*, trans. Diana Greenway, Oxford, 1996, p. 701.

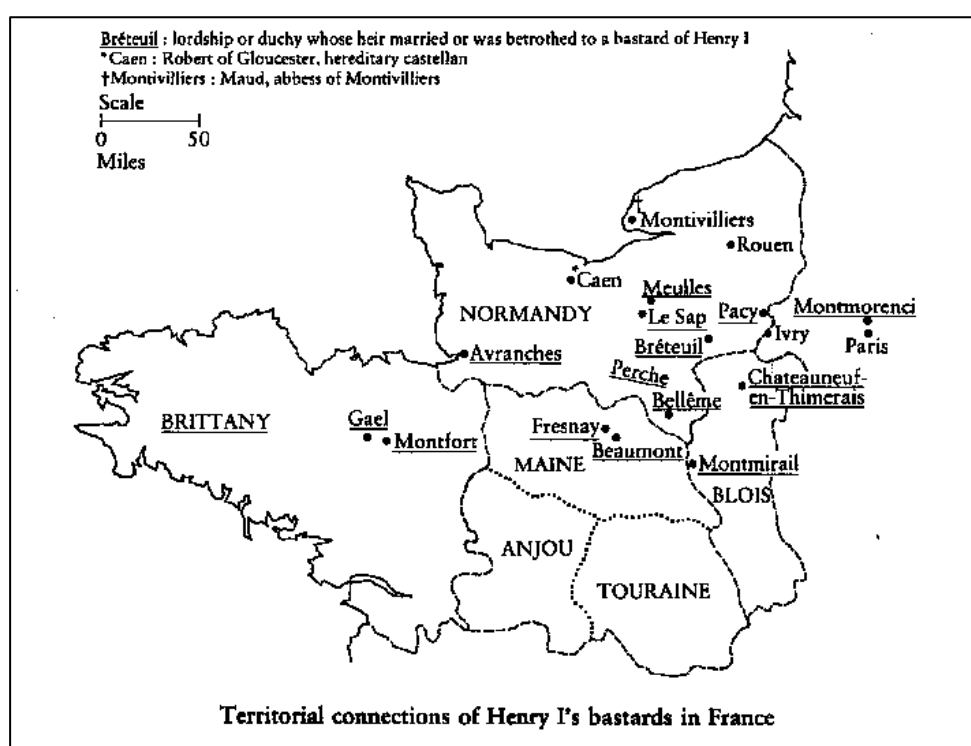
²⁵ William of Malmesbury rather unconvincingly comments that Henry did not suffer from the sin of lust and was concerned only with the begetting of children, presumably for purposes of policy (*Gesta regum*, p. 745). Some modern historians follow him in this view. See, for example, K.S.B. Keats-Rohan, 'The Bretons and Normans of England 1066-1154: The Family, the Fief and the Feudal Monarchy', *Nottingham Medieval Studies*, 36, 1992, p. 55.

²⁶ Given-Wilson and Curteis, ch. 5.

²⁷ *ibid.*, p. 70. See also Hollister and Keefe, p. 5; and Alison Weir, *Britain's Royal Families, – The Complete Genealogy*, 2nd edn, London, pp. 48-9.

²⁸ For Henry's marriage to Alice see below, pp. 179-80.

the border regions of his realm, while his allies through marriage boost the prestige of their own lineage by connection with the royal family. Strategic marriage is in the service of *raison d'état*.²⁹ To make the trade-off even more attractive for his new sons-in-law, substantial dowries often accompanied Henry's illegitimate daughters. These dowries usually comprised territories in England, complementing the continental estates of his daughters' husbands and suggesting a pattern of loyalty built up by the creation of cross-Channel holdings.³⁰



(Source: Given-Wilson and Curteis, *The Royal Bastards of Medieval England*, p. 70)

Furthermore, Henry paid close attention to inheritance matters as a way of asserting control over feudal subordinates, and ensuring their loyalty. In 1107 Robert, Count of Meulan, wished to make provision for his twin sons, Waleran and Robert. The count, though among the greatest of Anglo-Norman magnates, could make no arrangements without Henry's consent.

²⁹ See ch. 4, p. 126.

³⁰ Roscelin, Viscount of Maine, for example, married Henry's daughter Constance, whose dowry included estates in Devon. See Kathleen Hapgood Thompson, 'Dowry and

A surviving charter records Henry's approval of the deal whereby Waleran stood to inherit the family's Norman lands, with his brother to receive the bulk of the English estates. In a clause that recalls the terms of the Treaty of Alton, each brother stood to inherit the entire cross-Channel estate were the other to die without legitimate heirs. If both died or were incapacitated, Count Robert's daughter would become the rightful heiress, but only if she were to marry with the king's consent.³¹ In Sir Frank Stenton's words, 'no other document expresses so clearly the firmness with which the king could control the devolution of even the greatest fiefs in England and Normandy'.³²

Count Robert himself appears to have engineered the geographical split of English and Norman lands between his two sons. As David Crouch points out, this did not match precisely the usual practice of bequeathing inherited estates to the elder son and acquired lands to the younger, the principle expounded by the *Leges Henrici primi*.³³ Waleran (presumed to be the elder twin) certainly received the Norman patrimony, but Count Robert's inherited estates also included lands in England. The vast majority of these were now pledged to the younger Robert, along with the acquired earldom of Leicester.

Crouch believes no fixed rules guided this settlement, and denies the relevance of the *Leges* as a template for contemporary feudal practices.³⁴ This is going too far: surely it is better to see this individual case as representing a compromise between widely-known but ill-defined family customs (the inheritance versus acquisition split) and the desire for a pragmatic solution to specific family circumstances. It is probable that Count Robert was seeking to ensure the integrity of his family lands even if the newly reunited Anglo-Norman state should again be split in two (as

Inheritance Patterns: Some Examples from the Descendants of King Henry I of England', *Medieval Prosopography*, 17, 1996, pp. 48-51.

³¹ *Regesta regum Anglo-Normannorum 1066-1154, Volume II: Regesta Henrici primi 1100-1135*, ed. Charles Johnson and H.A. Cronne, Oxford, 1956, pp. 72 and 319.

³² Sir Frank Stenton, *The First Century of English Feudalism 1066-1166*, 2nd edn, Oxford, 1961, p. 34.

³³ David Crouch, *The Beaumont Twins – The Roots and Branches of Power in the Twelfth Century*, Cambridge, 1986, p. 9. On the *Leges Henrici primi* see ch. 1, pp. 30-1; and ch. 2, pp. 56-7.

would indeed happen under Stephen). Distinct English and Norman estates for each son were a safeguard against the risks of owing feudal loyalty to more than one lord, in the event of future political turmoil. The charter also seems to show that ‘rules’ on the way estates were handed down in the early twelfth century *did* exist, but were neither fixed nor inflexible. The Meulan case suggests that a principle such as the division of inherited and acquired lands was known and heeded, but was seen as a general guideline rather than an absolute requirement.³⁵

By approving the settlement whole-heartedly, Henry ensured the support of an important Anglo-Norman noble. In a corresponding ‘vertical’ balance-of-power trade-off, he exerted regal rights: his claim to arrange the marriage of the inheriting daughter, should both her brothers predecease their father, closely follows the provisions of the Coronation Charter.³⁶ In the event, the twins were aged about 14 when the count died in 1118, and Henry took the opportunity to cement the loyalty of the next generation by inviting the boys to court, while claiming the right of wardship over their estates until they came of age.³⁷ Here again, Henry’s method of political control combined overt support for his vassals with the assertion of regal privileges. In 1121 he arranged the marriage of young Robert to Amice, heiress of the Breteuil domains in Normandy. This partially reversed the clear separation of English and Norman lands the twins’ father had intended. Waleran was still unmarried, and could have combined the Breteuil estate into his own Norman holdings through marriage to Amice.³⁸ Rather than allowing one magnate to become too powerful through the concentration of landed wealth, Henry now found it preferable to create more dispersed cross-Channel estates. The resources available to

³⁴ Crouch, p. 9. He comments ‘there are too many exceptions to the principle expounded by the *Leges*...to believe that any rule guided Count Robert’s division of his estates’.

³⁵ For another view of the career of the elder Robert of Meulan see Sally N. Vaughan, ‘Robert of Meulan and *Raison d’État* in the Anglo-Norman State, 1093-1118’, *Albion*, 10, 1978, pp. 352-73.

³⁶ The third paragraph of the Coronation Charter states ‘And if, on the death of one of my barons or of one of my tenants, a daughter shall be his heir, I will dispose of her in marriage and of her lands according to the counsel given me by my barons’. See ch. 1, p. 35; and ch. 2, pp. 62-3. On the idea of a ‘vertical’ balance of power see ch. 4, pp. 147-9.

³⁷ Crouch, p. 2.

³⁸ *ibid.*, p. 13.

him in the form of marriageable heiresses helped to balance the strength of his major magnates.

Other marriages arranged by Henry himself were replete with political significance. The gift of his first wife's sister Mary of Scotland to Eustace III, Count of Boulogne, would later have direct implications for the succession. Several chroniclers agree that it was Henry who arranged the marriage in the first years of his reign.³⁹ She was the sister of the king of Scotland, and only Henry's sister-in-law. Yet it is he who seems to have held the power of patronage to bestow her on a husband as he saw fit. Later, Henry was again instrumental in finding a husband for Eustace and Mary's only daughter, Matilda. She was the heiress of a major continental fief, descended through her Scottish mother from the Anglo-Saxon royal line, and through her father from the Carolingians.⁴⁰ Henry had already shown his awareness of the importance of lineage in his own first marriage. Now, in 1125, he linked the royal blood coursing through Matilda of Boulogne's veins to his own family by marrying her to his nephew Stephen of Blois. After the death of William Atheling, and before the birth of Henry's grandchildren, Stephen was one of the prime contenders to succeed to the throne, and was favoured with this glittering match.

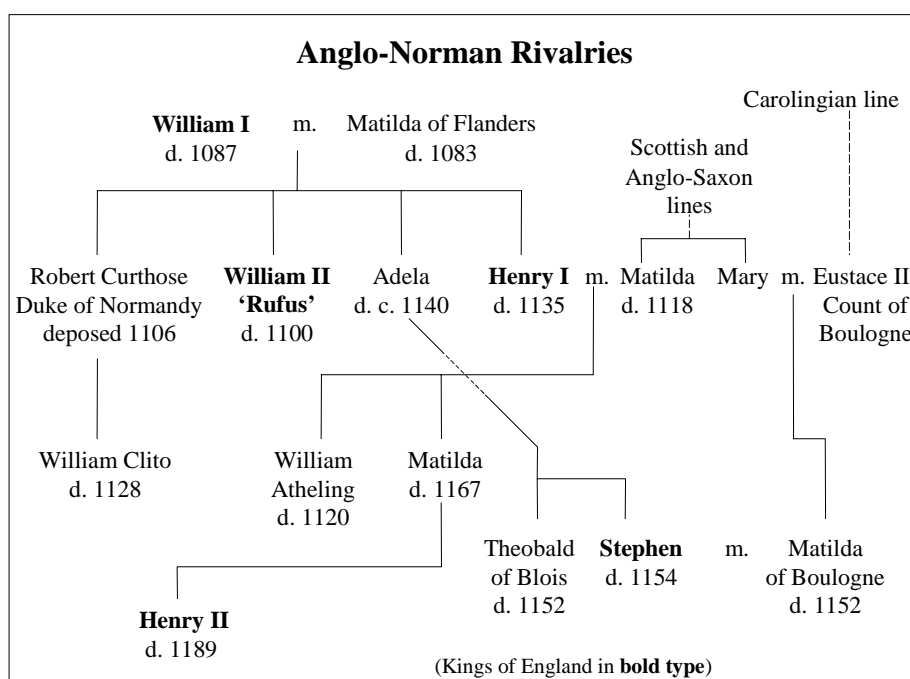
Stephen was a prime example of one of the 'new men' whose fortunes were made by Henry's favour. He was raised at his uncle's court, and had already been granted the County of Mortain, in Normandy. His marriage to Matilda gave him control not only of the vital Channel ports in the County of Boulogne itself, but also of the vast holdings in England that belonged to the same fief. Stephen's power over his wife's inheritance was unquestioned. A charter of 1125 records the fact that Eustace, who wished to retire to a monastery, granted an annuity to the Abbey of Cluny 'with

³⁹ William of Malmesbury, *Historia novella*, trans. K.R. Potter, ed. Edmund King, Oxford, 1998, p. 99; and William of Newburgh, *The History of English Affairs*, trans. P.G. Walsh and M.J. Kennedy, vol. 1, Warminster, Wilts., 1988, p. 53.

⁴⁰ R.H.C. Davis, *King Stephen 1135-1154*, 3rd edn, London and New York, 1990, p. 9.

the approval and confirmation of Stephen count of Boulogne, to whom he had given his inheritance, with Mathildis his daughter'.⁴¹

The king was especially keen to promote retainers in this way in order to build a base of support to resist the Norman ducal claims of the unseated Robert Curthose and his son, William Clito (see chart below). Stephen now held lands in the west of Normandy (Mortain) and on its northern border (Boulogne), making him a vital figure in any contest for possession of the duchy, as well as a useful defensive ally. In light of Henry's support for him it is ironic that Stephen eventually seized the throne against his uncle's wishes.⁴²



Consanguinity Problems

On several occasions the obstacle of consanguinity interrupted Henry's plans. Archbishop Anselm, pursuing a more restrictive line than he had in allowing Henry and Matilda of Scotland to wed in 1100, refused to give his sanction to the marriage of William of Warenne, Earl of Surrey, in 1107. William had backed Robert Curthose's invasion of 1101, but was

⁴¹ J.H. Round, ed., *Calendar of Documents Preserved in France Illustrative of the History of Great Britain and Ireland - Volume I, 918-1206*, London, 1899 and 1967, p. 507.

⁴² See ch. 6, pp. 197-201.

eventually reconciled with Henry and supported him in 1106. As a reward, and as a method of assuring the earl's future loyalty, Henry wished to marry one of his own daughters to William. Anselm, however, put paid to Henry's plans, as his letter to the monarch relates:

William of Warenne...and your daughter are related on one side in the fourth degree and on the other side in the sixth...If they are so related they can on no account be legitimately joined without the condemnation of their souls and without grave sin for those who arrange for this to take place.⁴³

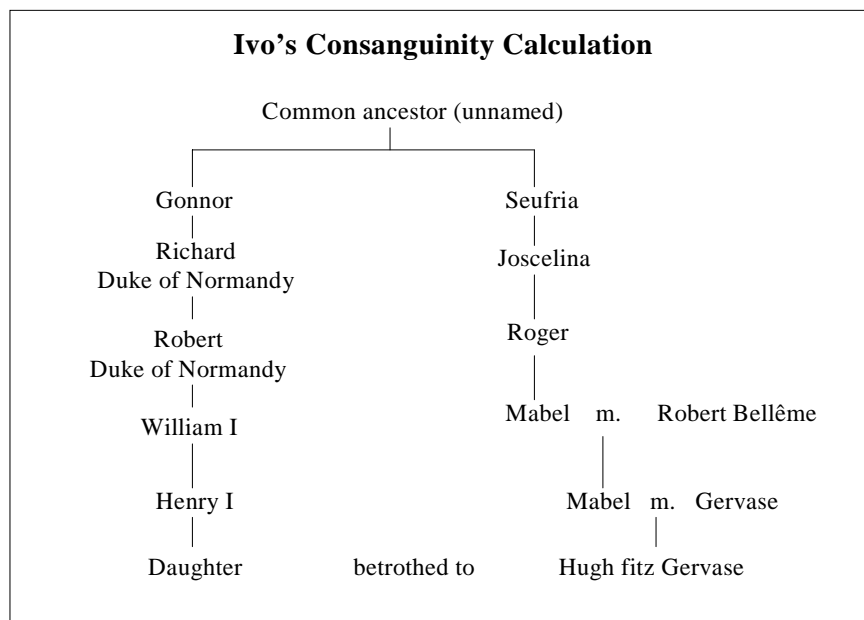
Although this instance does not fit the pattern of diplomatic marriages with continental nobles on the fringes of the Anglo-Norman realm, Henry's stock of available children was prolific enough to allow him to fulfil different aims as circumstances dictated. On this occasion, however, his plans were interrupted by Anselm's strict interpretation of the canon law prohibitions on incestuous marriages.

The betrothal of another daughter to Hugh fitz Gervase, seigneur of Châteauneuf-en-Thimerais, was opposed by Ivo of Chartres, in a letter probably dated around 1115. Ivo produced a genealogical record to support his argument that the couple were distant cousins, being related in the sixth degree. The bishop's language is striking in that it allows no compromise to the prohibition on marriages within the seventh degree of relationship, even in the case of such distant cousins, and strongly reinforces a restrictive view towards endogamous unions. He also stresses the legal and documentary evidence for his accusation, leaving Henry no choice but to abandon his plans on this occasion:

I have heard that you have betrothed a certain daughter of yours to a certain parishioner of ours, that's to say to Hugh, son of Gervase. In fact, their relatives attest that they are related by a degree of consanguinity, so that they

⁴³ Anselm, *The Letters of Saint Anselm, Archbishop of Canterbury*, vol. 3, trans. Walter Fröhlich, Kalamazoo, Michigan, 1994, p. 197 (letter 424). Fröhlich believes the bride in question to be Matilda, Henry's only legitimate daughter, but his illegitimate daughter of the same name seems a far more likely candidate. Most of his illegitimate daughters were married to magnates of William of Warenne's rank.

may not contract a marriage to each other, unless it be an incestuous and illicit one. This is not at all appropriate to royal majesty: to allow in yourself a fault that you would have to punish in others with the severity of the laws...For what we say is not done from conjecture, because we have in our hands a genealogical document which noble authorities, scions of that very family, caused to be written, and they appeared before ecclesiastical judges to count that same genealogy in every degree, and to provide proof in accordance with the principles of the laws.⁴⁴



It seems that Henry was prepared to test the boundaries of acceptable behaviour in pursuing his political objectives. But at the same time he was astute enough not to continue fights he knew he would lose, and backed down on those occasions when clerical authorities opposed his plans with vigour. What arbiters of opinion believed about the dangers of consanguineous marriages was not the issue: how they could interpret these rules to promote their own interests had long taken precedence. Ivo, for his part, backed up his claim of incest by spelling out the ancestors of

⁴⁴ Ivo of Chartres, *Epistolae*, in PL, vol. 162, letter 261, cols 265-6.

the unfortunate couple back to the sisters Gonnor and Seufria (see chart). Georges Duby points out that it was exactly this type of legal argument that helped to increase the awareness of lineage and dynasty among twelfth-century nobles.⁴⁵

Church authorities did not have things all their own way. Henry was able to arrange the marriage of his illegitimate daughter Juliana to Eustace of Breteuil despite their consanguinity.⁴⁶ Similarly, in the 1090s Robert of Meulan had obtained a papal dispensation for his own marriage despite receiving a letter from Ivo explicitly outlining Robert's forbidden relationship with his wife. On that occasion senior Church figures were at odds with one another, placing different interpretations on the seriousness of the breach. The flexible papal view prevailed over Ivo's more restrictive one, allowing Robert's technically illicit marriage to proceed.⁴⁷

In general, though, these incidents display the relative strength of Church authorities in enforcing compliance to the consanguinity rules in the first half of Henry's reign. Since the king was in a comparatively weaker position in his earlier years, he was often forced to yield to Church opinion. In 1107 he had only just retaken Normandy, an action to which Anselm's approval would lend legitimacy, and he was arguing with the archbishop over investiture issues.⁴⁸ To fly in the face of Anselm's disapproval on a question of marriage would undoubtedly have cost Henry valuable support in other areas. In the middle of the following decade Normandy was still not entirely secure, and to risk the wrath of the influential Ivo was a political gamble not worth taking. Yet a few years later, Henry would openly defy ecclesiastical authorities by pursuing incestuous marriages regardless of canon law stipulations. In this sense we can trace a changing distribution of power not only in relations between

⁴⁵ Duby, *Medieval Marriage*, pp. 26-7.

⁴⁶ I base this observation on the genealogical chart provided in John Le Patourel, *Feudal Empires, Norman and Plantagenet*, ed Michael Jones, London, 1984, section VI, p. 6. It implies that Eustace and Juliana were related in the fifth and sixth degrees. For details of Juliana's colourful history of conflict with her father see Orderic Vitalis, vol. 6, pp. 213-15.

⁴⁷ Ivo of Chartres, *Epistolae*, in PL, vol. 162, letter 45, cols 57-8. See also Vaughan, 'Robert of Meulan', p. 359.

⁴⁸ On the Investiture Controversy in the English context see Norman F. Cantor, *Church, Kingship, and Lay Investiture in England, 1089-1135*, Princeton, 1958.

major feudal states, but between one particular state and the Church. After the deaths of Anselm and Ivo, and with his own realm more secure after 1119, Henry could defy less august prelates more or less with impunity when tempted by tangible political rewards.

Louis VI, Fulk V of Anjou, and the Threat of the Coalition

The increased strength of the Anglo-Norman realm after reunification in 1106 did not go unchallenged. The accession of Louis VI to the Capetian crown in 1108 marked the start of a slow period of resurgence for the French monarchy after several decades of humiliating weakness.⁴⁹ Louis's intervention in a disputed inheritance in the Bourbonnais, just to the south of the royal demesne, shows a renewed assertiveness on the part of the Capetians. In 1109 Louis used military force to restore the lordship to its rightful heir.⁵⁰ The action is noteworthy in that it shows a willingness to use force to support a claim of primogeniture at this early point in the century. A similar willingness to intervene in matters of interest to the French crown, especially those where issues of marriage and inheritance were at stake, would be a defining feature in Louis VI's relations with Henry I throughout his reign.

Another regional power re-establishing its strength after a period of relative weakness was the county of Anjou, straddling the Loire to Normandy's south.⁵¹ With the emergence of Fulk V as undisputed count in 1109, Anjou began to reassert its influence on neighbouring principalities. Henry's consolidation of power in Normandy must have seemed a threat to Angevin independence, and over the following years Fulk showed almost as much dexterity in the use of marital politics to protect his state's *raison d'état* as did Henry himself.

Between Normandy and Anjou lay the county of Maine, whose ownership had for some time been a bone of contention between its two neighbours. Helias, Count of Maine, had pledged allegiance to Henry and supported him at Tinchebrai, but in 1110 he was murdered. Fulk took the

⁴⁹ On the position and relative strength of the Capetian monarchy at this point and on Philip I's inept management of marital issues see ch. 4, pp. 137-9.

⁵⁰ Elizabeth Hallam, *Capetian France 987-1328*, London and New York, 1980, p. 117.

opportunity to grab both the city of Le Mans and Helias's daughter Eremburga, whom he took as his own wife.⁵² This was an act of feudal defiance that must have enraged Henry, who would have considered himself Eremburga's rightful guardian. Even worse, Fulk refused to pay homage to Henry for Maine. A border war ensued from 1111 to 1113, in which Henry 'firmly practised the laws of war, with sword and flame, against the count of Anjou who held Maine against his will'.⁵³

Just as this conflict began with a marriage, so a marriage ended it. Henry did not want to risk an escalation of the conflict, and was keen to forestall a formal alliance between Fulk and Louis VI on the basis of their common rivalry with the Anglo-Norman monarchy. As a result, he brought the Angevin conflict to an end in February 1113 by proposing a marriage between his son, William Atheling, and Fulk's daughter Matilda. William was eleven years old, and Matilda around seven.

As events transpired, the children would not be married for another six years. But a formal betrothal, even if provisional in nature, was still enough to bring immediate political benefits in 1113.⁵⁴ Fulk agreed to pay homage to Henry for his lands in Maine. Louis VI, who had been threatening to join Fulk, now made peace with Henry. Louis himself had been busy trying to control another rival, Theobald IV of Blois (r. 1102-52), whose lands bordered the Capetian royal demesne. Young Theobald, Henry's nephew and the elder brother of Stephen of Blois, was a frequent ally of Henry and a useful counter-balance to the threat of any alliance between Anjou and France. During the 1111-13 conflict, he 'kept the king of France too much occupied to disturb the king of England, Theobald's uncle, by invading Normandy'.⁵⁵

Henry had already bought the neutrality of another potential rival, Flanders, in 1110 with the renewal of their 'money-fief' treaty, an agreement to pay the Flemish count Robert II an annual subsidy in return

⁵¹ See ch. 4, pp. 136-7.

⁵² Robert of Torigny, *Chronica*, RS 82, 4, p. 91.

⁵³ Henry of Huntingdon, p. 459.

⁵⁴ William of Malmesbury, *Gesta regum*, p. 759. He describes the couple thus: 'she was scarcely of marriageable age, and he yet a boy'.

⁵⁵ Orderic Vitalis, vol. 6, p. 179.

for military service as required.⁵⁶ The treaty largely offset the impact of any service the Count of Flanders owed to his nominal feudal lord, Louis VI. Once again, Henry showed his preference for diplomacy and economic incentives. His reunification of the Anglo-Norman realm had made him a target, a threat to the balance-of-power *status quo* in the eyes of men like Fulk and Louis. To consolidate his gains, and to keep Angevin ambitions in check, Henry employed a combination of thinly-veiled bribery (with Flanders), the threat of his nephew's intervention (against Louis), and, with most immediate impact, a strategic marital alliance (with Fulk).

Unfortunately for Henry, this separation of his rivals did not last. Fulk had second thoughts (something that an agreement of betrothal rather than marriage made it all too easy for him to do) and in 1118 joined Louis, Baldwin VII of Flanders, and several minor Norman barons in an attempt to oust Henry from Normandy and install William Clito.⁵⁷ Baldwin VII (r. 1111-19) had proved more hostile to the Anglo-Norman realm than had his predecessor Robert II. He sought constantly to expand Flemish interests by military and diplomatic means, but had suffered a setback when his marriage to a daughter of Alan Fergant, Duke of Brittany, was annulled by Pope Paschal II on the basis of consanguinity.⁵⁸ Baldwin may have seen that strategy as a way of surrounding Normandy by alliance with a state to the west, an attempt to bring a region traditionally subservient to the Normans into his own camp. When that arrangement failed, he readily joined Louis and Fulk in outright conflict against the Anglo-Norman power.

Other issues contributed to the conflict. The death in 1118 of William, Count of the Norman honour of Evreux, provoked a crisis when Henry refused to grant the fief to its principal claimant, Amaury of Montfort. Amaury was William of Evreux's nephew, but was also a major French magnate, and as such was not someone whom Henry wished to see in

⁵⁶ Pierre Chaplais, ed., *Diplomatic Documents Preserved in the Public Record Office – Volume 1, 1101-1272*, London, 1964, pp. 5-7. See also ch. 4, pp. 129-31.

⁵⁷ Henry of Huntingdon p. 461. He reports that 'very serious trouble arose for King Henry. For the French king, the count of Flanders, and the count of Anjou took an oath that they would wrest Normandy from King Henry and give it to William, son of Robert, the duke of the Normans'.

⁵⁸ *Genealogia comitum Flandriae*, RHF, vol. 13, p. 411.

control of an important Norman estate. The lack of clarity over the ability of a collateral line to inherit allowed Henry to oppose Amaury's claim on quasi-legal grounds. Amaury, for his part, had a clear incentive to argue for the (still uncertain) rights of nephews as heirs, and to make his point he 'raised a major rebellion, stirring up almost the whole of Gaul against Henry'.⁵⁹

The English king was supported by Theobald of Blois, and by Alan Fergant, Duke of Brittany, as the major feudal states of northern France all lined up on one side or the other.⁶⁰ Each side enjoyed temporary military successes in 1119, with the Anglo-Norman forces suffering a setback at Alençon but defeating Louis at Brémule.⁶¹ However, the decisive moment came when Henry managed to crack his opponents' united front by persuading Fulk to go through with the marriage of William and Matilda, and to make peace as a consequence. The removal of Fulk from the opposing coalition forced Louis to conclude a peace deal with Henry in 1120. William Atheling, as Henry's heir, paid homage to Louis for Normandy.⁶² Henry himself had never been willing to perform this ritual, but his agreement now was by no means an act of submission. In fact it implied Louis's acceptance of the validity of Henry's rule in Normandy, and his renunciation (publicly at least) of the claims of William Clito.

The preceding decade had therefore witnessed three decisive shifts in the distribution of power among the major northern French states, all signaled by marriage alliances: that between Fulk and Eremburga; the betrothal of William and Matilda in 1113; and the subsequent marriage of the same couple. In each case, contemporary opinion appears to have accepted without question the fact that a marriage contract not only accompanied a political settlement, but constituted the very crux of the deal. John of Worcester describes the 1119 agreement in the following terms:

King Henry made a separate peace with the count of Anjou, receiving the count's daughter as a bride for his

⁵⁹ Orderic Vitalis, vol. 6, p. 189.

⁶⁰ *ibid.*, p. 181. The Breton lord already had close links with Henry, having recognized him as his overlord by an act of homage, and having married his son Conan to Henry's illegitimate daughter Matilda.

⁶¹ *ibid.*, pp. 207 and 235 ff.

son William, whom he had already made heir to all his kingdom.⁶³

Abbot Suger leaves us in no doubt about his opinion of Fulk's decision:

[he] had earlier allied himself to King Louis...But Count Fulk now put greed before fealty, and inflamed by treachery gave his daughter in wedlock to William, son of the English king, without consulting King Louis. He falsely betrayed his sworn word to be an enemy of King Henry and joined himself to the English king by ties of friendship of this kind.⁶⁴

In the latter example the marriage is directly equated with the betrayal, rather than being a by-product of it. Feudal etiquette had been breached, in that Fulk had not consulted his lord, especially about the marriage of his daughter to the son of his king's enemy (something that Henry, for example, had given himself the power to veto in his Coronation Charter). Fulk must have known the risks, but a similar strategy had proven successful when he himself had married Helias's daughter without Henry's permission. In fact Fulk's attention was directed elsewhere: he wished to depart for the Holy Land, and an end to the hostilities, accompanied by a settlement that brought peace with his Norman neighbour (even if risking the wrath of his lord) must have seemed the best way of settling domestic affairs and allowing him to pursue his other aims.⁶⁵

If the deal suited Fulk, what was in it for Henry? Hollister and Keefe are of the opinion that Henry's motives were relatively immediate: the end of an expensive, inconvenient, and potentially damaging war, and the humiliation of Louis VI and weakening of the French king's influence.⁶⁶ Along with this William Atheling received the lordship of Maine as Matilda's dowry, allowing Henry to regain influence over an area he felt

⁶² Simeon of Durham, *Historia regum*, RS 75, vol. 2, p. 258.

⁶³ John of Worcester, p. 145.

⁶⁴ Suger, *The Deeds of Louis the Fat*, trans. Richard Cusimano and John Moorhead, Washington, D.C., 1992, p. 116. On Suger and the chronicle tradition of St Denis see Gabrielle M. Spiegel, *The Past as Text: The Theory and Practice of Medieval Historiography*, Baltimore, 1997, chs 5, 8, and 9.

⁶⁵ C. Warren Hollister, *Henry I*, edited and completed by Amanda Clark Frost, New Haven and London, 2001, p. 261.

⁶⁶ Hollister and Keefe, pp. 8-9.

was his anyway. We could add that the marriage was also consistent with the longer-term aims of creating an informal security zone around the fringes of the Anglo-Norman realm by means of diplomatic alliances based on marriage. It does *not* seem to be the case that Henry was intending to force an expansion of his realm by having his heir take power in Anjou in right of his wife. Thus the rationale for the marriage of William and Matilda was both tactical (countering Louis VI in the short term) and strategic (created for longer-term security).⁶⁷

Moreover, Henry used the occasion of the betrothal in 1113 and the marriage in 1119 to institute a general settlement of outstanding inheritance matters. On the earlier occasion, Orderic reports that Henry ‘recalled the exiles, whom the lawless Robert [Curthose] had driven out, and graciously restored their hereditary lands to them’.⁶⁸ In 1119, on Fulk’s request, he even restored to William Talvas the lands of his father, Henry’s old enemy Robert Bellême.⁶⁹ The union of William Atheling and Matilda of Anjou was therefore the most prominent item in a series of diplomatic and property-related measures that show the English monarch attempting to impose his will on the political landscape of northwestern France.

The *White Ship* disaster in November 1120 wrecked Henry’s diplomatic initiatives. Not only did it deprive him of a much-loved son and an undisputed heir, but it nullified the homage William had done for Normandy (and thus, in French eyes, the validation of Henry’s rule there), and the alliance with Fulk. The end of the marriage through the death of one of the partners seems automatically to have annulled any diplomatic agreement between their parents. Here again, the marriage essentially *was* the diplomatic agreement, not just a side-effect. If Henry wanted to continue the alliance with Anjou, he would have to renegotiate it on new terms. On Fulk’s return from the Holy Land in 1121 he demanded that Henry return Matilda to her homeland.⁷⁰ The widow once again became an economic and diplomatic asset that her father could utilize as he saw fit.

⁶⁷ On strategic and tactical marriage see ch. 4, pp. 144-6.

⁶⁸ Orderic Vitalis, vol. 6, p. 181.

⁶⁹ *ibid.*, p. 225.

Circumstances had changed, and the wily Fulk must have felt free to reconsider his options. Henry refused to return Matilda's dowry lands in Maine. In reply, Fulk precipitated a new crisis in 1123 by marrying his second daughter, Sibylla, to Henry's archrival William Clito and pledging the same territories in Maine as a dowry.⁷¹ Once again the Count of Anjou proved himself a master of alliance flexibility, putting Henry on the back foot in his Norman duchy.

Other magnates jumped at the opportunity to add to Henry's discomfort. Waleran of Meulan rebelled in Normandy in 1123-4, aided by Amaury of Montfort, and by several castellans whose loyalty as co-conspirators Waleran assured by marrying them to three of his own sisters. It is interesting to note that the rebels were mostly men who held lands only on the continent, rather than possessing cross-Channel estates.⁷² This suggests that Henry's strategy of assuring his barons' loyalty by spreading out their property holdings (allowing him easily to confiscate English lands in the event of rebellion in Normandy, for example) was sensible, but incomplete.⁷³

As in 1119, Henry engaged in military activity when necessary, achieving a victory over the rebels at Bourghéroulde in 1124. But his major strategy in the face of Fulk's obvious provocation was again to manipulate an Angevin marriage to achieve the desirable political outcome.⁷⁴ Henry attempted to have the union of William Clito and Sibylla dissolved on the grounds of consanguinity. This was entirely cynical, since the couple, though indeed related within the forbidden levels, enjoyed exactly the same degree of relationship as William Atheling and Matilda had done.⁷⁵

⁷⁰ Simeon of Durham, p. 267.

⁷¹ *ibid.*

⁷² Crouch, p. 15.

⁷³ See above, pp. 164-5.

⁷⁴ Sandy Burton Hicks notes that the plan was not originally Fulk's, but was proposed by his uncle, none other than Amaury of Montfort (see above, pp. 172-3), thus providing a clear link between Fulk's anti-Henry strategy and Waleran's rebellion. See S.B. Hicks, 'The Impact of William Clito upon the Continental Policies of Henry I of England', *Viator*, 10, 1979, p. 9.

⁷⁵ See genealogical chart on p. 190. Both Gonnor and Fulk the Good were common ancestors of the two families. Details for the earlier generations of the Angevin dynasty

Nonetheless, Pope Calixtus II helped Henry's cause by declaring the union null and void, threatening both Clito and Fulk himself with excommunication if his declaration was not enforced.⁷⁶ Papal action was forthcoming only because Henry decried the marriage and appealed to Rome for action. Yet his timing could not have been better. In March 1123, a papal council had condemned incestuous marriages in the strictest terms.⁷⁷ The pope could hardly fail to act on principles set forth so recently and explicitly, and Henry, perhaps realizing this, took full advantage. Fulk submitted and the marriage was duly annulled, but not before the count had imprisoned the papal legates and set their hair and beards on fire in a show of defiance.⁷⁸ On this occasion, papal disapproval of a political marriage proved too strong to ignore, and Fulk's attempt to twist the balance of power to his own advantage failed.

The incident reveals how the English king was able to manipulate the marital ramifications of canon law when it suited him, and ignore them when it did not. This was a very different situation from earlier years, when Henry had been forced to bow to the canonical rigour of Anselm and Ivo.⁷⁹ Chroniclers stress the consanguinity of Clito and Sybilla at length, while completely ignoring it in the context of the earlier marriage of William Atheling and Matilda, almost as if reflecting the tactics of Henry himself. They refer to the incestuous relationship not so much as an undisputed fact (which it clearly was) but as a creation of Henry's policy. Simeon of Durham points to 'the consanguinity which king Henry had caused to be sworn to exist between them', while Orderic waxes lyrical about Henry's tactical mastery:

King Henry with great pertinacity defeated the plan
and broke off the intended marriage, making use of
threats and pleas and an enormous quantity of gold and

are taken from Bernard S Bachrach, *State-Building in Medieval France – Studies in Early Angevin History*, Aldershot, 1995, section II, pp. 4-5.

⁷⁶ RHF, vol. 15, p. 251.

⁷⁷ Simeon of Durham, p. 271. Clause 8 of the council's decrees, as recorded by Simeon, reads: 'We prohibit the marriages of those who are related, since they are prohibited both by divine and by secular laws...We, therefore, following our fathers, condemn such marriages as infamous, and declare them abominable'.

⁷⁸ RHF, vol. 15, p. 258.

⁷⁹ See above, pp. 166-70.

silver and other valuables. He sent cunning advocates to allege consanguinity between the parties, as a result of which it was ruled that they ought not to be married by canon law.⁸⁰

Yet again, we see Henry's control of marital politics as a combination of psychological persuasion, Machiavellian intrigue, and outright bribery. At the same time, Anglo-Norman political aims coincided with a rigorous papal stance on the consanguinity issue that made the dissolution of the Angevin marriage easier to achieve. This tactical coalition, even if spurred on by vastly different underlying philosophies, represents the triumph of a flexible interpretation of the rules by which marriages could be brought to an end.⁸¹ By insisting on annulment rather than indissolubility, Calixtus helped Henry's cause, while dealing a harsh blow to Fulk's equally cynical manipulation of the marriage pact for his own political reasons.

This picture of Henry's intrigue is reinforced by the distinctly negative view put forward in the *Anglo-Saxon Chronicle*. Under the year 1127, the *Chronicle's* author accuses Henry of nepotism and corruption in his gift of the abbacy of Peterborough to Henry of Poitou, since:

the king granted it to him because he was his relative and because he was a principal man in swearing the oath and bearing witness when the son of the count of Normandy and the daughter of the count of Anjou were separated for being within the prohibited degrees of relationship.⁸²

The implication of all these reports is that Henry resorted to every trick in his considerable repertoire to overturn the marriage of William Clito and Sybilla of Anjou, using the legal technicality of consanguinity as his pretext. His success was not without some cost: in return for the support of Calixtus II, Henry had to allow a lengthy papal mission seeking to enhance the authority of Rome to come to England in 1125.⁸³ Despite this, the annulment shows Henry's enhanced ability by the mid 1120s to use the

⁸⁰ Simeon of Durham, p. 282; and Orderic Vitalis, vol. 6, pp. 165-7.

⁸¹ See ch. 1, p. 43, section C.

⁸² *The Anglo-Saxon Chronicle*, p. 193. For a discussion of the possible career path of Henry of Poitou see Cecily Clark, "'The Ecclesiastical Adventurer': Henry of Saint-Jean d'Angely", *English Historical Review*, 84, 1969, pp. 548-60.

moral authority of the Church as his own political weapon, rather than being forced to bow before it as he had earlier in his reign.

Succession Uncertainties

The major reason for Henry's desperation to have Clito's marriage annulled was to forestall his nephew's alliance with Anjou, and to counter the impetus this would add to Clito's hereditary claim to Normandy. Henry's strategy was all the more urgent since Clito's claim had been considerably strengthened since the loss of the *White Ship*. After the death of Queen Matilda in 1118 and the tragic drowning of their son William Atheling in November 1120, Henry found himself in his mid fifties with a dynastic crisis on his hands. The monarch's sudden lack of a legitimate male heir was undoubtedly the main reason for his own second marriage in 1121. Under that year, Robert de Torigny records the fact that Henry 'married Alice, the daughter of the duke of Louvain, at Windsor, both because of her beauty, and in the hope of having children'.⁸⁴ Once again the ceremony was a very public affair, performed in front of 'a council of all England...assembled at Windsor'.⁸⁵ Royal marriages were not something to be undertaken lightly, nor in a manner that might upset the kingdom's powerful vested interests.

The impact of the *White Ship* disaster was not limited to the royal family alone: the event created a major disruption in the transmission of estates that was central to the enhancement of aristocratic identity. Henry acted quickly to restore order by the reallocation of available resources, finding an enormous opportunity for patronage in the midst of catastrophe. As Orderic relates:

the provident king wisely distributed the honors of those who had died among the living. He gave their wives and daughters and nieces together with their inheritances in

⁸³ Simeon of Durham, p. 276. See also Hicks, pp. 13-14.

⁸⁴ Robert of Torigny, *Chronica*, p. 104.

⁸⁵ Simeon of Durham, p. 259.

marriage to his knights, and in this way generously raised and rewarded many with unlooked-for dignities.⁸⁶

Most importantly, the marriage to Alice (or Adeliza) of Louvain presented Henry with the opportunity to renew his dynastic line, though in the event the union was to prove childless.⁸⁷ No doubt her youth and physical charms attracted Henry, but he must have considered other factors when choosing a bride. Diplomatic alliance seems to have been more important to Henry than the potential for territorial acquisition. When viewed against the background of the ongoing rivalry with the continental coalition, a treaty of friendship (ratified by marriage) with a close neighbour of Flanders formed a useful adjunct to the network of alliances that Henry had built up over the preceding years.⁸⁸

The optimism of this new union waned during the 1120s as no children were forthcoming. By 1127 the king, 'in grief that the woman did not conceive, and fearing that she would always be barren...was, with good cause, thinking anxiously about the successor to his throne'.⁸⁹ In fact Henry's succession problem had been partly assuaged by the death of his son-in-law, the Holy Roman Emperor Henry V, in 1125. Henry V had married Henry I's daughter Matilda in 1114. His death now freed up the English king's only remaining legitimate child to be positioned in the marriage market in a way that best supported Henry's lack of a male heir. Henry's plans for Matilda were to have an enormous impact on the relative strength of the major western European feudal states for the rest of the century.

⁸⁶ Orderic Vitalis, vol. 6, p. 309. For a full discussion of the inheritance implications of the disaster see Stephanie Mooers Christelow, 'The Division of Inheritance and the Provision of Non-Inheriting Offspring among the Anglo-Norman Elite', *Medieval Prosopography*, 17, 1996, pp. 3-44 (especially pp. 5, 8-9, and 33).

⁸⁷ The lack of offspring from this union is surprising, given that Henry was still able to produce bastards in the latter part of his life and that Alice went on to bear seven children in her second marriage. See Hollister, *Monarchy, Magnates and Institutions*, p. 145, footnote.

⁸⁸ Robert Bartlett notes that Alice's step-mother was Clemence, who had married Godfrey of Louvain after the death of her first husband, Henry's old enemy Baldwin VII of Flanders, in 1119. This suggests that Henry saw a link with Louvain as a means of drawing a potential ally of Flanders into his own sphere of influence. See Robert Bartlett, *England under the Norman and Angevin Kings*, Oxford, 2000, p. 46.

⁸⁹ William of Malmesbury, *Historia novella*, p. 7.

In 1110, Henry's eight-year-old daughter Matilda had been 'given in marriage to the emperor Henry, with a splendour which (to use the briefest term) was fitting'.⁹⁰ Just as with Henry's own two marriages, the giving away of his daughter had been a very public opportunity to emphasize the central position of the royal family in creating and confirming political relationships with foreign powers. The ostentatious display reinforced the fact that this was not just any royal wedding, but a union with no less a person than the king of the Germans. The prestige value of the match needed to be impressed upon the Anglo-Norman barons who not only had to approve the betrothal, but had to pay for it as well.⁹¹ Henry's tenants-in-chief had an economic interest in Matilda's betrothal, and could therefore expect to be consulted before any match was made. The decision on a suitable husband was not a private, family one; nor of course did it bear any relation to the wishes of the child bride herself.

As a means of bestowing a sense of legitimacy and prestige on the Norman dynasty, Matilda's link with the future Holy Roman Emperor was just as important as Henry's earlier association with the Anglo-Saxon royal line through his own marriage. Henry V seems to have been equally eager for the match to go ahead. Money was one trade-off he gained: the tax that Henry I raised for the betrothal went towards a dowry of 10,000 marks of silver and other rich presents that accompanied Matilda to Germany. In addition, K.J. Leyser has suggested that the Emperor was keen to win Henry's support in the ongoing battle with Rome over the investiture of bishops.⁹² Henry V's Italian expedition of 1110-11 was intended, in part, to reach a settlement with the Church on the issue. Leyser sees it as no coincidence that the expedition departed only a few months after the impecunious Emperor received Matilda's generous dowry.⁹³ This suggests a short-term, tactical motive for the alliance (financing Henry V's expedition to Rome) while not invalidating its longer-term prestige value.

⁹⁰ Robert of Torigny, *Chronica*, p. 91.

⁹¹ Henry of Huntingdon, p. 457. The chronicler notes that 'the king accordingly took three shillings from every hide in England'.

⁹² K.J. Leyser, *Medieval Germany and its Neighbours, 900-1250*, London, 1982, p. 200.

⁹³ *ibid.*, pp. 202-4.

Matilda departed for her ceremonial betrothal in Germany around the time of her eighth birthday in early 1110. The marriage itself did not occur until January 1114, just before she turned twelve.⁹⁴ It is possible that the Emperor was complying (more or less) with the canonical ban on marriages before the age of twelve, though the rules on the subject were by no means fixed at this early point in the twelfth century.⁹⁵ Even so, Matilda was hardly likely to have had much input into the original decision to marry her to Henry. The principle of consent had clearly been sacrificed to political ambition in this high-profile example.

The bride spent the years between betrothal and marriage in her new homeland of Germany. This was a common phenomenon that symbolized the power of the groom and his family over the bride from the moment when a future marriage was agreed. In Matilda's case, the four-year engagement was a period of education into the ways of her new country.⁹⁶ Here the betrothal appears to have been a more legally binding contract than other twelfth-century examples, where one party or the other could back out with relative ease if aims and circumstances changed.

In later years, the alliance with Germany occasionally proved a useful defensive weapon for Henry I in his squabbles with his French neighbours. In 1124 Henry V planned an invasion of France in support of his father-in-law.⁹⁷ Though the expedition fizzled out, its significance perhaps lies in its potential rather than its realization. Whether or not Henry I believed, in 1110, that the Emperor's help would be useful in reasserting regal authority over investiture, he cannot but have been excited by the prospect of a powerful ally looming menacingly behind his political rivals, France and Flanders. The prospect of a defensive alliance with a state that was able to open a 'second front' by attacking the French states from the east, as happened briefly in 1124, fits well with what we know of Henry's tactics at other points in his reign.

Even so, for Matilda's father the value of the marriage changed dramatically after the death of William Atheling in 1120. Henry's prime

⁹⁴ *ibid.*, p. 193, and Weir, p. 58.

⁹⁵ See ch. 1, pp. 17-18.

⁹⁶ *Gesta Normannorum ducum*, vol. 2, p. 219.

objective now was to produce another male heir. When, after five years, neither Matilda nor Henry's second wife Alice of Louvain had borne any children, the death of the Emperor in 1125 presented an opportunity to reallocate Matilda's child-bearing resources elsewhere. His daughter's return from Germany was therefore an urgent priority for Henry. But Matilda was reluctant to leave her husband's homeland, 'because she had grown accustomed to the lands into which she was married, and had many possessions in them'.⁹⁸ The status and relative freedom of widowhood, particularly as the wife of the late Emperor, may have appealed to Matilda more than the prospect of another marriage to a husband of lesser rank. She could also enjoy a substantial income from her dower estates on the lower Rhine, which would have to be forfeited if she returned to England. Though in normal circumstances a widow was able to control her dower lands until her own death, it appears in this case that political implications carried greater weight. The potential for large German estates to fall into foreign (and maybe hostile) hands if Matilda were to marry again probably induced the German magnates to prevent her retaining control of her dower when she departed for Normandy.

On the other hand, Robert of Torigny puts forward a fascinating suggestion that several German nobles wished Matilda to succeed her husband as their feudal lord:

the eminent princes of the Roman court [ie: of the Holy Roman Empire], well aware of her prudence and charming character, had expressed their wish, while her husband...was still alive, that she should rule over them in every way and for this reason followed her to her father's court making this petition.⁹⁹

It is difficult to know what to make of this event, referred to also by William of Malmesbury.¹⁰⁰ Under the German elective system, it is possible that a king's widow might technically have been able to assume

⁹⁷ Suger, p. 127.

⁹⁸ William of Malmesbury, *Historia novella*, p. 5. See also Marjorie Chibnall, *The Empress Matilda - Queen Consort, Queen Mother and Lady of the English*, Oxford, 1991, pp. 43-4. Chibnall contests Matilda's reluctance to leave Germany.

⁹⁹ *Gesta Normannorum ducum*, vol. 2, p. 241.

the crown, were she as popular as Robert attests. But such an event would have been highly unusual, and female monarchs were still a rare breed in western Europe, not easily accommodated by a male-dominated hierarchy.¹⁰¹

Henry was having none of it, and brought Matilda home. As her father he retained complete control over the choice of her second husband, despite the fact that she was no longer a child but a mature, headstrong widow of 24. He kept her in reserve for several years, waiting until a diplomatic situation developed where this ace in his hand could be most profitably deployed. In the interim, Henry hedged his bets by having his major feudal vassals swear fealty to Matilda as the heir to England and Normandy. The ceremony took place in early 1127.¹⁰² W.L. Warren believes Henry was trying to assert his will in the face of opposition to Matilda from many Norman barons. Their antipathy was based not only on her womanhood, but also on the fact that she was virtually a German stranger. Henry's reluctance to discuss her marriage prospects worried them, since Anglo-Norman precedents dictated that her eventual husband would control her property and legal rights.¹⁰³ Should this be a foreigner, or someone unsympathetic to the rights of feudal vassals, the barons stood to lose a measure of their status and power.

The uncertainty arose because Henry was being much less public with his diplomatic strategy than he had been earlier in his reign. He demanded the oath of allegiance to Matilda without consultation. The lack of enthusiasm which many barons felt is revealed by the way several tried to renege on their oath after Matilda was eventually married to Geoffrey of Anjou.¹⁰⁴ Those (such as Roger, Bishop of Salisbury) who opposed Matilda's claim to the throne held Henry to the promises of his Coronation

¹⁰⁰ William of Malmesbury, *Historia novella*, p. 5.

¹⁰¹ The only recent precedent for a female monarch was Urraca, Queen of Léon-Castile (r. 1109-26). Jane Martindale suggests that the problems associated with her reign would have been well known in England and Normandy. See Jane Martindale, 'Succession and Politics in the Romance-speaking World, c. 1000-1140', in Jones and Vale, eds, *England and her Neighbours*, p. 38. On Urraca herself see Bernard F. Reilly, *The Kingdom of Léon-Castilla under Queen Urraca, 1109-1126*, Princeton, 1982.

¹⁰² The oath of allegiance to Matilda was repeated in 1131. See William of Malmesbury, *Historia novella*, pp. 19-21; Hollister, *Henry I*, pp. 316-18 and 463; and ch. 6, note 6.

¹⁰³ Hollister, *Henry I*, pp. 314-16.

Charter (especially the right of the barons to be consulted) as a means of political leverage. Yet the monarch simply ignored his earlier promises when it suited him.

The opportunity Henry had been waiting for soon arrived. The assassination of Charles, Count of Flanders (r. 1119-27), in March 1127 threw the delicate diplomatic balance in northern France into turmoil.¹⁰⁵ Since Charles died childless, several claimants for the title emerged. One of the strongest claims belonged to William Clito, who was descended from the earlier counts through his grandmother, Matilda of Flanders (see chart on p. 190). The fact that she was also Henry's own mother seems to go unmentioned by contemporaries. There is little suggestion that Henry tried to use this relationship to win power in Flanders for himself.¹⁰⁶ Rather, he was far more concerned to ensure that Clito did not succeed to the county. A more powerful Clito meant a greater potential threat to Normandy. Henry's plans for his daughter's marriage were now his primary method of responding to the upheaval in Flanders, and thus of ensuring that the balance of power in northern France, manipulated by Henry to his own advantage over the previous 20 years, continued to be disrupted in favour of the Anglo-Norman realm.

Once again Louis VI supported William Clito in his struggle against Henry. Louis probably pursued two aims. He sought, firstly, a return to a more even balance of power in which the Anglo-Norman monarch would not be able to dominate the affairs of northern France to such an extent. Secondly, this would allow the French king to mount his own challenge to the prevailing equilibrium, by reasserting Capetian power over the principalities and restoring regal prestige. This is just what he tried to do in the case of Flanders. After the assassination of Count Charles, Louis gave his sister-in-law, Jeanne de Montferrat (the half-sister of Louis's wife Adelaide) in marriage to Clito, strengthening the ties of loyalty and

¹⁰⁴ William of Malmesbury, *Historia novella*, p. 11.

¹⁰⁵ Simeon of Durham, p. 282.

¹⁰⁶ I have found no evidence that Henry himself put forward a claim to Flanders. Austin Poole does comment that Henry was an active candidate for the countship, but sadly provides no sources for this observation. See A.L. Poole, *From Domesday Book to Magna Carta, 1087-1216*, 2nd edn, Oxford, 1955, p. 128; and Hollister, *Henry I*, pp. 318-22.

support between them.¹⁰⁷ Clito was already related to the late count, so the marriage did not strengthen his claim to Flanders in any technical sense. Rather, the arrangement was a tangible sign of French support for Clito's candidacy, a strong statement by Louis that he would back his wife's brother-in-law as the new count. In return, Clito's loyalty to Louis would be expected. As a wedding gift, Louis gave Clito lands in the Norman Vexin, the contested border lands between Normandy and the Île de France.¹⁰⁸ Henry would certainly have claimed that these belonged to the Norman duchy, and were not Louis's to allocate. The intention to give William Clito a stepping-stone into Normandy itself seems clear. In a short period of time, the prince had been transformed from a more-or-less landless and frustrated pretender to Henry's ducal title in Normandy, into a powerful feudal baron in his own right, and a realistic challenger to Anglo-Norman security.¹⁰⁹

Henry now faced the very real threat of a renewed alliance between France, Flanders, and Anjou, aimed at wresting control of Normandy from him. According to Henry of Huntingdon, the king was 'worried by these events', and knew he needed to act quickly to stop the momentum his rivals were enjoying.¹¹⁰ William of Malmesbury believed that Henry 'always regarded the power of the Angevins with suspicion', and therefore looked immediately to pacify Fulk as a means of separating the re-emerging coalition.¹¹¹ He approached Fulk with the proposal of a marriage between his (Henry's) daughter Matilda and Fulk's thirteen-year-old son, Geoffrey. The author of *The Anglo-Saxon Chronicle* recognized the political nature of the match, but also its unpopularity, commenting that 'it displeased all the French and English; but the king did it to have peace with the count of Anjou and to have help against his nephew, William'.¹¹²

¹⁰⁷ *Gesta Normannorum ducum*, vol 2, p. 225.

¹⁰⁸ Hollister and Keefe, p. 12. In return, however, Louis demanded a significant relief from Clito when the latter took up the countship of Flanders. On relief payments see ch. 2, pp. 68-9.

¹⁰⁹ Suger, p. 140.

¹¹⁰ Henry of Huntingdon, p. 477.

¹¹¹ William of Malmesbury, *Historia novella*, p. 5.

¹¹² *The Anglo-Saxon Chronicle*, p. 193.

William of Newburgh considered dynastic matters to be more relevant to Henry's action, claiming that he married Matilda to Geoffrey 'so that he might at least have grandchildren from her to succeed him'.¹¹³ This was undoubtedly a partial motive, but if grandchildren alone were Henry's priority he could have married Matilda off immediately on her return from Germany to any eager suitor. The timing of the proposal, and the history of negotiations between Henry and Fulk, argue strongly for a political motivation. R.H.C. Davis views the manoeuvre as an unequivocal 'reply' to Louis's arrangement of the marriage between William Clito and Jeanne de Montferrat.¹¹⁴ In this sense Henry's latest Angevin marriage project was strongly tactical in nature, undertaken to counter political rivals, and with a largely short-term focus. Geoffrey and Matilda, more than ten years her husband's senior, were married at Le Mans in June 1128. The prospect of Fulk's grandson ascending the throne of England was a source of pride to the people of Anjou, who celebrated extensively and considered the deal a diplomatic triumph.¹¹⁵ The short-term motivation for the marriage was rendered obsolete only six weeks later, when William Clito was killed in battle.¹¹⁶ In the end it was the dynastic implications of the marital link between Anjou and the Anglo-Norman realm that would be the greatest legacy of the union, even though these were of secondary importance to Henry. This time, the relationship between the two feudal powers would be much more permanent than the temporary alliances of the 1110s. By this marriage Henry succeeded, whatever his short-term aims, in permanently ending the threat of the triple alliance between France, Flanders, and Anjou that had challenged Normandy for the past 20 years. The marriage of Geoffrey and Matilda represents a major disruption to the twelfth-century balance of power, with Anjou, though nominally still owing allegiance to the King of France, later becoming dynastically united with England and Normandy in the person of the couple's son, Henry II.

¹¹³ William of Newburgh, vol. 1, p. 51.

¹¹⁴ Davis, p. 6.

¹¹⁵ John Le Patourel, section VIII, p. 291; and John Gillingham, *The Angevin Empire*, London, 1984, p. 8.

¹¹⁶ Hollister and Keefe, p. 14.

In order to destroy any chance of his old rivals reuniting, Henry took the opportunity of Thierry of Alsace's succession as count after Clito's death to re-establish cordial relations with Flanders. The centrepiece of this strategy was another marriage, involving Thierry (r. 1128-61) and Fulk's daughter Sybilla. This was the very same Sybilla whose marriage to William Clito had been annulled by Henry's efforts several years earlier.¹¹⁷ Now, in the early 1130s, it was the English king himself who arranged a marital alliance between his two old rivals, Flanders and Anjou.¹¹⁸ Fulk was by now far removed from European affairs, having married the daughter of the King of Jerusalem, and Henry appears to have taken for himself the power to arrange marriages for the female members of his son-in-law's family. With both Anjou and Flanders now circling in the Anglo-Norman orbit, the balance of power was severely disrupted in Henry's favour. Capetian France suddenly appeared more diplomatically isolated than it had for a generation.

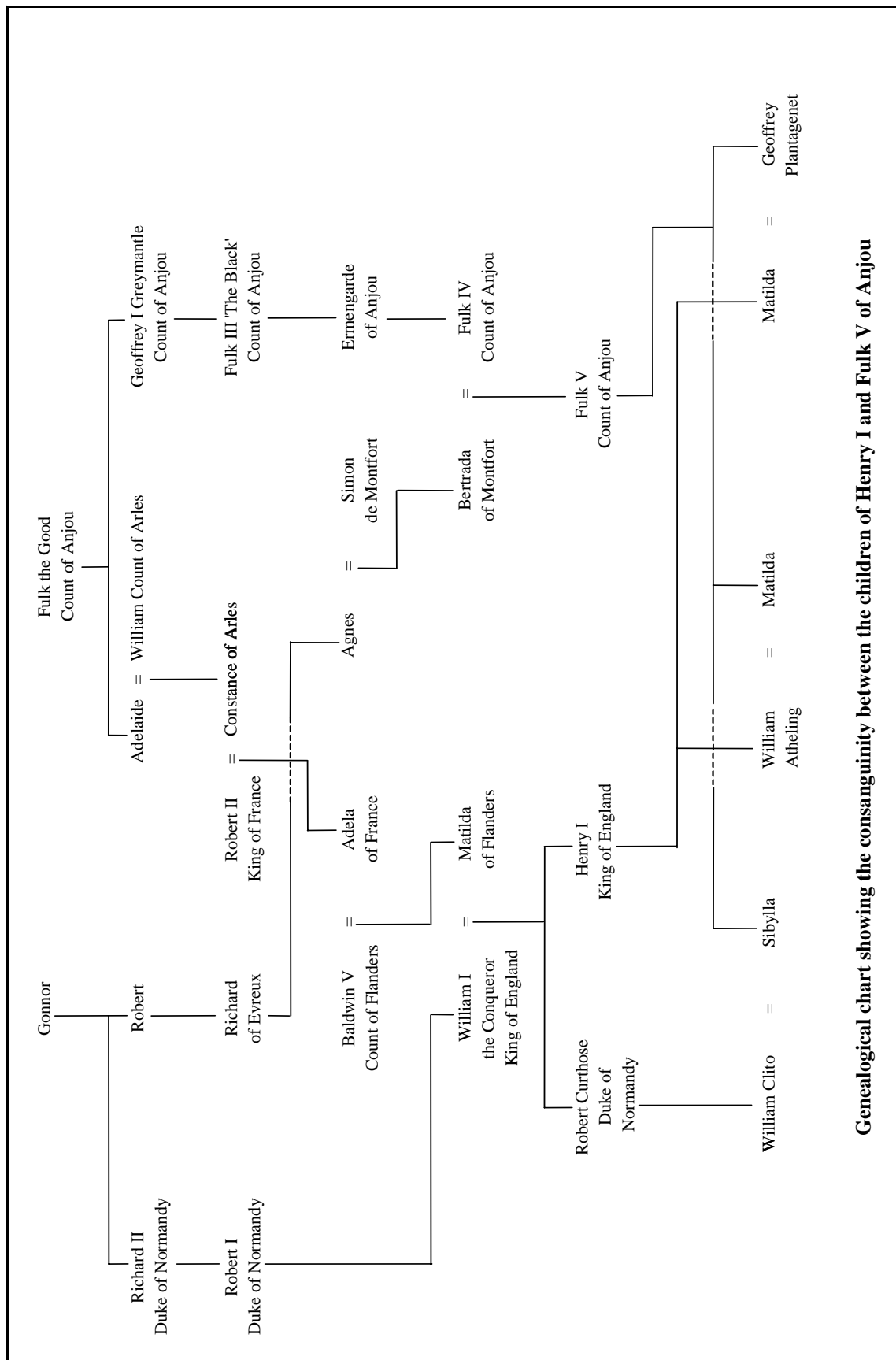
Despite these advances, all of Henry's plans for the future stability of his reunified Anglo-Norman realm were threatened by the succession issue. His entire career had been devoted to the careful marshalling of available assets to reinforce his political aims. Foremost among these were the control granted to or usurped by the monarch over the marriages of widows, heiresses, and relations, and the power to interfere in the property and inheritance concerns of his major feudal vassals. Using these weapons, Henry had fortified his realm, built up a series of alliances, and resisted the challenge of a powerful continental coalition. His rivals, threatened by apparent Anglo-Norman expansionism, had responded with similar tactics. Louis VI had begun to reassert Capetian power by opposing Henry's tactics and attempting to implement his own plans for the marital and political destinies of his supporters. Fulk V had continually displayed a staggering ability to change sides (exhibiting the alliance flexibility that

¹¹⁷ See above, pp. 176-8.

lay at the heart of balance-of-power politics) using marriage as a primary method of engagement with neighbouring noble and regal houses.

But now, in 1130, Anglo-Norman triumphs were threatened by the prospect of uncertainty in the inheritance affairs of the kingdom's most prominent family: the ruling dynasty. Since the succession to the throne was the most important example of family continuity through the mechanism of inheritance, it was vital for Henry to be able to pass down his kingdom to an undisputed heir. If this was not possible, the entire edifice he had spent decades building might begin to crumble.

¹¹⁸ *Gesta Normannorum ducum*, vol. 2, p. 233.



6. Realignment and Conflict, 1130-1154

Whereas the early years of the century had seen the extension of Anglo-Norman influence and the reaction of continental powers, the following period was characterized by a more assertive French monarchy, and by the collapse of Henry I's political entity. These shifts in relative strength once again show the impact of several key marriages in realigning the coalitions and rivalries of the major feudal states in northern and western France. At the same time, poor relations between monarchs and vassals in England (especially over the vital issue of control of the mechanisms of inheritance) were responsible for the civil war of the 1140s. With England divided, an expanded France resurgent, and growing Angevin strength a threat to both, a new balance of power arose during the period. In the early 1150s, a further momentous change occurred with the divorce of Louis VII from Eleanor of Aquitaine, and her subsequent marriage to Henry Plantagenet. This celebrated series of events ushered in perhaps the most sudden and significant realignment in the distribution of power of the entire century, one in which the delicate balance of the 1140s was comprehensively upset, and in which the consequences of marriage agreements (and their implications for future inheritance patterns) were again the central features of political negotiation and rivalry.

A Mismanaged Succession

In May 1134, after a difficult delivery that she nearly failed to survive, Henry I's daughter Matilda gave birth to a second son. 'For the whole of this year [1134]', Robert of Torigny tells us, 'King Henry stayed on in Normandy, taking pleasure in his grandchildren Henry and Geoffrey'.¹ Under the same year, we learn of Matilda's generosity and piety, her charity towards 'orphans, widows, and other poor people, and especially to churches and monasteries'.² No doubt the old king's joy at the arrival of the two boys was sincere enough: with them rested all his hopes for the future of his dynasty. But the cosy family portrait of a saintly mother and

¹ Robert of Torigny, *Chronica*, RS 82, vol. 4, p. 124.

dotting grandfather hides a far less agreeable reality. The final years of the reign were characterized by antagonism between Henry and his daughter and son-in-law. The personal rivalries and petty power struggles overshadowed the greater need: to ensure an orderly transition of the crown on Henry's death. The old king's failure to ensure a smooth succession (his failure, in other words, to deal effectively with inheritance matters in his own family) contributed significantly to the problems of the following reign.

Marjorie Chibnall considers the fact that Henry had fathered only one legitimate son a deliberate act of policy, but 'unquestionably a risk...a gamble that failed'.³ We cannot, of course, know whether the birth of only one son from his first marriage was a result of deliberate restraint or simply a quirk of fertility. Yet after the efforts Henry had taken to reunite the Anglo-Norman realm, culminating in his victory at Tinchebrai, it is possible that he feared the renewed division of his kingdom should two sons survive him.⁴ England could be viewed as an inheritance from his father by way of his brother, William Rufus. Normandy was clearly an acquisition by force of arms. Under the prevailing customs, these two territories could therefore be split on Henry's death between surviving sons.⁵ A younger male sibling would have a strong case to assume the Norman ducal title, just as the Conqueror's younger son had been given England in 1087. If William Atheling alone had survived, the spectre of partibility would have receded into the shadows, and the succession would in all likelihood have proceeded unchallenged.

Matilda's status as the sole legitimate child should have been enough to guarantee her the crown, but her womanhood complicated matters. Henry tried to reinforce the succession and inheritance rights of his direct line in 1131, when he forced the barons to pledge their support both to Matilda and to her infant son Henry.⁶ After the birth of his first grandchild, the

² *ibid.*

³ Marjorie Chibnall, *The Empress Matilda - Queen Consort, Queen Mother and Lady of the English*, Oxford, 1991, p. 82.

⁴ On the importance of the Tinchebrai campaign see ch. 5, pp. 156-60.

⁵ On the inheritance versus acquisition split see ch. 2, pp. 55-8.

⁶ Roger of Howden, *Chronica magistri Rogeri de Houedene*, RS 51, vol. 1, p. 187. See also ch. 5, note 102.

king clearly intended that the younger Henry would one day inherit both England and Normandy. This was possible even after the birth of younger sons, since the two territories would comprise a single inheritance received from young Henry's mother. All going well, Matilda herself would inherit both territories from her father, and could thus pass them on as a united whole. Her husband Geoffrey Plantagenet, meanwhile, could retain his county of Anjou for the rest of his own life.⁷ The two younger sons born to Geoffrey and Matilda in 1134 and 1136 provided insurance against the kind of unforeseen disaster that had claimed their uncle William Atheling in 1120.⁸

Satisfying as these potential outcomes must have seemed to Henry I in 1134, his own actions placed them in severe jeopardy. He refused to relinquish control over lands or castles to his designated heir and her husband, depriving them of the basic necessities of feudal power and the respect of the nobility. Since their reconciliation in 1131 after a period of separation, Geoffrey and Matilda had sought some tangible acknowledgement of her future inheritance.⁹ These demands became even stronger after the birth of their first son made the dynasty seem secure. Henry of Huntingdon hints at the antagonism that plagued the royal family during the final months of the reign:

Several times [the king] planned to return to England, but did not do so, being detained by his daughter on account of various disputes, which arose on a number of issues, between the king and the count of Anjou, due to the machinations of none other than the king's daughter. The king was provoked by these irritations to anger and bitter ill-feeling, which were said by some to have been the origin of the chill in his bowels and later the cause of his death.¹⁰

⁷ On Geoffrey's position in the disputed succession see below, pp. 194-5.

⁸ For William Atheling's death in the *White Ship* disaster see ch. 5, pp. 175-6.

⁹ The rift had begun in 1129. See Simeon of Durham, *Historia regum*, RS 75, vol. 2, p. 283.

¹⁰ Henry, Archdeacon of Huntingdon, *Historia Anglorum (History of the English People)*, trans. Diana Greenway, Oxford, 1996, p. 491.

Henry's unwillingness to yield any power, either ceremonial or substantial, until the last possible moment undermined Matilda's claim to inherit the throne. Relations between father and daughter had deteriorated so far that the barons were forced to take sides in the dispute. Henry confiscated the estates of those he suspected of supporting Geoffrey and Matilda in the final years of his reign. By the same token, those who supported Henry against his daughter may have found it harder to transfer their allegiance to Matilda after the monarch's death, whatever oaths they may previously have sworn.¹¹

An example of Henry's use of disinheritance to reduce the power of adversaries was his confiscation of the Norman possessions of William Talvas, count of Ponthieu. Geoffrey and Matilda demanded that Henry return the fortresses in question to his vassal, but Henry refused. Their principled stand was little more than a convenient and inexpensive method of gaining the support of a powerful Norman baron out of whom the king had already made an enemy. On Henry's death, Geoffrey claimed the castles for himself, and immediately granted them back to William, their previous feudal tenant.¹²

That Matilda was Henry's chosen heir was not in doubt. That she should presume to assert control over her inheritance ahead of time was a different matter. Matilda displayed insensitivity to feudal etiquette and in doing so damaged her chances of succeeding. The combination of the old king's intransigence and his daughter's legendary arrogance, over-hasty presumption, and perceived slight to her father's rank and dignity severely weakened the dynasty's hold on the throne.¹³ Between them they managed to disrupt the passing down of an inheritance that needed to be handled smoothly and with a united front if it were to prove successful, given the existing disadvantage of Matilda's womanhood.

A further question is the extent to which Geoffrey of Anjou saw himself as a participant in the inheritance procedure. W.L. Warren believes that

¹¹ John Gillingham, *The Angevin Empire*, London, 1984, pp. 10-11.

¹² Robert of Torigny, p. 128. William Talvas was the son of Henry I's old adversary Robert Bellême. See ch. 5, p. 159.

¹³ For an assessment of Matilda's character and the accompanying historical tradition see Chibnall, *The Empress Matilda*, pp. 195-206.

Geoffrey 'made no secret of the fact that he valued his marriage...for no other reason than it would enable him to gain control of Normandy'.¹⁴ The oaths of allegiance to Matilda and (in 1133) to young Henry did not extend to Geoffrey as well.¹⁵ As the outsider marrying into the royal family, he represented a threat to the Anglo-Norman patrimony if he chose to exercise control over his wife's inherited realm. Should he manage to do so, the *de facto* ruler of England and Normandy would be acting with the interests of his own Angevin dominions always at the front of his mind. Matilda needed a husband for dynastic continuity and to provide military support. But in Henry's eyes the diplomatic and territorial integrity of a realm he had spent a lifetime making secure could be compromised by a son-in-law he did not trust.

Henry I's legacy was thus a failure in two important ways. Firstly, the short-term benefits of 1128 and the longer-term success of the Angevin dynasty (which Henry could not have foreseen) cannot mask the fact that the marriage of his daughter to Geoffrey of Anjou failed in its most important function: to secure the succession on Henry's death. Nor did it, in general, meet with the approval of his feudal subordinates.¹⁶ Secondly, Henry's wilful manipulation of the monarch's privileges with regard to the allocation of lands and his interference in baronial succession matters (again usually for short-term benefit) were largely responsible for the confusion of the following reign. Viewed from a longer perspective, Henry's policies regarding marriage and inheritance led directly to civil war, and to a relative weakening of Anglo-Norman power and influence for 20 years after his death.

The policies of fairness and consultation promised in the Coronation Charter were followed only in part as his reign wore on and his hold on power became more secure. Henry had promised not to interfere in (nor to

¹⁴ W.L. Warren, *Henry II*, London, 1973, p. 17.

¹⁵ Simeon of Durham, however, seems to suggest the possibility of Geoffrey's joint accession with Matilda. See Simeon, vol. 2, p. 282; and Chibnall, *The Empress Matilda*, p. 57.

¹⁶ For example Roger, Bishop of Salisbury, objected on the grounds that neither he nor other senior figures in the realm had been consulted over the marriage. William of Malmesbury, *Historia Novella*, trans. K.R. Potter, ed. Edmund King, Oxford, 1998, p. 11.

take a fee for) marriages arranged by his barons for their kinsfolk. He had also pledged to conduct the marriages (and consequently the disposition of family lands) of widows and inheriting daughters only with the consent of interested parties and of the barons as a whole.¹⁷ At times we do see Henry acting as the benevolent adviser to his vassals, taking an interest in their family arrangements without using his position to extort material gain for the crown.¹⁸ But on many occasions Henry's career only confirmed the influence of monarchical whim, despite the pledges of his charter. The 1130 Pipe Roll shows the king charging fees in circumstances where he had earlier promised not to do so. William Pont de l'Arche, for example, paid the very substantial sum of 1000 marks for the right to marry the daughter of Robert Mauduit, and to gain the office previously held by Robert.¹⁹

R.W. Southern has stressed the fact that the battle lines of Stephen's reign were established by the patronage decisions of his predecessor. Those whom Henry favoured, men like Miles of Gloucester and Brian fitz Count, generally proved loyal to Matilda.²⁰ 'The fortunes of nearly all these men were founded on marriage, and it was to the king that they owed this opportunity'.²¹ These were the 'new men' created by Henry's patronage, barons Orderic famously referred to as men 'raised...from the

¹⁷ On the Coronation Charter see ch. 1, p. 35; and ch. 2, pp. 62-3.

¹⁸ Orderic Vitalis reports that in 1118, for example, Hugh de Gournay 'discussed with the king the future of his sister, Gundreda by name, and on the king's recommendation gave her in marriage to Nigel of Aubigny, a powerful man'. Orderic Vitalis, *The Ecclesiastical History of Orderic Vitalis*, trans. Marjorie Chibnall, Oxford, 1969-80, vol. 6, p. 192, and vol. 4, p. 285. On Nigel d'Aubigny see also ch. 1, note 107.

¹⁹ Robert, who had died in the *White Ship* disaster some ten years earlier, had been Henry's chamberlain. See J.C. Holt, 'Feudal Society and the Family in Early Medieval England: IV. The Heiress and the Alien', *Transactions of the Royal Historical Society*, 35, 1985, p. 21; and Orderic Vitalis, vol. 6, p. 305, note 7. Perhaps this was technically not in breach of the charter, since it involved the daughter of a court official, rather than a feudal tenant. Nonetheless it is difficult to see the enormous sum as falling within the scope of the 'just and lawful' payments which Henry promised to demand in similar circumstances. It certainly seems to breach the spirit, if not the letter, of the earlier document.

²⁰ On Miles of Gloucester see ch. 2, pp. 63 and 65. Brian fitz Count, illegitimate son of Alan Fergant, Duke of Brittany, held the vital castle of Wallingford, on the Thames, during the civil war. For a full discussion of this new generation of nobles see Charlotte Newman, *The Anglo-Norman Nobility in the Reign of Henry I: The Second Generation*, Philadelphia, 1988.

²¹ R.W. Southern, 'The Place of Henry I in English History', *Proceedings of the British Academy*, 48, 1962, p. 144.

dust'.²² But Henry's anger could drag men down just as quickly as his favour could raise them up. Confiscation of lands was one of his chief weapons against those who had fought against him or otherwise crossed him. In effect, this meant that Henry assumed control over the inheritance rights of the men he was punishing, and annexed to himself their rights to dispose of feudal lands within their own family.²³

Patronage, then, was the oil that kept the wheels of feudal society turning. In allocating brides and heritable lands to favoured supporters, and in denying them to others, Henry I had consolidated his own position by engaging his barons in a mutual relationship of gift and reciprocal obligation. But the very real risk that this political construct would not survive his own death proved true within a few short years. The fissures created by excessive interference in baronial affairs, and the ineptitude of his successor in applying patronage intelligently, combined to weaken England's position on the international stage.

Stephen's Succession: Election or Inheritance?

Robert of Torigny demonstrates the uncertainties evident at the moment of Henry's demise in December 1135:

On the death of the king...the nobles of Normandy immediately sent for Count Theobald to come and take possession of the duchy...The next day, while he and Robert, Earl of Gloucester, were negotiating, a messenger from England arrived, saying that Theobald's brother Stephen had already been made king.²⁴

Earl Robert, though barred in practice from assuming the throne himself by his illegitimacy, was clearly in a strong position to be an arbiter of power. He accepted the *fait accompli*, and threw in his lot with the new monarch until his sister Matilda was ready to assert her claim in 1139.

²² Orderic Vitalis, vol. 6, p. 17.

²³ The author of *The Anglo-Saxon Chronicle* seems to have interpreted his monarch's actions in this way when he records how, in the year 1110, 'Philip of Briouze, William Malet, and William Bainard were deprived of their lands'; *The Anglo-Saxon Chronicle*, trans. Dorothy Whitelock, London, 1961, p. 182.

Theobald IV, Count of Blois, Henry's elder nephew, had a stronger claim to the throne than his younger brother Stephen by reason of primogeniture. But this method of succession was not yet accepted without question, and now, as in 1100, 'speed won the day'.²⁵ Stephen's dash from Boulogne to London was enough to secure him the crown for the time being. Justification and the establishment of his legitimate claim could wait until later. Henry of Huntingdon describes the action as criminal and sacrilegious, since the new monarch 'challenged God by seizing the crown of the kingdom'.²⁶ The very pro-Stephen *Gesta Stephani*, on the other hand, emphasizes the elective nature of the English crown, and the role of the citizens of London in choosing the new monarch:

it was their own right and peculiar privilege that if their king died... a successor should immediately be appointed by their own choice... all regarded [Stephen] as suited to the position on account both of his high birth and of his good character.²⁷

Ailred of Rievaulx took this to mean that Stephen had accepted the kingdom as a gift that lay in the power of the Londoners to bestow as they saw fit, thus overcoming any objections to his legal claim to the throne.²⁸

Robert of Torigny's account suggests the Norman barons were exercising their own elective rights by inviting Theobald to take possession of the duchy. The implication is that the Norman nobility preferred anyone as their new overlord ahead of Geoffrey of Anjou, lurking menacingly on their southern border. Their immediate decision to throw in their lot with Stephen (once his possession of England was confirmed) further suggests that there was reluctance among those with lands on both sides of the Channel to owe allegiance to separate feudal

²⁴ Robert of Torigny, pp. 128-9.

²⁵ Chibnall, *The Empress Matilda*, p. 64.

²⁶ Henry of Huntingdon, p. 701.

²⁷ *Gesta Stephani*, trans. K.R. Potter, London, 1955, p. 4.

²⁸ Robert B. Patterson, 'Anarchy in England, 1135-54: The Theory of the Constitution', *Albion*, 6, 1974, p. 189, referring to Ailred's *Relatio de standardo*, RS 82, vol. 3, p. 187.

lords (as had been the case before 1106).²⁹ If so, matters of inheritance were at the forefront of the barons' thinking: under which regime would they be most readily able to control the distribution of their property without excessive interference from feudal superiors? Split allegiance complicated the management of estates, and was therefore to be avoided. Orderic Vitalis implies that Theobald only grudgingly accepted his brother's success:

All the barons immediately determined, with Theobald's consent, to serve under one lord on account of the honors which they held in both provinces. Theobald therefore, offended at not getting the kingdom though he was the elder, hurried away to see to important affairs in France.³⁰

The accession proved to be a moment of potential change in the balance of power between three of the major feudal states of northwestern France: Normandy, Anjou, and Blois-Champagne. Geoffrey and Theobald both showed expansionist tendencies, and Normandy was a rich prize. Both men could camouflage their intentions under the cover of dynastic and family rights: Geoffrey in right of his wife, and Theobald as Henry's nephew. Once the Count of Blois renounced his claim in favour of his brother, Geoffrey tried to arrange Theobald's acquiescence in his own bid for Normandy through a series of truces. These allowed Geoffrey to invade Normandy three times in the years 1136 and 1137 to press his claim, gaining some ground each time.³¹

Stephen, for his part, was most concerned early in his reign to put the legitimacy of his rule beyond doubt. To this end he gained a letter of support from Pope Innocent II in 1136.³² The Lateran Council of 1139 also

²⁹ R.H.C. Davis, *King Stephen 1135-1154*, 3rd edn, London and New York, 1990, p. 26. John Le Patourel considers that Stephen's acceptance in England automatically 'carried Normandy with it'. See John Le Patourel, *Feudal Empires, Norman and Plantagenet*, ed. Michael Jones, London, 1984, section VII, p. 6. On the situation in 1106, see ch. 5, pp. 156-7.

³⁰ Orderic Vitalis, vol. 6, p. 455.

³¹ Chibnall, *The Empress Matilda*, p. 72.

³² Innocent II's letter is recorded by Richard of Hexham, *De gestis Regis Stephani et de bello standardii*, RS 82, vol. 3, pp. 147-8. It is notable that the pope chooses to emphasize the hereditary nature of Stephen's claim to the throne, stating that 'it is

considered his position, and ruled in Stephen's favour.³³ The king's supporters used a legal pretext centred on the supposed illegitimacy of his chief rival, Matilda. In a letter probably written several years later, Gilbert Foliot (Abbot of Gloucester and later Bishop of London) recalled the proceedings of the Council. Arnulf, deacon of Séz, had argued against Matilda's right to the throne on the basis that her mother had been snatched from a convent, and that religious vows should have prevented her from marrying Henry I.³⁴ This circumstance was used as evidence of Matilda's bastardy. Gilbert replies to the accusation by pointing out that the marriage had been conducted and approved by Archbishop Anselm.³⁵ Gilbert also shows strong support in the letter for primogeniture and the rights of daughters to inherit if no sons survive. While this was politically convenient for an advocate of Matilda's cause, nonetheless it is evidence of discussion and debate among contemporaries about the importance of the rules of primogeniture and inheritance at the very peak of feudal society.

John of Salisbury also recalls the Lateran Council in his *Historia Pontificalis*. He reports that Arnulf and his colleagues denied the validity of Matilda's parents' marriage not only on the basis of her mother's supposed religious vows, but also as a result of consanguinity.³⁶ There appears to be no evidence to support a claim of kinship between Henry I and Matilda of Scotland. Ulger, Bishop of Angers, (Matilda's advocate at the council) explicitly accused Arnulf of lying.³⁷ It is a measure of the desperation of Stephen's supporters that they should resort to a claim of bastardy against Matilda. The tactic undermined Stephen's claim to the

known that you are descended almost directly from the royal line of the...kingdom'. See also Christopher Holdsworth, 'The Church', in Edmund King, ed, *The Anarchy of King Stephen's Reign*, Oxford, 1994, pp. 209-10.

³³ Dom Adrian Morey and C.N.L. Brooke, *Gilbert Foliot and his Letters*, Cambridge, 1965, p. 112. It is possible that the exchanges referred to here took place as early as 1136 in Pisa, but 1139 is the more usually accepted date. J.H. Round also discussed the incident in his pioneering work, *Geoffrey de Mandeville – A Study of the Anarchy*, New York, 1892, p. 253.

³⁴ See ch. 5, pp. 155-6.

³⁵ Gilbert Foliot, *The Letters and Charters of Gilbert Foliot*, ed. Z.N. Brooke, Dom Adrian Morey, and C.N.L. Brooke, Cambridge, 1967, pp. 65-6.

³⁶ John of Salisbury, *Memoirs of the Papal Court*, trans. Marjorie Chibnall, London and Edinburgh, 1956, p. 83.

³⁷ *ibid.*, pp. 84-5.

throne from an intellectual point of view, as Matilda's supporters (such as Gilbert) no doubt saw. By arguing for Matilda's bastardy, her opponents implied that she would have been the rightful heir to the throne had her birth been legitimate. Their argument was not based on her womanhood (and consequent unfitness to rule), even if this was the underlying cause of their opposition. Instead, by stressing the importance of her parents' marriage they unwittingly spoke in favour of succession by primogeniture, thus undercutting Stephen's more distant claim to the throne. The logical conclusion of Arnulf's argument was that any legitimate child of Henry I (male or female) had a better claim to the throne than his nephew. If Matilda's legitimacy could be proven beyond doubt (and this should not have been difficult) then technically her opponents would have had to recognize her genuine right to the throne.

Perhaps realizing this, Stephen's supporters advanced other arguments in their monarch's favour during the early years of his reign. They did not deny that Stephen had sworn the oaths of allegiance to Matilda at Henry's behest, but claimed that these pledges had been made under duress, and were therefore invalid.³⁸ Furthermore, a story gained currency that Henry had undergone a change of heart on his deathbed, prompted by his anger at Geoffrey of Anjou's insolence, and had decided to name Stephen as his heir. The details of this miraculous conversion were put about by Hugh Bigod, Earl of East Anglia. While there is no other evidence to confirm such a story, Hugh's claim is mentioned by several chroniclers, and was clearly a topic of discussion among those concerned with the struggle for the throne.³⁹ Once again it is notable that Stephen's advocates took pains to justify his seizure of power in terms that allowed some sort of hereditary right, no matter how dubious in reality. It was not enough to say that Stephen was king because he had won the support of London and of the Church: his position needed to be portrayed as hereditary, not merely elective. The tenuous nature of this hereditary claim opened the door to those who wished to challenge Stephen's right to rule, and split England into the opposing camps which contested the civil war of the early 1140s.

³⁸ *ibid.*, p. 84.

Louis VII, Aquitaine, and Capetian Expansion

While Stephen was attempting to establish his right to rule, his French counterpart received a welcome opportunity to expand enormously the area of direct Capetian influence. In April 1137 William X, Duke of Aquitaine and Count of Poitou, died while on pilgrimage at Santiago de Compostela, having left instructions that his eldest daughter and heiress, Eleanor, should be married to the Capetian heir, Prince Louis.⁴⁰ William formally nominated Louis VI as his daughter's guardian. Despite Aquitaine's near independence from the French crown in practice, it still recognized Capetian lordship, and in the event of the death of the current duke it was the French monarch who assumed the right of wardship over a young, female successor.⁴¹ William of Malmesbury saw these events as a clear boost for French royal power and prestige, since Aquitaine had not been under direct French lordship since the time of Louis the Pious, son of Charlemagne, in the ninth century.⁴²

At the same time, William X did not wish to see his vast territories subsumed into the Capetian royal demesne. His desire for the marriage to go ahead seems, at first glance, directly at odds with this urge to retain self-determination for Aquitaine. William's will stipulated that his lands should pass down exclusively to Eleanor's heirs.⁴³ This may suggest that he intended the combined lands to be separated again in the future between several children. Prince Louis's eldest son would naturally receive the Capetian crown and patrimony, while a second son could be awarded the lands acquired by his father's marriage to the Poitevin heiress, thus re-establishing the quasi-independence that southwestern France had long enjoyed.⁴⁴

³⁹ *ibid.*, and Henry of Huntingdon, p. 729.

⁴⁰ Orderic Vitalis, vol. 6, pp. 481-3. William's will is also recorded in RHF, vol. 12, pp. 409-10.

⁴¹ Orderic Vitalis, vol. 6, p. 491; and Suger, *The Deeds of Louis the Fat*, trans. Richard Cusimano and John Moorhead, Washington, D.C., 1992, p. 156.

⁴² William of Malmesbury, *Historia novella*, p. 21.

⁴³ Orderic Vitalis, vol. 6, p. 491.

⁴⁴ This is what happened when Henry II later nominated his eldest son, Henry, as heir to England, Normandy, and Anjou, while making his second son Richard heir to the lands acquired on his own marriage to Eleanor. See ch. 7, p. 244; and Ralph V. Turner, 'The Problem of Survival for the Angevin "Empire": Henry II's and his Sons' Vision versus Late Twelfth-Century Realities', *American Historical Review*, 100, 1995, pp. 78-96.

Yet the clear danger was that Prince Louis would be tempted to exercise full control over his wife's inheritance, to the point where Capetian dominance eventually came to be accepted and unquestioned. Some contemporaries certainly recognized this possibility: in his lament for William X, the troubadour Cercamon refers to 'the king / To whom he left his land and offspring / ... [whose] territory so greatly increases'.⁴⁵ Why was William prepared to take this risk? He may have seen a marital alliance with his French overlord as a means of ensuring the territorial integrity of his enormous patrimony against internal threats from potentially rebellious magnates. Ducal control in Aquitaine was much weaker at this point than in Normandy or Anjou.⁴⁶ Poitevin overlordship of large areas of Limousin and Gascony, acquired in the eleventh century, was constantly challenged. In recent decades the comital families of La Marche and Angoulême, in particular, had established a degree of autonomy that could easily be asserted even more were Aquitaine to be left in the hands of a young, unmarried heiress.⁴⁷ William X thus balanced the risks of the challenge from below (by his barons) with the challenge from above (by his feudal lord) and perhaps saw less risk in the latter.

Not surprisingly, Louis VI jumped at the chance to extend Capetian influence in the southwest. On June 29 1137, his son received the homage of Aquitaine's major magnates at Limoges.⁴⁸ A month later, the young couple (Eleanor was perhaps 13, Prince Louis 16) were married at Bordeaux, with Louis wearing the ducal coronet of Aquitaine as a symbol of his new position.⁴⁹ Shortly afterwards, the death of Louis VI transformed the newly wed Duke and Duchess of Aquitaine into King and Queen of France.

⁴⁵ *The Poetry of Cercamon and Jaufré Rudel*, ed. and trans. George Wolf and Roy Rosenzweig, New York and London, 1983, p. 35.

⁴⁶ See ch. 4, p. 135.

⁴⁷ Richard Mortimer, *Angevin England, 1154-1258*, Oxford, 1994, p. 129.

⁴⁸ Geoffrey of Vigewois, *Chronica*, RHF, vol. 12, p. 435.

⁴⁹ *ibid.*; and Suger, p. 157. Andrew W. Lewis has recently challenged the traditional assignation of Eleanor's birth to 1122, and suggests instead a date of 1124. See Lewis, 'The Birth and Childhood of King John: Some Revisions', in Bonnie Wheeler and John Carmi Parsons, eds, *Eleanor of Aquitaine, Lord and Lady*, New York, 2002, pp. 159-75.

The marriage of Louis and Eleanor represents a pivotal realignment in the distribution of power in western Europe, at a time when rival states were riven by internal strife. Stephen's insecure position in England, and his ongoing struggle with Geoffrey of Anjou for possession of Normandy, reduced the long-standing threat to France's northwestern frontier. The vast expansion of the lands under direct Capetian control through Louis VII's new authority in Aquitaine marked a sudden and, for opponents, ominous leap in the Capetian crown's stature and influence.

How far did Louis VII both consider himself Duke of Aquitaine (rather than merely the husband of the hereditary Duchess), and act to enforce his authority in that role? To what extent, in other words, did he believe his marriage conferred on him political and feudal authority through the assumption of his wife's title? Orderic comments that William X had 'made the king himself heir of all his lands', suggesting a level of transfer of power and legal right that seems at odds with William's desire to see his lands remain independent of excessive French influence.⁵⁰ Charter evidence indicates that Louis took his Aquitanian responsibilities seriously (though the relatively limited amount of time he spent in the region undermined his intended imposition of Capetian sovereignty). Soon after his accession Louis granted to the ecclesiastical province of Bordeaux the right to elect its own bishops and abbots, styling himself *Rex Francorum et Dux Aquitanorum*.⁵¹ The royal seal used from 1137 to 1154 (two years after his divorce and consequent loss of Eleanor's territories) also depicts Louis on the reverse as *Dux Aquitanorum*.⁵² This was a relatively rare use of the *contre-sceau* (seal with images on both the obverse and reverse) and hints at the importance of the ducal role in Louis's eyes. Despite sporadic local opposition and the independent-minded heritage of Aquitaine, the marriage of its heiress to the French monarch undoubtedly increased Capetian prestige and influence at a time

⁵⁰ Orderic Vitalis, vol. 6, p. 481.

⁵¹ RHF, vol. 16, pp. 2-3. See also Marie Hivergneaux, 'Queen Eleanor and Aquitaine, 1137-1189', in Wheeler and Parsons, eds, pp. 55-76 (at pp. 56-63).

⁵² Achille Luchaire, *Études sur les actes de Louis VII*, Paris, 1885 (reprinted 1964), p. 80.

when rivals found themselves weakened.⁵³ Yet it is false to suppose that the marriage allowed a complete annexation of the southwest into the direct control of the French monarch: the tradition of independence among local holders of power remained simply too strong.⁵⁴

Early in his reign, Louis found himself at odds with his father's long-standing opponent, Theobald IV of Blois. The latter, having gained the County of Troyes (or Champagne) by inheritance in 1125, now held substantial estates that virtually encircled the royal demesne to the east and the west.⁵⁵ Conflict broke out between Theobald and Louis in 1142, partly as a result of the separation and remarriage of Louis's cousin, Raoul of Vermandois. Raoul's repudiated first wife, Leonora, was a close relative of Theobald, who now used the incident (and the slight to his family's honour) as a pretext to assert his own strength at Capetian expense.⁵⁶ Raoul's new partner was Eleanor of Aquitaine's sister, Petronilla. Georges Duby discusses this incident at length, using it to exemplify what he sees as the increasing exertion of Church control over the secular process of marriage, as accounted for within his ecclesiastical model.⁵⁷ In particular, Duby points to Bernard of Clairvaux's condemnation of Raoul's actions, and of Louis's support for his cousin, as representative of the Church's newfound willingness to interfere in instances where the principle of indissolubility was being sacrificed to political expediency.⁵⁸ There can be no doubt that Bernard's objections were based, in part, on a strong moral opposition to Raoul's repudiation of Leonora, and thus expressed a

⁵³ Poitiers, for example, initially rejected Louis's lordship and established an independent (but short-lived and rapidly crushed) commune in 1137. See Alison Weir, *Eleanor of Aquitaine – By the Wrath of God, Queen of England*, London, 2000, p. 36.

⁵⁴ Robert Fawtier, *The Capetian Kings of France*, trans. Lionel Butler and R.J. Adam, London, 1960, p. 107. See also Jean Dunbabin, *France in the Making 843-1180*, Oxford, 1985, p. 261.

⁵⁵ Elizabeth Hallam, *Capetian France 987-1328*, London and New York, 1980, pp. 48-9. Theobald IV of Blois thus also became Theobald II of Champagne.

⁵⁶ Raoul was the first cousin of Louis's father. His first wife, Leonora, was probably Theobald's niece. See John of Salisbury, *Memoirs of the Papal Court*, p. 12; and Herman of Tournai, *Historiae Tornacenses*, in MGH-SS, vol. 14, Hanover, 1883 (reprinted Stuttgart, 1963), p. 343.

⁵⁷ Georges Duby, *Medieval Marriage - Two Models from Twelfth-Century France*, trans. Elborg Forster, Baltimore and London, 1978, pp. 65-73; and *The Knight, the Lady and the Priest - The Making of Modern Marriage in Medieval France*, trans. Barbara Bray, Harmondsworth, 1983, pp. 198-202. On the 'ecclesiastical model', see ch. 1, pp. 40-1; and Duby, *Medieval Marriage*, ch. 1.

⁵⁸ Duby, *The Knight, the Lady and the Priest*, p. 198.

restrictive view of the ability of a lay magnate to repudiate his wife. But it is striking that the wider events surrounding the controversy show an ongoing lack of consistency among senior Church figures with regard to the rules and practices of marriage. Three bishops supported Raoul, and offered a flexible interpretation of the Church's power to bring marriages to an end, by swearing to the consanguinity between Raoul and Leonora.⁵⁹

The contest here was not simply between Church and State (or between Duby's lay and ecclesiastical models), although this is one of several elements. Raoul's predicament also reveals the debate within the Church, as various senior clerics chose sides or interfered to a greater or lesser degree. At the same time, Raoul's marriage represented a significant moment of conflict in the balance of power between rival lay rulers, with Louis's assertion of regal authority being matched by Theobald's desire to oppose his lord's more aggressive stance, and to maintain the rights of vassals to control the marriages of their family members.

Manipulation of the consanguinity rules remained a major avenue of contestation between these overlapping sets of competing interests. Duby claims that the stress on preventing consanguineous marriages, so important to Ivo and Anselm earlier in the century, was now fading, since 'few people now believed that kinship ties were harmful beyond the third degree'.⁶⁰ But this rather misses the point. What people believed about the dangers of consanguineous marriages had not been the issue for many years: how they could twist these rules to promote their own interests had long taken precedence. Louis VII himself resorted to the pretext of consanguinity to undermine a potential alliance between Theobald of Blois and Thierry of Flanders. They had agreed that Theobald's son Henry should marry Thierry's daughter, but Louis, attempting to exercise his feudal privileges as a means of countering Theobald, ordered that the betrothal be brought to an end because of the consanguinity between the couple.⁶¹ Bernard of Clairvaux, a scrupulous genealogist, retorted that he

⁵⁹ *ibid.* They ignored the fact that Raoul was related even more closely to Petronilla. On flexible and restrictive interpretations see ch. 1, pp. 39-46.

⁶⁰ *ibid.*, p. 202.

⁶¹ Herman of Tournai, *Liber de restauratione S. Martini*, MGH-SS, vol. 14, p. 289. Louis claimed that they were related in the third degree.

could find no evidence of such a relationship. He excoriated the monarch for seeking to use a claim of illicit marriage for obvious political benefits, while himself being married to his cousin Eleanor.⁶²

These incidents suggest that the discourse of marriage and kinship was at the centre of political manoeuvring in the early 1140s, but that no consistent line was put forward either by the ecclesiastical or by the lay community. Instead, members of each community took a stance that suited their own moral, political, or familial objectives. While Louis VII attempted to impose regal authority more firmly, neither his major vassals nor the senior clerics of his realm were yet ready to accept Louis's judgements in marital matters. Nor were they prepared to succumb to Capetian hegemony in the political sphere. In England, meanwhile, a similar challenge to the monarchy focused on issues of succession, inheritance, and patronage.

Civil War: Inheritance Rights Disputed and Patronage Misapplied

In the finest traditions of ancient and medieval historiography, Henry of Huntingdon reports the stirring speech given by Robert, Earl of Gloucester, to his troops before the battle of Lincoln in 1141. Although the speech is almost certainly fictitious, it probably reflects the ongoing debate over hereditary right and the legitimacy of Stephen's rule that was the very cause of the current civil war. The chronicler has Robert stir up his troops by pointing out the presence of Hugh Bigod in the opposing ranks:

There also appears against you Earl Hugh, for whom it seemed insufficient to break his oath towards the empress without the added crime of openly perjuring himself by affirming that King Henry granted the kingdom to Stephen and set aside his daughter.⁶³

Robert refers to the elite ranks of his army as 'you mighty men, whom the great King Henry raised up, and this man [Stephen] has thrown down,

⁶² Bernard of Clairvaux, *Letters of St. Bernard of Clairvaux*, trans. B.S. James, London, 1953, p. 371 (letter 300). See also Watkin Williams, *Saint Bernard of Clairvaux*, Manchester, 1952, p. 212.

⁶³ Henry of Huntingdon, p. 729. On Hugh Bigod see above, p. 201.

whom he favoured and this one has ruined'.⁶⁴ Just as patronage had been central to Henry's exercise of power, so it was to his nephew. Stephen, however, was not the arch-manipulator that his predecessor had been. Robert's speech indicates that one observer, at least, viewed Stephen's awards of favour as politically senseless, and directly responsible for the civil war. Moreover, Henry had for the most part avoided granting estates from the royal demesne, thereby maintaining royal revenues and direct control of that most vital of feudal commodities, land. Stephen was altogether more liberal with the property at his disposal:

Thus he also established many as earls who had not
been earls before, with endowments of landed estates
and revenues that had belonged directly to the king.⁶⁵

In a few short years, Stephen's generosity depleted the crown's resources and the wealth Henry had left behind. Not only did this remove opportunities for successful patronage. A weaker monarchy also made it that much harder to suppress the latent conflicts among his major feudal vassals for which Henry had been partly responsible.

Examples of the disastrous consequences of Stephen's inept patronage abound. In the early years of his reign he married Hugh le Poer, the younger brother of his greatest supporters, the Beaumont twins (Waleran of Meulan and Robert of Leicester), to the daughter of Simon de Beauchamp. Simon had been a major landholder in Bedfordshire. Stephen now granted to Hugh the Beauchamp honour in right of his wife and the title of Earl of Bedford. Sadly for the king, the incumbent holder of the honour and of Bedford castle, Simon's nephew Miles de Beauchamp, was somewhat aggrieved at his monarch's decision, and refused to vacate his lands.⁶⁶ To overcome Miles' objections Stephen was forced to undertake a lengthy siege which, while eventually successful, exemplifies the ill-conceived management of feudal relationships on the part of the king. The Beauchamp episode is also interesting in that it parallels Stephen's own

⁶⁴ *ibid.*, p. 731.

⁶⁵ William of Malmesbury, *Historia novella*, p. 41. This was the same fault that Robert Curthose had displayed in Normandy a generation earlier. See ch. 5, pp. 158-60. On Stephen's creation of earldoms see Graeme White, 'Continuity in Government' in King, ed, *Anarchy*, pp. 124-9.

situation. Here we see him, the nephew of his predecessor who gained his place ahead of a female with a better hereditary claim, promoting the daughter and son-in-law of the previous incumbent of a major feudal honour at the expense of the dead tenant's nephew. If Stephen wished to provide his opponents with a precedent to challenge his own rule, he could hardly have engineered a better example.⁶⁷

Although Stephen's judgement and execution of policy often let him down, there is no doubt that he saw the potential benefits of patronage, and recognized the diplomatic advantages that strong marriage alliances could bring. Shortly after his accession he betrothed his two-year-old daughter Matilda to Waleran of Meulan.⁶⁸ At the same time he granted Waleran the city of Worcester and several other territories in the west, as well as custody over the Norman lands and young heir of Hugh de Montfort, Waleran's imprisoned brother-in-law.⁶⁹ Since betrothal was a highly provisional event (rather than a binding marital agreement) there was no need for an expression of consent from Stephen's infant daughter.⁷⁰ Betrothal gave tangible expression to political alliances, while providing an easy escape clause if either party should have a change of heart. In the event the young bride-to-be died within several years, but Waleran continued to support Stephen's cause throughout the reign.

Meanwhile, Stephen saw the need to bolster his own rule with support from Louis VII's France, in particular as a potential ally against Geoffrey of Anjou's incursions into Normandy. In February 1140 Stephen's son

⁶⁶ *Gesta Stephani*, pp. 31-2, note 2; and Orderic Vitalis, vol. 6, p. 511.

⁶⁷ I do not wish to fall into the trap of explaining the problems of the reign by reference to the traditional characterization of Stephen as a 'bad king'. However most historians agree that certain character flaws in the monarch did render a difficult situation worse. Where disagreement has arisen is over the description of the reign as a period of 'anarchy'. King and Hollister still find the term useful, while Stringer and Couch reject it. See the discussion by various contributors in *Albion*, 6, 1974; King, 'Introduction', in King, ed, *Anarchy*; Keith J. Stringer, *The Reign of Stephen: Kingship, Warfare and Government in Twelfth-Century England*, London and New York, 1993, pp. 3-7; and David Crouch, *The Reign of King Stephen 1135-1154*, Harlow, Essex, 2000, pp. 1-7. Crouch's introduction contains an excellent account of the history of the usage of the term 'anarchy' in this context.

⁶⁸ Orderic Vitalis, vol. 6, p. 456.

⁶⁹ David Crouch, *The Beaumont Twins – The Roots and Branches of Power in the Twelfth Century*, Cambridge, 1986, p. 30.

⁷⁰ On betrothal and consent see ch. 1, pp. 15-16. For another example of betrothals used in the service of alliance flexibility see ch. 7, pp. 230 and 235.

Eustace, aged about ten, married the young French monarch's sister Constance, aged around twelve. The alliance was equally useful to Louis, concerned at the growing strength of his Angevin vassal. Soon after his accession in 1137, Louis had accepted Eustace's homage for Normandy, in a strong message of support for Stephen over Geoffrey as the rightful ruler of the duchy. Henry of Huntingdon indicates that the intended message was clearly received:

Eustace...was made the French king's man for Normandy, which belongs to French overlordship. When the Count of Anjou, who was his chief enemy, saw this, he accepted a truce with King Stephen.⁷¹

A display of friendship between England and France held Angevin ambitions in check for the time being.

The marital alliance of 1140 was not made between monarchs of equal standing. Despite the political advantages to Louis, the marriage of Eustace and Constance came about only because Stephen paid for the privilege. In doing so, while gaining an ally on the one hand, he created enemies on the other. In 1139 Stephen, already short of funds, incarcerated the powerful Roger, Bishop of Salisbury, and several other senior clerics, and successfully besieged Roger's castle at Devizes. Robert of Torigny links the incident explicitly to Stephen's plans for his heir's future:

The bishop's treasures, which he carried off with him, allowed him to win Constance, the sister of Louis the King of France, as a bride for his son Eustace.⁷²

William of Newburgh is equally convinced of Stephen's tactics and intentions:

His purpose in seeking kinship with such a powerful prince was to strengthen the son who was to succeed him against the count of Anjou and his sons.⁷³

⁷¹ Henry of Huntingdon, p. 709.

⁷² Robert of Torigny, pp. 136-7. On the capture of the bishops see Edward J. Kealey, *Roger of Salisbury, Viceroy of England*, Berkeley and Los Angeles, 1972, ch. 6; Kenji Yoshitake, 'The Arrest of the Bishops in 1139 and its Consequences', *Journal of Medieval History*, 14, 1988, pp. 97-114; and Crouch, *The Reign of King Stephen*, pp. 93-7.

Whether Stephen's use of the bishop's wealth was a premeditated strategy or merely an opportunistic manoeuvre, it is apparent that the alliance with Louis could only be confirmed with cash. In this sense the union was not unlike Matilda's betrothal to the future Emperor Henry V in 1110, when her father paid for the privilege of alliance with a leading continental monarch. The difference now was that it was the English monarch's son marrying the more powerful magnate's female relative. Matilda's generous marriage portion had been consistent with the weaker position of women in twelfth-century society that had seen dowries increase relative to dowers over the preceding decades.⁷⁴ By contrast, Stephen's need to provide so generous a financial settlement to enable his son to marry is inconsistent with contemporary social practices, and is a mark of the weakness of the Anglo-Norman state in 1140. The fact that Louis was prepared to contemplate a marriage alliance with Stephen at all further attests to the decline in English fortunes. A marital pact between England and France represents a moment of alliance flexibility that would have been highly unlikely just a few short years earlier. Whereas Louis VI had assiduously cultivated Fulk of Anjou and the Counts of Flanders against Henry I, it was Geoffrey of Anjou who now posed the greatest threat to the balance of power in northern France, and who needed to be reined in by diplomatic encirclement.

As with many political marriages of the period, affirmation was sought through openness and consultation. John of Worcester records that 'the betrothal [of Eustace and Constance] took place overseas...in the presence of the queen-mother of England and of many of the highest nobility of both kingdoms'.⁷⁵ In this, at least, Stephen showed the good sense to avoid the mistake of furtiveness that Henry had made when marrying his daughter to Geoffrey of Anjou. Given the problems that faced him,

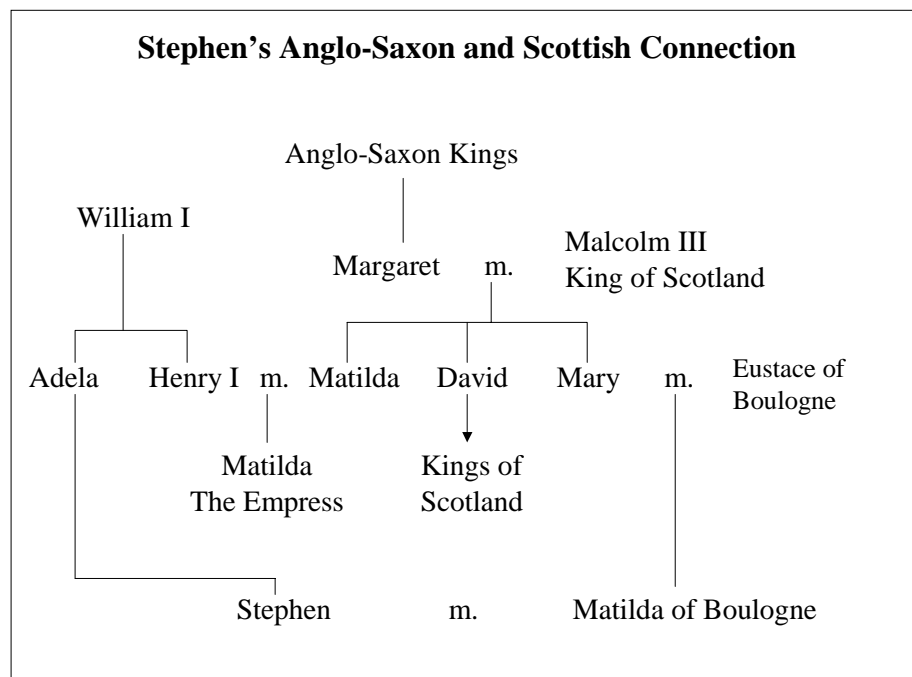
⁷³ William of Newburgh, *The History of English Affairs, Volume I*, trans. P.G. Walsh and M.J. Kennedy, Warminster, Wilts., 1988, pp. 67-9.

⁷⁴ See ch. 1, pp. 27-33.

⁷⁵ John of Worcester, *The Chronicle of John of Worcester, Volume III*, trans. P. McGurk, Oxford, 1998, p. 285. It is also a mark of Stephen's weak position that the betrothal of his son took place outside England ('overseas'): more often it was the woman or girl being betrothed who travelled to the home region of her new husband's family. Examples include Matilda in 1110 (see ch. 5, pp. 181-2) and Margaret of France in 1160 (ch. 7, p. 235).

Stephen must have welcomed the chance to advertise a diplomatic success to those barons who still supported him. The public nature of the betrothal acted as a tacit verification of the legitimacy of the king's rule, with the presence of his mother Adela a tangible reminder of Stephen's descent from her father, William the Conqueror.

R.H.C. Davis believes that it was Stephen's wife Matilda who urged him to cement the alliance with France through the marriage of Eustace and Constance.⁷⁶ The queen appears to have been a woman of some character and determination. Through her, Stephen could claim the legitimizing factor of descent from the Anglo-Saxon royal house for their children, just as Henry I had done after his own marriage in 1100. Henry's queen and Stephen's queen, both named Matilda, were in fact aunt and niece, and both were daughters of the Scottish dynasty, as well as descendants of the Anglo-Saxon royal line (see chart below).



The Scottish connection had become important in 1138, when King David of Scotland led an invasion that culminated in the victory of Stephen's forces in the Battle of the Standard. David had been the first noble to swear fealty to his niece when Henry I had demanded the oath of

⁷⁶ Davis, *King Stephen*, p. 45 .

allegiance to his daughter Matilda in 1127. Contemporaries explicitly saw the invasion of 1138 as an expression of family loyalties. The *Gesta Stephani* describes how David,

inflamed by zeal for justice, both on account of the ties of kinship and because he owed the woman the fealty he had promised...disposed himself to set the kingdom of England in confusion.⁷⁷

Despite the Scottish failure in 1138, the northern invasion demanded Stephen's attention and resources, weakening his treasury and his hold on the kingdom to the point where an alliance with France became an even greater priority. Although the king, influenced by his barons, wished to pursue military vengeance against the Scots, it was the queen's call for peace that prevailed. The second of David's nieces named Matilda (Stephen's queen) was among the chief mediators in the aftermath of the Battle of the Standard. Richard of Hexham, no doubt exaggerating for emotional impact, describes her intervention:

the passion of a woman's heart, ignoring defeat, carried on pleading night and day in every possible manner, until it succeeded in changing the king's mind to its cause. For she enjoyed a warm relationship with her uncle David, King of Scotland...and for this reason she made an enormous effort to reconcile [him] with her husband.⁷⁸

Queen Matilda was also the chief figurehead of the royal party after Stephen's capture at Lincoln in 1141, and kept her husband's cause alive during the brief ascendancy of her cousin, rival, and namesake, Matilda the Empress.⁷⁹ The latter was now in a position to confirm her rule through astute patronage, yet she, like Stephen, showed a tactlessness in the face of feudal etiquette and the demands of family politics that ultimately doomed her quest for the throne to failure.

⁷⁷ *Gesta Stephani*, pp. 35-6.

⁷⁸ Richard of Hexham, p. 176. For a consideration of Queen Matilda's career see Heather Tanner, 'Queenship: Office, Custom, or Ad Hoc? The Case of Queen Matilda III of England (1135-1152)', in Wheeler and Parsons, eds, pp. 133-58.

In particular, the Empress squandered the chance to gain the permanent support of Henry, Bishop of Winchester, the nation's most influential cleric. As Stephen's younger brother, Henry had been one of his key supporters throughout the early civil war years, but after Lincoln he sought a *rapprochement* with Matilda. Henry suggested that the Empress could make a gesture of reconciliation with Stephen's supporters by granting to Eustace the honours of Boulogne and Mortain, which his father had held before he became king.⁸⁰ William of Malmesbury, though no advocate of Stephen's cause, describes the counties as Eustace's 'lawful property while his father was held a prisoner', and comments that Henry of Winchester was 'enraged' as a result of Matilda's failure to grant them to the young prince.⁸¹ In fact Matilda had already promised these lands to other supporters, and continued to offer a plethora of titles and estates to men who had helped her, to the exclusion of her enemies. The earldom of Worcester, which Stephen had granted to Waleran of Meulan, was now awarded to William de Beauchamp; Hereford was given to Miles of Gloucester, and Devon to Baldwin de Redvers.⁸² Matilda used the denial of patronage and the *de facto* confiscation of family lands (in Eustace's case) as a form of feudal revenge in her moment of triumph. Far from securing her rule, this simply made her opponents more determined to resist her ascendancy, and to return Stephen to power, which they achieved late in 1141. By ignoring the rules of feudal conduct, and by showing insensitivity to the primary concern of the baronial class (the maintenance and hereditary possession of family estates without excessive monarchical interference) Matilda compromised her cause and did nothing to heal the divided loyalties plaguing the Anglo-Norman nobility. If Henry II learnt anything from his mother's mistakes, it was to treat his defeated opponents more generously, and to allow them their feudal and hereditary rights without vindictive triumphalism.⁸³

⁷⁹ Both King Stephen and Queen Matilda were first cousins of Matilda the Empress. See the genealogical chart at ch. 5, p. 166.

⁸⁰ Chibnall, *The Empress Matilda*, pp. 106-7.

⁸¹ William of Malmesbury, *Historia novella*, p. 101. See also John of Worcester, p. 297.

⁸² Chibnall, *The Empress Matilda*, p. 107.

⁸³ See ch. 7, pp. 225-9.

While Matilda was thus reaping failure from the seeds of potential success in England, her husband used Stephen's period of weakness to renew the Angevin assault on Normandy. The Norman barons, still wary of Geoffrey, once again offered the lordship of both England and Normandy to Theobald. He refused the offer and endorsed Geoffrey's claim instead, on certain conditions. Stephen was to be released and to have Boulogne and Mortain restored, and Geoffrey was to give up the town of Tours (long a bone of contention between Blois and Anjou) to Theobald.⁸⁴ Theobald's main aim seems to have been a relatively small extension of his own dominions (Blois-Champagne) instead of a bid for the Anglo-Norman crown. He may also have seen any assistance to Geoffrey as an impediment to the ambitions of Louis VII.⁸⁵ Perhaps, having watched his brother's career, he doubted the viability of the combined realm and thought the advancement would bring him nothing but trouble. In Orderic's view, Theobald, 'being a wise and pious man, refused to undertake the heavy burden of such responsibilities...'.⁸⁶

It is notable that he stipulated Geoffrey, rather than Matilda, as an alternative candidate to Normandy. Geoffrey, of course, had no hereditary right whatsoever, and would have been duke only by election had he assumed the crown. While the Normans may have accepted him on this basis, it is likely that his claim would have met greater resistance in England, where hereditary rights were the focus of the current disputes. There it was always Matilda who was the monarch-in-waiting, and never her husband who had merely married into the royal house.

In the end Geoffrey ignored Theobald's demands and continued to press his claim to Normandy by purely military means. By 1144 he had captured Rouen and made himself master of the duchy.⁸⁷ Yet even this conquest still needed to be justified in terms of the hereditary rights of his family. By 1146 he had associated his eldest son Henry, now 13, with himself in the role of Duke of Normandy, issuing charters jointly in their names. In 1150 Geoffrey, still only 37, resigned the duchy to Henry and contented himself

⁸⁴ Orderic Vitalis, vol. 6, p. 549.

⁸⁵ On the contemporary conflict of Blois and Capet see above, pp. 205-6.

⁸⁶ Orderic Vitalis, vol. 6, p. 549.

with the lordship of his Angevin territories.⁸⁸ Hollister and Keefe point to this fact as evidence that Geoffrey never intended to make himself king of the Anglo-Norman realm, and only ever acted to secure the rights of his wife and son. They note also that Geoffrey kept the administration of Normandy and Anjou quite separate, and did not grant Henry the title of Count of Anjou as well as that of Duke of Normandy after he came of age.⁸⁹ Yet this should not necessarily lead us to doubt Geoffrey's ambition: in later years Henry similarly kept the administration of the various units of his enormous realm quite distinct, and awarded his sons nominal lordship of several feudal states while keeping real power for himself.⁹⁰ It is quite possible that Geoffrey, while recognizing the niceties of hereditary right that meant he could never be more than a caretaker Duke of Normandy himself, intended to exercise power through his son for as long as possible.

Meanwhile, Angevin success meant that the problem of cross-Channel divided estates once again had to be addressed. The unsustainable situation that had prevailed between 1087 and 1106, with major landholders owing allegiance to separate overlords in England and Normandy, was even more unsatisfactory now that feudal tenants were becoming more assertive in claiming control over their hereditary privileges.⁹¹ With Angevin power on the increase and Stephen's on the wane, the reunification of the realm under Duke Henry increasingly came to be seen as the most appropriate solution.⁹²

With the power of the monarch in question, his barons increasingly took matters into their own hands. The career of Ranulf, Earl of Chester, provides an example of the ways in which marriage alliances made during the years of weak central authority could secure specific solutions to

⁸⁷ Gillingham, *Angevin Empire*, p. 14.

⁸⁸ *De origine comitum Andegavensium*, RHF, vol. 12, p. 537.

⁸⁹ C. Warren Hollister and Thomas K. Keefe, 'The Making of the Angevin Empire', *Journal of British Studies*, 12, 1973, p. 18. In this they follow the older view of Charles Homer Haskins who saw Geoffrey acting merely as a regent in Normandy for his son. See Charles Homer Haskins, *Norman Institutions*, Cambridge, MA, 1918, pp. 130-5.

⁹⁰ See ch. 7, p. 250.

⁹¹ On the possible dating for acceptance of hereditary rights in England see ch. 2, pp. 69-74.

⁹² Marjorie Chibnall, *Anglo-Norman England, 1066-1166*, Oxford, 1986, p. 88.

territorial disputes without the king's intervention, even in cases that crossed nominal national boundaries. Ranulf had married the daughter of Robert of Gloucester, and was instrumental in Stephen's defeat at Lincoln in 1141. Despite this, he was no committed supporter of Matilda's cause.⁹³ His loyalty was especially compromised by an ongoing dispute with Matilda's uncle, King David of Scotland, over possession of the city of Carlisle. The issue was resolved, and Ranulf's support of the Angevin cause assured, in 1149 when David gifted Ranulf the wealthy honour of Lancaster in return for homage and recognition of Scottish ownership of Carlisle. The agreement, a fine example of feudal power and negotiation expressed through the medium of gift and reciprocal obligation, was sealed by a marriage between Ranulf's son and David's granddaughter, so that, as R.H.C. Davis comments, 'neither side was forced to regard its concessions as entirely lost to the family'.⁹⁴

Stephen, just like his barons, was concerned to secure the hereditary rights of his own family to the territories he controlled. To this end he named Eustace as Count of Boulogne in 1147, and as joint monarch in 1152.⁹⁵ However Theobald of Bec, Archbishop of Canterbury, acting on the orders of Pope Eugenius III, refused to crown Eustace as joint sovereign. Henry of Huntingdon sums up contemporary views on the reasons for this action by the Church authorities: 'It was understood that this was because Stephen had seized the kingdom contrary to the oath'.⁹⁶ His rejection of the oath of fealty to Matilda now told against him, although this impediment had been of little consequence in 1135. Stephen had quarrelled with the Church over episcopal appointments, and this too probably harmed his cause.⁹⁷ What the incident does show is that circumstances were conspiring to promote the interests of a claimant to the English throne (Henry Plantagenet) whose strength lay in his hereditary

⁹³ Warren, *Henry II*, pp. 25-6.

⁹⁴ Davis, *King Stephen*, p. 104. The implication is that, from a longer-term perspective, neither family was giving away cherished territories, since the children of the marriage would benefit from the combined estates in future generations. On this idea see ch. 4, pp. 146-7.

⁹⁵ Davis, *King Stephen*, pp. 103 and 114.

⁹⁶ Henry of Huntingdon, p. 759.

⁹⁷ Davis, *King Stephen*, p. 114.

right, rather than in his elective position. Political and military might (compounded, in Henry's case, by marriage) could influence perceptions of the rights of direct heirs over the claims of cousins in the secondary line. Stephen's attempt to found a dynasty failed, because his own succession was now rejected as illicit after the fact. If the chaos of his reign achieved anything, it was to cement primogeniture as the accepted method of passing estates and honours to the next generation. Unfortunately for Stephen, he was not able to take advantage of this trend to secure the fortunes of his own family.

Separation and Remarriage: The Balance of Power Destroyed

What had happened by 1150 to the balance of power that prevailed in England and France earlier in the century? Henry I's Anglo-Norman realm had threatened to disrupt the rough equilibrium of influence and to overshadow Capetian France, especially after winning the support of Anjou and Flanders.⁹⁸ Succession problems, civil war, and the separation of England and Normandy during the 1140s had removed this threat. Louis VII's power over Aquitaine by means of marriage had improved French prospects, though this power was far from complete. Louis still had to contend with opposition from the barons of the southwest, as well as the animosity of Theobald of Blois-Champagne and the ambitions of Geoffrey of Anjou. By the late 1140s, no single state in the region held the ability to dominate affairs. Geoffrey held Normandy and Anjou. Stephen had largely contained the threat of Matilda, though the Empress or (after her departure for Normandy in 1148) her supporters still held much of southwest England, while King David of Scotland controlled the north.⁹⁹ Louis, engaged on the Second Crusade from 1147 to 1149, was in no position

⁹⁸ See ch. 5, pp. 186-8.

⁹⁹ In this sense England in the late 1140s resembled the more fragmented polity of France much more closely than at any other point in the twelfth century. For a useful summary of this idea, seeing England as divided into three 'parallel "kingdoms"', see the conclusion to Stringer, *The Reign of Stephen*, pp. 86-8. Charter evidence reinforces the idea that Matilda's influence was almost entirely limited to the southwest: see Marjorie Chibnall, 'The Charters of the Empress Matilda', in George Garnett and John Hudson, eds, *Law and Government in Medieval England and Normandy: Essays in Honour of Sir James Holt*, Cambridge, 1994, pp. 276-98. On the Scottish presence in the north see

further to assert Capetian influence over feudal subordinates for the time being. There existed once again, in other words, a balance of power between the major political entities of the region.

Yet the balance was inherently unstable. States did not strive to maintain balance for its own sake; they sought to promote their own interests, their *raison d'état*, often through opportunistic familial strategies. A balance of power may have been the temporary result of these efforts, but for no self-respecting magnate was this a satisfactory long-term outcome. By 1150, several potential threats to the uneasy balance were readily apparent. Louis VII, having returned from the east, could continue the process of consolidating Capetian authority in the Île-de France and Aquitaine as a precursor to establishing suzerainty more firmly over the relatively independent princes of his realm. Alternatively, the Angevin comital family also posed a challenge to neighbouring powers, especially after Henry's confirmation as Duke of Normandy in 1150.¹⁰⁰ The likelihood of Duke Henry reasserting his mother Matilda's claim to the English throne in the not-too-distant future must have been clear. The possibility of a dynastic union involving Anjou, Normandy, and England represented an overwhelming challenge to the balance of power, one that threatened to create a unified political entity even stronger than Henry I's Anglo-Norman realm.

If contemporaries were concerned by this prospect, the events of 1152 would have frightened them even more. The story of Eleanor of Aquitaine's divorce from Louis VII and her rapid remarriage to Henry Plantagenet has been told many times, and its details can be treated briefly here. What is important for our purposes is to examine the ways in which these significant marital episodes altered irrevocably the balance-of-power dynamics that had functioned during the first half of the century.

G.W.S. Barrow, 'The Scots and the North of England', in King, ed, *Anarchy*, pp. 231-53.

¹⁰⁰ *De origine comitum Andegavensium*, RHF, vol. 12, p. 537. Though Henry performed homage to Louis for Normandy shortly afterwards, this does not imply an absence of tension between Plantagenet and Capet. In a letter of 1150, Abbot Suger exhorted Louis not to make war against Geoffrey too quickly or without consultation, suggesting a desire on the monarch's part to counter growing Plantagenet influence by military means. See Suger, *Epistolae*, RHF, vol. 15, p. 522 (letter 104).

The marriage of Louis and Eleanor was formally annulled during a council convened at Beaugency in March 1152. There the senior ecclesiastical figures of the realm heard the incestuous relationship of the royal couple recounted and confirmed.¹⁰¹ They approved the annulment despite the fact that Pope Eugenius III had pronounced the marriage indissoluble only three years earlier, and forbidden any talk of the couple's kinship within the prohibited degrees.¹⁰² The highest representatives of the Church, in other words, were at odds over the issue. Eugenius had favoured a more restrictive line on bringing the marriage to an end, stressing indissolubility, while the primate of France (Archbishop Hugh of Sens) and his colleagues took the flexible approach offered by the consanguinity problem. Were they genuinely distressed by the fact that their monarch had married his cousin? It seems improbable. The more credible view is that Louis had made plain his desire for a new wife who might be more likely to bear him a son (something Eleanor had failed to do after 15 years of marriage) and that the Council of Beaugency provided him with the opportunity to fulfil this desire.¹⁰³ Lay and ecclesiastical figures acted in concert for the best interests of the kingdom. Dynastic necessity drove the annulment, with disapproval of the royal couple's consanguinity being no more than a convenient mechanism with which to implement the desired flexible interpretation of canon law.

Other senior Church figures also held varying positions on the issue. Suger, Louis's closest adviser but also Abbot of St Denis, was aghast at the loss of Aquitaine, so objected to the divorce for political reasons.¹⁰⁴ Bernard of Clairvaux had never approved of Eleanor, and had continually opposed the marriage because of the obvious breach of consanguinity rules

¹⁰¹ *Historia gloriosi regis Ludovici VII*, RHF, vol. 12, p. 127; *Chronica regum Francorum*, *ibid.*, p. 213. Louis and Eleanor were related in the fourth and fifth degrees. For a discussion of Eleanor's technically incestuous relationships with each of her husbands see Constance B. Bouchard, 'Eleanor's Divorce from Louis VII: The Uses of Consanguinity', in Wheeler and Parsons, eds, pp. 223-35. On the legal background see James A. Brundage, 'The Canon Law of Divorce in the Mid-Twelfth Century: Louis VII c. Eleanor of Aquitaine', *ibid.*, pp. 213-21.

¹⁰² John of Salisbury, *Memoirs of the Papal Court*, p. 61.

¹⁰³ Gervase of Canterbury expressed the opinion that the annulment (or *divortio*, in his words) was achieved 'by great effort and ingenious testimony' (*labore multo et artificioso juramento*). See Gervase of Canterbury, *Opera historica*, RS 73, vol. 1, p. 149; and Robert of Torigny, p. 164.

it entailed.¹⁰⁵ For him the annulment was a desirable outcome, but for more spiritual and doctrinal reasons than those that lay beneath the Council of Beaugency's superficially similar position.

Modern historians are generally of the view that Louis's decision to divorce Eleanor was not in itself a political blunder.¹⁰⁶ Certainly the lack of a son was a pressing concern, and the loss of direct control over Aquitaine need not have represented a sharp setback for Capetian authority in the region (despite Suger's views on the matter). After all, Louis remained Eleanor's feudal lord, and could expect to be consulted over any future marriage that the heiress might wish to make. Louis's blunder rested in the fact that he did not enforce this feudal right to be consulted, thus allowing Eleanor to enter into her disastrous (from a Capetian perspective) marriage pact with Henry Plantagenet.¹⁰⁷ Perhaps this was as much a sign of relative powerlessness as of poor policy: Louis was simply unable to enforce his feudal right to be consulted over the marriage of a major feudal vassal. After Henry married Eleanor at Poitiers in May 1152, only two months after Beaugency, Louis resorted to arms as the only feasible method of expressing his disapproval. Even in this he failed, despite the assistance of Henry I, Count of Champagne, Stephen's son Eustace, and Henry Plantagenet's own brother Geoffrey.¹⁰⁸

It is notable that Henry of Champagne, son of Louis's old adversary Theobald IV of Blois (who died in 1152), joined forces with his monarch to oppose the new power in the west. Henry and his brother Theobald V of Blois exhibited the principle of alliance flexibility by becoming staunch allies of their king, perhaps feeling the greater threat to their autonomy now lay with the house of Anjou. At the same time, several more minor Norman barons renounced the allegiance sworn to their duke, apparently in

¹⁰⁴ William of St Denis, *Vita Sugerii*, RHF, vol. 12, p. 104.

¹⁰⁵ In a letter of 1141 he had severely castigated Louis for marrying his cousin. See Bernard of Clairvaux, *Letters*, p. 371 (letter 300); and above, pp. 205-7.

¹⁰⁶ Duby, *The Knight, the Lady and the Priest*, p. 198; Fawtier, p. 24; Warren, *Henry II*, p. 44.

¹⁰⁷ Lambert of Waterlos stresses Louis's deep regret after hearing of the remarriage (RHF, vol. 13, p. 507). William of Newburgh suggests that the speed of Eleanor's remarriage was a deliberate ploy to deny opponents the chance to prove the impediment of consanguinity that existed between her and her new husband (William of Newburgh, p. 129).

expectation that the coalition opposing him would prevail.¹⁰⁹ This action suggests a degree of alliance flexibility on the vertical level, with barons below the elite able to have some influence on political outcomes by their actions. As Edmund King comments on Henry's rapid rise, 'a great accretion of power brought with it a great accretion of enemies'.¹¹⁰

The realignment of interests represented by the *rapprochement* between Capet and Blois-Champagne was cemented by marital alliance. In 1153 Louis betrothed his daughters by Eleanor, Marie and Alice, to the brothers Henry I of Champagne and Theobald V of Blois.¹¹¹ One contemporary commentator saw this as a direct response to Eleanor's remarriage, a tactical ploy by Louis to counter the increased influence of his rival Henry Plantagenet.¹¹² Furthermore, Eleanor's remarriage put at risk the inheritance prospects of the young princesses. The potential position of Marie and Alice as joint-heiresses to Aquitaine was threatened if Eleanor should have any children by her second husband.¹¹³ This gave the brothers of Blois-Champagne ample incentive to oppose the marriage of Henry and Eleanor. As potential beneficiaries of the inherited lands of their wives-to-be, their own prospects of increased status, wealth, and territory would be severely reduced with the birth of any child in the family that united Aquitaine and the Plantagenet dominions. Louis' policy of assuring the loyalty of the sons of his former enemy thus worked on two levels: the betrothals brought Henry and Theobald into the Capetian family, and the accompanying inheritance issues ensured that the interests of the house of

¹⁰⁸ Robert of Torigny, p. 165; and *De origine comitum Andegavensium*, p. 537.

¹⁰⁹ Gillingham, *Angevin Empire*, p. 17. The group included Hugh of Gournay, Hugh of Châteauneuf, and Richer de l'Aigle.

¹¹⁰ Edmund King, 'Introduction', in King, ed, *Anarchy*, p. 33. On the idea of a 'vertical' balance of power see ch. 4, pp. 147-9.

¹¹¹ Theodore Evergates, 'Louis VII and the Counts of Champagne', in Michael Gervers, ed, *The Second Crusade and the Cistercians*, New York, 1992, pp. 109-17. A thaw in relations may have begun during the Second Crusade, but Eleanor's remarriage was the crucial event that completed the process. It is probable that both betrothals reached fruition in marriage in 1164, when Marie was 19 and Alice 15. Evergates sees the 'complete reversal of royal-comital relations' as 'one of the more dramatic political realignments of the twelfth century' (ibid., pp. 113 and 109).

¹¹² *Historia gloriosi*, p. 128. On the idea of marriage as tactical response see ch. 4, pp. 144-6.

¹¹³ At Beaugency the daughters had been declared legitimate, despite the annulment of their parents' marriage. Thus even if Louis produced a son and heir for France from a later marriage, his daughters may still have had some claim to their mother's inheritance.

Blois-Champagne would be in direct opposition to those of Louis's greatest rival.

Nonetheless, Henry Plantagenet's star continued to be in the ascendant. By 1153 he was in a position to invade England and press the claim to the throne inherited from his mother Matilda. Though the claim of Stephen's son Eustace was now tenuous after the Church's refusal to crown him, he remained a military threat until his untimely death in August 1153.¹¹⁴ This development made Henry's progress that much easier, despite the survival of Stephen's younger son William, who appears never to have been a serious rival to Henry's ambitions.¹¹⁵ William of Newburgh recounts the peace settlement achieved in November, with its emphasis on the appropriate forms of kinship and inheritance:

The king in fact adopted the duke as his son, and solemnly declared him his rightful successor; the duke honoured the king as his father and lord in sight of all.¹¹⁶

Henry's position as the legitimate heir was now doubly confirmed: he stood to inherit the throne both as Henry I's grandchild and as Stephen's adoptive son. In his person England and Normandy would once again be united.

Furthermore, Henry's heirs were confirmed in their future rights to the kingdom. The Treaty of Winchester explicitly laid out Stephen's repudiation of the dynastic claims of the house of Blois in favour of the house of Anjou:

Know that I, King Stephen, have established Henry, Duke of Normandy, as my successor in the kingdom of England, and have recognized him as my heir by hereditary right; and thus I have given and confirmed to him and his heirs the kingdom of England.¹¹⁷

¹¹⁴ See p. 217.

¹¹⁵ Davis, *King Stephen*, p. 118.

¹¹⁶ William of Newburgh, p. 127.

¹¹⁷ David C., Douglas and George W. Greenaway, eds, *English Historical Documents, Volume 2: 1042-1189*, London, 1953, p. 404. See also ch. 2, note 95. On Stephen's surviving son William see ch. 7, pp. 226, 231 and 234.

The price of Henry's adoption as heir was that Stephen should be allowed to remain as king until his own death. In the event Henry did not have long to wait. Stephen died in October 1154, at which point Henry II became the last English monarch to gain the throne by means other than primogeniture until Henry IV's usurpation in 1399.¹¹⁸ Even in 1154, the forms of primogeniture were put in place by Stephen's adoption of Henry as son and heir. In December Henry Plantagenet, already Duke of Normandy, Count of Anjou, and (by means of his marriage) Duke of Aquitaine, was crowned king of England. Such an accumulation of titles and territories was unprecedented in the recent history of England and France. The balance of power that had been evident only a few short years before had been ruined utterly.

Louis VII's attempt to extend meaningful Capetian authority beyond the Île-de-France during the first fifteen years of his reign foundered along with his marriage. At the same time, Stephen's reign in England had seen the often violent resolution of issues created partly by the legacies of Henry I's unsustainable policies, and partly by Stephen's own mismanagement of patronage and inheritance matters. By the late 1140s a tenuous balance of power once again encompassed the region's states. Realigned interests had seen traditional opponents seek marital alliances with one another to counter greater perceived threats from new rivals. The sharp rise in the fortunes of the house of Anjou (brought about by the conquest of Normandy, Henry's marriage to Eleanor, and his accession to the English throne) destroyed the fragile balance. The following years would see Angevin hegemony over the region entrenched, significantly reinforced by Henry II's manipulation and redefinition of marriage and inheritance practices.

¹¹⁸ John's accession at the expense of his nephew Arthur could be interpreted as breaking this sequence. See ch. 8, pp. 280-2.

7. Angevin Ascendancy: The Balance of Power Destroyed, 1154-1183

When King Louis had repudiated this woman [Eleanor],
Henry the Englishman joined her to himself in marriage.
As a result, the whole of Aquitaine from the river Loire
right down to the Pyrenees mountains came under his
sway. He gained power over the many peoples we see
that he controls under his lordship either from his father,
or in his mother's name, or in his wife's name.¹

To this anonymous French chronicler, Henry Plantagenet's power rested unequivocally on the good fortune of his inheritance, and the skill with which he conducted a useful marriage. Equally, his success in managing or influencing the marital and inheritance affairs of his subjects, family members, neighbours, and rivals (through legal advances, adept patronage, and political astuteness) were vital in consolidating and extending Angevin power. Opponents, too, tried to counter Angevin hegemony by resorting to these same mechanisms, but with limited success. Much like his grandfather Henry I, however, Henry II's uncertain handling of the succession issue (especially after the death of his eldest son) contributed to the premature demise of the political entity historians have dubbed the 'Angevin empire'.² While the third quarter of the twelfth century thus saw the destruction of the multipolar balance of power that had prevailed in the earlier period, Plantagenet hegemony would not prove permanent.

Reconciliation and Expansion

In the charter issued on his coronation, Henry II confirmed to his subjects, both French and English, 'all concessions, gifts, liberties and free customs,

¹ *Ex Anonymi Chronico ab initio mundi ad annum Christi MCLX*, RHF, vol. 12, p. 121.

² See below, pp. 257-60.

which King Henry, my grandfather, granted and conceded to them'.³ The document is brief and vague, but takes as a starting point for the new reign the rules governing the relationship between monarch and subjects under Henry I. Implicitly, Henry II endorsed his grandfather's claims and concessions in the earlier Coronation Charter, including those relating to matters of marriage and inheritance: rights of control of wards and orphaned heiresses, the payment of just reliefs by heirs, the fair treatment of widows, and non-interference by the crown outside these limits.⁴ Like his grandfather, the younger Henry would not always keep the promises implied by his charter, but would place great emphasis on the mechanisms of marriage and inheritance as means to further his political aims.

This is nowhere more evident than in Henry's immediate attempts to pacify Stephen's former supporters and to bring a lasting peace to England after the disruptions of the previous reign. Emilie Amt has shown how Henry adapted his tactics to differing circumstances in various parts of the country, and it is evident that he used marriage as an efficient method of settling disputes over property. In the Gloucester region, Henry arranged a double marriage between the families of Robert fitz Harding, an Angevin supporter, and Roger de Berkeley, who had been in conflict with the agents of the new dynasty. The two rivals held opposing claims to the lordship of the manor of Berkeley, which were reconciled by uniting their children in marriage and allowing both families to share in the benefits of the disputed estate.⁵ Compromise, rather than revenge, was Henry's watchword. The new monarch showed this in his treatment of Stephen's second son, William, who received assurances of his rights to those lands that Stephen had held before he became king, including Boulogne and Mortain.⁶ Henry showed he had learned from his mother's mistakes:

³ David C. Douglas and George W. Greenaway, eds, *English Historical Documents, Volume 2: 1042-1189*, London, 1953, p. 407.

⁴ On the Coronation Charter see ch. 1, p. 35; ch. 2, pp. 62-3; and ch. 5, p. 164.

⁵ Emilie Amt, *The Accession of Henry II in England: Royal Government Restored 1149-1159*, Woodbridge, Suffolk, 1993, pp. 37-8. The settlement occurred in 1153, before Henry came to the throne, and shows that Angevin power in the West Country allowed him to begin the process of reconciliation even before Stephen's death.

⁶ Robert of Torigny, *Chronica*, RS 82, vol. 4, p. 192-3. William also retained the wealthy earldom of Surrey, gained through his wife Isabella de Warenne.

Matilda's refusal to allow Eustace to retain his family lands after Stephen's capture at Lincoln in 1141 had ultimately strengthened the opposition to her rule.⁷

Wherever possible, Henry rewarded his own supporters in the early years of his reign, but seldom was this at the expense of his former opponents. Instead, by exercising his regal right to arrange marriages (and thus to influence the future inheritance paths of specific estates) the monarch showed an awareness of the power of inter-generational solutions to current impasses.⁸ For example, Henry rewarded his own chamberlain, Henry fitz Gerold, with the hand of Matilda, niece and heir of William de Chesney, who had gained lands in Oxfordshire from Stephen. William retained his estates until his own death. The arrangement did involve a breach of the Coronation Charter, since Henry (by adopting the policies of his grandfather) had promised not to interfere with his subjects' plans for the marriages of their children or heirs.⁹ Therein lay the compromise: Stephen's supporters often retained their lands, but to do so were forced to acquiesce to their new monarch's desires regarding their children's futures.

Before being able to smooth out the complex problems of disputed inheritances that formed the difficult legacy of Stephen's weakness and of his grandfather's patronage policies, Henry had first to deal with an inheritance matter within his own family. Untidy loose ends in the royal family's domestic relations were highly undesirable at a time when the king needed to set an example of reconciliation for his subjects to follow. To be an effective monarch in an age where family relationships were central to politics, Henry needed first to display his credentials as an effective patriarch.

The dispute with his younger brother Geoffrey centred on the right to succeed their father as Count of Anjou. William of Newburgh (normally a level-headed and reliable source, though writing some years after the event

⁷ See ch. 6, pp. 213-14. On Henry's balanced policy of attempting to conciliate Stephen's former supporters while also resurrecting strong central government see Graeme J. White, *Restoration and Reform 1153-1165: Recovery from Civil War in England*, Cambridge, 2000, ch. 3.

⁸ Amt, p. 60.

in this case) suggests that the elder Geoffrey wished to provide for his second son, and made a will before his premature death in 1151 bequeathing Anjou to Geoffrey, while Henry would receive his mother's inheritance, England and Normandy.¹⁰ Once Henry gained power in Aquitaine after his marriage to Eleanor this proved awkward, as the Angevin lands provided a necessary physical link between the northern and southern regions of the vast realm. Early in 1156 Henry, having made every attempt to keep Anjou for himself, tried to reach a settlement with his brother, which Geoffrey rejected in favour of armed rebellion. As John Gillingham observes, while Geoffrey's legal position was strong, his political position was weak, given his elder brother's enormous resources and *de facto* control of the disputed territories.¹¹

While Henry had little trouble in crushing his brother's military pretensions, the real danger of the incident lay in the terrible precedent it set for a monarch bent on enforcing peaceful resolutions to similar conflicts among his subjects. In this regard, Henry was well served by the citizens of Nantes, who chose this moment to appeal for his help against their lord, Hoël. Henry acted immediately to remove Hoël and install Geoffrey as the new Count of Nantes, thus extending his family's influence to an area in which the Angevin dynasty had long held an

⁹ See above, note 4.

¹⁰ William of Newburgh, *Historia rerum Anglicarum*, RS 82, vol. 1, pp. 112-13. Since England had not yet been won, Henry was to retain the Angevin lands in the meantime to fund his English campaigns, before handing them over to Geoffrey. The veracity of the story has raised considerable debate. John Gillingham (*The Angevin Empire*, London, 1984, pp. 18-19) and Thomas Keefe, ('Geoffrey Plantagenet's Will', *Albion*, 6, 1974, pp. 266-74) follow William's version of events. W.L. Warren (*Henry II*, London, 1973, pp. 46-7), Marjorie Chibnall (*The Empress Matilda - Queen Consort, Queen Mother and Lady of the English*, Oxford, 1991, p. 155), and John Le Patourel ('Angevin Successions and the Angevin Empire', in his *Feudal Empires, Norman and Plantagenet*, ed Michael Jones, London, 1984, section IX, pp. 7-9) are more sceptical and feel that the story is likely to have been fabricated to provide a legal justification for Geoffrey's rebellion in 1156. Warren notes that the supposed provisions of the will contravene the normal procedure where the elder son would receive the inherited patrimony (in this case, Anjou) while the younger would be given acquired lands (England and Normandy). However, Keefe argues that these arrangements may have been flexible in situations such as this, where the acquired lands were substantially larger than the original patrimony.

¹¹ Gillingham, *Angevin Empire*, p. 19.

interest.¹² Just as importantly, Henry was presented with a prime opportunity to create the appearance of a generous settlement in favour of his aggrieved younger brother. Far from being punished for his rebellion, Geoffrey was rewarded with elevation to comital rank, exactly the sort of conciliatory gesture that Henry must have wished to impress upon his subjects. At the same time, his own hold on the Angevin patrimony was now secure.

Henry's expansionary mood in the early years of his reign is also evident in the unsuccessful campaign against Toulouse during 1159. The probable aims of the expedition included securing Aquitaine's southern borders, and controlling important trade routes between the Atlantic coast and the Mediterranean.¹³ But whatever drove the campaign in reality, Henry advertised it once again as a matter of resolving questions over family property rights. His marriage to Eleanor had brought with it not only Aquitaine, but also a claim to the County of Toulouse stretching back several generations.¹⁴ In pursuing this claim, Henry sought to add to the veneer of legality by requesting the approval of Louis VII, of whom both he and Count Raymond V of Toulouse were vassals. Louis refused to give his blessing, but was in an awkward position since he himself had marched into Toulouse with similar intentions in 1141 while married to Eleanor,

¹² Newburgh, p. 114. For the earlier history of Nantes and its links to the Duchy of Brittany see Judith Everard, *Brittany and the Angevins: Province and Empire 1158-1203*, Cambridge, 2000, pp. 28-30; and Patrick Galliou and Michael Jones, *The Bretons*, Cambridge, MA, and Oxford, 1991, p. 188.

¹³ The campaign has traditionally been seen as a fiasco. See, for example, A.L. Poole, *From Domesday Book to Magna Carta, 1087-1216*, 2nd edn, Oxford, 1955, p. 326; and Richard Barber, *Henry Plantagenet*, new edition, Ipswich, 2001 (originally 1964), p. 97. This view has been challenged by Jane Martindale, "'An Unfinished Business': Angevin Politics and the Siege of Toulouse, 1159', *Anglo-Norman Studies*, 23, 2000, pp. 115-54. See also Richard Benjamin, 'A Forty Years War: Toulouse and the Plantagenets, 1156-96', *Bulletin of the Institute of Historical Research*, 61, 1988, pp. 271-85.

¹⁴ Eleanor's grandfather, William IX of Aquitaine, had married Philippa, daughter and heiress of William, Count of Toulouse. The latter had given up his rights to the county to his younger brother, Raymond of St Gilles. Raymond's grandson, Count Raymond V, held Toulouse in 1159. Henry put forward the claims of the elder branch of the family, consistent with the emerging emphasis on primogeniture in the more northerly parts of his realm, despite the apparently uncontested and perfectly legal earlier transfer of the comital title to Raymond of St Gilles. See John Hugh Hill and Laurita Lyttleton Hill, *Raymond IV, Count of Toulouse*, Westport, Conn., 1962, ch. 1.

and could not therefore deny the validity of Henry's claim.¹⁵ Aware of this, Henry invaded the county despite Louis's objections. His action may well have been successful had Louis not resolved to help the cause of Count Raymond, his brother-in-law, by turning up at Toulouse to add his moral authority to the defence. Commentators are united in the opinion that Henry did not wish to be seen attacking his feudal superior in person, whatever the reality of their relative political and military strengths. Not only would this undermine the supposed legality of his undertaking, it would set another unfortunate precedent for Henry's own vassals.¹⁶

To help his efforts in Toulouse, Henry sought to create a web of alliances with Raymond's regional rivals. The Trencavel family and Raymond Berengar, Count of Barcelona, traditional foes of Toulouse, joined Henry from the south. An agreement made between Henry and Raymond Berengar before the expedition provided for the marriage of the count's daughter to Henry's young son Richard (not yet two years old), and envisaged that the couple would eventually rule Aquitaine.¹⁷ Once the campaign failed, the betrothal did not go ahead. Yet the balance-of-power implications of the potential alliance demand attention. Raymond Berengar's own marriage to Petronilla, the daughter and heiress of Ramiro II, King of Aragon, had created a strong link between the two northern Iberian powers.¹⁸ Louis VII had countered this both by the marriage of his sister to Raymond of Toulouse, and by his own second marriage to Constance of Castile, creating an informal axis of French interest on either side of the Aragon-Barcelona coalition. The potential addition of Angevin

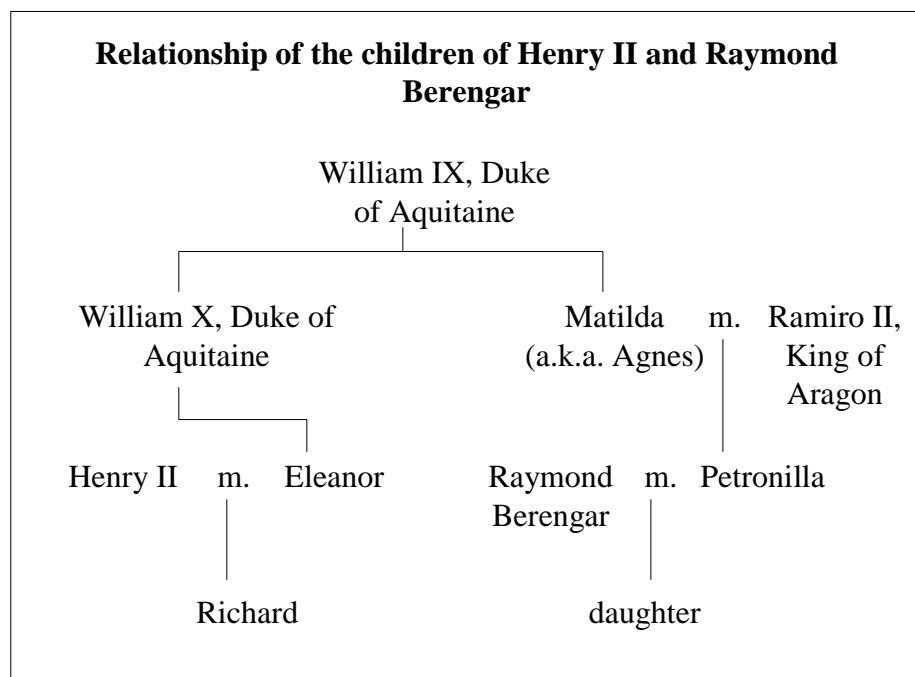
¹⁵ Orderic Vitalis, vol. 6, p. 551.

¹⁶ Robert of Torigny, for example, comments that Henry was 'unwilling to besiege the city of Toulouse. In this he showed respect to Louis...who guarded it day and night, being keen to bring help to his brother-in-law, Raymond'. (Torigny, p. 203). Among modern commentators see Warren, *Henry II*, pp. 86-7; and Amt, p. 186. Louis had arranged the marriage of his sister Constance to Raymond V in 1154. Her first husband, Eustace of Blois, Stephen's son, had died in 1153. See ch. 6, pp. 209-11.

¹⁷ Torigny, p. 200.

¹⁸ *ibid.*, pp. 200-1. See also Elizabeth Hallam, *Capetian France 987-1328*, London and New York, 1980, pp. 61-2. Richard and the Catalan princess were related in the third degree and their union would certainly have breached consanguinity restrictions (see chart on next page). This factor and the couple's extreme youth suggest that the betrothal was a highly provisional contract, dependent on the assumption of a papal dispensation being gained. For similar examples see ch. 6, p. 209; and below, p. 235.

support to Raymond Berengar's family empire would have disrupted the balance between the Iberian and southern French principalities, especially if Henry's Toulouse campaign had succeeded. Against this background, Louis's determination to counter Henry's expansionism becomes even more understandable. Although it was the French king's feudal superiority that was the overt reason for Henry's back-down from the walls of Toulouse, it was Louis's family ties by marriage that prompted him to come south in the first place. For Louis, marrying his sister to Raymond V had been an investment in the extension of Capetian influence into Languedoc, and that investment now needed protecting.



One victim of the Toulouse campaign was William, Count of Boulogne. The death of Stephen's last surviving son during the siege created the opportunity for a realignment of important principalities, this time in the very north of France. With no children from his marriage to Isabella de Warenne, William had no direct heir for the lands inherited from his parents. In this case, Boulogne should have reverted to its feudal lord, Louis VII, to decide its future. Henry, who had already exercised his right as Duke of Normandy to seize control of William's paternal inheritance,

the County of Mortain, did not stand to benefit from the installation of a Capetian favourite in a region of such strategic importance to England (given its position on the trade routes to Flanders).

In what appears a move either of brilliant opportunism or of sheer desperation, Henry arranged for Stephen's daughter, Mary, Abbess of Romsey, to be removed from her religious community in order to put forward her claim as the legitimate heiress of Boulogne. Furthermore, he arranged for her to marry Matthew, the younger son of Henry's ally, Thierry, Count of Flanders.¹⁹ Matthew became Count of Boulogne in right of his wife. The ploy helped bring an end to previous frosty relations between Flanders and Boulogne by uniting the two counties' leading families, and at the same time gave Henry significantly increased powers of patronage in northern France.²⁰

The incident shows the extent to which Henry could wield influence over affairs not necessarily within his jurisdiction. Louis, as overlord of an important county with an unmarried heiress, surely had the right to arrange for her marriage as he saw fit. Henry's assumption of this right appears to be the result of speed, guile, and a willingness to bend the rules. Once again, successful political outcomes were more likely to be achieved by those who showed initiative and could create precedents for themselves.

As with the proposed Barcelona marriage, the union of Matthew and Mary was technically in breach of consanguinity rules, as the couple were related in the fourth degree. This, along with Mary's dubious extraction from a house of worship, forced Henry to apply to Pope Alexander III for a formal dispensation allowing the union to proceed.²¹ In particular, the pope was asked to absolve the bride from her religious vows. At other

¹⁹ The marriage of an abbess certainly raised contemporary eyebrows. Robert of Torigny called the event 'an unprecedented occurrence' (Torigny, p. 207). Matthew's mother was Henry's aunt, Sibylla of Anjou (the same Sibylla who had briefly married William Clito in 1124 before the union was annulled; see ch. 5, pp. 176-8). On Matthew and Mary see also ch. 2, p. 48.

²⁰ Amt (p. 87) notes that a petition was put forward by Mary's relative Faramus that the marriage should proceed 'to restore peace between the men of Flanders and of Boulogne, between whom a mortal war had arisen'.

²¹ The pope's approval of the dispensation is noted in *Genealogia comitum Flandriae*, RHF, vol. 13, p. 414.

times, this may have been expecting too much. But the new pope, involved in an awkward schism with a rival candidate, could ill afford to alienate a monarch as powerful as Henry II.²² In light of these circumstances, Alexander saw fit to arrive at a flexible interpretation of the relevant doctrine, and provided the necessary dispensation. Henry's appreciation of international political tensions allowed him to force through the marriage he wanted.

Even so, Alexander had to be wary of offending his most prominent supporter, Louis VII. When the pope received a complaint from Louis's sister Constance that her late husband Eustace of Blois had awarded Boulogne to her as dower, Alexander changed direction and demanded that Matthew and Mary give up the territory on threat of excommunication.²³ The threat appears not to have been carried out, and Matthew retained control over Boulogne. But the incident once again shows the centrality of marriage and inheritance issues to the twelfth-century discourse of political rivalry. Despite Henry II's promotion of Matthew and Mary to the County of Boulogne, however, neither became a loyal supporter of the Plantagenet monarch. Matthew turned against Henry in 1167, and died fighting him during the great rebellion of 1173.²⁴ Mary remained bitter at her involuntary removal from the Abbey of Romsey (although she later returned there after bearing two children). Her venom is evident in a letter of 1167 to Louis VII, in which she warns the monarch that 'the King of England does not cease by day and night to plot evil

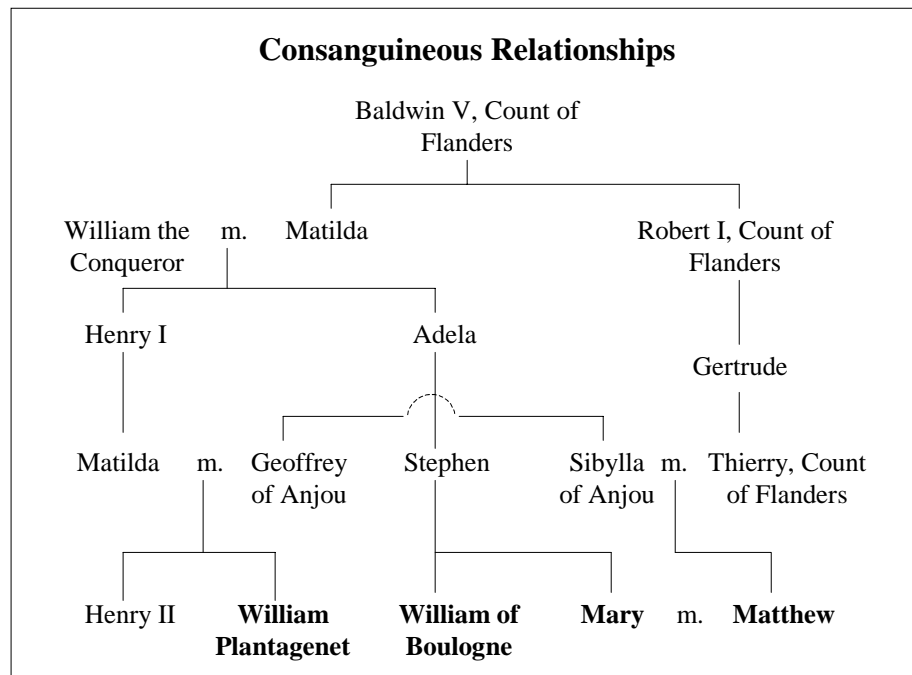
²² Alexander, supported by France, was opposed by Frederick Barbarossa's candidate Victor IV. The schism was not finally settled (in Alexander's favour) until 1176. On the political manoeuvring that the schism generated in France and England see Frank Barlow, 'The English, Norman and French Councils called to deal with the Papal Schism of 1159', *English Historical Review* 51, 1936, pp. 264-8 (reprinted in Frank Barlow, *The Norman Conquest and Beyond*, London, 1983, pp. 297-301); and Mary Cheney, 'The Recognition of Pope Alexander III: Some Neglected Evidence', *English Historical Review* 84, 1969, pp. 474-97. See also Dorothy Whitelock, et al., eds, *Councils and Synods with Other Documents Relating to the English Church*, vol. 1, part 2, Oxford, 1981, pp. 835-41.

²³ Alexander's letter to that effect is recorded in RHF, vol. 15, p. 867. On the marriage of Eustace and Constance in 1140 see ch. 6, pp. 209-12.

²⁴ Lambert of Waterlos, RHF, vol. 13, p. 521.

against you'.²⁵ A pawn in Henry's political games she may have been, but not all of his pawns enjoyed the moves that were forced upon them.

One other notable voice of opposition to Henry's Boulogne stratagem in 1160 came from Thomas Becket.²⁶ Later, as Archbishop of Canterbury in 1163, Becket raised even louder objections (on the grounds of consanguinity) to Henry's plan to marry William of Boulogne's widow Isabella de Warenne to his own (ie: Henry's) younger brother William.²⁷ While consanguinity was an issue, a problem of affinity also existed: William Plantagenet was related even more closely to Isabella's dead husband, William of Boulogne. Becket appears to have adopted a severely restrictive line regarding marriage rules from early in his tenure, in clear opposition to Henry's politically inspired flexible approach. It is tempting



²⁵ RHF, vol. 16, p. 144.

²⁶ Herbert of Bosham, in his hagiographical account of the Becket story, shows his hero fearing to pass through the County of Boulogne since he had opposed Matthew's 'impious marriage, to be detested by everyone in later centuries'; *Materials for the History of Thomas Becket, Archbishop of Canterbury*, (hereafter MHB), RS 67, vol. 3, p. 328. Herbert's account is highly likely to be coloured by later events. The Chancellor had strongly supported several other marriages arranged by Henry around the same time. See below, note 29.

²⁷ William Fitzstephen, *Vita S. Thomae*, MHB, vol. 3, p. 142. See also Frank Barlow, *Thomas Becket*, London, 1986, p. 106; and Chibnall, *Empress Matilda*, pp. 168-9. The accompanying chart shows the connection between Matthew and Mary (related in the fourth degree), and between the two Williams (related in the third).

to conclude that this was an important source of conflict between the pair right from the beginning of Becket's tenure, especially since Thomas, as chancellor, had been one of Henry's keenest supporters on the expedition to Toulouse and during the marital negotiations of the monarch's eldest surviving son.

Becket had played an important diplomatic role in the betrothal of Henry's son (young Henry) to Margaret, infant daughter of Louis VII and Constance of Castile, in 1158.²⁸ This action may at first glance appear a case of Capetian capitulation to Angevin aggression, since it allowed the possibility of a future Plantagenet claim to the throne of France. Yet Louis, whose *de facto* power was much the weaker of the two despite his acknowledged lordship, had little room for manoeuvre.²⁹ Should no male Capetian heir be forthcoming, the betrothal at least ensured that any grandson of Louis's might inherit the Angevin lands in France, and perhaps even England, along with the Capetian patrimony. While the birth of a son was still Louis's desired outcome, a familial connection with the house of Anjou held just as much promise for Louis as it did for Henry. Yet the connection was tenuous, as the provisional nature of the betrothal allowed Louis, just as much as Henry, to back away from his promises if circumstances should change.³⁰

When, in 1160, Constance died in childbirth, Louis announced almost immediately his intention to marry again. His bride was Adela (or Alice) of Blois, daughter of Theobald IV and sister of Louis's two future sons-in-law.³¹ She was also the niece of Stephen, and therefore offered a potential alternative claim for the Capetians to the throne of England, should they or their allies choose to pursue it.³² Louis may have thought he was gaining

²⁸ Torigny, p.196; and Ralph of Diceto, *Ymagines historiarum*, RS 68, vol. 1, p. 302. See also Barlow, *Thomas Becket*, pp. 55-9.

²⁹ Henry had performed homage for Normandy to Louis in 1151 and in 1156. See C. Warren Hollister, 'Normandy, France, and the Anglo-Norman Regnum' in Hollister, *Monarchy, Magnates and Institutions in the Anglo-Norman World*, London, 1986, p. 50.

³⁰ On the provisional nature of betrothal see ch. 1, pp. 15-17. For other examples, see ch. 6, p. 209; and above, p. 230.

³¹ See ch. 6, pp. 222-3.

³² This point is made by J.T. Appleby, *Henry II - The Vanquished King*, London, 1962, p. 68.

leverage over Henry by entering into a marital alliance with the house of Blois. Louis's marriage to Adela certainly represented a potential shift in the distribution of power, with an important principality moving more firmly into the Capetian sphere of influence. He did not count on his rival's ability to turn adversity into opportunity. Henry countered one wedding with another, by immediately having his son and Margaret of France married, on 2 November 1160. The immediate benefit of the marriage was the transfer of Margaret's dowry, several castles of the Norman Vexin, into Angevin hands.³³ The strategically vital castles greatly strengthened Henry's position on the border of Normandy and France, recently weakened by the prospect of an alliance between Blois and Capet. Clearly it was the timing of the marriage, more than any other factor, which threw Louis's plans to contain Henry into disarray. He may not have expected the event to take place for at least another ten years (when Margaret would have reached the canonically acceptable age of 12), allowing a lengthy interval for other plans to be hatched.

How could Henry get away with joining together two infants in the sacred bond of matrimony, whatever the political benefits the action may have brought him? His action broke most of the canonical rules relating to marriage: the couple were too young, had not given their consent, and were related within the forbidden degrees.³⁴ Once again, his manipulation of papal desire for his support was important. Henry had managed to extort a dispensation from three legates representing Alexander III, using the papal schism to his advantage for a second time.³⁵

³³ Roger of Howden, *Chronica magistri Rogeri de Houedene*, RS 51, vol. 1, p. 218. Henry had had custody of Margaret since the betrothal of 1158. The text of the agreement which placed the castles under the guardianship of the Knights Templar is recorded in RHF, vol. 16, pp. 21-2. Acting strictly according to the letter of their instructions, these guardians handed over Margaret's dowry to her new father-in-law once the wedding ceremony was complete.

³⁴ The irony of the couple's relationship seems to have escaped critical comment. The bride's father (Louis) and the husband's mother (Eleanor) were related in the fourth and fifth degrees, meaning that the two children were related in the fifth and sixth. Given that Louis and Eleanor had been divorced on these very grounds only six years before, it is astonishing that the betrothal was allowed to take place in 1158. I have dealt with this factor at length in my 'Marriage as Tactical Response: Henry II and the Royal Wedding of 1160', *English Historical Review*, forthcoming September 2004.

³⁵ The letter providing the dispensation is recorded in RHF, vol. 15, pp. 700-01.

The two almost simultaneous marriages of Margaret to the young Henry, and of Louis to Adela of Blois, raise interesting questions of interpretation. Georges Duby sees the latter as a prime example of the ecclesiastical model of marriage, wherein the Church sanctioned Louis's third marriage on the basis that it was necessary for him to propagate his dynasty, and to direct his carnal desires through the proper medium of a marital relationship. Yet the choice of Adela had important political repercussions that had little to do with the motivations of Duby's ecclesiastical model.³⁶ Equally, how could three cardinals be present at, and give their active consent to, a wedding of children (Margaret and young Henry) that so clearly breached several fundamental principles of this same ecclesiastical model?

Rather than trying to pigeon-hole these two incidents into separate categories (lay and ecclesiastical), we may be better served to consider the overlaps and correspondences between them. Each exemplifies the 'flexible' model of marriage insofar as secular leaders were able to circumvent supposedly rigid rules that should have prevented each marriage taking place. Each gained the approval of important Church figures, but for political and dynastic reasons as much as for spiritual ones, suggesting that Church authorities were acquiescing in a flexible interpretation of marriage rules in these cases, rather than promoting their own separate philosophy.³⁷

Naturally, such correspondences do not mean that Henry and Louis saw eye to eye in the execution of their marriage policies. Louis's response to Henry's provocative marriage of their two children was to launch military action, in conjunction with Henry's former ally Theobald V of Blois, now firmly in Louis's camp. Henry was able to repel them with relative ease. A truce was finally reached (at Fréteval in October 1161) that tacitly endorsed the new *status quo*.³⁸ Henry's bold tactics in response to Louis's marriage with Adela had proven successful, and ensured, for the moment,

³⁶ Georges Duby, *Medieval Marriage - Two Models from Twelfth-Century France*, trans. Elborg Forster, Baltimore and London, 1978 p. 56.

³⁷ For a definition of 'flexible' marriage practices see ch. 1, pp. 39-46.

that the Angevin threat to the balance of power in northern France remained acute.

Legal Developments and Patronage

In order to maintain the strength of the vast Angevin holdings on the continent, Henry needed to utilize the fiscal and feudal resources of England. To this end, it was important to organize the realm in a manner that made the gathering of those resources more efficient. One of the key elements in this process was the clarification of inheritance rules. During the 1160s, as part of ongoing judicial reforms, Henry authorized the writs of *novel disseisin* and *mort d'ancestor* to smooth the process of settling land disputes in local courts throughout the country.³⁹ Although the monarch was undoubtedly establishing his own authority as the ultimate arbiter of all judicial matters in a civil context (as the contemporary Constitutions of Clarendon were to do in the arena of Church-State relations)⁴⁰, the establishment of a formal legal procedure empowered those lower down the social scale as well, giving them a mechanism to address grievances over land tenure. We might see this as the outline of a 'vertical' balance of power in English society, an implicit compact between king and subjects.⁴¹ While the monarch retained ultimate power and theoretical possession of land, his subjects were given the right to claim estates on the basis of earlier family circumstances. This, along with the now more fully accepted principles of heritability and primogeniture, began to create a firmer sense of family 'ownership' of landed wealth. Legal processes meant a diminution, in theory at least, of the king's ability to intervene at will in matters of tenure.⁴²

³⁸ Diceto, vol. 1, p. 305.

³⁹ See ch. 2, p. 76 and note 118.

⁴⁰ On the Constitutions of Clarendon see T.F.T. Plucknett, *A Concise History of the Common Law*, 5th edn, London, 1956, pp. 17-18; and R.C. Van Caenegem, *The Birth of the English Common Law*, 2nd edn, Cambridge, 1988, pp. 48-9.

⁴¹ For this idea see ch. 4, pp. 147-9.

⁴² On the acceptance of heritability see ch. 2, pp. 69-74. Susan Reynolds notes, however, that Henry reduced property rights in some areas, such as the heritability of offices. See Susan Reynolds, *Fiefs and Vassals – The Medieval Evidence Reinterpreted*, Oxford, 1994, pp. 374-5.

But while these developments may have helped to heal the wounds of Stephen's reign, and to create a greater sense of security among landholders, Henry was certainly not acting from altruistic motives alone. Stability, in the form of a greater balance between royal authority and the demands of tenants for certainty of tenure over time (the lack of which had been primarily responsible for the tensions of the previous thirty years), actually enhanced royal power. Herein lies the paradox of the gift once more.⁴³ By appearing to give more control over the allocation of estates to tenants and their heirs, and therefore making it less likely that barons and knights would try to take matters into their own hands, Henry greatly improved the capacity of the royal revenue-raising system. The reciprocal obligations of landholders to their sovereign, much harder to avoid in an atmosphere of legal clarity than in a time of weak central authority, included the provision of knights for military service, or, frequently, the monetary substitute known as scutage. This *de facto* tax based on the size of estates enabled Henry to buy the services of foreign mercenaries on numerous occasions for campaigns on the continent. In essence, stability and legal clarity meant relative prosperity, and prosperity served to improve both royal prestige and royal cashflows.⁴⁴

This is not at all to claim that Henry did not continue to manipulate inheritance procedures when it suited him, just as he did with the rules of marriage. Royal whim could not be entirely circumscribed by legal constraints. Tenorial vacancies, the death of incumbents with no obvious heir, and unacceptable behaviour by vassals all provided opportunities for patronage and the reassertion of royal dominance. Walter Map provides a shrewd and colourful analysis of Henry's underlying philosophy:

I have heard that his mother's teaching was to this effect,
that he should spin out all the affairs of every one, hold
long in his own hands all posts that fell in, take the

⁴³ See ch. 1, pp. 35-9.

⁴⁴ By 1182, for example, Henry had accumulated such a healthy fiscal position that he was able to leave more than £30,000 for grants to religious institutions in a will drawn up that year. See J.H. Round, ed., *The Great Roll of the Pipe for the Twenty-Eighth Year of the Reign of King Henry II A.D. 1181-1182* (PR 28 H2), London, 1910, p. xxi.

revenues of them, and keep the aspirants to them hanging on in hope; and she supported this by an unkind parable: an unruly hawk, if meat is often offered to it and then snatched away or hid, becomes keener and more inclinably obedient and attentive.⁴⁵

Henry made full use of the royal privileges of escheat and disinheritance in the case of disloyalty.⁴⁶ Robert de Torigny provides an example of escheat from 1164, wherein ‘after Walter Giffard, Earl of Buckingham, died without an heir, his county in England and all of his lands in Normandy came back into the king’s possession’. Similarly, Roger, the son of Miles of Gloucester, was succeeded on his death in 1155 by his brother Walter, ‘but only in his paternal inheritance, because king Henry kept the earldom of Hereford and the city of Gloucester for himself’.⁴⁷ Like his grandfather, the monarch tried to promote cross-channel holdings by major tenants both as a means of providing cohesion to his wider realm, and as an instrument of leverage over Norman vassals who may also have owed allegiance to Louis VII.⁴⁸

Walter Map’s anecdote hints at an important element in Henry’s management style: his awareness of patronage opportunities. John Gillingham characterizes the key feature of Henry’s philosophy of patronage as ‘the extent to which the ruler was able to exercise control over inheritances and marriages’.⁴⁹ The chronicles are sprinkled liberally with examples of Henry’s largesse, showing him arranging marriages, or bestowing offices and estates, in ways that both rewarded and ensured the loyalty of many members of the baronial class. In 1176, for example, ‘Ralph of Déols died in Berry. Our lord the king of England...gave [Ralph’s] daughter and heir in marriage to Baldwin of Redvers, together

⁴⁵ Walter Map, *De nugis curialium*, trans. Montague R. James, London, 1923, p. 261.

⁴⁶ Escheat involved the reversion of estates to the crown in the event that no obvious heir existed at the death of the previous incumbent. See ch. 2, p. 69.

⁴⁷ Torigny, pp. 222 and 185.

⁴⁸ W.L. Warren, *King John*, London, 1961, p. 103; and F.M. Powicke, *The Loss of Normandy (1189-1204): Studies in the History of the Angevin Empire*, 2nd edn, Manchester, 1961, pp. 303-5. See also ch. 5, pp. 162-5 and p. 176.

⁴⁹ Gillingham, *Angevin Empire*, p. 60.

with the honour attached to Ralph's castle'.⁵⁰ This incident is interesting in that it shows Henry's ability to exercise patronage even in Berry, an eastern region of Aquitaine over which his direct lordship was questionable, and often disputed with France.⁵¹

The experience of Baldwin's bride is typical of the way inheriting, unmarried daughters could expect to have their marriages arranged by their sovereign. Absence of royal interference in the inter-generational transfer of estates usually occurred only when the recipient was male and had reached the age of majority. In 1170 Henry arranged the marriages of two children of his cousin Simon, count of Evreux. A daughter married another of Henry's cousins, Hugh, Earl of Chester, while Simon's son Amauri was commanded to marry the daughter and heiress of the recently deceased Robert, son of Robert, Earl of Gloucester (yet another member of Henry's extended family).⁵² Intervention in the daughter's case was not unusual, but involvement in Amauri's marital fortunes was less typical of Henry's actions. The incident provides a healthy reminder that it is difficult to impose hard and fast rules on the monarch's patronage policy, especially where members of his own extended family were concerned.⁵³

Henry's flexibility in the application of patronage is evident in his treatment of the Beaumont twins. Robert of Leicester, despite earlier supporting Stephen, proved faithful to Henry after 1153 and was rewarded with the powerful position of justiciar. The monarch also arranged a profitable marriage for Robert's son, Robert de Breteuil, to

⁵⁰ Howden, vol. 2, p. 101. See also Torigny, p. 274; and Gillingham, *Angevin Empire*, p. 60.

⁵¹ Hallam, p. 126; and Warren, *Henry II*, pp. 144-6.

⁵² Torigny, p. 247.

⁵³ There are several other examples of marriages arranged for members of Henry's wider family. On the marriage (before 1177) of Emma, illegitimate daughter of Henry's father Geoffrey Plantagenet, to Daffyd, son of the Welsh prince Owain Gwynedd see Howden, vol. 2, p. 134; and John Davies, *A History of Wales*, London, 1993, pp. 127-8. On the 1186 marriage of Henry's cousin Ermengarde to William, King of Scotland, see Howden, vol. 2, pp. 309-10; and Warren, *Henry II*, p. 186. The former helped to cement Henry's authority over Wales, while the latter proved useful in restoring friendly relations between England and Scotland. For another perspective on Henry's patronage policies see the examples from the 1185 document known as the *Rotuli de dominabus* in ch. 3, pp. 112-13.

Petronilla, heiress of William de Grandmesnil.⁵⁴ In contrast, Waleran of Meulan (the elder Robert's twin) suffered the consequences of siding with Louis VII against Henry in 1161. Waleran had sought to build a power bloc of his own by marrying his daughters to Norman magnates who resented Plantagenet power. But the strategy backfired as Henry confiscated Waleran's Norman castles and estates in a show of royal strength against a powerful vassal.⁵⁵

When the usual mechanisms of patronage were unavailable, the monarch could occasionally gain influence over strategic lands by outright purchase. This was the case in 1177 when Henry bought the county of La Marche from its lord, Audebert, for a sum the king considered a bargain.⁵⁶ The Count's only child had died, so buying the county provided Henry with an alternative to marrying a supporter into the comital family. Even so, he ensured that future family developments would not interfere with his new asset, by extracting a contract from Audebert promising 'to take no action (either by arranging a marriage or in any other way) that would prevent the...sale remaining unchallenged'.⁵⁷

More disconcertingly, Henry was not above outright abuse of the system he had put in place, for the purposes of financial gain. In 1182 Robert, the son of Robert fitz Harding, was forced to pay the hefty sum of 500 marks (plus a golden cup to the value of a further 40 marks) in order to marry the daughter of Robert de Gant. The Pipe Roll records that by

⁵⁴ David Crouch, *The Beaumont Twins – The Roots and Branches of Power in the Twelfth Century*, Cambridge, 1986, pp. 86-90.

⁵⁵ *ibid.*, pp. 76-7. Waleran had employed a similar marital strategy to oppose Henry I in 1124. See ch. 5, p. 176. On the twins see also ch. 5, pp. 162-5, and ch. 6, p. 209. On the flexibility of Henry's patronage policy see White, *Restoration and Reform*, pp. 99-100.

⁵⁶ Torigny, pp. 274-5. The chronicler claims Henry paid 6,000 silver marks for a territory he considered worth 20,000. Roger of Howden (vol. 2, pp. 147-8) gives the price as 15,000 Angevin pounds, 20 mules, and 20 palfreys. Given that one English mark was equivalent to two thirds of one English pound, and that one English pound equated to approximately four Angevin pounds in the late twelfth century, the chroniclers' varying amounts appear reasonably consistent (6000 marks equals 4000 English pounds, which equals approximately 16,000 Angevin pounds) See Peter Spufford, *Handbook of Medieval Exchange*, London, 1986, pp. xxi and 206.

⁵⁷ Howden, vol. 2, p. 148. The transaction is thus an example of that mentality of economic value that lay midway between primitive, non-monetary and modern, capitalist forms of exchange. See ch. 1, pp. 35-9.

Michaelmas he had managed to hand over 104 marks and a golden cup worth 26 marks, with the balance still owing to the treasury.⁵⁸ On a smaller scale, royal justice and royal recognition came at a price. A certain William, a porter, paid ten shillings in 1182 to guarantee his own possession of his mother's dowry. Lezelina, the mother of Bertran de Verdun, paid 25 marks to receive the king's judgement concerning the legal status of her own dowry lands. And Robert de Wickton was charged five marks for his rights to his wife's dowry lands, comprising one knight's fee.⁵⁹ More seriously, Walter of Everington received a fine of more than 27 pounds (of which he managed to pay only 40 shillings in the first year) because he had married a woman 'in the gift of the king' without Henry's consent.⁶⁰

In all these ways, Henry ensured that royal authority remained paramount, even while he allowed the majority of tenants to pass lands on to undisputed male heirs without interference.

Planning for the Future: the Plantagenet Children

The marriages that Henry II arranged for his children and the plans he made for their inheritance of the vast family properties contributed significantly to the maintenance of Angevin hegemony in England and western France during the third quarter of the twelfth century. At the same time, the most serious challenge to Henry's rule before the final years of his reign came not directly from his traditional Capetian rivals, but from within his own family. As had been the case for Henry I, in many ways the most difficult task facing the Plantagenet monarch was to ensure a smooth succession at his own death. In each instance, the challenge to the balance of power ultimately foundered on the inability of each monarch to manage successfully the inheritance issues within his own family.

⁵⁸ *PR 28 H2*, pp. 113-14. It is worth reiterating that one mark was worth two thirds of a pound.

⁵⁹ *ibid.*, pp. 125, 86, and 17.

⁶⁰ *ibid.*, p. 105. See also ch. 3, p. 111.

In January 1169 Henry met Louis VII at Montmirail, and agreed on the future division of his realm among his sons.⁶¹ The younger Henry would receive his father's own inheritance: England, Normandy, Anjou, and Maine. Richard was allocated his mother's lands, Poitou and Aquitaine.⁶² This was entirely consistent with the division of inherited and acquired lands common in contemporary practice.⁶³ The two monarchs also agreed on the betrothal of Richard to Louis's daughter Alice, whose mother Constance of Castile had died giving birth to her in 1160.⁶⁴ The third son, Geoffrey, was promised the lordship of Brittany, while John, still an infant, received nothing.

Brittany, in fact, was formally part of young Henry's allocated land. He performed homage for the province to Louis VII, with Geoffrey in turn performing homage to his eldest brother. Brittany was an acquisition in real terms, in that it was not part of Henry II's inheritance from either parent, and therefore could have been assigned to Geoffrey directly. However the Dukes of Normandy had long considered it part of their sphere of influence, and the Montmirail agreement effectively recognized this.⁶⁵ The slightly convoluted homage procedure denominated Brittany as a missing part of Henry II's rightful inheritance, a part of that patrimony to be handed on (nominally, at least) to his eldest son. Louis's acceptance of young Henry's homage for Brittany implicitly endorsed this interpretation, in another sign of the French monarch's relative weakness in comparison to his Plantagenet vassals.

The clarification of the lands to be inherited by Geoffrey only confirmed political realities in the Duchy, where Henry II had steadily increased his influence over the previous 15 years.⁶⁶ By betrothing Geoffrey to

⁶¹ Howden, vol. 2, pp. 5-6. Henry reconfirmed these arrangements in a will of 1170, made during a serious illness. See also Warren, *Henry II*, p. 110; and George P. Cuttino *English Medieval Diplomacy*, Bloomington, 1985, pp. 44-5.

⁶² He was confirmed as Count of Poitou later in 1169 and as future Duke of Aquitaine in 1170. See Warren, *Henry II*, p. 110. On the Montmirail settlement see also Jacques Boussard, *Le gouvernement d'Henri II Plantagenêt*, Paris, 1956, pp. 431-5.

⁶³ See ch. 2, pp. 55-7.

⁶⁴ The betrothal lasted for over twenty years, and became an ongoing source of dispute between Angevin and Capetian monarchs. See ch. 8, pp. 263-7 and 270-1.

⁶⁵ Galliou and Jones, p. 188.

⁶⁶ For details see Galliou and Jones, ch. 9; and Everard, chs 1-2.

Constance, the daughter of Duke Conan III of Brittany, in 1166 Henry had once again used a marital pact to legitimize the seizure and ongoing consolidation of power.⁶⁷ As with the betrothals of his elder sons to the daughters of Louis VII, consanguinity was no barrier to the political benefits of marital projects. Henry successfully sought a dispensation from Alexander III in 1166 to enable the marriage of Geoffrey and Constance to proceed.⁶⁸

The marriages of Henry's daughters, too, were replete with political implications. W.L. Warren argues, somewhat dismissively, that the monarch 'was really doing no more than marrying off his daughters as suited their station in life'.⁶⁹ Yet this is surely to understate the value of legitimate royal children as commodities in the diplomatic marketplace. All three daughters were married into other European royal houses with which it was important for the Angevins to maintain good relations. This by no means constituted part of some grand, long developed master plan: Henry remained flexible enough to marry off his daughters if opportunities to do so arrived unexpectedly (as they did in the case of his youngest, Joanna). But it is difficult to ignore the connection between the need to provide for younger children and the advantages of specific international alliances. Henry II, constantly aware of the potential benefits of diplomatic marriages, was often able to kill several birds with a single stone.⁷⁰

His eldest daughter, Matilda, married Henry the Lion, Duke of Saxony and Bavaria, in 1168. Henry the Lion was the cousin, supporter, and greatest vassal of the Holy Roman Emperor Frederick Barbarossa.⁷¹ He was 36 (slightly older than his father-in-law) while his bride was 11 (a few months short of the age of consent). The diplomatic alliance between the royal houses of England and Germany encapsulated by the marriage

⁶⁷ Newburgh, vol. 1, p. 146.

⁶⁸ MHB, RS 67, vol. 6, pp. 170-1 (letter 292).

⁶⁹ Warren, *Henry II*, p. 222.

⁷⁰ On Henry and Eleanor's daughters see also Miriam Shandis and Constance Hoffman Berman, 'A Taste of the Feast: Reconsidering Eleanor of Aquitaine's Female Descendants', in Bonnie Wheeler and John Carmi Parsons, eds, *Eleanor of Aquitaine, Lord and Lady*, New York, 2002, pp. 177-211.

⁷¹ Karl Jordan, *Henry the Lion: A Biography*, trans. P.S. Falla, Oxford, 1986, especially ch. 3.

threatened to disrupt the balance of power in western Europe to an even greater extent than Henry II had already achieved. With the papal schism of 1159 still unresolved, an Angevin alliance with the German supporters of the antipope appeared threatening both to Pope Alexander III and to Louis VII, who must have feared encirclement by his royal competitors. Negotiations between the parties had begun in 1165 and continued over several years until the terms of the marriage were agreed.⁷² This may in part have been a tactical response to the birth in 1165 of Louis's heir Philip, an event that had strengthened Capetian confidence by promising, at long last, dynastic continuity through the male line.

The marriage of Matilda to Henry the Lion bears a striking resemblance to the marriage of their namesakes, Matilda, daughter of Henry I of England, and the Holy Roman Emperor Henry V, half a century earlier.⁷³ Like her granddaughter, the elder Matilda was married to a much older husband just a few months short of her twelfth birthday. Both brides, as the eldest daughter of the King of England, received lavish send-offs to Germany, paid for in part by the collection of an aid, a special tax applicable on such occasions.⁷⁴ Both marriages were intimately involved with political rivalries, particularly the ongoing power struggle between Pope and Emperor. To suggest, as Warren does, that Henry II wished merely to find a fitting husband for his daughter is to ignore the geopolitical context in which the marriage negotiations of the mid 1160s took place.

The diplomatic result of the marriage (informal alliance between the Angevin realm and the Empire) was compromised in later years as a consequence of personal animosity between Barbarossa and Henry the Lion. The latter was sent into exile in 1182, and found a haven at his

⁷² *ibid.*, pp. 144 and 147. See also Benjamin Arnold, 'England and Germany, 1050-1350', in Michael Jones and Malcolm Vale, eds, *England and her Neighbours, 1066-1453: Essays in Honour of Pierre Chaplais*, London, 1989, pp. 45-6.

⁷³ See ch. 5, pp. 181-2.

⁷⁴ Robert of Torigny reports that the younger Matilda 'was sent to her husband Henry, duke of Saxony and Bavaria, in Germany with an enormous amount of money, and in a very regal state' (Torigny, p. 234). Once again we see the public, ostentatious affirmation of diplomatic alliance in the act of the bride's transfer from the household of her father to that of her new husband, in this case across international boundaries.

father-in-law's court in Normandy.⁷⁵ Yet again a change in personal relationships, this time between emperor and vassal, had wider implications. Even so, Matilda was able to retain her dower lands in Germany. The inviolable bond of the dower settlement was powerful enough in contemporary custom to overcome the estrangement between Henry the Lion and Barbarossa. Though the husband was punished, his wife's legal rights were recognized:

the...Emperor allowed Matilda, duchess of Saxony,...to remain completely free and under his protection, and to enjoy her entire dower estate freely and peacefully. The Emperor also agreed that, if she chose to go into exile with her husband, he would appoint guardians for the purpose of protecting her dower lands.⁷⁶

The marriage of Henry II's second daughter, Eleanor, was just as closely connected with diplomatic considerations. In 1170 she was betrothed to the 14-year-old Alfonso VIII, King of Castile.⁷⁷ Henry had considered a match between Eleanor and Barbarossa's son in 1165, at the time of Matilda's German betrothal, but negotiations on this point had broken down.⁷⁸ An alliance with Castile was equally useful as a bulwark against Capetian opposition, and in fact spread Henry's familial resources more widely.⁷⁹ Spanish marriages had been on the agenda ever since the abortive attempt to take Toulouse in 1159, and if Henry's eyes were to turn southward again, a Castilian ally would make a useful partner.⁸⁰ To

⁷⁵ Jordan, pp. 183-4. The troubadour Bertran de Born was also present at Henry's court at Argentan. For his two poems addressed to Matilda see *The Poems of the Troubadour Bertran de Born*, ed. and trans. William D. Paden Jr, Tilde Sankovitch, and Patricia H. Stäblein, Berkeley, 1986, pp. 160-73; and my 'Exile and the Poetic Standpoint of the Troubadour Bertran de Born', *Parergon*, forthcoming January 2005. On Bertran see also ch. 3, p. 98.

⁷⁶ Howden, vol. 2, p. 269.

⁷⁷ Torigny, p. 247. The marriage probably took place in 1176.

⁷⁸ Arnold, p. 45.

⁷⁹ W.L. Warren once again belittles the significance of the action, commenting that Eleanor's marriage 'served no very useful purpose except perhaps to preserve Castile's neutrality, and that, while it may have been important earlier in the reign, hardly mattered to Henry in the rosy days of triumph' (Warren, *Henry II*, p. 222).

⁸⁰ See above, pp. 229-31. John Gillingham believes that 'Henry's policy of friendship with the powers of Christian Spain was calculated to bring about the diplomatic isolation of Toulouse' (Gillingham, *Angevin Empire*, p. 27).

gain a sense of the importance Henry attached to this alliance, we need only look at what he was prepared to give away (in the form of Eleanor's promised dowry) to allow the betrothal to proceed: the entire province of Gascony. Strictly speaking, this was part of Henry's wife's Aquitanian dominions, but the monarch promised that the region would pass to Alfonso and the younger Eleanor at the elder Eleanor's death.⁸¹ The concession is even more remarkable if we remember Henry's earlier eagerness to conquer neighbouring Toulouse.

In 1176, the same year that Alfonso and Eleanor were married, William II, the Norman king of Sicily, sent envoys to Henry II asking for the hand of the latter's youngest daughter, Joanna. Henry agreed to the proposal after consultation with the bishops and barons of his realm.⁸² Although there was certainly less immediate diplomatic benefit in this match when compared to those of Joanna's elder sisters, the monarch was still obliged to consult widely and to consider the best interests of the kingdom in an open and public fashion before replying to William's approach. The 11-year-old Joanna was sent in lavish style to Sicily, where she married the Sicilian monarch in February 1177.⁸³

William's willingness to provide a generous dower for Joanna undoubtedly influenced Henry's acceptance of his proposal.⁸⁴ Younger children needed to be provided for, and as the prestige of the Angevin realm had grown, so Henry II found that other rulers were willing to approach him with suggestions for diplomatic marital arrangements that included generous settlements for the Plantagenet children. Such was the case for the youngest son, John, who had not been included in the division of lands made at Montmirail in 1169. In 1171 Humbert, Count of Maurienne (comprising Savoy and Piedmont), proposed a marriage between his elder daughter, Alice, and the youngest Plantagenet prince.

⁸¹ John Gillingham, 'Richard I and Berengaria of Navarre', *Bulletin of the Institute of Historical Research*, 53, 1980, p. 161.

⁸² Howden, vol. 2, p. 94.

⁸³ Appleby (p. 249) notes that Joanna's wedding dress, valued at an incredible £114, 5s 5d, is 'by far the most costly garment mentioned in the Pipe Rolls'.

⁸⁴ Howden, vol. 2, pp. 95-7. William endowed Joanna with 'the county of Saint Angelo, the city of Siponto, the city of Vesta, and many other castles and places'.

Humbert had no sons to carry on his line, and was desperately short of cash, but was 'extraordinarily rich in cities and castles; and no-one [could] cross into Italy without passing through his lands'.⁸⁵ The arrangement held several attractions to Henry: consolidation of his weakly held territories in eastern Aquitaine and Auvergne by means of a marital alliance with a neighbour to the east, indirect control of the Alpine passes, and a substantial future territory for John 'Lackland'. Here again provision for a younger child and the extension of diplomatic influence went hand in hand, in a deal that Henry had not originally sought, but which suited his overall aims and achieved several ends at once.⁸⁶

Equally attractive was the fact that Humbert held lands in Rousillon, the region in the shadow of the Pyrenees just to the east of Toulouse. The agreement stipulated that, if Humbert should eventually have a son who would inherit the Alpine patrimony, then his daughter (and by implication her husband, John) would instead be granted Rousillon and various other territories.⁸⁷ The opportunity to wield influence in the vicinity of Toulouse appears to have been a factor that attracted Henry to come to terms with Humbert, just as it was important in Eleanor's betrothal to Alfonso of Castile. In fact Henry used the threat of his alliance with Humbert to cow Raymond V, Count of Toulouse, into submission. In early 1173 Henry and Humbert met at Montferrand to finalize terms. Shortly afterwards, at Limoges, Raymond performed homage for Toulouse to Henry, to young Henry as joint sovereign, and to Richard as Count of Poitou.⁸⁸

But attractive as the deal was on all these levels, Henry overreached himself, miscalculating his ability to control those parties that resented his steady accumulation of power and influence throughout large areas of France. Patriarchal Angevin hegemony provoked a reaction. Ironically, pressure to reassert a balance of power came not so much from rival

⁸⁵ Torigny, p. 250.

⁸⁶ In contrast, Austin Poole sees the Maurienne episode as evidence of Henry's hubristic ambition and unconstrained empire-building. See Poole, pp. 330-1.

⁸⁷ Howden, vol. 2, pp. 41-2.

⁸⁸ *ibid.*, p. 45. On young Henry's elevation to the role of joint sovereign in 1170 see below, pp. 251-2.

magnates (though they became involved once the opportunity arose) but from within Henry's own family.

In particular, the Young King (as young Henry was known after 1170) resented his father's grant of three castles in Anjou to John. Chinon, Loudon, and Mirebeau were the traditional bequest to a younger son of the Angevin comital family. Henry used them to endow John at the time of the Maurienne negotiations, to ensure that his youngest son held the promise of an appropriate inheritance to match the status of his proposed marriage. We can read this move as a consequence of prevailing customs of gift and reciprocity. If Humbert was giving away so much (his daughter, and the continued rule of his lands by his own male line) then he needed to receive enhanced prestige in return. A landless son-in-law, even if he was the son of the most powerful monarch in western Europe, did not quite fit the bill. A son-in-law in possession of three important castles, situated symbolically at the heart of the family territories, was a much better deal for Humbert. But prestige alone was not the entire justification for the match: Henry also agreed to pay Humbert 5000 marks in cash.⁸⁹ Once again we can interpret this settlement as representing an ethos that stands midway between a fully monetary economy, and a traditional economy of exchange.⁹⁰

We can also read the Young King's reaction as an attempt to reassert the balance of power within the royal family. From his point of view, his father was keeping everything for himself, not sharing out the spoils across the generations. The Young King may have been joint monarch, but he had precious little to show for it.⁹¹ The award of three castles to John was the final straw. The Young King demanded that he be given Normandy, England, or Anjou to hold as his own, rather than being merely the designated heir. His father's refusal to let go of control of any of these territories prompted the great rebellion of 1173-4.

⁸⁹ Howden, vol. 2, pp. 43-4.

⁹⁰ See ch. 1, pp. 35-9.

⁹¹ On young Henry's relative lack of power, as seen in the limited importance of charters and seals struck in his name, see R.J. Smith, 'Henry II's Heir: the *Acta* and Seal of Henry the Young King, 1170-83', *English Historical Review*, 116, 2001, pp. 297-326.

Opposition and Rivalry

While Henry used specific marriages and the inheritance claims that stemmed from them to consolidate and extend Angevin power during his reign, he was not alone in adopting this *modus operandi*. Opponents, too, could utilize the tools of marital politics to oppose the clear threat to the balance of power in France that Henry's success represented. At one level, this threat was 'vertical' in nature: activist Angevin lordship ate into the traditional autonomy enjoyed by local magnates in the French principalities. In response, holders of power at the regional level could exercise their opposition to Henry's suzerainty by challenging him over marital matters. In 1161 a group of Poitevin nobles tried to restrict his ability to interfere in their local affairs by sending a delegation to visiting papal representatives, with the brief of arguing that Henry's marriage to Eleanor was incestuous, and should therefore be annulled.⁹² In this case we see political conflict being pursued through the linguistic register of discussions concerning marriage. That the couple were related was, of course, entirely true but was largely beside the point. Marriage here was a metaphor for the exercise of power, and to attack the marriage was a covert method of challenging Henry's right to rule in Poitou. Sadly for the delegation, the papal legates were trying to ensure Henry's continued support for their master, Alexander III, against the pretender Victor IV. Any challenges to the validity of the union were rapidly dismissed.⁹³

At the 'horizontal' (or inter-state) level, Louis VII sought to oppose Henry II's power where possible, despite the relative weakness of Capetian influence. After the long-awaited birth of a male heir in 1165, bringing with it greater confidence in the survival of the dynasty, Louis began to assert his authority more aggressively.⁹⁴ In 1170 this new confidence took the form of an expression of outrage when Henry saw fit

⁹² MHB, RS 67, vol. 6, p. 266.

⁹³ In terms of the model outlined in ch. 1 this represents a restrictive view of bringing marriages to an end. For political (rather than doctrinal) reasons the legates on this occasion chose to endorse the validity of a marriage that clearly breached consanguinity restrictions. See ch. 1, pp. 44-6.

⁹⁴ Warren, *Henry II*, p. 104. For example, Louis actively supported Thomas Becket after his quarrel with Henry.

to crown his son Henry as joint-sovereign, while neglecting to bestow the privilege of coronation on young Henry's wife, Margaret. The oversight prompted Louis to defend his daughter's honour by invading Normandy, a move that Henry defused by agreeing to a joint crowning of the couple at Winchester.⁹⁵

When the Young King rebelled against his father in 1173, Louis stood in the background, encouraging the Plantagenet princes to challenge their father's authority, especially by asserting their rights to gain the benefit of heritable estates before they were technically entitled to do so. Eleanor of Aquitaine, too, supported her sons against her husband, though Henry captured her early in the episode.⁹⁶ For Louis, alliance with the Plantagenet princes was a viable strategy with which to challenge Angevin power, by promoting discord within Henry's own family.

Other disgruntled parties quickly joined in a general rebellion within the Angevin lands. Theobald V of Blois, Philip of Flanders, and Matthew of Boulogne all sided against the elder Henry, as did numerous more minor barons.⁹⁷ The Young King and the Count of Flanders even planned an invasion of England, with Philip performing homage to young Henry for the County of Kent, presumably his promised reward.⁹⁸ Henry II was able to quell the rebellion with the help of his favoured Brabantine mercenaries (his superior fiscal resources again proved vital), but he paid heed to the implicit message that the episode contained.

Roger of Howden records a letter that Henry purportedly sent to other European monarchs, 'strongly advising them not to exalt their own sons beyond what it was their duty to do so'.⁹⁹ Despite this display of paternal angst, Henry made some concessions after the rebellion to allow his sons a somewhat freer hand in the territories designated for their eventual inheritances. The Young King was to receive half of the revenues of either

⁹⁵ This eventually took place in 1172. Howden, vol. 2, pp. 4-5 and 34.

⁹⁶ On the background to Eleanor's role in the rebellion see Marie Hivergneaux, 'Queen Eleanor and Aquitaine, 1137-1189', in Wheeler and Parsons, eds, pp. 55-76 (at pp. 66-71).

⁹⁷ Torigny, pp. 258-9; and Newburgh, vol. 1, p. 171.

⁹⁸ Newburgh, vol. 1, p. 181.

⁹⁹ Howden, vol. 2, p. 47.

Normandy or England; Richard was to receive half of the revenues of Aquitaine; and Geoffrey was to marry Constance of Brittany and take up his rights (by marriage) there.¹⁰⁰ Henry also acted in a conciliatory manner towards the rebellious Robert, Earl of Leicester (son of his former justiciar), allowing him to regain his forfeited estates. But when Robert rebelled again, the monarch ordered his castle destroyed.¹⁰¹ Henry's flexibility is apparent: despite betrayal and rebellion, he was prepared to be conciliatory when this seemed the best approach, but to take sterner measures when a firmer hand was needed. Yet there can be no doubt that the 1173-4 rebellion, despite its ultimate military failure, went some way to restoring a balance of power in several senses. Within the family, Henry recognized the need to involve his teenage sons more closely in government, by giving them freer rein in their designated future lands. Ralph of Diceto saw the rebellion as a response to a breakdown of the feudal contract between the monarch and his vassals. In other words, the rebellion represented a disruption of the 'vertical' balance of power. Numerous barons joined in because Henry 'was stamping down on the necks of the proud and mighty, and was conquering those castles in his territories that he mistrusted, or bringing them more under his sway'.¹⁰²

Of those magnates who had fought with the rebel princes, among the most influential was Philip, Count of Flanders. Philip owed allegiance for his lands both to France and to the Empire, and was able to play off these powers, along with the Plantagenets, against one another to the benefit of Flemish prestige and *raison d'état*.¹⁰³ His career displays the frequent negotiation of marital alliances and manipulation of disputed inheritance rights so central to the activities of magnates in the period. His own marriage to Elizabeth of Vermandois in 1164 had brought with it substantial territories in the region north of Paris.¹⁰⁴ Philip prospered by

¹⁰⁰ *ibid.*, vol. 2, p. 53.

¹⁰¹ Newburgh, vol. 1, p. 197. On the elder Robert of Leicester see above, pp. 241-2.

¹⁰² Diceto, vol. 1, p. 371.

¹⁰³ On the idea of *raison d'état* and the position of Flanders see ch. 4, pp. 126 and 133-4.

¹⁰⁴ John W. Baldwin, *The Government of Philip Augustus: Foundations of French Royal Power in the Middle Ages*, Berkeley, 1986, pp. 7-8. These included Valois, Amiens, and Vermandois itself.

means of a judicious marriage even though doubts were raised over the validity of the union.¹⁰⁵ Unlike his father Thierry, who had consistently supported Henry II, Philip changed sides on several occasions, displaying a policy of alliance flexibility that seems always to have had the best interests of Flanders at its core.¹⁰⁶ After siding with the Young King in 1173, Philip reached a formal agreement with the elder Henry in 1177. In this he promised that he would marry his nieces, the daughters of his younger brother Matthew of Boulogne, only after consultation with Henry.¹⁰⁷ Shortly afterwards, Philip went back on his word by marrying both girls without Henry's consent, an act that is likely to have enraged the monarch, given the importance he had placed on ensuring that a reliable ally ruled Boulogne in 1160.¹⁰⁸

After the incapacitation of Louis VII in 1179, the Count of Flanders acted as unofficial regent for the fourteen-year-old Philip Augustus. The Count decided to cast in his lot with the Capetians when their authority was at a low ebb, given the frailty of the aged monarch and the youth of his son. He may thus have felt in a strong position to be an arbiter of power. He certainly confirmed his proximity to the throne by arranging the marriage of another of his nieces, Isabella of Hainaut, to Philip Augustus, despite the opposition of a large section of the French nobility.¹⁰⁹ This palace coup by the Flemish Count, given concrete expression by the marriage of his niece, brought immediate opposition from young Philip's maternal uncles of the house of Blois-Champagne, who saw their influence being usurped.¹¹⁰ While this may have seemed a triumph for Flemish

¹⁰⁵ The nature of these doubts is unclear, but the fact that Alexander III granted a formal approval of the marriage suggests a significant level of opposition to it. The letter of approval is available in PL, vol. 200, cols 421-2.

¹⁰⁶ On Thierry of Flanders see ch. 5, p. 188, and ch. 6, p. 206. Philip's mother was Sibylla of Anjou, Henry II's aunt.

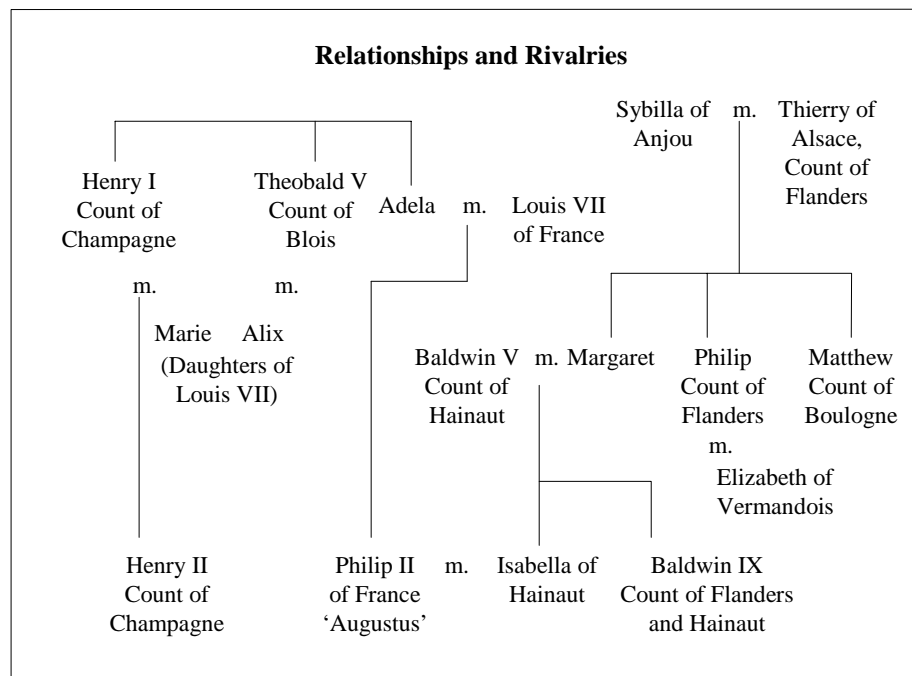
¹⁰⁷ Howden, vol. 2, p. 119. As well as being heiresses to Boulogne the nieces were potentially Philip's heiresses for Flanders, given the lack of children from his own marriage. See also Warren, *Henry II*, pp. 223-4.

¹⁰⁸ Howden, vol. 2, p. 131. On Boulogne see above, pp. 231-4.

¹⁰⁹ Gervase of Canterbury, *Opera historica*, RS 73, vol. 1, p. 294; and Diceto, vol. 2, p. 5. See also Robert Fawtier, *The Capetian Kings of France*, trans. Lionel Butler and R.J. Adam, London, 1960, p. 111. Isabella was the daughter of Philip's sister, Margaret of Flanders, and Baldwin V, Count of Hainaut. The wedding took place on 28 April 1180.

¹¹⁰ Torigny, pp. 289-90.

power, it did little for overall French unity on the larger political stage, since Henry of Champagne and Theobald of Blois approached Henry II for support. The brothers, married to Louis VII's eldest daughters, had been firm allies of the Capetians for more than 20 years but their willingness to negotiate with the Plantagenet monarch merely confirmed the relative weakness of Henry II's rivals.¹¹¹ Together, Flanders, Capet, and Blois-Champagne could have posed a formidable obstacle to Plantagenet strength. Divided and squabbling, they did not threaten to re-establish a balance of power in northern France at Henry's expense.



After the accession of Philip Augustus in September 1180, the rift grew wider when the new monarch confiscated the dower lands of his own mother, Adela of Blois-Champagne. Such heavy-handed mistreatment of sensitive property issues did not bode well for the rest of the reign. Tension between Flanders and Blois-Champagne eased to some degree in May 1181 with the betrothal of Henry II of Champagne to Isabella of

¹¹¹ On the brothers Henry and Theobald see ch. 6, pp. 221-3.

Hainaut's younger sister.¹¹² But a new rift emerged on the death of Philip of Flanders' wife, Elizabeth of Vermandois, in 1183. Philip Augustus declared himself to be the childless Elizabeth's heir, in direct contravention of an agreement he had made earlier with Philip of Flanders that the Count should retain Vermandois in the event of his wife's death. The young monarch threatened to take up arms and to repudiate his wife, Isabella of Hainaut.¹¹³ On this occasion the French king was supported by Henry II, once again acting as a power broker in the inheritance disputes of his chief rivals. In the early 1180s Henry's actions ensured that those rivals remained divided, even while his management of the inheritance question within his own family continued to provoke conflict.

Discord among the Plantagenets over territorial privileges was still evident late in 1182. On this occasion the Young King and Richard came to blows, with the latter reluctant to perform homage to his elder brother for Aquitaine. As in 1173 this was an opportunity for various magnates and more minor barons to join in on either side.¹¹⁴ The contest for feudal rights and family dominance ended abruptly in 1183, when the Young King died of an illness contracted during the campaign.¹¹⁵ Though peace was the short-term consequence, the questions raised by the death of the principal heir to the Angevin lands overshadowed the last years of his father's reign and fundamentally weakened the ability of the Plantagenets to maintain the hegemony they had built up in northern and western France. From this time on the assertive young French monarch, Philip Augustus, took every opportunity to exacerbate the tensions in his rivals' camp, especially by interfering in the debate over the succession.

¹¹² Henry I of Champagne had died in March 1181. The marriage of his son, Henry II, eventually took place in 1186. See Theodore Evergates, 'Aristocratic Women in the County of Champagne', in Theodore Evergates, ed, *Aristocratic Women in Medieval France*, Philadelphia, 1999, pp. 77-81.

¹¹³ Fawtier, pp. 111-13. In 1184 Philip of Flanders married Teresa (or Beatrice), the daughter of Afonso I of Portugal, a match encouraged by Henry II. See Diceto, vol. 2, pp. 28-9.

¹¹⁴ Newburgh, vol. 1, p. 233; and Howden, vol. 2, p. 274. See also Gillingham, *Angevin Empire*, p. 30. Bertran de Born gives a lively first-hand account of the conflict in a series of poems. See Paden et al., pp. 176-291.

The 'Angevin empire' and the Balance of Power

In many ways the Young King's death marks a turning point in the history of the 'Angevin empire'.¹¹⁶ The careful division that Henry II had articulated at Montmirail in 1169 was invalidated by the demise of his principal heir. Family conflicts ensured that the final years of the reign would be unsettled. Henry refused to confirm a new succession plan, disillusioned by the disloyalty of his children. The Young King's death marks the moment of transition from the existence of a formally expressed plan for the inheritance of the Plantagenet patrimony to a period where uncertainty and bickering over the fate of the 'Angevin empire' prevailed. This development was ultimately as destructive as Henry I's mismanagement of his own succession and inheritance had been in the 1130s.¹¹⁷

The term 'Angevin empire' is itself controversial.¹¹⁸ 'Empire' is undoubtedly misleading in this context, as it creates a false impression of political unity and centralized administration. Nonetheless, several historians have attempted to cast Henry II's inherited and acquired territories as a coherent whole, a vast territory unified administratively by firm monarchic rule. Both J.E.A. Jolliffe and Charles Petit-Dutaillis have characterized Henry and his sons as little short of absolute rulers, megalomaniacs bent on exerting power by sheer force of personality.¹¹⁹ Others have stressed the traditional division and cultural separation of the distinct units of the 'empire', and have seen the conglomeration of lands as

¹¹⁵ Newburgh, vol. 1, pp. 233-4; Howden, vol. 2, pp. 278-9; and Torigny, pp. 305-6. For Bertran de Born's *planh* (lament) over the Young King's death see Paden et al., pp. 215-23.

¹¹⁶ This view is also expressed in J.C. Holt, 'The End of the Anglo-Norman Realm', in his *Magna Carta and Medieval Government*, London, 1985, p. 41.

¹¹⁷ See ch. 6, pp. 191-7; and ch. 8, pp. 262-7.

¹¹⁸ I have deliberately chosen to spell 'empire' with a small 'e' and to place the phrase in inverted commas, reflecting the contested nature of the title.

¹¹⁹ J.E.A. Jolliffe, *Angevin Kingship*, London, 1955, and Charles Petit-Dutaillis, *The Feudal Monarchy in France and England from the Tenth to the Thirteenth Century*, trans. E.D. Hunt, London, 1936. Jolliffe comments that Henry II 'governed or misgoverned with a single idiom of power' (p. 130), and that he and his sons 'wielded their supreme force of distriktion by mere will' (p. 5). Petit-Dutaillis sees Henry and Richard as having 'plans, abortive schemes, which reveal a megalomania which surely contributed to the exhaustion and disintegration of the Angevin Empire' (p. 177).

an historical accident, united by no more than one man's personal rule.¹²⁰ Ralph V. Turner has described the 'empire' as 'hegemonic', aptly indicating the extent of separation and individual identity retained by the various components of the larger unit.¹²¹ W.L. Warren finds 'Angevin empire' a misleading term, and points to the retention of separate currencies and administrative arrangements in Brittany, Aquitaine, and Ireland to suggest the heterogeneous nature of Angevin rule.¹²² Instead, he sees the 'empire' as a 'dynastic federation', which seems a very apt term for a collection of disparate lands each ruled in the most appropriate manner as local circumstances dictated.¹²³ Jacques Boussard, while noting the predominance of regal authority and favouring the term 'empire', similarly sees each province as maintaining its own institutions and forms of government.¹²⁴

With regard to Henry II's personal motivation in building up so large a state, Warren rejects ambition *per se*, stressing instead the exigencies of family pride. 'He was acutely conscious, undoubtedly, of his rights and "dignities": not however, for the prestige, power, and wealth they conferred on him personally, but rather as a heritage which had to be passed on entire and untarnished to his heirs'.¹²⁵ Heritage, family, dynasty: these were what mattered to an aristocrat in twelfth-century Europe. The accumulation of land to enhance family honour, the marriage of an heiress, the struggle to claim inherited rights: it was through these mechanisms that

¹²⁰ Warren Hollister, for example, stresses the diverse nature of the 'empire' in 'Normandy, France, and the Anglo-Norman *Regnum*', in Hollister, *Monarchy, Magnates and Institutions*, p. 50. John Gillingham, while favouring the term 'Angevin Empire', nonetheless sees it as describing a loosely bound amalgamation of states that was eventually destroyed by family disunity (Gillingham, *Angevin Empire*, pp. 3 and 31).

¹²¹ Ralph V. Turner, 'The Problem of Survival for the Angevin "Empire": Henry II's and his Sons' Vision versus Late Twelfth-Century Realities', *American Historical Review*, 100, 1995, pp. 78-96. Turner (p. 82) reminds us that Henry and his sons referred to themselves in official documents with a series of titles (*Rex Anglorum, Dux Normannorum et Aquitanorum, et Comes Andegavorum*) and never with a single, unifying term. He argues that, despite this heterogeneity, the Angevin monarchs did wish to preserve the integrity of their family territories, even if those territories would eventually be split among several brothers.

¹²² Warren, *Henry II*, pp. 228 and 561.

¹²³ *ibid.*, p. 629.

¹²⁴ Boussard, pp. 546-69.

¹²⁵ Warren, *Henry II*, p. 629.

politics were played out. The 'Angevin empire' was simply the most successful such family enterprise.¹²⁶

So successful was it, in fact, that it challenged the established order. After his marriage to Eleanor Henry II's style was not expansionist, insofar as he did not seek territories beyond those to which he believed his family had genuine rights. But he undoubtedly pushed those rights, perceived or genuine, to the absolute limit in creating and consolidating the family 'empire'. Building on Karl Werner's idea of Henry II as a 'super-prince', far and away the most powerful of Louis VII's vassals, we can identify the disruption that so aggressive a pursuit of family entitlements brought to the equilibrium of twelfth-century politics.¹²⁷ Hereditary and territorial claims were often confused, overlapping, and provocative. This was inevitable in a society where the ruling elites intermarried as often as they did, and where fixed, universally accepted rules for the transfer of property simply did not exist. To push one's own family claims (as in Toulouse or Brittany) was therefore bound to aggravate other aristocratic families with equally valid, competing ambitions.

As a consequence, Plantagenet success meant corresponding weakness in the efforts of other families to push dynastic and hereditary claims. The 'Angevin empire' dislocated the balance of power in twelfth-century France, because it so completely centred power in one family grouping. Subsequently, this distortion of the traditional balance between feudal entities indirectly promoted the cause of Capetian revival by demanding a response. That response would not take the form of a return to the traditional equilibrium, but of the equally aggressive assertion by Philip

¹²⁶ For further diverse views on the nature of the 'Angevin empire' see Le Patourel, *Feudal Empires*, sections VIII and IX; Jean Dunbabin, *France in the Making 843-1180*, Oxford, 1985, pp. 346-50; and Holt, 'The End of the Anglo-Norman Realm', pp. 39-42. Bernard S. Bachrach has very usefully stressed the idea of the 'empire' from a strictly Angevin (as opposed to an Anglo-Norman) perspective: see Bachrach, 'The Idea of the Angevin Empire', *Albion*, 10, 1978, pp. 293-9.

¹²⁷ Karl Ferdinand Werner, 'Kingdom and Principality in Twelfth-Century France', trans. T. Reuter, in Timothy Reuter, ed., *The Medieval Nobility – Studies on the Ruling Classes of France and Germany from the Sixth to the Twelfth Century*, Amsterdam, 1979, p. 264. Werner sees Angevin success as reducing other, formerly semi-independent princes to 'merely second-rank powers, compelled to submit to, or to seek help from the opponent of, the power which threatened them'.

Augustus and his heirs of regal rights of suzerainty over their vassals. Angevin power unintentionally paved the way for the revival of the French monarchy, and for the beginnings of state centralization in the thirteenth century. After Henry II, the multipolar balance of power that had prevailed in the earlier twelfth century broke down irrevocably. In its place arose a bipolar confrontation, a more direct contest for power between two larger entities (England and France) in which the earlier rivalries of the smaller, quasi-independent principalities were subsumed.¹²⁸

To see the evolution of politics in this way is also to reject the view of Robert Fawtier that the rise of Angevin power was attributable largely to 'luck', and that Henry II was constantly in the wrong, being in breach of the implicit feudal contract between lord and vassal.¹²⁹ Fawtier's view of Henry as a constantly rebellious vassal exemplifies the application of the 'feudal-pyramid' theory to twelfth-century society, where a balance-of-power model may more readily describe contemporary realities.¹³⁰ Susan Reynolds points out that Henry II was virtually an independent landholder, and that while he and his sons performed homage and acknowledged the suzerainty of Louis VII, this had more to do with political niceties than with strict feudal requirements.¹³¹ Ralph Turner comments that the hierarchical 'feudal-pyramid' idea was only beginning to be developed by political thinkers towards the end of the century.¹³² The measure of Plantagenet independence on the continent was reduced once Philip Augustus began to reassert the feudal rights of the French crown, meaning that the pyramid model more readily fits the society subjected to a stronger thirteenth-century monarchy.

¹²⁸ For the distinction between 'bipolar' and 'multipolar' manifestations of the balance of power see ch. 4, p. 125.

¹²⁹ Fawtier, pp. 139 and 142.

¹³⁰ See ch. 4, p. 124.

¹³¹ Reynolds, p. 275. Reynolds argues for a radical reassessment of the entire concept of feudalism.

¹³² Turner, 'Problem', p. 87. See also ch. 4, p. 124 and note 3.

R.J. Smith has recently commented that after the Young King's death in 1183, 'the question of the succession to the Angevin lands was reopened in intractable circumstances', with the result that 'the failure of Henry II's policy for the succession...debilitated the Angevin "empire" and aided the Capetians'.¹³³ Following Smith's viewpoint, we can recognize the importance of the Young King's death in beginning to unravel the old monarch's achievements. At this moment the internal coherence (fragile at best) of the entity that Henry II had built up through his own marriage and inheritance, and by influencing the family affairs and property rights of his children, subjects, and rivals, became open to challenge. But whereas in earlier decades several contenders for power may have emerged in such circumstances, only one political entity now had the practical strength and moral authority to undermine Angevin hegemony: Philip II's resurgent French monarchy. The following years would see a new form of balance-of-power politics emerge, in which one large bilateral rivalry overshadowed and encompassed the older divisions and tactical alliances among the formerly autonomous states of the region that would eventually comprise a more unified French kingdom.

¹³³ Smith, p. 297.

8. Capetian Revival: The Assertion of Sovereignty, 1183-1215

Soon after the death of the Young King in 1183, Philip Augustus gave a strong indication of the attitude that would characterize Capetian relations with the Plantagenets over the coming years. Interpreting inconsistent feudal custom to his own advantage, Philip demanded back 'all of the Vexin, with the castles and fortresses that his father Louis, King of France, had granted to [young Henry and Margaret] when they were married'.¹ It is notable that Philip's attempt (the first of many) to reassert the rights of the French crown at the expense of its over-powerful vassals was expressed through the language of marriage and property. Now that the marriage had ended with the death of one partner, Philip deemed null and void the agreement by which Louis VII had been forced to hand over the Vexin as dowry in 1160. Although he was unsuccessful on this occasion, the French monarch's dexterity in utilizing the crown's feudal privileges, especially in the areas of marriage and inheritance, would be a constant feature in the revival of Capetian fortunes throughout Philip's reign. So successful was it, in fact, that any chance of a reconstruction of the multipolar balance of power among the French principalities was permanently removed. Capetian sovereignty replaced Angevin hegemony after the breakdown of Henry II's family domain. In part this was also due to the mismanagement of marriage and inheritance issues by Henry himself in his last years, and by each of his sons in turn as monarch.

Plantagenet Successions

Philip's assertiveness is evident after the death of Geoffrey Plantagenet in 1186, but at this stage the gap between regal rhetoric and regal effectiveness remained wide. After being fatally injured during a tournament Geoffrey left an infant daughter, Eleanor, as his heir to the Duchy of Brittany. (Geoffrey's wife Constance gave birth to a posthumous

¹ Roger of Howden, *Chronica magistri Rogeri de Houedene*, RS 51, vol. 2, pp. 280-1. On the marriage of Henry and Margaret see ch. 1, p. 12, and ch. 7, pp. 235-7.

son, Arthur, a few months later.)² Philip demanded custody of the girl in his capacity as the ultimate suzerain over Brittany. But Henry II, ever the pragmatist, had secured young Eleanor for himself and refused to relinquish her, sending envoys to Philip instead as a stalling tactic.³ Possession of the heiress reinforced Henry's role as an arbiter of Breton affairs, despite Philip's threats to invade Normandy.⁴ In 1187 Henry arranged a marriage for Geoffrey's widow Constance, giving her to Ranulf of Chester.⁵ The uncertainties of feudal practice added to the conflict. Shortly before his death Geoffrey had performed homage to Philip for Brittany. But in earlier years he had also performed homage to the Young King (as Duke of Normandy) reinforcing the traditional subordination of the Breton dukes to their Norman neighbours.⁶ The lines of feudal responsibility and obligation were confused, and Henry was still able to assert practical power (especially by holding the young Breton heiress) despite Philip's claims of monarchic rights. But Philip's intentions were clear and he was already keenly aware of the potential benefits of exploiting those same regal privileges.

Philip put even more pressure on the Plantagenets in the ongoing dispute over the fate of his half-sister Alice. Here family rights and regal rights were mutually supportive and Philip challenged his rivals' procrastination and dissimulation on the basis of both their personal and their political obligations. Disputes over the delay in marrying Alice to Richard had been a recurring theme since the betrothal of the two children in 1169.⁷ In 1177 Pope Alexander III had threatened an interdict against England and Normandy if Henry II (who had custody of Alice) did not allow the

² On Geoffrey's death see Rigord, *De gestis Philippi Augusti Francorum regis*, RHF, vol. 17, pp. 20-21. Rigord (never shy of depicting his monarch in a favourable light) gives a touching picture of Philip's grief over the death of Geoffrey, with whom he had been close. On the birth of Arthur see Ralph of Diceto, *Ymagines historiarum*, RS 68, vol. 2, p. 48.

³ Howden, vol. 2, pp. 314-15.

⁴ John W. Baldwin, *The Government of Philip Augustus: Foundations of French Royal Power in the Middle Ages*, Berkeley, 1986, p. 20.

⁵ William of Newburgh, *Historia rerum Anglicarum*, RS 82, vol. 1, p. 235; and Diceto, vol. 2, p. 48. On the tempestuous union arising from this act of patronage (which failed completely on a personal level) see James W. Alexander, *Ranulf of Chester: A Relic of the Conquest*, Athens, Georgia, 1983, pp. 12-14.

⁶ See ch. 7, pp. 244-5.

⁷ See ch. 7, p. 244.

marriage to proceed.⁸ At a conference in the same year, Henry and Louis VII had agreed in principle that the marriage should go ahead, but no firm date was set for the event and arguments over Alice's dowry brought negotiations to a halt.⁹

The issue arose once again in 1186. By now, Richard was heir presumptive to the entire Angevin dominions, rather than simply Duke of Aquitaine and Count of Poitou. In that respect his marriage took on even greater significance, since any children would stand in the direct line of accession to the English throne. At Gisors Henry swore an oath to allow the marriage of Richard and Alice to proceed unhindered. For his part, Philip promised Alice the same dowry that had accompanied their sister Margaret on her marriage to young Henry in 1160: Gisors itself and the Norman Vexin. The French king also promised to make no further demands concerning the marriage.¹⁰

When Henry continued to show no sign of allowing the marriage of Richard and Alice to take place, Philip's tone became more confrontational. According to the French monarch's biographer, Rigord, Philip began to demand back Gisors and the other Vexin castles that Henry had held (as Margaret's dowry) since 1160. At the same time, he demanded that Richard perform homage for Poitou and Aquitaine.¹¹ In other words, Philip pressed his Plantagenet rivals on personal or family grounds (the return of his sister's dowry) and simultaneously on feudal political grounds (requiring Richard's homage). While this two-pronged attack did not yet prove successful, it clearly displays the type of approach that the young King of France intended to deploy, aggressively asserting his rights in both the private and the public sphere in order to strengthen Capetian authority. An easing of his own dynastic concerns probably

⁸ Alexander's letter containing the threat of interdict is recorded in PL, vol. 200, cols 1108-9.

⁹ Howden, vol. 2, p. 143. Appleby sees Henry's tactics on this occasion as 'a masterpiece of duplicity'; see John T. Appleby, *Henry II – The Vanquished King*, London, 1962, p. 257.

¹⁰ Howden, vol. 2, p. 308.

¹¹ Rigord p. 23.

augmented Philip's newfound confidence: his wife gave birth to a male heir, Louis, in September 1187.¹²

Philip was even prepared to back up his position with war. After each side had inflicted damage on the other by storming key castles during late 1187, a truce was agreed in early 1188, prompted in part by news of the Latin disaster in Outremer and the calling of the Third Crusade.¹³ At this point the dispute over Alice and its connection with the Plantagenet succession evolved into a contest between father and son, as Rigord reports:

Richard, Count of Poitiers, demanded from his father the wife over whom he had legitimate rights: the sister of Philip, King of the French, whom King Louis of happy memory had handed over to [Henry's] keeping. At the same time [Richard] wanted to have his entitlement to the crown recognized, because it was acknowledged that whichever of the sons of the King of England obtained the hand of that princess would also succeed to the throne, after his father's death. Richard wished to enforce his rights as the eldest of the princes of England, since the death of his brother Henry. The King of England, jealous of his own authority, wished to cede none of it.¹⁴

Whether or not the connection of throne and bride is reported accurately, it shows a perception on the part of at least one contemporary commentator that marriage to Alice and succession to the English throne were intimately linked. The passage also shows Richard trying to promote his rights as principal heir in terms of primogeniture, and at the same time by means of his potential marriage to Alice. The two positions were potentially contradictory (what if Alice married John?) but as so often in the twelfth century a political figure seems to have favoured any argument that promoted his cause, with little regard to fixed principles. Since primogeniture, while commonplace, was inscribed in no hard and fast legal

¹² *ibid.*, p. 24.

¹³ *ibid.*, p. 27.

¹⁴ *ibid.*, pp. 27-8. See also Diceto, vol. 2, p. 58.

code as a means of inheritance and succession, Richard could not take his position as eldest surviving son for granted.

To take advantage of this uncertainty, and to drive the wedge between father and son even deeper, Philip actively sought Richard's friendship. His father Louis had done the same thing by supporting the Young King in 1173.¹⁵ Now, in 1188, Richard responded to Philip's overtures by allying himself to the French king, swearing fealty and performing homage.¹⁶ The fact that this was done in Henry's presence during a conference between the three rulers must have further incensed the old king, adding a feeling of personal and political betrayal to the confusion that now surrounded the succession. But Henry's unwillingness to yield significant power to his presumed heir had driven Richard into Philip's arms.¹⁷ Whether Richard wanted to marry Alice, or even whether he felt he was entitled to do so, is almost irrelevant: Henry's continued prevarication over the twenty-year betrothal formed a point of disputation between father and son, as it did between Plantagenet and Capet.¹⁸ Political rivalry found its voice in continued argument over the fate of the unfortunate Alice, whose own feelings on the matter were, in all probability, completely ignored.

Henry made one last attempt to win back the initiative in 1189, by offering to marry Alice to Richard's younger brother John.¹⁹ This would have allowed Henry to keep hold of the Vexin as Alice's dowry, and would have promoted John into a stronger position of rivalry with Richard. If Rigord's view (cited above) is evidence of a link between marriage to Alice and the Plantagenet succession, then Henry's proposal may have further alienated Richard by suggesting that John was about to take his

¹⁵ See ch. 7, pp. 252-3.

¹⁶ Rigord, p. 28; Howden, vol. 2, p. 355; and William the Breton, *De gestis Philippi Augusti*, RHF, vol. 17, p. 69.

¹⁷ And into his bed. See *Gesta regis Henrici secundi*, RS 49, vol. 2, p. 7. For a commentary on this famous episode of Richard and Philip 'sleeping' together as a sign of political unity see C. Stephen Jaeger, *Ennobling Love: In Search of a Lost Sensibility*, Philadelphia, 1999, ch. 1 (and note 60 below). On Richard's disloyalty to Henry see also Newburgh, vol. 1, p. 277.

¹⁸ Indeed, Richard rejected Alice once and for all several years later when the betrothal no longer served any useful purpose. See below, p. 270-1.

¹⁹ Howden, vol. 2, p. 363.

place as principal heir.²⁰ In the event the proposal came to nothing and at Henry's death in July 1189 Richard succeeded to the throne with little difficulty.

Yet despite the apparent smoothness of the immediate transition from one reign to the next, Angevin legitimacy had been harmed by the ebb and flow of succession uncertainties during the 1180s. Political power and family power were intertwined and ructions within the family spilled over into the political arena. Since the death of the Young King in 1183, Henry had been unwilling to repeat the mistake he had made in 1170 by having his eldest surviving son crowned and thereby confirmed as principal heir. Instead he chose a path of evasion, delay, and subterfuge.²¹ This evasion encompassed Richard's promised marriage as well as his potential succession to the throne. Just as family quarrels had undermined Matilda's chance of succeeding her father Henry I in the 1130s, so now Henry II's refusal to endorse Richard as his heir until the last possible minute temporarily drove the latter into Philip's camp, raising questions over Angevin independence from Capetian suzerainty.²² Although 15 years would pass before Philip was able to take advantage of the opportunity that this chink in the Plantagenets' armour afforded him, the eventual reconquest of Normandy succeeded in part because of the doubts raised over Angevin lordship and dynastic continuity in the duchy.²³ For this, Henry II's failure to provide a clear plan for the inheritance procedures of the realm's most important family, and his refusal to endorse the marriage of his probable heir, must take some blame.

²⁰ W.L. Warren suggests that Henry wanted to promote John over Richard, but that his commitment to a system of primogeniture, so painstakingly instilled into his own vassals over the length of his reign, finally prevented him from doing so. See Warren, *Henry II*, p. 622.

²¹ The mistake lay in the fact that the coronation raised the Young King's expectations of his early access to practical power, and pushed him to rebellion in 1173 when these expectations were not met. See ch. 7, pp. 252-3. See also Walter Map's anecdote concerning Henry's tactics, ch. 7, pp. 239-40.

²² See ch. 6, pp. 191-7.

²³ On the reconquest of Normandy see below, pp. 286-7.

Richard I: Tactical Success, Strategic Failure

Richard's career as monarch repeatedly displays familiarity with the effectiveness of patronage. While his tactical ability to benefit from the management of marriage and inheritance issues is clear, his awareness of the vital importance of planning for longer-term inheritance matters is open to question. In the early months of his reign he dispensed brides to prominent supporters with an eager hand.²⁴ He also rewarded his mother for her loyalty, granting Eleanor her recognized dower lands to hold in her own right (which was technically nothing more than her legal entitlement) along with those estates that had comprised the dowers of the wives of Henry I and Stephen.²⁵

The new monarch attempted to ensure his brother's loyalty by bringing to fruition John's very lucrative marital arrangement with Isabella of Gloucester, the wealthiest heiress in England. The two had been betrothed for some years, but Richard now authorized the marriage despite the objections (on grounds of consanguinity) of Archbishop of Canterbury Baldwin of Exeter and other senior Church officials.²⁶ Baldwin, taking a restrictive line on consanguineous marriages, laid the newly married couple's estates under an interdict. Pope Clement III, on the other hand, provided a dispensation (though not until after the marriage had been celebrated), perhaps because he was more concerned to ensure Richard's support in the campaign to recapture Jerusalem.²⁷ The importance of the crusade prompted the Pope to allow a flexible interpretation of marriage practices in order to ensure Richard's commitment to the cause.²⁸

On his way to the Holy Land, Richard's presence in Sicily during the winter of 1190-91 had several important implications for political

²⁴ *Gesta regis Ricardi*, RS 49, vol. 2, p. 73. These acts of patronage included the marriage of his niece Matilda of Saxony to Geoffrey, son of Rotrou III, Count of Perche (in Normandy); and of Isabelle, daughter of Richard Strongbow, Earl of Pembroke, to William Marshall.

²⁵ Richard of Devizes, *The Chronicle of Richard of Devizes of the Time of King Richard the First*, trans. John T. Appleby, London, 1963, p. 14.

²⁶ *Gesta regis Ricardi*, vol. 2, p. 78. The pair had been betrothed since 1176 but were related in the third degree. At the time of the marriage Richard also granted John other important territories, including Mortain (in Normandy), Cornwall, Derby, Somerset, and Dorset.

²⁷ Diceto, vol. 2, pp. 72-3; and Roger of Wendover, *Flores historiarum*, RS 84, vol. 1, p. 173.

developments in England and France. Firstly, William II of Sicily's death in 1189 meant that his widow, Richard's sister Joanna, was now available to be remarried elsewhere. She thus constituted a valuable asset for Angevin diplomacy. Secondly, Richard's agreement to betroth his nephew (and heir presumptive) Arthur of Brittany to the daughter of Tancred, William's successor, had a bearing upon the Plantagenet succession.²⁹

Richard pressed his rights to control his sister's future to the full, demanding that Tancred return Joanna, her dower, and the generous legacy that King William had bequeathed to Henry II.³⁰ Tancred's stubborn refusal to comply, sending Joanna back to her brother 'with the mere furniture of her bedchamber' and a small sum for expenses, soon proved to be a tactical error.³¹ Richard's show of force in capturing the Sicilian castle of La Bagnara frightened Tancred into coming to terms, sending Richard

20,000 ounces of gold for his sister's dower and another
20,000 ounces of gold as King William's legacy and to
ensure the observance of a perpetual peace with [Richard]
and his subjects.³²

Like Philip Augustus, Richard recognized the benefits that the full enforcement of regal and feudal rights over the wardship of widows could bring. In this case he was able to assert those rights far beyond the limits of his own territory (though certainly helped by military strength and the fact that the widow in question was his own sister). But Richard's enforcement of feudal custom was flexible and opportunistic. The situation in Sicily mirrored that which had followed the death of the Young King in 1183. Then, Philip had demanded the return of his sister Margaret and her dower in the face of Plantagenet opposition. Similarly, Richard's hesitation to return the unwanted Alice to her brother appears to be at odds with Philip's regal and patrimonial privileges. In short, Richard

²⁸ On flexible and restrictive marriage policies see ch. 1, pp. 39-46.

²⁹ Tancred had usurped the Sicilian throne in 1189 despite opposition from the rightful heir, his aunt Constance, and her husband, the Holy Roman Emperor Henry VI. See *Gesta regis Ricardi*, vol. 2, p. 102.

³⁰ Devizes, p. 17.

³¹ *ibid.*

³² *ibid.*, p. 25; and *Gesta regis Ricardi*, vol. 2, p. 133.

appealed to feudal custom over matters of family and property when it suited him, and tried to rely on the confusion and uncertainty inherent in that same customary practice when it did not.

The agreement between Richard and Tancred also included the betrothal of Arthur of Brittany to Tancred's daughter. The diplomatic benefits of this union, beyond the maintenance of the good relations between the two parties begun by Joanna's marriage to William, are not immediately obvious. It is possible that Richard's motives were purely tactical: despite the apparently firm nature of the contract, this was still no more than a betrothal, and thus revocable with relative ease should Richard's plans for his nephew change.³³ Richard's solemn pledge (stated both in the text of the settlement and in a letter to Pope Clement) to provide a dower for the girl from Arthur's Breton lands and to return the surety of 20,000 ounces of gold to Tancred if Richard were to withdraw from the agreement sounds sincere enough.³⁴ But in practice it left Richard with far more room to manoeuvre: while he had cash in hand, Tancred had little more than a promise of future good faith. Richard's financial situation as he departed for the Holy Land was significantly boosted by his diplomatic successes in Sicily.

Equally, Richard's Sicilian negotiations with Philip Augustus show a willingness to offer tactical concessions that could be reneged upon at a later date. Philip, however, was a much wiler adversary than Tancred, and would not allow Richard to worm out of his promises so easily. At Messina in March 1191 the two monarchs concluded an agreement that once again illustrates how twelfth-century diplomacy was conducted largely through the register of discussions over marriage and inheritance issues. Richard wished to be rid of his betrothal to Alice once and for all. He justified this rejection through his infamous claim that the betrothal had been rendered invalid by Henry II's seduction of Alice while the girl had been under the old monarch's guardianship.³⁵ Whether Philip believed

³³ On the nature of betrothals see ch. 1, pp. 15-16.

³⁴ *Gesta regis Ricardi*, vol. 2, pp. 135 and 137.

³⁵ Devizes, p. 26. While modern historians largely accept this story, some have questioned its veracity. See, for example, H.G. Richardson, 'The Marriage and Coronation of

this or not, he seems finally to have accepted that Richard was never going to marry his sister, and that the political value of trying to enforce earlier agreements regarding Alice was now negligible.³⁶ In return for freeing Richard from the betrothal, Philip was promised a substantial cash payment, and the return of Alice herself along with Gisors, her dowry. Philip granted Richard the right to marry whomever he chose. While in practice the approval of his feudal lord was unlikely to have been a factor in Richard's choice of a bride, this provision shows Philip emphasizing the theory of feudal superiority over a vassal. Furthermore, Philip ensured that the treaty allowed the possibility of future leverage over the Plantagenets by inserting a clause stipulating that, in the event of Richard having two sons, his French lands should be divided between them, and each son should hold his territories directly from the French king as lord.³⁷ Here Philip may have been recalling his father's attempts to create divisions in his opponents' ranks by supporting the Young King and Richard himself in their rebellion of 1173.³⁸ Philip tried to enshrine in a formal diplomatic document his own right to be an arbiter of his vassal's inheritance affairs, creating the possibility of playing off father against (as-yet-unborn) sons, or brother against brother. That Richard agreed to such a provision is a mark either of his desperation to free himself from any legal commitment to marry Alice, or of a remarkable degree of self-belief that he would be able to minimize the negative impact of his promises on Plantagenet autonomy in the future.

As John Baldwin notes, several of these provisions were rendered invalid by later events (such as Richard's death without heirs).³⁹ The only lasting impact of the Treaty of Messina was the final resolution of the dispute over Alice. Nonetheless, Philip continued to chip away at the

Isabelle of Angoulême', *English Historical Review*, 61, 1946, pp. 289-314 (at p. 313). See also John Gillingham, *Richard I*, New Haven and London, 1999, p. 82.

³⁶ Rigord, p. 32, interprets this as a case of Richard failing to fulfil his feudal obligations to Philip.

³⁷ The Treaty of Messina is recorded in Pierre Chaplais, ed., *Diplomatic Documents Preserved in the Public Record Office – Volume 1, 1101-1272*, London, 1964, pp. 14-16. See also Elizabeth Hallam, *Capetian France 987-1328*, London and New York, 1980, p. 129; and George P. Cuttino, *English Medieval Diplomacy*, Bloomington, 1985, pp. 45-6.

³⁸ See ch. 7, pp. 251-2.

foundations of Angevin power, claiming feudal rights of jurisdiction and authority over vassals. Though his short-term successes may have been limited, in the longer term this policy would prove enormously beneficial to the French crown.

Richard had a clear and immediate reason for breaking the betrothal once and for all: his forthcoming marriage to Berengaria of Navarre. Richard's mother Eleanor, now in her late sixties, had collected the girl from Spain and delivered her to Sicily, staying a mere four days before returning north.⁴⁰ Negotiations over this marriage had been continuing for several years. Bertran de Born, in a poem that his editors date to 1188, accuses Richard of treachery in his earlier discussions with Philip over the issue of Alice. In Bertran's view, Richard 'is continually perjuring himself, for the king of Navarre has given him as a husband to his daughter'.⁴¹ If the dating is accurate, Richard certainly appears to have been playing an opportunistic game of pursuing several possible marital opportunities before deciding on the one that would bring him most advantage. His decision finally to reject Alice in favour of Berengaria thus explains the timing of the settlement with Philip at Messina, and Richard's willingness to compromise in order to bring the earlier betrothal to an end.

John Gillingham has argued convincingly that marriage to Berengaria served important military and diplomatic purposes.⁴² Alliance with Navarre provided a partner willing to aid in the defence of Richard's southern borders during his absence on crusade, and guarded against the possibility of hostile action by Raymond V of Toulouse. The defensive

³⁹ Baldwin, p. 78.

⁴⁰ *Gesta regis Ricardi*, vol. 2, p. 161. The importance of Eleanor's political role in the reigns of her two sons has been stressed recently by Ralph V. Turner, 'Eleanor of Aquitaine in the Governments of Her Sons Richard and John', in Bonnie Wheeler and John Carmi Parsons, eds, *Eleanor of Aquitaine, Lord and Lady*, New York, 2002, pp. 77-95.

⁴¹ *The Poems of the Troubadour Bertran de Born*, ed. and trans. William D. Paden Jr, Tilde Sankovitch, and Patricia H. Stäblein, Berkeley, 1986, p. 380.

⁴² John Gillingham, 'Richard I and Berengaria of Navarre', *Bulletin of the Institute of Historical Research*, 53, 1980, pp. 157-73. This interpretation counters an older view that Richard was largely uninterested in the marriage and was forced into it by his mother. W.L. Warren, for example, claimed that Eleanor 'bullied' Richard into taking Berengaria as his wife. See Warren, *King John*, London, 1961, p. 43.

support proved useful in 1192 and again in 1194, when Navarrese forces helped to subdue Richard's restive southern vassals.⁴³

The chroniclers are strangely brief when describing the marriage ceremony itself, which took place at Limassol, in Cyprus, on 12 May 1191. Roger of Howden, who was probably an eye-witness, notes that Berengaria was consecrated Queen of England on the same day as her wedding, but devotes far less space to the event than to other marriages of less importance to English affairs.⁴⁴ Richard of Devizes, in whose text Berengaria remains at best a shadowy figure, comments that the marriage took place at the first opportunity after Lent, and then returns immediately to talk of the Crusade.⁴⁵ Such brevity, and the apparent reluctance of the king to spend much time with his wife in later years, seem to argue for a marital union that was diplomatically important but empty on the personal level.⁴⁶

Even during the great enterprise of his life, the Third Crusade, Richard was not beyond using marital politics to further his ambitions. This process manifested itself both in his settlement of internal rivalries over the leadership of the Latin Kingdom of Jerusalem and in his dealings with Saladin. In the latter case, desire to expel the Moslem forces from the sacred sites of the Holy Land did not stop Richard proposing a marriage between his sister Joanna (who had accompanied him from Sicily) and Saladin's brother.⁴⁷ While accepting that the story is accurate, historians have questioned Richard's motives, and have doubted that the offer was genuine.⁴⁸ Joanna clearly took the proposal seriously: she refused to have

⁴³ Devizes, p. 59; and Diceto, vol. 2, p. 117.

⁴⁴ *Gesta regis Ricardi*, vol. 2, pp 166-7. Compare, for example, his extensive treatment of the marriage of Joanna to William II of Sicily. See Howden, vol. 2, pp. 95-7; and ch. 7, p. 248. Note that Roger of Howden is generally credited as the author of the *Gesta* covering the reigns of Henry II and Richard I (formerly attributed to 'Benedict of Peterborough') alongside his own chronicle. For clarification see David Corner, 'The *Gesta Regis Henrici Secundi* and *Chronica* of Roger, Parson of Howden' *Bulletin of the Institute of Historical Research*, 56, 1983, pp. 126-44.

⁴⁵ Devizes, p. 38. Berengaria is seldom named in Richard's text and is referred to initially as 'the daughter of the king of the Navarrese, a maiden more prudent than pretty' (ibid., p. 25). See also Newburgh, vol.1, p. 347; and Diceto, vol. 2, p. 86.

⁴⁶ Gillingham, *Richard I*, pp. 263-4.

⁴⁷ *L'estoire de Eracles Empereur*, in *Recueil des historiens des croisades – historiens occidentaux*, vol. 2, Paris, 1859, p. 198.

⁴⁸ See Gillingham, *Richard I*, pp. 184-9.

anything to do with the scheme, forcing Richard to suggest one of his young nieces as a potential bride instead.⁴⁹

After the siege of Acre, Richard and Philip had jointly provided a judgement on the leadership of the Kingdom of Jerusalem, reaching an elegant compromise by allowing Guy de Lusignan to remain king in his lifetime, but nominating the other disputant, Conrad of Montferrat, and his heirs as Guy's successors. Since Conrad's only technical right to rule the kingdom lay in the inheritance rights of his wife Isabella, this scheme provided a reasonable solution to the dispute. It bears some similarity to the settlement reached between Stephen and Henry Plantagenet in 1153.⁵⁰ After Conrad's assassination in 1192 the young Henry II, Count of Champagne, married the widowed Isabella with Richard's approval, and was immediately installed as King of Jerusalem by the popular acclamation of the Latin nobility.⁵¹ From a dynastic perspective, both Conrad and Henry held the throne only as a result of Isabella's lineage.

Equally, marriage was an important negotiating tool during Richard's captivity in the Holy Roman Empire on his return from the Crusade. The terms of his release in early 1194 included not only a large ransom and the performance of homage to Emperor Henry VI, but also the promise of marriage between Richard's niece Eleanor of Brittany and the son of Leopold, Duke of Austria, Richard's original captor.⁵² The impression created by these episodes during and after the crusade is one of a monarch used to calculating the advantages that marital politics could bring, and adept at using the marital resources available to him for diplomatic ends.

⁴⁹ *ibid.* This was probably Eleanor of Brittany, the daughter of Geoffrey Plantagenet and Constance of Brittany.

⁵⁰ Howden, vol. 3, p. 124. This is not unlike the Treaty of Winchester, the compromise between Stephen and Henry Plantagenet in 1153 that allowed Stephen to remain on the throne during his lifetime, but gave Henry and his heirs the right to succeed. See ch. 6, pp. 223-4.

⁵¹ Diceto, vol. 2, p. 104; and Gillingham, *Richard I*, p. 201. Henry was a nephew both of Richard and of Philip. His mother Marie of Champagne was a half sister of both monarchs, sharing a mother (Eleanor of Aquitaine) with Richard and a father (Louis VII) with Philip.

⁵² Howden, vol. 3, pp. 214-16 and 275-8. Although Eleanor was sent to Austria to fulfil the deal, she returned to Richard's court in 1195. Leopold's death in that year appears to have allowed Richard to back out of the marital agreement without penalty, again illustrating the provisional nature of political betrothals.

Later, Richard used his sister Joanna's availability to benefit Plantagenet strength in southern France. As well as the proposal to marry her to Saladin's brother, there had been speculation in Sicily about a possible marriage between the recently widowed Joanna and Philip Augustus himself.⁵³ In the end, Richard found a fitting use for the diplomatic asset represented by his sister in marrying her to Raymond VI, Count of Toulouse.⁵⁴ The count's father, Raymond V, had died in 1194 after a career spent defending his interests against Plantagenet aggression.⁵⁵ Richard took the opportunity to reach a settlement with the son of the man his father had attacked in 1159. As a dowry for Joanna, Richard pledged Agen and Quercy, the border regions between Aquitaine and Toulouse. Henry II had taken Quercy in his otherwise unsuccessful campaign, and its return may have seemed like scant reward to the Toulousains, who probably felt Quercy belonged to them anyway. Nonetheless, the marriage of Raymond and Joanna brought an end to what William of Newburgh describes as a '40 years war' between Toulouse and the Plantagenets.⁵⁶

The final years of Richard's career before his untimely death at the age of 42 were marked by continual conflict with Philip Augustus, especially over the Vexin, and with obstreperous vassals in Aquitaine. With some potential opponents, however, he was able to use the enticement of a wealthy heiress to ensure peace. In 1194, for example, Richard arranged a marriage for Alice, heiress of the County of Eu, in Normandy. Her husband was Ralph, younger brother of the powerful Hugh IX, Lord of Lusignan, a member of the family that had long asserted its rights of

⁵³ Gillingham, 'Richard I and Berengaria', p. 164. Philip's first wife, Isabella of Hainaut, had died in 1190.

⁵⁴ Ralph of Coggeshall, *Chronicon Anglicanum*, RS 66, p. 70.

⁵⁵ See ch. 7, pp. 229-31.

⁵⁶ Newburgh, vol. 2, p. 491. See also Richard Benjamin, 'A Forty Years War: Toulouse and the Plantagenets, 1156-96', *Bulletin of the Institute of Historical Research*, 61, 1988, pp. 271-85. The inclusion of a disputed border region as a dowry to effect a diplomatic settlement closely mirrors the grant of the Norman Vexin as a dowry in the marriages and betrothals of close female relatives by Louis VII and Philip Augustus. In each case the recipients received a region to which they felt they were already entitled.

lordship in Poitou in the face of Plantagenet claims of suzerainty.⁵⁷ The arrangement exemplifies the workings of a vertical balance of power between lord and vassal, a trade-off in which Richard secured peace and the acknowledgement of feudal superiority, while the Lusignans acquired further territories in regions outside their traditional sphere of influence. This enhanced both family prestige and the *raison d'état* of the Lusignan lordship in its political aspect.⁵⁸ Peace with the Lusignans lasted for the rest of the reign, although controversy over the family's marital arrangements would destroy the accomplishment within months of Richard's death.⁵⁹

While Richard therefore displayed an obvious awareness of the usefulness of marriage and inheritance as tools of patronage, his failure to provide for the future of his own patrimony in a clear and uncontroversial manner recalled the policy mistakes of his predecessors. Yet again an English monarch's achievements during his lifetime were compromised by the inability to deal effectively with the delicate matter of succession and inheritance in his own family. Despite his relative youth, Richard's often reckless military lifestyle renders this failure unfortunate at best, and irresponsible at worst. Death may have triumphed with startling immediacy in March 1199, but its possible arrival cannot have been unforeseen.

This is not to say that Richard had given no thought to the succession. His curious reluctance to expend much effort in trying to produce an heir of his own body with Berengaria necessitated the choice of a male member of the wider family as his designated successor.⁶⁰ Candidates included John, his sole surviving brother; Arthur, the son of his dead brother Geoffrey; and Henry and Otto, sons of his sister Matilda of Saxony. Although primogeniture may have become accepted by the end of

⁵⁷ Warren, *King John*, p. 68; and Sidney Painter, *Feudalism and Liberty – Articles and Addresses of Sidney Painter*, ed. Fred A. Cazal, Jr., Baltimore, 1961, p. 65. On the Lusignan family see also below, pp. 284-7.

⁵⁸ See ch. 4, p. 126.

⁵⁹ See below pp. 284-7.

⁶⁰ Speculation (purely modern in nature) that this implies homosexuality on Richard's part is unconvincing and fails to account for premodern understandings of sexual desire. For a convincing rebuttal of the 'homosexuality' argument, see Gillingham, 'Richard I and Berengaria', pp. 168-71; and Jaeger, ch. 1. See also note 17 above.

the twelfth century, no firm rules yet applied in situations where potential successors included brothers and nephews.⁶¹ As early as 1190, Richard had shown his favour for Otto (even though he was the younger of the king's two German nephews) by granting him the comital title to Poitou.⁶² In 1196 Otto was installed as Duke of Aquitaine. These moves appear to have been taken with the approval of Richard's mother, Eleanor, whose personal inheritance they comprised.

Furthermore, Richard took steps to bring Scotland more closely under Plantagenet influence by arranging for Otto to marry the daughter of the Scottish king, William the Lion. Otto was to receive territories in the disputed border regions of northern England, and recognition as the sonless William's heir in right of his wife.⁶³ Should Otto have inherited the Angevin dominions and produced a son with the Scottish heiress, the following generation could have witnessed the personal union of the English and Scottish crowns some four centuries before it eventually occurred in 1603. It is highly likely that Richard had such inter-generational plans in mind: informal English influence over Scotland had been evident under Henry I and Henry II, but here was a chance to formalize that relationship in future years by taking advantage of marriage and inheritance opportunities.⁶⁴

In the end, these plans came to nothing. Although William the Lion favoured the arrangements (despite the threat they must have appeared to pose to future Scottish independence) members of the Scottish nobility voiced their opposition. They argued that Scottish practice dictated that a nephew or brother of the incumbent should inherit the throne, before it was allowed to pass through the female line.⁶⁵ This may have been an opportunistic usage of uncertain legal or customary precedent: in Scotland, as in other regions, succession rules in such circumstances were far from

⁶¹ On primogeniture see ch. 2, pp. 51-8.

⁶² Howden, vol. 3, p. 86.

⁶³ Howden, vol. 3, pp. 298-9 and 308. See also Robert Bartlett, *England under the Norman and Angevin Kings*, Oxford, 2000, p. 105.

⁶⁴ See, for example, ch. 5, p. 165; and ch. 7, p. 241 and note 53. A useful assessment of Scottish affairs in the period is G.W.S. Barrow, *The Anglo-Norman Era in Scottish History*, Oxford, 1980.

⁶⁵ Howden, vol. 3, p. 299.

fixed. In the face of the nobility's demands to be consulted, plans for the marriage of William's daughter to Otto were abandoned. The Scottish dynastic crisis was resolved several years later with the birth of a son into the royal family.⁶⁶

Richard continued to favour Otto as heir until an even larger opportunity presented itself. After the death of the Holy Roman Emperor Henry VI in 1197, Richard backed his nephew's candidacy for the throne of the vacant Empire. Partly thanks to Richard's support, Otto was crowned King of the Germans in 1198, an advancement that removed him from consideration for the Plantagenet succession.⁶⁷ Richard must have felt that the advantages of having a nephew on the German throne outweighed the problems caused by the need to reassess his own succession plans. The choice now fell between John and Arthur. As he lay dying after being wounded at the siege of Chalus in early 1199, Richard nominated John as his heir for the entire Plantagenet patrimony.⁶⁸

Elizabeth Hallam has noted that Richard's premature death mistakenly prompts us to look for the origins of Angevin decline in France earlier than we should. In this view, Angevin power remained comfortably superior to that of the Capetians during the 1190s, and crumbled only once Philip Augustus was able to take advantage of the policy mistakes of Richard's successor.⁶⁹ Hindsight, in other words, gives us a false impression of a shift in the bilateral distribution of power between the two major political entities of the region. To an extent this is true. Nonetheless, for all Richard's military achievements in consolidating Angevin territory, and for all his tactical resourcefulness in using his influence over marriage and inheritance issues for the benefit of himself and family members,

⁶⁶ William's son and eventual successor, Alexander II, was born in 1198. See Alison Weir, *Britain's Royal Families – The Complete Genealogy*, 2nd edn, London, 1996, pp. 197 and 199.

⁶⁷ The elective nature of the German monarchy is apparent here. Although Otto belonged to a junior branch of the imperial family, his own elder brother Henry had a better claim in strictly hereditary terms. According to Roger of Howden, Henry's only disqualification was his prolonged absence from western Europe on pilgrimage. On his eventual return he announced his approval of his younger brother's elevation, and retained his own title of Duke of Saxony and Bavaria. Otto was eventually crowned as Holy Roman Emperor in 1209. See Howden, vol. 4, p. 38. On German kingship see ch. 2, note 15.

⁶⁸ Howden, vol. 4, p. 83.

tactical success did not equate to long-term political stability. As it had for his predecessors, Richard's failure adequately to deal with the single most important inheritance decision of the entire reign (the succession to the throne) displays a lack of strategic foresight that would undermine Angevin power with surprising speed.

Although the choice of a successor was Richard's alone to make, prudent monarchs prepared the ground for many years before their own deaths, consulting the nobility over the issue and gaining pledges of loyalty to the chosen heir. This was especially important when the monarch himself had no son (as in Richard's case) or where a designated male heir had died young. Yet even in these circumstances, unforeseen problems (Henry I's antipathy to his son-in-law, Geoffrey Plantagenet, in the 1130s; the death of the Young King in 1183) had upset the most careful plans.⁷⁰ It certainly appears that Richard was grooming Otto as a successor and that he had begun to prepare the ground as early as 1190. Perhaps, after Otto's elevation to the German throne, Richard felt he had time to do the same with another heir. In this regard, the timing of Richard's death was particularly unfortunate. But despite John's obvious policy mistakes over the next decade, the fact that Richard nominated his brother as heir only at the last minute disadvantaged the new monarch immediately. Several regions showed a strong preference for Arthur instead of John. It was this divide that Philip Augustus skilfully exploited to Capetian benefit in the following years.

King John: A Difficult Succession Made Worse

Given the *ad hoc* nature of his nomination as Richard's successor, John was always likely to face questions over the legitimacy of his rule. Yet his policy decisions, especially in the areas of marriage and inheritance, exacerbated an already tense relationship with subjects and vassals, undermining that legitimacy even further.

Of course, not all of the new king's policy decisions were necessarily poor. John's marriage to Isabella of Gloucester had always been under a

⁶⁹ Hallam, p. 180.

cloud due to their relationship in the third degree.⁷¹ A marriage of such close cousins was far more problematic (from the perspective of canon law and of simple morality) than a union in more distant degrees. However, the consanguinity made it relatively easy to attain an annulment, which John seems to have sought from as early as 1196 and which he received just after his accession in 1199.⁷² The reasons behind this move remain unclear, although the couple had produced no children. John may have been concerned to reinforce his position on the throne by finding a wife who could provide him with a male heir as soon as possible. If this is so, his motivations recall those of Louis VII in ending his marriage to Eleanor in 1152.⁷³ Unlike Louis, John managed to retain his rights over his wife's large inheritance after their separation. This he did by exercising his regal prerogative: he refused to allow Isabella to remarry until 1214. Since her inheritance therefore passed to no new husband for many years, its economic benefit fell to John himself as monarch (rather than as ex-husband).⁷⁴ A separation that cost John nothing in economic terms and allowed him the possibility to marry again (hopefully to a bride both wealthy and fertile) provides a clever (though callous) example of marital politics.

His handling of the potential rival to the throne, his nephew Arthur of Brittany, was less clear-headed. While Richard had named John as his heir, this decision was accepted without major dispute only in England and Normandy. The major nobles of the Angevin heartlands (Anjou, Maine, and Touraine) along with those of Brittany declared their support for Arthur, who had at an earlier stage been Richard's nominated heir. Loyalty to Eleanor as Duchess of Aquitaine tended to help John's cause in the

⁷⁰ See ch. 6, p. 193; and ch. 7, p. 257.

⁷¹ See above, p. 268.

⁷² Diceto, vol. 2, pp. 166-7. See also Nicholas Vincent, 'Isabella of Angoulême: John's Jezebel' in S.D. Church, ed., *King John: New Interpretations*, Woodbridge, Suffolk, 1999, p. 166. This is a good example of a flexible approach to bringing marriages to an end (see ch. 1, pp. 44-6).

⁷³ See ch. 6, pp. 220-1.

⁷⁴ I.J. Sanders, *English Baronies – A Study of their Origin and Descent 1086-1327*, Oxford, 1960, p. 6. Isabella eventually married Geoffrey de Mandeville, Earl of Essex, who thus became a beneficiary of John's patronage.

southern parts of the realm, although he was by no means universally accepted there.⁷⁵

Although uncertainty over the right to the Angevin crown was not initially of John's making, his (probably violent) response to the question of family rivalry held implications for similar inheritance disputes among the nobility. Ralph Turner has pointed out that justices under John and Henry III appear reluctant to give firm rulings on disputes between brothers and nephews of a deceased landholder. In other words, situations that mirrored the circumstances of the *casus regis* (John's doubtful succession instead of Arthur) could not be settled in favour of nephews without implicitly criticizing John's legitimacy as monarch.⁷⁶ This became an especially ticklish issue after Arthur disappeared in 1203. We will almost certainly never know whether or not John was responsible for murdering his nephew, but the important point here is that many contemporaries were convinced of their monarch's guilt, thus further eroding his authority and legitimacy. Roger of Wendover reports that Matilda, wife of William de Brause, refused to deliver her sons as hostages to John's officials in 1208, claiming 'I will not hand over my sons to your lord, king John, since he murdered his nephew, Arthur, in a horrible way instead of treating him with honour'.⁷⁷

But if John did himself no favours in the way he handled his young rival, he also had the disadvantage of Philip's intense interest in the question of the Plantagenet succession. At earlier points Philip had supported Richard against Henry II, and John against Richard, but even these positions had never been consistent. In 1199 the French monarch proclaimed his support for Arthur as the rightful Angevin heir, in all probability confident in his own ability to influence the affairs of his greatest vassal if that vassal were a child of 12. Philip's support of Arthur thus resonates more with the

⁷⁵ Howden, vol. 4, p. 87; and Warren, *King John*, p. 51.

⁷⁶ Ralph V. Turner, 'Exercise of the King's Will in Inheritance of Baronies: The Example of King John and William Briwerre', *Albion*, 22, 1990, pp. 383-401 (see especially pp. 394-6).

⁷⁷ Wendover, vol. 2, pp. 48-9. Roger is notoriously antagonistic towards John and much of the later tradition of John as a 'bad king' stems from this chronicle. Nonetheless, for all his unreliability as a recorder of facts Roger can give us a sense of attitudes and prejudices about the reign already emerging in the early thirteenth century.

cynicism of feudal opportunity than with moral clarity or legal exactitude. In inheritance matters, his policy reflected what best suited the French crown.⁷⁸

This is nowhere more evident than in Philip's decision to abandon Arthur's cause in favour of John under the Treaty of Le Goulet in May 1200. For Philip the opportunity to wring concessions from John was too good to miss. John, now acknowledged as 'the rightful heir of his brother Richard', was confirmed as Philip's vassal for the Angevin possessions in France, with Arthur reduced to holding Brittany alone, and even this as John's vassal rather than Philip's. The agreement was sealed by the marriage of Philip's son Louis to John's niece, Blanche of Castile.⁷⁹ The pattern of future territorial holdings on the Franco-Norman border was explicitly linked to the success of this marriage, with several provisions of the treaty contingent upon Louis and Blanche producing heirs, and another dependent upon John himself providing an heir to the English throne.⁸⁰ The language of the treaty also suggests an element of potential influence for those nobles whose territories lay in the borderlands of France and Normandy, and who thus could impact the relative strength of the Capetian and Plantagenet monarchs by switching sides. Each group (direct vassals of Philip and of John) pledged to change their allegiance to support the other party if their lord were to renege on the promises made at Le Goulet.⁸¹ This provision may have appeared an onerous obligation to the nobles concerned, as much as an opportunity to exercise significant power. Nonetheless, it indicates awareness by both monarchs (and in particular, one suspects, by Philip, in whose voice the treaty is phrased) of exploiting

⁷⁸ John Baldwin notes that the disputed Angevin inheritance offered Philip 'a classic opportunity to align himself with the younger and weaker against the older and stronger, a technique of which he had already demonstrated mastery'. See Baldwin, p. 95; and Robert Fawtier, *The Capetian Kings of France*, trans. Lionel Butler and R.J. Adam, London, 1960, p. 147.

⁷⁹ Chaplais, ed., *Diplomatic Documents*, pp. 20-3. In 1195 there had been negotiations between Richard and Philip with a view to marrying Prince Louis to Eleanor of Brittany, Richard's niece, but nothing came of this proposal. See Howden, vol. 3, p. 302.

⁸⁰ On this aspect of the treaty see also ch. 4, p. 143-4.

⁸¹ John's vassals included prominent Norman nobles such as Baldwin, Earl of Aumarle, Hugh of Gournay, and the constable of Normandy, William de Humet. Philip's named supporters were largely men who held lands on the Norman border, including Robert, Count of Dreux, and Geoffrey, Count of Perche.

feudal ties to guarantee a rival's good behaviour. We might see this arrangement as indicative both of a vertical balance of power between monarchs and senior vassals in France and Normandy, and of the more bipolar relationship that now existed between the royal houses of England and France, with supporters aligning themselves on one side or the other.⁸²

Philip was to show an equal capacity to interfere in his rival's political and domestic concerns in the aftermath of John's second marriage, to Isabella of Angoulême. Shortly after Le Goulet, John faced the necessity of finding a new bride. His attention turned at first to Portugal, whose monarch Sancho I proposed to marry one of his daughters to the English king.⁸³ The potential benefits to the Plantagenets of this alliance are not immediately apparent, although it may have helped to reduce the potential for Castilian aggression against John's southern borders by creating an ally who could threaten Castile from the west.⁸⁴ A defensive marital agreement of this nature, between two allies whose territories surrounded those of a possible enemy, was by no means unprecedented.⁸⁵

John may even have been travelling south to meet Sancho and conclude the alliance when he sojourned in Angoulême during the summer of 1200. Audemar, Count of Angoulême, was among the most aggressive of the senior Aquitainian nobility, having fought continuously against Richard's

⁸² On the vertical balance of power see ch. 4, pp. 147-9. On the bipolar versus multipolar balance of power see ch. 4, p. 125.

⁸³ Diceto, vol. 2, p. 170; and Warren, *King John*, pp. 66-7.

⁸⁴ Castile's monarch was John's brother-in-law, Alfonso VIII. John himself had just arranged the marriage of Alfonso's daughter Blanche to Louis of France, which may suggest good relations and a degree of trust between England and Castile. Nonetheless, this friendship would break down in 1204, when John refused to hand over Gascony to Alfonso on the death of Eleanor of Aquitaine, a stipulation that had been agreed at the time of Alfonso's betrothal to John's sister Eleanor in 1170 (see ch. 7, pp. 247-8). If, in 1200, John had already contemplated breaking this agreement by keeping Gascony whenever his elderly mother were to die, an alliance with Portugal may have provided a pre-emptive measure against expected Castilian hostility. On the dispute over Gascony in 1204 see Vincent, p. 188; and John Gillingham, *The Angevin Empire*, London, 1984, p. 32. A useful recent commentary on the relations of the Iberian kingdoms during this period is Joseph F. O'Callaghan, *Reconquest and Crusade in Medieval Spain*, Philadelphia, 2003, ch. 3. See also Bernard F. Reilly, *The Medieval Spains*, Cambridge, 1993, chs 4-5.

⁸⁵ Other examples include the marriages of Richard to Berengaria (see above, pp. 272-3) and Henry I's daughter Matilda to the Holy Roman Emperor Henry V (see ch. 5, pp. 182-3).

attempts to impose Plantagenet suzerainty.⁸⁶ He had recently betrothed his young daughter Isabella to Hugh le Brun, lord of Lusignan (in Poitou), another magnate whose loyalty to his Angevin lords was questionable.⁸⁷ The prospect of a marital alliance between two of the senior noble houses of the southwest must have been highly unattractive to John, as it signalled the formation of a more unified (and thus more challenging) base of opposition to the monarch in Aquitaine. If Richard, with all his military skill, had found it difficult to control his southern vassals, then any further realignment of the vertical balance of power in favour of the magnates would have posed a profound challenge to Angevin security. In these circumstances, John's solution was startling: he married Isabella himself on 24 August 1200, at one blow dismantling the Lusignan-Angoulême alliance and re-establishing good relations with Count Audemar.

Historiographical opinion concerning this notorious event falls into three broad camps. To one side stand John's supporters, who have variously described his marriage as 'a diplomatic coup of the first order', 'a triumph of Angevin diplomacy', and an 'ingenious...[and] potentially astute political move'.⁸⁸ At the other extreme, John's marriage has been cast as a 'decisive mistake', and as 'a disastrous misjudgement which was to cost him Normandy and much of the Plantagenet dominion in France'.⁸⁹ In the middle are those historians who consider the manoeuvre a necessary risk, but one that was poorly executed in that it failed to deal with the hostility of the jilted Lusignans.⁹⁰

⁸⁶ On the semi-independent status of the counties and viscounties within the Duchy of Aquitaine see ch 4, p. 135; and Vincent, pp. 166-8. Angoulême is indicated on the map on p. 123.

⁸⁷ Vincent, pp. 170-2.

⁸⁸ Cuttino, p. 50; A.L. Poole, *From Domesday Book to Magna Carta, 1087-1216*, 2nd edn, Oxford, 1955, pp. 379-80; and Baldwin, p. 97. Baldwin does, however, note that John failed to deal adequately with the political consequences of his actions.

⁸⁹ Gillingham, *Angevin Empire*, p. 67; and Vincent, p. 173. Gillingham is in fact summarizing the views of contemporary chroniclers and concedes that the marriage could have been beneficial if handled more carefully. For contemporary views see Rigord, p. 53; William the Breton, p. 75; and Diceto, vol. 2, p. 170.

⁹⁰ Warren, *King John*, pp. 67-9; Fawtier, pp. 146-7; Hallam, p. 130; and Ralph V. Turner, *King John*, London and New York, 1994, p. 117. See also the vehement (though now rather dated) debate on the marriage contained in the following four articles: H.G. Richardson, 'The Marriage and Coronation of Isabelle of Angoulême', *English Historical Review* 61, 1946, pp. 289-314; F.A. Cazel Jnr and Sidney Painter, 'The Marriage of Isabelle of Angoulême', *EHR* 63, 1948, pp. 83-9; Richardson, 'King John

There is merit in this final view, in that John's actions show an uncharacteristic decisiveness that could potentially have enhanced Plantagenet authority in Aquitaine by means of diplomatic marriage. If the monarch had fairly compensated Hugh le Brun for his loss and humiliation (especially by finding him another bride) then it is possible that the Lusignans would not have been so ready to appeal to Philip Augustus for help against their recalcitrant lord. John's marital alliance with Angoulême also serves as a clear example of a tactical marriage manoeuvre, in that it was both responsive (countering the planned family connection between Audemar and Hugh le Brun) and confrontational (a severe setback for Lusignan ambitions).⁹¹

Thirteenth-century chroniclers, mostly hostile to John, explained the suddenness of his marriage in a different way. Roger of Wendover depicted John as consumed with lust for his new bride (who was probably between 12 and 15 years old in 1200), 'so that people said that he was under the influence of evil spirits or witchcraft'.⁹² Matthew Paris also emphasized John's lustfulness, but described how lust turned to hate and envy in later years. In Matthew's view, Isabella became 'a wife whom he hated and who hated him; an incestuous, ill willed, adulterous woman'.⁹³ John himself, meanwhile, 'showed envy towards many of his nobles and relatives, and violated their daughters and sisters who were of marriageable age'.⁹⁴ It is to accounts such as these that we owe much of John's later reputation as the worst of English kings. Yet to ascribe his marriage in 1200 to infatuation alone, to the complete exclusion of political motives, appears unrealistic.

Nonetheless, the speed of the marriage is noteworthy. Why did John not simply enter into a betrothal with Isabella?⁹⁵ This would have allowed him to consider the ramifications of his actions, gauge the hostility of the Lusignans, and keep his options open with Portugal (given the highly

and Isabelle of Angoulême', *EHR* 65, 1950, pp. 360-71; and Cazel and Painter, 'The Marriage of Isabelle of Angoulême', *EHR* 67, 1952, pp. 233-5.

⁹¹ For my definition of 'tactical' marriage see ch. 4, pp. 144-6.

⁹² Wendover, vol. 1, p. 317.

⁹³ Matthew Paris, *Chronica majora*, RS 57, vol. 2, p. 563.

⁹⁴ *ibid.*

⁹⁵ The same question is posed by Warren, *King John*, p. 69.

provisional nature of any betrothal). Ultimately we can only speculate about John's personal motives, but it may not be too far-fetched to identify a coincidence of personal attraction and perceived diplomatic advantage in the monarch's choice of a new bride, a combination that prompted him to seal the arrangement with Audemar of Angoulême on the spot.

Roger of Howden's account of the episode raises two interesting points.⁹⁶ Firstly, he describes Hugh le Brun and Isabella as being joined by *verba de presenti*. If so, it suggests a full marriage rather than a simple betrothal. Even if Hugh chose to avoid consummation because of Isabella's youth, marriage by *verba de presenti* still indicated a binding legal agreement, thus making John's breach of law and etiquette all the greater (and making Isabella potentially bigamous).⁹⁷ Secondly, Roger comments that John married Isabella 'by the advice of his lord, Philip, King of France'.⁹⁸ Given that John's marriage would be a central fact in justifying Philip's invasion of Normandy in 1202, this seems at first glance scarcely credible. Even so, it is possible that Roger's statement is correct. Both Rigord and Guillaume le Breton (Philip's biographers) mention John's marriage only once it became a matter of outright conflict between John and the Lusignans, a feudal dispute to be judged at Philip's court.⁹⁹ Rigord even describes John's splendid reception by Philip in Paris during May and June 1201, suggesting good relations were still in place at that point.¹⁰⁰ It therefore seems possible that Philip did indeed support John at first in his marriage to Isabella (or, at least, did nothing to oppose the match) expressing his opposition only once it became politically expedient to do so. If so, it once again indicates a level of opportunism on Philip's

⁹⁶ Roger died in the early years of the reign, and is thus less ill disposed to John than are later chroniclers (although far from uniformly positive). For an assessment of the relative views of earlier and later chroniclers of the reign see John Gillingham, 'Historians Without Hindsight: Coggeshall, Diceto and Howden on the Early Years of John's Reign', in Church, ed., pp. 1-26.

⁹⁷ Howden, vol. 4, p. 119. Gillingham and Vincent have also commented on this point: see Gillingham, 'Historians Without Hindsight', pp. 16-17; and Vincent, pp. 173-4. On *verba de presenti* see ch. 1, pp. 16-18.

⁹⁸ Howden, vol. 4, p. 119. This view is echoed by Ralph of Coggeshall, p. 103. Vincent, p. 174, has doubted its reliability.

⁹⁹ Rigord, p. 55; and William the Breton, p. 75. The Lusignans appealed to their monarch over the head of their direct feudal superior (John, as Duke of Aquitaine).

¹⁰⁰ Rigord, pp. 53-4.

part, a willingness to turn against a formal ally and exploit his weakness in order to enhance the power of the French throne.

Technically, Philip's attack on Normandy in 1202 was justified by the refusal of his vassal (John) to answer a summons to his lord's court to face the charges laid against him by the Lusignans. Not only had John stolen Hugh's bride, showing contempt for feudal etiquette that had been enshrined in a formal social contract at least since Henry I's Coronation Charter. He had also unjustly seized the Norman estates of Hugh's brother Ralph of Eu.¹⁰¹ Yet even if Philip was acting within his rights as the Duke of Aquitaine's feudal lord, the alacrity with which he sought to deprive John of his inherited lands shows Philip intent upon using his sovereign and feudal privileges to tip the balance of power firmly to Capetian advantage. In this he was helped by a widespread transfer of allegiance, especially by the senior Norman nobility, from the English monarchy to the French. This was no easy process: as in the years before 1106 when Henry I disputed the Duchy with his brother Robert Curthose, Norman nobles who held lands on either side of the Channel faced a difficult choice. Those who abandoned their loyalty to John stood to lose English family lands by way of reprisal.¹⁰²

In 1202 Philip also resurrected his support for Arthur as the legitimate heir to the Plantagenet dominions. The symbolic representation of this support involved Philip knighting Arthur, and marrying the young prince to his own (Philip's) daughter.¹⁰³ John managed to capture Arthur at the siege of Mirabeau late in 1202 and imprisoned his nephew at Falaise.¹⁰⁴ But this was one of the English monarch's few successful military actions in a disastrous campaign. Normandy, Greater Anjou, and much of Poitou all fell to Philip by the summer of 1204, a transfer justified as the escheat

¹⁰¹ William the Breton, p. 75.

¹⁰² Hallam, p. 185; J.C. Holt, 'The End of the Anglo-Norman Realm', in his *Magna Carta and Medieval Government*, London, 1985, p. 66; and Daniel Power, 'King John and the Norman Aristocracy', in Church, ed., pp. 117-36. On the situation before Henry I's reunification of England and Normandy in 1106 see ch. 5, pp. 156-7.

¹⁰³ William the Breton, p. 76.

¹⁰⁴ Wendover, vol. 1, pp. 314-15. Arthur's mysterious disappearance occurred soon after. See above, p. 281.

of the estates of a treasonous vassal.¹⁰⁵ Thus a significant moment of redistribution in the balance of power, removing from Plantagenet control the core of Henry II's realm, encompassed a reaction to John's mistakes in failing to deal with the implications of his marriage to Isabella, and the assertion by Philip of his right to intrude in the property and inheritance affairs of his greatest vassal.

Philip Augustus: Marriage, Inheritance, and Royal Authority

Philip's manipulation of his magnates' inheritance rights had never been confined to those of his Plantagenet rivals alone. In 1183 the young monarch had attempted to expand the direct Capetian territorial holdings by declaring himself the heir of the childless Elizabeth of Vermandois.¹⁰⁶ This brought the king into conflict with the greatest supporter of his rule in the first years of the reign, Elizabeth's husband Philip, Count of Flanders, who wished to retain Vermandois for himself. Philip Augustus responded to the Count's protests by threatening to divorce his wife (the Count's niece Isabella of Hainaut) and to bestow the favours of royal patronage elsewhere.¹⁰⁷ These tactics proved successful, with substantial territories to the north of Paris being transferred to direct royal ownership.¹⁰⁸

Yet the king was not entirely satisfied. Relations with Philip of Flanders were patched up to the point that the Count accompanied his monarch on the Third Crusade to the Holy Land, where he died in 1191. After this, Philip Augustus seems to have made every attempt to return to France as soon as possible. Several chroniclers ascribe this haste to his own illness and to that of his young son, Prince Louis, and thus to concern for dynastic

¹⁰⁵ The idea of treason is especially stressed by William the Breton, p. 75. See also Coggeshall, pp. 135-6. The classic account of this episode is F.M. Powicke, *The Loss of Normandy (1189-1204): Studies in the History of the Angevin Empire*, 2nd edn, Manchester, 1961 (originally 1913). See also Turner, King John, ch. 5.

¹⁰⁶ See ch. 7, pp. 255-6.

¹⁰⁷ Baldwin, p. 18. Jim Bradbury, while allowing for the political reasons behind the threat of divorce, gives more weight to the possibility of personal motives. See Jim Bradbury, 'Philip Augustus and King John: Personality and History', in Church, ed., p. 359.

¹⁰⁸ Fawtier, p. 113.

continuity.¹⁰⁹ While these reasons are probably valid, Philip also seems to have been more concerned with enlarging his property rights in northern France than with pursuing the Crusade.¹¹⁰ Not everyone approved. The troubadour Peire Vidal commented on Philip's departure that 'he's quit the Sepulchre, and he buys or sells and haggles just like a peasant or townsman, whereby his Frenchmen are put to shame'.¹¹¹

Philip took advantage of the legal uncertainties created by the Count of Flanders' death without direct heirs to put forward his own claim to Artois and Amiens, reaching agreements with other possible claimants including the sisters of both Elizabeth of Vermandois and Philip of Flanders.¹¹² It is important to note that these claims were expressed not so much as royal prerogatives over disputed territories, but as family rights which arose from the king's marriage to Isabella of Hainaut. The family connection had become even stronger since the birth of Prince Louis, in whose person the blood link between the Capetians and the comital houses of Flanders and Hainaut was made manifest. Indeed, Philip laid claim to Artois in Louis' name rather than his own. Although Philip faced resistance from his father-in-law, Baldwin V of Hainaut, and from the latter's son, the new Count of Flanders Baldwin IX, by 1200 much of Artois and Amiens, on the borders of Flanders itself, had been subsumed into the royal demesne.¹¹³

In this lengthy process of acquiring large portions of northern France for the crown, Philip used the fact of his marriage into the house of Flanders and Hainaut as a weapon to reduce the independence and territorial

¹⁰⁹ William the Breton, p. 70; Devizes, p. 48. The latter casts doubt on the purity of Philip's motives by noting that he had aides draw up letters purporting to be from senior nobles in France, begging the king to return home.

¹¹⁰ This is certainly the view of William of Newburgh, although it should be noted that he often expresses scepticism towards Philip's motives. See Newburgh, vol. 1, p. 357.

¹¹¹ Alan R. Press, ed., *Anthology of Troubadour Lyric Poetry*, Edinburgh, 1971, p. 205.

¹¹² Fawtier, pp. 113-14. The genealogical chart at ch. 7, p. 255, may be useful to clarify these relationships. See also the chart in this chapter, p. 293.

¹¹³ *ibid.* Baldwin V had opposed the fact that Philip of Flanders had granted so large a dowry to Philip Augustus on the marriage of his (Baldwin's) daughter in 1180. See Gislebert of Mons, *Chronicon*, MGH-SS, vol. 21, p. 529. In an interesting connection between marriage and politics, the fact that Philip (the bride's uncle) rather than Baldwin (her father) had the power to dictate the terms of the dowry speaks volumes about the relative political strength of Flanders and Hainaut. Gislebert stresses this point and also notes that Baldwin's anger stemmed in part from the fact that he had already promised his daughter as a bride to Henry, Count of Champagne.

holdings of his wife's family. Isabella's marriage to the king may have brought prestige to her father, uncle, and brother but in the long run it worked against their interests as Philip skilfully exploited uncertain property rights and inheritance procedures in the name of his wife and son. Of course, royal authority could aid this process. In 1192 Baldwin V of Hainaut performed homage to Philip for the eastern part of Flanders. As an anonymous contemporary commentator observes, the western part of the county had already passed under Philip's control as a result of his marriage to Baldwin's daughter.¹¹⁴ Similarly, Baldwin IX performed homage to Philip in 1196, and entered into a formal agreement that acknowledged his position as Philip's vassal and his strict obligations of service to his monarch.¹¹⁵ But Philip's scrupulous insistence on his family's verifiable rights to parts of Baldwin IX's own territories covered naked royal ambition in the pure raiment of legal entitlement.

At the same time, Philip arranged a number of marriages that helped to secure his influence in the region to the north of Paris, and to ensure that Flanders remained as far as possible loyal to the Capetian cause. In 1195 the monarch married his half-sister, the long-suffering Alice, to William of Ponthieu, whose lands lay between Normandy and Flanders. He also married a royal cousin from the Courtenay family to Baldwin IX's brother Philip of Namur.¹¹⁶ In 1201 Philip improved previously frosty relations with Renaud of Dammartin, Count of Boulogne, by marrying his own young son Philip Hurepel to Renaud's daughter and heiress Mathilde.¹¹⁷

¹¹⁴ *Ex annalibus Aquicinctensis monasterii*, RHF vol. 18, p. 543. Baldwin of Hainaut became Count of Flanders in right of his wife after the death of his brother-in-law Philip of Flanders. His son Baldwin IX had inherited both titles by 1195. For a biographical account of Baldwin IX see Robert Lee Wolff, 'Baldwin of Flanders and Hainaut, First Latin Emperor of Constantinople: His Life, Death, and Resurrection 1172-1225', *Speculum* 27, 1952, pp. 281-322.

¹¹⁵ RHF, vol. 19, p. 352. The text of the agreement is preserved in a letter to Philip from Innocent III. See also Rigord p. 46. Baldwin turned his back on the agreement and supported Richard in 1197, but reached a final settlement with Philip in 1200.

¹¹⁶ Baldwin, p. 91.

¹¹⁷ *ibid.*, p. 201. Renaud had gained the County of Boulogne in 1191 by abducting and marrying the heiress. Philip's actions now implicitly confirmed royal approval of this questionable but effective method of self-promotion and were important in winning over Renaud from his former loyalty to the Plantagenets. See also Rigord, p. 47. Philip Hurepel was the son of Philip's third wife Agnès of Méran and was legitimized in 1201. On Agnès see below, p. 292. Innocent III's letter confirming the legitimization is available in PL, vol. 214, cols 1191-4.

In other regions Philip was not able to expand direct Capetian authority by exploiting his own family ties. He was, however, able to utilize the patronage possibilities of royal involvement in marriage and inheritance issues to draw regional magnates into a closer relationship with the crown. In Champagne the death of Count Theobald III in May 1201 presented Philip with the opportunity to take the count's wife and daughter into royal guardianship, thus gaining effective control over Blois and Champagne.¹¹⁸ Similarly, in Anjou (now recaptured from the Plantagenets) Philip asserted regal rights of jurisdiction and entered into a compact with the senior nobles of the region in 1203 to clarify its lordship if the rumours of Arthur's premature demise proved true. Those nobles who had supported Arthur against John now pledged, if Arthur were dead, to accept as lord only a husband married to Arthur's sister with Philip's consent.¹¹⁹ From a more general perspective, Philip's decision in 1209 to abolish *parage* also aided royal authority. Whereas previously family lands could be held together as a sort of loose confederation, with younger siblings gaining portions of a split inheritance for which the eldest performed homage, the monarch now demanded that estates be fully and formally divided when passed to several members of a succeeding generation. This had the effect of encouraging the break-up of large feudal holdings, and making the accumulation of a territorial power base that might challenge royal authority more difficult, especially in the Île de France where *parage* had been common.¹²⁰

While these episodes form a pattern of steady and successful accumulation of royal power at the expense of the major regional entities, Philip's own marital situation did not proceed so smoothly. After the death of Isabella of Hainaut in 1190 the monarch's remarriage became a matter of importance. From a dynastic perspective, continuity depended upon the survival of a single infant son, Louis, born in 1187. This involved

¹¹⁸ Rigord, p. 53. The countess (Blanche of Navarre) gave birth to a posthumous son, the future Theobald IV, who also came under Philip's guardianship. Blanche herself promised not to remarry without Philip's consent. See also Fawtier, pp. 126-7.

¹¹⁹ Baldwin, pp. 192-3. The senior nobles included Juhel de Mayenne, Guillaume des Roches, and Maurice de Craon.

¹²⁰ Hallam, p. 156. On *parage* see also ch. 2, pp. 53-5 and 64-5.

considerable risk, as Henry I had discovered in 1120.¹²¹ After his return from crusade, Philip proposed in 1193 to marry a daughter of the German Count Palatine, but the girl's mother (in an interesting example of female agency in marital matters) arranged instead for her to marry Henry, son of Henry, Duke of Saxony.¹²²

In the same year, Philip undertook his notoriously problematic liaison with Ingeborg, sister of Canute VI of Denmark. For reasons that remain obscure (but may have encompassed some form of physical revulsion) Philip repudiated the unfortunate girl on the day after the wedding.¹²³ Despite exhortations from several popes, Philip refused to take back his wife on a number of occasions over the following years, and in 1196 married instead a German noblewoman, Agnès of Méran. This action opened the French monarch to charges of bigamy. After Agnès died in 1201 (having provided Philip with two healthy children) the problem eased but it was only in 1213, after 20 years of haggling over the issue, that Philip finally agreed to take back Ingeborg and consider her his wife. By that time the succession was secure, and Philip had no further need to procreate (at least on a purely political level).

What is fascinating in this intriguing tale is the way in which Philip tried to worm his way out of the union with Ingeborg. In later years he relied on an argument on non-consummation (which failed, since Ingeborg refused to agree that they had not slept together).¹²⁴ But Philip's initial arguments in 1193 revolved around the question of consanguinity. Very shortly after the wedding the king assembled a group of senior nobles and prelates who established the relationship between the couple, drawing up a genealogical table and swearing to its accuracy. Both Capetian biographers, Rigord and

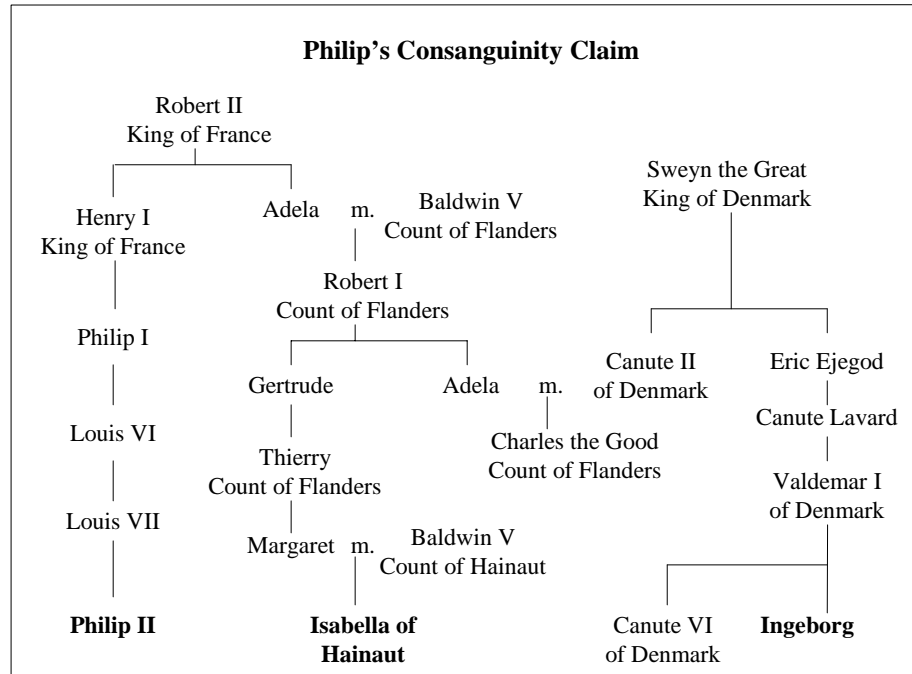
¹²¹ On the death of Henry's only son see ch. 5, pp. 175-6.

¹²² Newburgh, vol. 1, p. 385.

¹²³ Contemporary accounts include Howden, vol. 3, p. 224; Newburgh, pp. 368-70; Diceto, vol. 2, p. 111; Rigord, p. 38; and William the Breton, p. 71. John Baldwin comments that the action 'def[ies] rational explanation', putting it down to 'Philip's personal...neuroses'. See Baldwin, p. 82. Georges Duby deals with the episode at length: see his *Medieval Marriage - Two Models from Twelfth-Century France*, trans. Elborg Forster, Baltimore and London, 1978, pp. 73-81; and *The Knight, the Lady and the Priest - The Making of Modern Marriage in Medieval France*, trans. Barbara Bray, Harmondsworth, 1983, pp. 203-6. See also Jim Bradbury, *Philip Augustus, King of France 1180-1223*, London and New York, 1998, pp. 173-85.

¹²⁴ Duby, *The Knight, the Lady and the Priest*, p. 206.

William the Breton, accept this kinship as a verified fact.¹²⁵ But it was nothing of the sort.



Rigord hints at the specific details of the monarch's genealogical table when he comments that Philip and Ingeborg were connected through the person of 'Charles, Count of Flanders'. This can only be Charles the Good (d. 1127).¹²⁶ I have reconstructed the probable outlines of Philip's claim in the chart above. It shows that Philip and Ingeborg did *not* share a common ancestor (at least not in the most likely lines of descent shown here) even though both were indeed related to Count Charles. Philip appears to have argued for affinity, based on the supposition that Ingeborg was related to his first wife, Isabella of Hainaut.¹²⁷ Such a statement would be desperate in the extreme, given the remoteness of the link, but potentially defensible

¹²⁵ Rigord, p. 38; and William the Breton, p. 71. The English chroniclers, not surprisingly, are far more sceptical about the relationship. See Howden, vol. 3, p. 224; and Newburgh, vol. 1, p. 370.

¹²⁶ Rigord, p. 38. On Charles the Good see also ch. 5, p. 185.

¹²⁷ For other relevant genealogical information see *Genealogia comitum Flandriae*, RHF, vol. 13, pp. 415-17; and *De genere comitum Flandriensium notae Parienses*, MGH-SS, vol. 13, pp. 257-9. An alternative genealogy, put forward by Ingeborg's brother Canute VI of Denmark, denies the relationship of the two women. In fact the only possible link between them is one of affinity. Each was related to one of the parents of Charles the Good. See *Genealogia regum Danorum*, RHF, vol. 19, pp. 307-10.

under a strict interpretation of affinity rules. Nonetheless Pope Celestine III was not persuaded and placed far more emphasis on the sanctity of the marriage bond and the idea of indissolubility.¹²⁸ He overturned the decision in favour of divorce that Philip had obtained from an ecclesiastical council at Compiègne, and forbade the king to marry again while Ingeborg still lived.¹²⁹ Philip's refusal to comply and his subsequent marriage to Agnès resulted in the imposition of an interdict on France.¹³⁰

What the genealogy shows is that Philip had been more clearly related to his first wife, Isabella of Hainaut.¹³¹ He also had more genuine ties of kinship with Agnès of Méran.¹³² The claim of affinity with Ingeborg constitutes the most cynical of political ploys, with Philip utilizing a flexible interpretation of the rules for bringing marriages to an end when it was expedient and ignoring those same rules on other occasions.¹³³ The marriage of John and Isabella of Angoulême provides an interesting contrast with Philip's situation. To the best of my knowledge, no modern historian has commented on the fact that John and Isabella were related in the sixth degree, although the kinship is indisputable. This is probably because contemporaries ignored the fact as well.¹³⁴ Yet they did so not because consanguinity in the remoter degrees did not matter any more in 1200. Rather, it mattered only when someone wanted it to matter (as in Philip's case). Consanguinity remained a useful pretext for attempting to bring marriages to an end, but was called upon only occasionally and

¹²⁸ On affinity and indissolubility see ch. 1, pp 22-5.

¹²⁹ Celestine's letter to this effect is reproduced in full in Diceto, pp. 129-32.

¹³⁰ This was imposed by Innocent III at the beginning of his pontificate in 1198. See *Ex gestis Innocenti III papae fragmentum*, RHF, vol 19, p. 344.

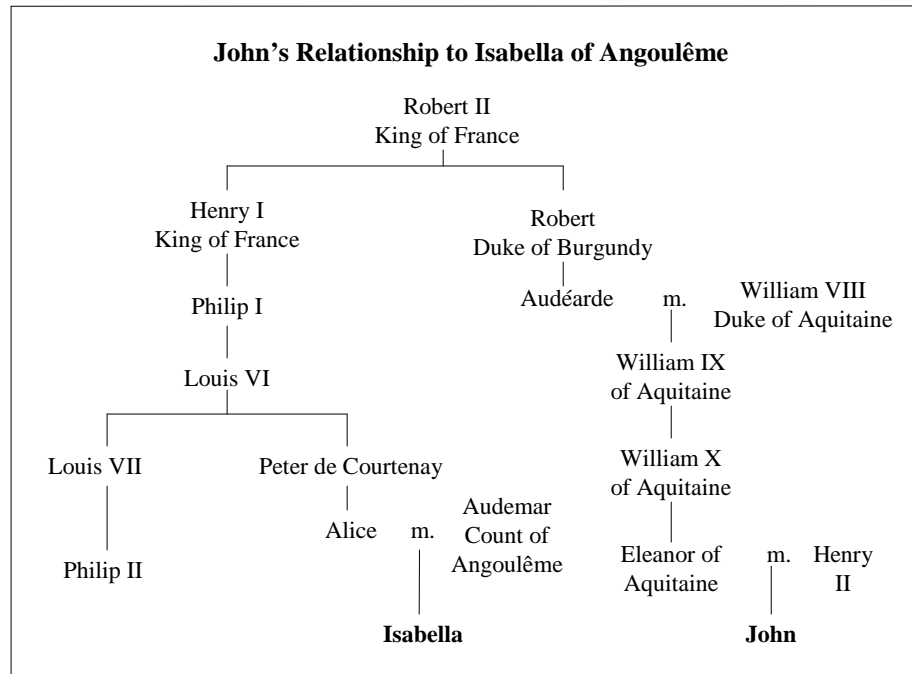
¹³¹ They were related in the fifth (on Philip's side) and sixth degrees back to Robert II. This ticklish detail created a further problem for Philip, since it potentially cast into doubt the legitimacy of his heir, Prince Louis. (This point is also made by Baldwin, p. 207).

¹³² Baldwin, p. 84.

¹³³ See ch. 1, pp. 44-6. For a similar example of cynicism from the reign of Henry I, see ch. 5, pp. 176-9.

¹³⁴ See the accompanying chart. Nicholas Vincent comments on Isabella's maternal lineage (Church, ed., pp. 175 and 177) but fails to observe the kinship with John that this lineage implies. John had, of course, gained an annulment of his first marriage on the basis of consanguinity but the kinship in that instance had been much closer (see above, pp. 279-80.) It strikes me as interesting that the Lusignans do not appear to have used an argument of consanguinity against John when opposing his marriage to Isabella of Angoulême, but any conclusions drawn on this silence in the sources would be no more than speculation on my part.

inconsistently. Even Innocent III himself commented that he intervened in cases of consanguineous marriage only when a complaint was laid before him.¹³⁵



Philip's significant achievements in consolidating royal power through control of marriage and inheritance issues were harmed by his curious obsession with repudiating Ingeborg. His desperate reliance on the most flimsy of consanguinity arguments fooled no one and his marital mishaps brought him into extended conflict with the papacy. Yet his successes in other areas, notably the acquisition of Normandy and Anjou for the French crown, meant that John was unable to take advantage of Philip's marital problems to further Plantagenet interests. Indeed, the destruction of the bipolar balance of power that occurred in France's favour in the early years of the thirteenth century was confirmed, most unusually for the period, not by the machinations of marital politics but by military victory.

¹³⁵ PL, vol. 214, col. 1015. See also C.N.L. Brooke, *The Medieval Idea of Marriage*,

The Balance of Power and Bouvines

How had the balance of power altered since 1183? Early in Philip's reign, Henry II had been the undisputed power broker in western Europe, his acquisition of a vast family domain challenging the earlier balance between a number of quasi-independent feudal states within the territories of the kingdom of France. Yet the Capetian monarchy remained a formidable opponent, as it showed once it was able to take advantage of the resources at its disposal and the benefits of feudal custom. Karl Werner has noted that in the early years of Philip's reign the leaders of the major principalities (especially Flanders and Champagne) began to show much more inclination to seek power through activity at the royal court, rather than acting separately from it. The crown, as it had not been for several centuries, was becoming 'the overridingly important political force'.¹³⁶ The shift to a bipolar (rather than multipolar) balance of power is evident in this change of attitude: rather than using alliance flexibility to seek independence and to enhance *raison d'état* by playing off the larger powers (as Flanders, in particular, had done for decades) the principalities now tended to line up on one side or the other of a two-way power struggle between Plantagenet and Capet.¹³⁷ Philip's focus on regal property and inheritance rights formed one important aspect of a policy of reasserting the crown's feudal privileges. Marriage, too, was a vital element in this process, despite the difficulties caused by Philip's liaison with Ingeborg. Henry, Richard, and John, on the other hand, failed in varying degrees after 1183 to manage these same issues successfully. As a result, by 1204 a bipolar distribution of power between England and France still existed, but had moved sharply in favour of Capetian interests, especially with the reintegration of Normandy and Anjou into the French sphere of influence. Any remaining semblance of balance, already tenuous, would be destroyed in 1214.

Oxford, 1989, pp. 127-8.

¹³⁶ Karl Ferdinand Werner, 'Kingdom and Principality in Twelfth-Century France', trans T. Reuter, in Timothy Reuter, ed., *The Medieval Nobility – Studies on the Ruling Classes of France and Germany from the Sixth to the Twelfth Century*, Amsterdam, 1979, p. 271.

¹³⁷ On the ideas of alliance flexibility and *raison d'état* see ch. 4, pp. 125-6.

If John had been a more skilled politician, he may have been able to use the fact of Philip's conflict with the papacy over the French King's marriage to his advantage. But in the later years of his reign John was embroiled in his own set of problems. Not the least of these was his argument with Innocent III over the appointment of Stephen Langton as Archbishop of Canterbury, which resulted in an interdict being placed on England from 1208 until 1213.¹³⁸ John found himself at odds with this most formidable of popes at a time when more sensible diplomacy might have allowed him to probe Philip's weak spot: his still unresolved repudiation of Ingeborg.

Just as famously, John mismanaged the relationship with his barons to the point where stresses in the vertical balance of power within England became untenable. I have already commented on the strong sense of indignation over abuses of property and inheritance rights that is evident in Magna Carta.¹³⁹ Having lost the majority of his French possessions, John's ability to mount any serious challenge to growing Capetian strength was further undermined by the antagonism his actions aroused among the English barons.

One bright point for John amid these difficulties was his relationship with his nephew Otto, now Holy Roman Emperor Otto IV. Despite his own difficulties in securing the Empire, and his ongoing rivalry with the Hohenstaufens, Otto proved a valuable ally for John in the later years of the reign.¹⁴⁰ Furthermore, by 1212 John was able to regain the support of the Counts Ferrand of Flanders and Renaud of Boulogne, along with several other princes of the Low Countries, all fearful of Philip's increased hegemony since his capture of Normandy.¹⁴¹ This renewed attempt to

¹³⁸ On the interdict see the various essays by C.R. Cheney collected in his *The Papacy and England 12th-14th Centuries*, London, 1982. A more recent discussion is Christopher Harper-Bill, 'John and the Church of Rome', in Church, ed., pp. 289-315. For the pope's relationship with the two monarchs see Brenda Bolton, 'Philip Augustus and John: Two Sons in Innocent III's Vineyard?', in her *Innocent III: Studies on Papal Authority and Pastoral Care*, Aldershot, Hampshire, 1995, section V.

¹³⁹ See ch. 2, pp. 78-80.

¹⁴⁰ For a summary of the relationship see Natalie Fryde, 'King John and the Empire', in Church, ed., pp. 335-46. John had abandoned Otto at Le Goulet in 1200 but his later conflicts with Philip prompted him to resuscitate the friendship.

¹⁴¹ Baldwin, pp. 207-8. Ferrand, a Portuguese prince, had inherited Flanders in right of his wife, the daughter of the previous Count, Baldwin IX.

assert the principle of alliance flexibility by the northern states entailed substantial risk. No longer was the Capetian monarch just one among several roughly equal magnates vying for power in the region. Philip was by now the predominant European monarch. The coalition of John and his allies represents one side of the bipolar rivalry now evident in northwestern Europe. The minor states threw in their lot with the weaker of the two major entities in an attempt to maintain a fragile balance of power and to prevent Philip's further rise. Otto, too, conscious of his tenuous hold on imperial power and the threat posed by Capetian strength, joined the English coalition.

John also tried to reinvigorate his strength in the southwest, especially by means of a marital alliance with former enemies. Although Philip had consolidated his hold on the regions north of the Loire, most of Poitou and Aquitaine were still nominally in John's hands. During an expedition there in 1214 he offered his daughter Joanna as a bride to Hugh X of Lusignan, son of his old enemy (and his wife's former husband) Hugh IX. Concerned by this development, Philip offered his own son as a husband for Joanna instead, but John rejected the overture out of hand.¹⁴² It is interesting to note that both monarchs still had recourse to marital politics, even as the possibility of outright conflict between them grew ever stronger.

The contest between the two camps was resolved at Bouvines on 27 July 1214. John remained in Poitou, hoping to split the French forces, but his allies under Otto IV were clearly and decisively defeated by Philip Augustus in the very north of the kingdom. Pitched battles of so great a magnitude were extremely rare in the Middle Ages: this was the first time any Capetian monarch had been victorious in such an event. Bouvines was no ordinary act of warfare. It was far removed from the run-of-the-mill activities of siege and skirmish: it was nothing less than a contest for complete dominance, an enormous gamble for power that fell the way of

¹⁴² John's letter detailing these events is recorded in Roger of Wendover, vol. 2, pp. 99-100. See also Warren, *King John*, pp. 219-21.

Philip Augustus and ensured Capetian supremacy in the following decades.¹⁴³

As such, Bouvines represents a shattering of the unstable bipolar balance of power that had prevailed in the preceding years. It also represents a significant departure from the political, social, and cultural norms of the previous century. Since 1100, the point at which this investigation began by identifying a rough, multipolar balance of power between the numerous, quasi-independent feudal entities within France (and involving England), every significant alteration in that balance, every redistribution of power and influence among political units, had occurred as a result of specific marriages or conflicts over inheritance issues. Warfare, common enough throughout the period, was more often than not a tool of marital politics. After 1214, marriage and inheritance naturally remained important issues for the European aristocracy. But Bouvines had broken the pattern of political change. By risking all on the field of battle in a way his predecessors had avoided, Philip ensured Capetian dominance not only over the regional units within the kingdom of France, but (less formally) over England as well for much of the thirteenth century.

¹⁴³ Georges Duby has analysed the importance of the battle from a cultural and anthropological perspective, as well as in political terms, in *The Legend of Bouvines*, trans. Catherine Tihanyi, Cambridge, 1990. As Duby notes, 'Never, within human memory, had a decision been so clear cut...After Bouvines, nothing [could] stand in the way of the incredible expansion of the royal domain' (ibid., p. 141).

Conclusion

After Bouvines the French crown benefited from the advances made by Philip Augustus to become the pre-eminent western European monarchy over the following decades. The French invasion of England under Prince Louis (the future Louis VIII) in 1216-17, while ultimately unsuccessful, symbolizes the reversal of fortunes that had taken place since the reign of Henry II. The loss of the core of the 'Angevin empire' condemned the Plantagenets to secondary status in European affairs at least until the reign of Edward I. An attempt to recover Brittany and Anjou by military means in 1230 ended in complete failure. Eventually Henry III formally renounced his claims to those regions and to Normandy and Poitou under the Treaty of Paris in 1259, while receiving recognition of his feudal rights in Gascony. In France this effectively relegated the Plantagenets to the level of senior magnates alongside the Counts of Flanders and other regional powers, but clearly subordinate to Capetian sovereignty in fact as well as in theory.¹ The 'feudal pyramid' model now represented political realities much more closely than it had done in the preceding century, with Philip Augustus and his successors sitting in triumph at the apex.² Despite technicalities associated with the occasional performance of homage for lands in France, the relationships of Henry I with Louis VI, Henry II with Louis VII, or Richard I with Philip Augustus did not exhibit the subordination evident in Henry III's dealings with Louis IX. John's concessions at Le Goulet and his loss of Normandy and Anjou were a step in that direction, confirmed by Bouvines and the invasion of 1216-17. Even in England Plantagenet sovereignty could not remain entirely unaffected by Capetian interference, culminating in the Mise of Amiens (1264) in which Louis IX was asked to give judgement on the dispute between the English crown and its barons.³

¹ On the Treaty of Paris and its implications see Malcolm Vale, *The Angevin Legacy and the Hundred Years War, 1250-1340*, Oxford and Cambridge, MA, 1990, pp. 48-63.

² See ch. 4, pp. 123-4.

³ Jean Richard, *Saint Louis: Crusader King of France*, ed. and trans. Simon Lloyd and Jean Birrell, Cambridge, 1992, pp. 205-10.

Within France the regional powers whose relative influence had been so strong in 1100 (especially in comparison to Capetian weakness) now had little ability to assert alliance flexibility or an independent spirit of *raison d'état*. In part this was because many became subsumed into the personal rule of the monarch or his close family. In the territories recovered or consolidated by Philip Augustus, Louis IX created new comital dynasties under his brothers Robert (Artois), Charles (Anjou), and Alphonse (Poitou). As if to rub salt into Plantagenet wounds Alphonse also gained Toulouse by his marriage to the daughter and heiress of Raymond VII.⁴ This greatly assisted the integration of the south into the Kingdom of France, a process already begun by northern nobles during the Albigensian crusade after 1209. The balance of power, which had thrived on the independent spirit and dynastic pride of men like Fulk V of Anjou and Theobald IV of Blois, thus gave way to a situation in which the once largely autonomous principalities became apanages for the royal family, extensions of Capetian sovereignty rather than potential rivals to the crown.

This brief sketch of thirteenth-century developments highlights continuities as well as disparities. Alphonse's acquisition of Toulouse shows that marriage remained a vital method of political advancement. Issues that had held so much importance during the twelfth century (consent, indissolubility, consanguinity) could still be controversial, although tension over the last of these was reduced after the Fourth Lateran Council's redefinition of the forbidden degrees from seven to four in 1215. The continued employment of marriage for purposes of policy is typified by Raymond Berengar IV, Count of Provence (d. 1245) who married his four daughters to two sets of royal brothers (Louis IX and Charles of Anjou; Henry III and Richard of Cornwall) in a sequence of events that Jean Richard describes as a 'battle of marriages' between the French and English royal houses, ending in 'a draw'.⁵

⁴ *ibid.*, pp. 47-54. Raymond VII, last of the St Gilles dynasty, was the son of Raymond VI and Joanna, Henry II's daughter. See ch. 8, p. 275; and on Henry's attempt to win Toulouse, ch. 7, pp. 229-31.

⁵ Richard, p. 57.

But it is during the twelfth century that we can identify a clear pattern of similarly ambitious marriages used to further balance-of-power alliances and oppositions. The model of ‘flexible’ and ‘restrictive’ approaches to forming and ending marriages is intended to capture the opportunism promoted by the pursuit of *raison d’état* through trade-offs and confrontations. It also reflects the way in which the lack of fixed rules over specific aspects of the marriage ceremony (a problem that would be eased by the promulgation of Gregory IX’s *Liber extra* in 1234) gave rise to confusion and subterfuge.⁶ Similarly, the idea of tactical (as opposed to strategic) marriage policies seeks to locate the social institution of marriage squarely in the midst of political manoeuvring. Specific marriage agreements among powerful families during the period aimed to promote defensive alliance, territorial expansion, and the enhancement of dynastic legitimacy.

In the same way, the contested nature of inheritance practices during the twelfth century created openings for magnates to pursue political and territorial gains. Controlling the fates of heiresses, widows, and wards through marriage or patronage carried tangible economic rewards. Differing understandings of inheritance rights also lay at the heart of conflicts with wider balance-of-power implications, especially that between crown and nobility during Stephen’s reign. Only once a firmer legal basis for hereditary possession and primogeniture was established under Henry II did a common set of rules begin to emerge (at least in England) although the tensions implied by Magna Carta show a continuing degree of conflict within the ‘vertical’ balance of power between king and barons. Succession disputes over the right to inherit the realm’s highest office (Stephen versus Matilda; John versus Arthur; the Young King’s demands leading to rebellion in 1173) complicated the process of agreeing on universal rules of inheritance. The fact that the Capetians did not face these same uncertainties throughout the period undoubtedly contributed to their eventual success in re-establishing regal authority in France.

⁶ See ch. 1, p. 24.

The centrality of marriage and inheritance to political developments during the twelfth century also reflects the cultural importance of these same social mechanisms. Patronage and marital politics exemplify a value system in which a mentality of gift and reciprocity is frequently discernible. Literary works and other documents reveal the importance of inheritance, lineage, and succession in contemporary cultural discourse and the deep-seated fears of a disruption to the inter-generational transfer of family prosperity and reputation. Diverse views on married love, adultery, and desire suggest an ongoing debate over the role of marriage in both the public and the private sphere. The application of these cultural attitudes to public affairs helps to explain the enormous impact of marriage and inheritance episodes in creating political change and balance-of-power rivalries in the years between 1100 and 1215.

Appendix: Calculating Consanguinity

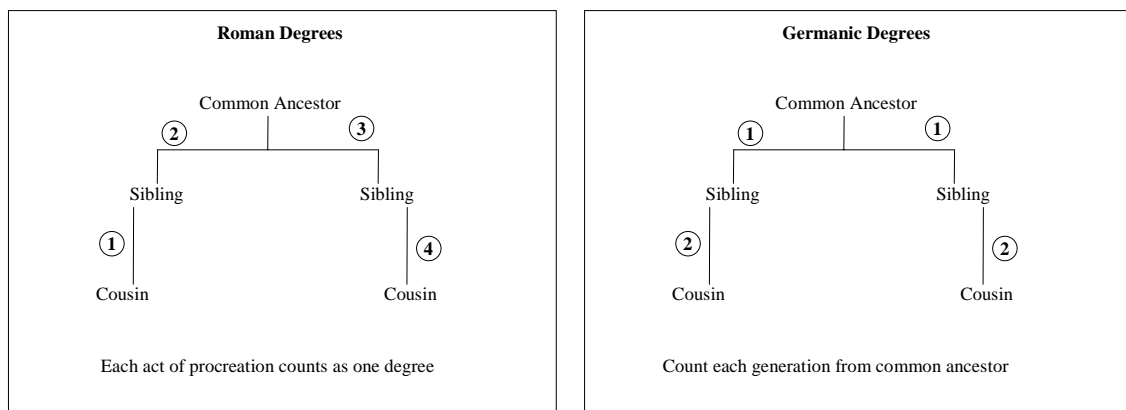
As discussed in chapter one, twelfth-century rules that forbade marriages to cousins who fell within the seventh degree of consanguinity severely restricted the number of marital partners available to scions of noble houses. Jean-Louis Flandrin's calculation of 2,731 ineligible cousins gives an idea of the scope of the problem, but he provides tantalizingly little explanation of how he arrives at this considerable total.¹ All the same, the assumptions he gives do provide an appropriate and conservative framework within which to study the issue. Flandrin proceeds on the basis that every married couple bore two children who lived to adulthood, married, and themselves each produced another two surviving children.² On the whole, this seems to strike a reasonable balance between those lines where fewer than two children produced a further generation, and those where more than two survived. If one considers that Henry II and Eleanor, for example, produced seven legitimate children who reached adulthood (not counting Eleanor's two daughters by Louis VII) and 35 grandchildren, then in reality large families more than likely compensate for lines that died out through lack of direct heirs.

Under the Germanic system of calculation used in the twelfth century, each generation from the common ancestor was counted as one degree of consanguinity. Siblings were therefore related in the first degree, first cousins in the second degree, and so on. This had replaced the earlier Roman system, where each act of procreation counted as one degree. Under this method, siblings were related in the second degree, and first cousins in the fourth. The Roman calculation was achieved by counting the generations from the first party back to the common ancestor, and then continuing the count down to the second party. Roman law often banned only those marriages contracted within the fourth degree of relationship,

¹ See ch. 1, p. 21 and note 36.

² Jean-Louis Flandrin, *Families in Former Times – Kinship, Household and Sexuality*, trans. Richard Southern, Cambridge, 1976, p. 24.

meaning those to first cousins (or closer).³ This is the equivalent of marriages within the second degree under the Germanic system, and is therefore far less restrictive than the system prevailing in the twelfth century. The differing methods of calculation also reflect differences of opinion between canon lawyers and civil lawyers, with the former generally preferring the Germanic system, and the latter the Roman (or Justinian). Debate on the issue continued throughout the eleventh and early twelfth centuries, before the canon law system prevailed.⁴

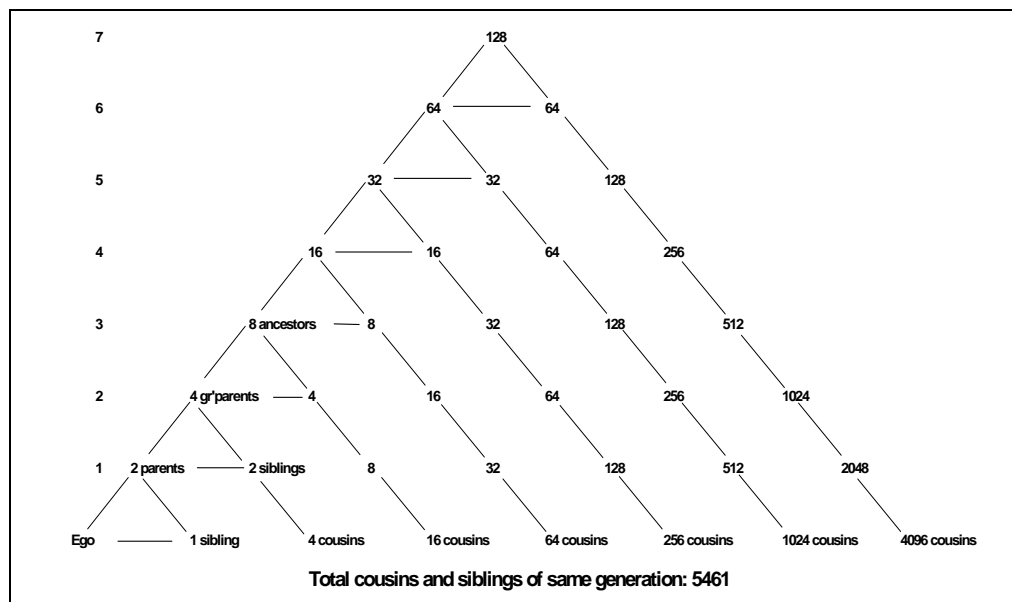


Under Flandrin's assumptions, every ancestor would have had one sibling who married and produced a distinct line. The individual subject of enquiry would thus have four first cousins (two nephews/nieces of his/her mother, and two on the father's side). By the same method of calculation, each of the four grandparents would have had one sibling, from whom the subject's 16 second cousins would be derived. The marriages of the eight siblings of the subject's great-grandparents would have realised 16 marriageable children. The marriages of these children would have produced 32 further descendants, whose 64 children would be the subject's third cousins (or relatives in the fourth degree of consanguinity). Following the same process yields 256 cousins in the fifth degree, and 1024 in the sixth (see chart on next page).

³ Constance B. Bouchard, 'Consanguinity and Noble Marriages in the Tenth and Eleventh Centuries', *Speculum* 56, 2, 1981, p. 269; and Elizabeth Archibald, *Incest and the Medieval Imagination*, Oxford, 2001 pp. 28-9.

⁴ See Bruno Paradisi, 'Diritto canonico e tendenze di scuola nei glossatori da Irnerio ad Accursio', *Studi Medievali*, 3rd series, VI, 2, 1965, pp. 155-287 (especially pp. 201-7).

This method therefore produces a potential 1365 relatives of the same generation up to and including those within six degrees of consanguinity. There is some confusion as to whether canonical rulings banning marriages *within* the seventh degree were meant to include or exclude matches at that level. If marriages to descendants of the subject's 128 ancestors at the seventh generation are included, a further 4096 distant cousins are excluded. (This does not account for any relatives from the generations above those 4096 who may have been of roughly similar age to the subject, and therefore potential marital partners if not banned by consanguinity).



If cousins at the seventh degree are included, the total therefore expands to 5461 ineligible relatives. Each extra degree adds a new number of cousins calculated as four times the number found at the previous degree (or the second exponent of two beyond the previous total). In other words, the 1365 cousins found up to the sixth degree can be expressed as $1+2^2+2^4+2^6+2^8+2^{10}$. The total of 5461 found at the seventh includes an extra 4096, or 2^{12} . Flandrin's calculation of 2731 ineligible cousins is the sum of the intervening numbers in the sequence: $1+2^1+2^3+2^5+2^7+2^9+2^{11}$. It is probable that he arrives at this total by assuming each marriage produces one male and one female child, and that he is counting only those cousins of the opposite sex to the subject in his calculation (though this is not

specified). This would further imply that cousins in the seventh degree are included in his interpretation of the ban.

With such a large number of potential partners ineligible, the problems of finding a legal match become apparent. The task was made even more difficult if the pool of partners was restricted by social status (that is, if noble families tried to avoid marrying children into families of lower rank) and if problems of affinity intervened. Restrictions on the basis of affinity could be as much of a minefield as the rules on consanguinity themselves. Pollock and Maitland have explained that the idea of affinity could be expressed at a number of different levels.⁵ At the first level, or *genus*, an individual was related to his wife's sister in the first degree of affinity, to his wife's first cousin in the second degree, and so on. If the opportunity arose for a second marriage, these relatives would be ineligible partners.

Relatives ineligible by affinity			
	1 st <i>genus</i>	2 nd <i>genus</i>	3 rd <i>genus</i>
1 st degree	Wife's sister	Wife's brother's wife	Wife's sister's husband's (2 nd) wife
2 nd degree	Wife's 1 st cousin	Wife's 1 st cousin's wife	Wife's 1 st cousin's husband's (2 nd) wife
3 rd degree	Wife's 2 nd cousin	Wife's 2 nd cousin's wife	
4 th degree	Wife's 3 rd cousin	Wife's 3 rd cousin's wife	
5 th degree	Wife's 4 th cousin		
6 th degree	Wife's 5 th cousin		
7 th degree	Wife's 6 th cousin		

⁵ Sir Frederick Pollock and F.W. Maitland, *The History of English Law Before the Time of Edward I*, 2nd edn, Cambridge, 1895 and 1968, vol. 2, pp. 388-9. See also Archibald, pp. 31-3.

Further, an individual would be related to the wife of his wife's brother in the first degree of the second *genus* of affinity, and to the wife of his wife's first cousin in the second degree of the second *genus*. Twelfth-century opinion held that marital restrictions encompassed all 'relatives' by affinity out to the seventh degree of the first *genus*, the fourth degree of the second *genus*, and the second degree of the third *genus*.

In theory, second marriages became even more difficult than first marriages, since an entirely new group of relatives was now ineligible, along with one's own cousins to the seventh degree. Furthermore, affinity included not just the relations of a spouse, but also those of godparents, all previous sexual partners, and all individuals to whom one had been betrothed by *verba de futuro*. If the Church was trying to ban marriage completely, it seemed to be on the right track. The absurdity of these restrictions when taken to the logical extreme is only likely to have made lay practitioners more determined to ignore canonical rulings and to conduct marital agreements as they saw fit. Pollock and Maitland conclude: 'Behind these intricate rules there is no deep policy, there is no strong religious feeling; they are the idle ingenuities of men who are amusing themselves by inventing a game of skill'.⁶ Perhaps recognizing this, the Fourth Lateran Council reduced the restrictions on marriages by affinity to those within the fourth degree of the first *genus*, at the same time as it reduced the banned levels of consanguinity from the seventh to the fourth.

⁶ Pollock and Maitland, p. 389.

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