

**The Fate of Henry I's "New Men" and Inheritance Rights in Anglo-Norman  
England from 1120-1154**

Senior Thesis

Presented to

The Faculty of the School of Arts and Sciences  
Brandeis University

Undergraduate Program in History  
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In partial fulfillment of the requirements for the degree of Bachelor of Arts

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May 2014

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## **Introduction**

One of the most pressing questions relating to the study of the Anglo-Norman kingdom and the later Angevin kingdom is the right to inherit. This study argues that this problem provided the prime source of conflict throughout this period from the inheritance of princes down to the ambitions of aristocrats without land, causing conflicts that served as the catalyst for civil war.

Understanding this subject is an essential foundation for the study of Anglo-Norman England and northern France. This issue reappears in many of the questions that scholars have asked about the Anglo-Norman kingdom, ranging from the succession to struggles with other French territories. With nearly a whole new aristocracy placed in control of England following 1066, land tenures in England changed aristocratic families, and the new Norman lords were fewer and wealthier than their Anglo-Saxon predecessors<sup>1</sup>. Though the tendency is to focus upon the succession to the English throne, as the sons of the Conqueror frequently struggled with each other, the aristocratic conflict over inheritance is of equal weight in this study. The support of the aristocracy fueled the princely conflict, providing the military and political support to the opposing claimants to the throne. As the aristocracy slowly changed from invaders who received their English holdings as gifts and rewards into heirs, a greater emphasis was placed

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<sup>1</sup> W. L. Warren, *The Governance of Norman and Angevin England: 1086-1272*, (London: Arnold, Edward, 1987), 55.

upon allegiance to specific princes and control of tenures for the noble families. The goal of securing and expanding their patrimonial lands, even at the cost of other nobles fortunes drives the aristocracy's decision making process. The Anglo-Norman lords were not able to accomplish this goal without the support of the king, nor could the king accomplish his goals without the support of the nobles. Rather than examining typical patterns of inheritance, I will examine the broader implications of the rights of inheritance, and the events surrounding inheritance, which have a far greater impact on the societal levels.

The study of the rights to inherit in the Anglo-Norman region and the subsequent Angevin Empire are mired in minutia, to say the least. The varying types of inheritance were organized by their separate rules. The difference between primogeniture (full inheritance to the first son, typically for the patrimonial holdings), inheritance governing acquisitions (the division of land acquired by conquest for the younger sons), and partible inheritance (the division of lands at the discretion of the landholder) were not clear cut. The application of these ideas were through a great deal of discretion on the part of the patron. The study of inheritance most frequently examines princely succession and extrapolates from this to baronial succession. The baronial succession followed similar traditions to princely succession, however it was much more susceptible to the dangers of disinheritance. Attempts to simplify the complex customs into one simple system is a daunting undertaking and rarely

results in a satisfactory examination.<sup>2</sup> Further, attempts to evaluate the different traditions that governed inheritance, quickly become a legalistic quagmire where scholars rotate in logical circles, becoming blinded by inferences of the intentions of the society. Even within the basic types of inheritance mentioned above, Anglo-Norman society had a varied range of practices when it came to inheritance. However, such an understanding does not properly explain why these laws were established and why they fell apart when inheritance and disinheritance failed to follow the “traditions.” Modern historians have recognized that understanding inheritance gives insight into the position of the aristocracy as a societal group. The conflicts that ripped apart the Anglo-Norman realm had their source in inherited and disinherited land. The study of inheritance in this period has historically focused upon what was supposed to happen according to the law. The relationships between the king and the barons is far more important for understanding actual inheritance, as direct royal intervention had the most impact. When the succession of the kings did not follow any consistent tradition, the assumption of that the barons and magnates succeeded by strictly traditional customs is doubtful because their inheritances were also disrupted by the conflicts.<sup>3</sup>

The investigation of Anglo-Norman inheritance has focused upon two aspects: the ideal or expected pattern of inheritance rooted in Norman traditions

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<sup>2</sup> The notable exception is the work of J.C. Holt, whose scholarship, though dense, provides an understanding of the challenges and contradictory elements of the codes and practices of the time.

<sup>3</sup> Green, 12.

that later developed in England and the belief that holding of land is the determining factor of these rules. Approaches to establishment of traditions by modern historians have looked to the royal family as a standard.

“Although the descent of a kingdom to the eldest son was not an invariable rule there was a strong presumption in favour of the first born unless he was manifestly incapable of governing. Kingdoms and counties were already regarded as impartible; younger sons might be provided with apanages, for which they swore fealty to their brother.”<sup>4</sup>

Chibnall’s analysis of the difference between the ideal and the actual results shows that it was understood that extenuating circumstances could dictate who inherited in the Anglo-Norman world.

The missing element in inheritance required a direct intervention to choose the most capable heir possible. The necessity that a king be able to provide a government and leadership in war made for a challenging balancing act when determining heirs. The case of the surviving sons of William the Conqueror shows this clearly.

“Both William Rufus and Henry showed something of their father’s ‘creative power in both fighting and ruling. Robert Curthose lacked the gift, though he was a brave fighter and a popular ruler with the clientele who profited from his generosity. His ambitious younger brothers recognized that he was not capable of maintaining intact the ducal rights which his father fought to secure.”<sup>5</sup>

The differences between the surviving sons is the key to understanding the conflicts that would come later, as they lay the groundwork for the possibility that the magnates’ inheritance could be flexible and partible. With a premium

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<sup>4</sup> Marjorie Chibnall, *Anglo-Norman England, 1066-1166*, (New York: Basil Blackwell, 1987), 56.

<sup>5</sup> Chibnall, 58.

put on finding the best person to rule, the division of territories following the death of William the Conqueror guided the resulting unification of the Anglo-Norman realm. However, this intention was unfulfilled, as the divided kingdom was fractured by the uneven territories. Its eventual weaknesses as a state lay in part in the fact it encompassed the kingdom and the duchy. Because the ranking and the size of the lands was unevenly divided between the sons (the eldest held the patrimonial lands and the second became a king of far greater territory and the third received financial reward), conflict occurred. The status of the sons relative to each other fueled their challenges to each other, creating greater conflict because of the disproportionate division of their patrimony.

Up until this point, I have focused largely on the problems the royal family faced in England and northern France, rather than baronial succession and rights. Outside the royal family, the most important factor in the political reality of this kingdom was the existence of a powerful landholding nobility. Thanks to dozens of studies of the Domesday Book and the Pipe Rolls, historians have a good understanding of the distribution of estates/lordships in the Anglo-Norman realm. These studies vary in scope but have provided a considerable evidence of how many lands passed inside families as well as between different families. Thanks to works that synthesize this evidence, such as Sanders' *English Baronies*,<sup>6</sup> historians now have a much stronger fundamental understanding of

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<sup>6</sup>I. J. Sanders, *English Baronies: A Study of Their Origin and Descent, 1086-1327*. (Oxford: Clarendon, 1960).

the manner of transition between generations. These studies have served as a basis for the development of a broad understanding of inheritance.

Much of the scholarship on this subject has explained the movement of inheritances, or the unique reasons for deviations from the “normal” patterns. An examination of the consequences contextualizes the passage of inherited lands. This thesis seeks to investigate the consequences of changing inherited lands and what the offer of a heritable reward did to the loyalty of the Anglo-Norman aristocracy, particularly during periods of strife. To begin, an examination will be made of England during the reign of Henry I. This section seeks to outline the reforms he made that encouraged and enabled new lords and families to enter the aristocracy. The next section will provide an introduction to the civil war of the reign of Stephen, with special concern to the causes and resolutions. With an eye to the inheritance between Stephen and Empress Matilda, I will be examining how this conflict affected the nobility of the kingdom. Specifically, I will look at the question of whether the offer of rewards for support was sufficient to change the loyalty of the barons or whether other factors had a larger impact. Finally, I will address the return of stability under Henry II and examine the role the aristocracy played in that period. Through all three sections, I will be discussing the importance of cross channel holdings amongst the elite as well as the positions of the aristocracy whose holdings varied in size from the very large holdings in Normandy and much smaller

holdings in England<sup>7</sup>. These questions not only involve the phenomenon of inheritance but they also touch on the identity of the Anglo-Norman nobility and the Norman Empire and draw into question the roots of power in this kingdom.

There are two topics that must be discussed prior to examining the political ramifications of events of this period for the aristocracy. The first is to clearly define the scope of this study. I will be looking predominantly at the period from the White Ship Disaster in 1120, which killed the heir of Henry I, through to the accession of Henry II in 1154. These two dates are pivotal for my study, as they saw the events that led to Stephen of Blois seizing the throne through the end of the civil war that resulted from his usurpation. The midpoint of the conflict in 1135 (the death of Henry I) provided the catalyst for the future conflicts. These events highlight the weaknesses and strengths of the inheritance traditions of the Anglo-Norman aristocracy.

The second and more important topic is the composition of the elite classes. Though the terms nobility, aristocracy, and elite are used interchangeably, there are more accurate categories<sup>8</sup>. At the top of elite society stood the royal family, followed closely by the barons and magnates. Earldoms and count ships follow in relative importance, where the land held was the basis of the individual's influence. Further down were the landed lords who did not have key territories and towards the bottom were the curial and service families.

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<sup>7</sup> Newman, 13.

<sup>8</sup> Newman's work details the differences and the changes over the course of time, highlighting the differences over Henry I's reign.

Many of these families rose during the reign of Henry I, gaining their position and landed wealth from his support. These lower groups had the most to gain from royal favor and were more readily supporters of prominent allies, while the barons and magnates could have a greater influence upon events due to their ability to raise more money and soldiers but they also faced greater risks because of greater familial holdings.

In her book, *The Anglo-Norman Nobility in the Reign of Henry I*<sup>9</sup>, Charlotte A. Newman investigated the transitions that occurred amongst the Anglo-Norman nobility in the first generation after the Conquest. This comprehensive treatment provides a fascinating and explanation of the differences between the various levels of the aristocracy in general terms, and outlines the ways in which they changed over time. Under Henry I, there was an increase in the number of families whose influence was not rooted in land but depend on relationships to the crown. Building on the work of her predecessors, Newman reveals the deeply fractured nature of the Anglo-Norman upper classes from the royal family down through the lower lordships.

“Apart from failure of issue, politics was the main reason for the high turnover in the upper echelons of the aristocracy. The death of the Conqueror and the subsequent contests between his sons for control of his legacy led to waves of forfeitures following rebellions in 1088, in 1095, and in the early years of Henry I’s

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<sup>9</sup> Charlotte A Newman, *The Anglo-Norman Nobility in the Reign of Henry I: The Second Generation*, (Philadelphia: University of Pennsylvania, 1988), 3.

reign. In practice confiscations became less frequent from about 1115 but the right to confiscate was not abandoned.<sup>10</sup>

Henry I's reign saw the fall of several powerful families, as well as the rise of previously minor families. By the time of the death of Stephen, many of those lands which had been given to new men land had shifted back to the control of established families.<sup>11</sup> Henry I's establishment of "new men" and service families was a relatively short lived phenomena and many of these men lost their lands during the reign of Stephen due to their support of Matilda and the loss failure to provide heirs. By the time that Henry II conducted the inquest of knights in 1166, many of these families had vastly smaller holdings than they held at Henry I's death.<sup>12</sup> Thanks to shifting alliances and a high rate of death amongst the male members of a family due to the aristocratic conflict,<sup>13</sup> many families were weakened and lost influence as lands became forfeit through these causes. Though not entirely unusual, the rapid turnover during the reign of Stephen is similar to the occurrences at the beginning of Henry I's reign.

As explained previously, much of the study of land tenures and familial lands has focused upon how holdings passed from generation to generation. The majority of these studies discuss the factors that led directly to the changes in holdings and the broader ramifications for the family involved. The manner in

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<sup>10</sup> Judith A Green, *The Aristocracy of Norman England*, (Cambridge, U.K.: Cambridge UP, 1997), 130.

<sup>11</sup> Newman, 173.

<sup>12</sup> Newman 177.

<sup>13</sup> Newman 174

which lands were traditionally lost, gained, or exchanged fell into four major categories: marriage, reward/favor from the king, seizure from the king, and due to the absence of male heirs. Naturally, each of these situations has its own broader political meaning and ramifications.

Inheritance in the Anglo-Norman kingdom is a vast subject with many different ramifications. Though this thesis focuses predominantly on the relationship between the baronies and the king and the political dimension to inheritance, this subject cannot be studied by looking at only the aristocracy or the royal family. These two groups worked in conjunction together to affect inheritance. Royal favor served as one of the most crucial aspects of the Anarchy, because loyalty brought rewards. Of equal importance to inheritance is disinheritance. Due to the limited nature of the land holdings available, disinheritance occurred with as much frequency as inheritance and it fueled rivalries and bred challenges in the community of the elite. The realization of this balance is important. Inheritance cannot be discussed without disinheritance and the two issues will be treated with equal measure.

## Chapter 1

### Henry I and the New Men

The Anglo-Norman kingdom is one of the most complex of the Middle Ages. But it was also one of the most turbulent. Though this thesis is discussing changes in feudal inheritance under Henry I and Stephen, inheritance before Henry I's reign must be considered also. During this period, not only was there a massive change in the holders of the land but also efforts to control these lords. Though many lords desired lands on either side of the Channel, English grants were a reward, not a right.

“Countships (or earldoms) were the created in England for those men who stood close to the king/duke but who did not already hold countships in Normandy. Conversely those who did not already hold countships in Normandy did not acquire an English title however great their holdings in the kingdom (the most notable being the counts of Mortain, Eu and Aumale). The counts of Normandy and England constituted one body of men who the king/duke wished especially to honor, and who by their title acquired a precedence at his court.”<sup>14</sup>

The feudal distribution of lands by merit was a carefully orchestrated plan that served William I and Henry I extremely well and separated them from Robert Curthose and those supporting his cause. By separating power bases such that there was a distinction between the two sides of the Channel, the Anglo-Norman realm became two separate realms ruled by a king/duke<sup>15</sup>. Because of this

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<sup>14</sup> Warren, 57-58.

<sup>15</sup> Warren, 56

defacto division, the need to control both territories for political security lay at the root of the conflict between Robert Curthose and his brothers; their actions during the civil war shows that it is fundamentally impossible for the regions to be separated politically. The duality of this dangerous situations led to a careful manipulation of the inheritance of the barons, particularly during the reign of Henry I.

Amongst the most significant books of the past half century to discuss this apparent duality is John Le Patourel's seminal work, *The Norman Empire*. This book reexamines the concept of England and Normandy in the context of broader Norman conquests, specifically Sicily and the Holy Land. This book's impact on the scholarship has been deep as it asserts the existence of the Anglo-Norman realm as a unified kingdom with cross-channel interests, rather than two separate regions with the same ruler. This interpretation holds true through the period of the Conquest until the death of William the Conqueror. The division of the kingdom upon his death enabled the continuation of the realm, but transformed the kingdom into two separate realms, the kingdom of England and the more important duchy of Normandy. The benefit of the new realm to the aristocracy was new heritable lands.

“{N}or, when William or his sons gave lands in England to their barons and ministers, did they lose all the benefits they might have derived from them. The fiefs which were thus created were hereditary in the sense that a direct heir would normally succeed his ancestor; but the king could exploit all the uncertainties that still hung over indirect successions, could

exact more or less arbitrary reliefs from heirs who did succeed to their heritages and could confiscate for disloyalty or rebellion.”<sup>16</sup>

The ability of the king to determine the inheritance of lands, both to give as a gift and take away as punishment, was an overarching concern. Though similar changes occurred during William I and William II's reigns, Henry I's time saw the most changes in this period.

Though it is helpful to consider the Anglo-Norman realm as a united kingdom, theories such as Le Patourel's neglect to highlight the drastic changes that occurred from king to king. The unity of the cross-channel nobility was also variable and served as a threat to the realm itself. In a period when power did not guarantee security, especially for the apply named “super magnates”, the personal associations protected familiar lands most effectively.

“The casualties of politics between 1086 and 1106 included some of the richest of the ‘super-magnates’, and these were also in most cases men with great estates across the Channel. It is significant, however, that men of comparable wealth were created in the early twelfth century, as Warren Hollister has pointed out, and again the new ‘super-magnates’ were related to the king.”<sup>17</sup>

By fostering greater mobility amongst the lower lords (and by occasionally alienating magnates), Henry I both secured his rule during times of civil war and created new conflict. He frequently produced discontent amongst the established magnates with the creation of his government structure. “The author of the *Gesta Stephani* also complained that Henry I took men of low birth

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<sup>16</sup> John Le Patourel, *The Norman Empire*, (Oxford: Clarendon, 1976), 327.

<sup>17</sup> Green, 139.

[*ex plebeio genere*], who had entered his service as court pages and enriched them, endowed them with wide estates, and made them his chief officials.”<sup>18</sup>

Frustrations and anger occasioned by the rise of *familiares* and new men resulted from the changes among the magnates. These new men were able to establish themselves in England through the favor of Henry.

During a period when sons could easily predecease their fathers (both Henry I and Stephen’s male heirs died at inopportune times, causing strife in the kingdom), a widespread powerbase was essential. The most prominent advocate of the view that the Anglo-Norman Empire was a single unified kingdom, akin to the Roman Empire (complete with implications of imperialism), was the late John Le Patourel<sup>19</sup>. His thesis, though persuasive, is simplistic. The idea of a unified Anglo-Norman state holds true only for the first few years of the new state. By the time of Henry, the first true generation of nobles who lived in the Anglo-Norman state, and had gained their lands by inheritance, rather than by conquest, had come to power. The holding of lands in both parts is graphic proof of both integration of the two compatible cultures and the effective rule of the duke-king.

Henry I fostered a great deal of mobility, as he restructured the government in important ways and sought to maintain his ascendancy through

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<sup>18</sup>Ralph V Turner, "Changing Perceptions of the New Administrative Class in Anglo-Norman and Angevin England: The Curiales and Their Conservative Critics." *Journal of British Studies* 29.2 (1990): 93.

<sup>19</sup>Brian V Golding, *Conquest and Colonisation: The Normans in Britain, 1066-1100*, (Basingstoke; Macmillan, 1994).

his favor to new men. In her analysis of the aristocracy after 1086,<sup>20</sup> Judith Green explains why there was such widespread resistance to the rise of new men and service families.

“We rarely know how such new men gained their entrée into the king’s service, and it cannot have been easy. Those already at the top of the greasy pole had every incentive to resist outsiders, and in practice most men looking for advancement must have looked closer to home, to powerful relations to their lords. In this respect powerful figures in the church, traditionally a means of promotion for the talented but poorly connected, were just as likely as their lay counterparts to work for the promotion of their own kinsfolk. And the careers of the new men of the king, once they became established, remained risky, for they incurred envy for their success. They needed to work to make and keep friends in high places, and they needed money to secure offices or patronage which might in turn lead to permanent gains of land. As royal ministers they exercised great power, but everything depended on keeping the king’s favour.”<sup>21</sup>

Henry I was able to take control of the Anglo-Norman realm through a variety of tactics. From the beginning of his reign, Henry sought to win the support of the Anglo-Norman lords in England, due to the fact the danger he faced lay in France. Henry seized the throne quickly, usurping it from Robert Curthose<sup>22</sup> after the sudden death of William Rufus. One of Henry I’s first official acts as king following a hasty coronation was his *Charter of Liberties* or *Coronation Charter*,<sup>23</sup> a document that mollified the aristocracy and reassured them about his

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<sup>20</sup> Judith A. Green, *The Aristocracy of Norman England* (Cambridge, U.K.: Cambridge UP, 1997), 126-140.

<sup>21</sup> Green, 139.

<sup>22</sup> Robert Curthose was away on a Crusade, partially funded by William I, and could not respond to the crisis in England to claim his birthright.

<sup>23</sup> "Primi Leges Henerici.", *Internet History Sourcebooks Project*. Fordham University, Web. 17 Sept. 2013.

intentions to protect their rights. Article 3 of the document concerns inheritance rules and rights of nobility against the king:

“And if any of my barons or other men should wish to give his daughter, sister, niece, or kinswoman in marriage, let him speak with me about it; but I will neither take anything from him for this permission nor prevent his giving her unless he should be minded to join her to my enemy. In addition, if, upon the death of a baron or other of my men, a daughter is left as heir, I will give her with her land by the advice of my barons. And if, on the death of her husband, the wife is left and without children, she shall have her dowry and right of marriage, and I will not give her to a husband unless according to her will<sup>24</sup>.”

Given the uncertain elements of his ascension to the throne including concerns over his right to rule through primogeniture, it is no surprise that Henry had to make explicit a willingness to compromise on the issue of inheritance, particularly where it came to the security of their patrimonial holdings.

The belief that biological fraternal relationships served as greater cause for strife than for cooperation amongst the sons of William the Conqueror is only a partial explanation of the disorder to come. Attempts to establish why the ambition of brothers found political and military support is also crucial and begins in part with this document. The concessions made in this document served to rally support early in his reign, as the anticipation of pending conflict with his still living brother Robert Curthose loomed large. With limited vassals prior to his coronation due to his small patrimony, Henry I showed a conciliatory side unusual for Anglo-Norman kings as he recognized his initial weak position, and the fact that he had no guaranteed supporters prior to becoming king.

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<sup>24</sup> Primi Leges.

Although it was clear who Henry I's "enemies" were, Henry took the opportunity to retain some measure of oversight to his nobles, but he yielded more influence to them than he gained<sup>25</sup>. Some scholars such as H.L. Cannon have interpreted the Charter of Liberties as a promise and expression to return to the Norman feudal rules.<sup>26</sup> This view, however, is not shared with most historians. Because of the mention of female inheritance, this Article does have continued relevance, as it served for Henry's justification in placing Matilda as his heir.

Henry's demonstration of power during this period was through concessions on inheritance. The Charter of Liberties discussed the key issues of inheritance and how the nobility sought to support themselves and their families. In recognizing the patrimonial needs of the noble families, the Charter of Liberties highlights the primary concerns of noble families:

"Family interests did not change during Henry I's reign. They remained providing for children through marriage, protecting their inheritance, and relying on relatives' patronage. The king shared these beliefs and actions, but differed in regard to administration of the kingdom. The generation first born to wealth was coming of age in his reign and Henry found a group of men to replace them for advice and service. This group, in turn, blended into the nobility through marriage and behavior."<sup>27</sup>

These familial concerns were the predominant factor that provided political motivations behind allegiances. Although attributing common attitudes to the

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<sup>25</sup> Henry L. Cannon, "The Character and Antecedents of the Charter of Liberties of Henry I." *The American Historical Review* (15.1 (1909): 37-46). [Http://www.jstor.org/stable/1835423](http://www.jstor.org/stable/1835423), 38.

<sup>26</sup> Primi Leges.

<sup>27</sup> Newman, "Family and Royal Favour in Henry I's England.", 306.

aristocracy is a historical fallacy, Newman's formulation of the goals of a noble family has some value. However, it is far too general to clarify aristocratic behavior in this area without exception. The *Charter of Liberties*, though it started initially as a promise and compromise<sup>28</sup> serves as a guide only for the early years of Henry I's reign. Once he had eliminated Robert Curthose, Henry was able to act more decisively and expand his power beyond his initial compromises.

Henry I's initial ascension did not signal a large shift in the rights of the magnates. Henry had to take advantage of the year between the death of William Rufus and the return of Robert Curthose to consolidate his power and gain support in England and France. The *Charter of Liberties* described above was just one step in developing this. Though Henry's reign would become increasingly autocratic, Henry's initial position was not nearly as strong as his brother's. In allowing the magnates to act largely autonomously, Henry gained sufficient support to capture Robert Curthose and protect his throne. The unification of England and Normandy under a single ruler enabled an unprecedented period of peace. Henry achieved this through the employment of lesser nobles, his "new men", who ran the government as justiciars, sheriffs, and other proto-bureaucratic roles. This new group would change the political

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<sup>28</sup> Henry stands by this promise to a much greater extent than his successor Stephen stood by his own coronation promise.

landscape of the realm through their influence which came from personal relationships to the king, rather than landed patrimonies.

## Chapter 2

### Henry I's Death and Succession of Matilda

Henry I's rule was largely peaceful. Though seen as autocratic, he established peace at home and abroad. The succession to the throne in England and Normandy in the late 11<sup>th</sup> and 12<sup>th</sup> century was uncertain. Though the crowning of William II was largely without dispute in terms of inheritance, it followed the attitudes of Normans on inheritance. With multiple legitimate sons/heirs, the paternal lands should follow a form of primogeniture. Lands gained through conquest were split amongst the younger sons, proportional to their age. Nevertheless, William the Bastard's complication of conquering a domain that was larger, with greater political and economic influence than the paternal lands led to a minor crisis. With the middle son inheriting the throne of England, conflict between the three sons of the Conqueror was nearly inevitable. Only after he had defeated his older brother Robert Curthose and imprisoned him, did Henry find himself able to govern and order his magnates. Henry I's impressive control of England and Normandy proved to be effective in part thanks to his stance as an ally of the magnates. The reign of Stephen and the civil war that occupied the majority of his reign highlights the importance of the relationship between the magnates and the king. The civil war that disfigured Stephen's reign is often thought to represent rule by the magnates, as Stephen did not have a great deal of influence on what happened in some shires.

Stephen's reign certainly stands at the low tide of Anglo-Norman and Angevin administration. In the final years of Stephen's reign, his influence over the magnates was practically nonexistent. The magnates and earls started to seek the council of Duke Henry Plantagenet, rather than Stephen's. The disputed inheritances that proliferated during the reign of Stephen were exacerbated by the lack of effective leadership upon either side, from Matilda or Stephen.

In the aftermath of the sudden death of Henry I's only legitimate son, his daughter Matilda, recently widowed, was Henry's choice to succeed him. In these circumstances, it was vital that the magnates support Matilda as sole heir (Henry had another son, Robert the Bastard, but he supported his sister for the most part). By requiring the oath of his magnates (not all of whom made this oath) to support Matilda Henry sought to ensure her succession, but this did not happen. Upon his death, Henry I's nephew Stephen of Blois, a member of rapidly rising French family, hurried to London to claim the throne. He received some support from the magnates, some chose to refrain from joining the conflict and some sided with Matilda. Thus, the period unkindly called the Anarchy came into being. The oath was coercive, but it would cause a negative reaction later on.

“After deliberating long and deeply on this matter he then, at this same council<sup>29</sup> bound the nobles of all England, likewise the bishops and Abbots, by the obligation of an oath that, if he himself died without a male heir, they would immediately and without hesitation accept his daughter Matilda, formerly Empress, as their lady.”<sup>30</sup>

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<sup>29</sup> London 1127.

<sup>30</sup> Historia Novella, 3.

The author of the *Historia Novella* makes the point that Stephen of Blois was the second to swear this oath, jostling with the bastard son of Henry I to make this oath. As the second highest ranking member of the elite there, such a routine of excessive modesty is not a surprise, nor does it suggest a malicious motive for Stephen. The years that followed seemed to have changed his manner, though the author of the *Historia Novella* does not have kind words of Stephen. Nevertheless, what is certain is that Stephen broke this oath, which he swore before the Council of London at the death of his uncle.

Following the imprisonment of Robert Curthose, Henry I had spent his reign consolidating and bringing a lasting peace to the Anglo-Norman realm, feats that were well received by many chroniclers. This issue was resolved around his heir in particular. During the rapid illness that killed him, Henry allegedly reminded those present of their oath regarding Matilda. "When he was asked by them about his successor he assigned all his lands on both sides of the sea to his daughter in lawful and lasting succession, being somewhat angry with her husband because he vexed the king by not a few threats and insults."<sup>31</sup> Despite the fact the relationship between Henry and Geoffrey of Anjou had soured over the latter's rights in Normandy, Henry's course was set. He had chosen Matilda as the best option to rule and build a united kingdom.

The events leading up to the death of Henry I highlight the complex relationship between inheritance and politics in the Anglo-Norman realm, finding

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<sup>31</sup> *Historia Novella*, 13.

roots in personal relationships. Henry's new policies had increased the king's control over governmental administration through personal relationships and they may have led to the belief amongst the magnates that Henry had held too much control of the government. The only surviving legitimate child of Henry I was Matilda, whose political marriage to Geoffrey of Anjou was unacceptable to the Anglo-Norman lords due to the long rivalry between the two French regions, an issue that was not resolved by the marriage. In addition to the looming threat of outside rule from Anjou, the barons had no familiarity with the adult Matilda, who had spent nearly her entire life outside of England and Normandy. The only impression that the barons had of her was that she was as determined as her father but lacked his expertise and political dexterity.<sup>32</sup> The barons probably wanted a king who would give them more freedom and independence. The unpopular succession gave the barons considerable freedom of action. At the sudden death of Henry I, the barons had an opportunity to manipulate the succession to the throne away from a candidate that they were unsure of. In a largely unheard of move, the Anglo-Norman barons met in Normandy to select the next duke and by extension, the next king.<sup>33</sup> Stephen chose to act swiftly in the opposite direction. He traveled to England, seized the treasury, and was crowned in the span of a few weeks. Rather than allow a decision to be made, he

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<sup>32</sup> Turner, 31.

<sup>33</sup> Appleby, 31

took matters into his own hands to become king, gaining magnate support for his tenacity.

This is why Stephen had an almost uniform support of the magnates. Despite papal and magnate support, Stephen was unable to utilize the structures his predecessors established. Shockingly, Matilda also proved she was even worse than Stephen at administration. The decisions of the magnates and nobles are crucial here. The landed nobility changed their ideas on who to support apparently based upon the difference in the two rivals' abilities to lead. The difference between Henry I's close supervision of the nobles in comparison to Stephen's more cooperative rule, gave rise to the aristocracy taking a more assertive control of their territories and ultimately calling the tune in the kingdom.

The view that the magnates were uneasy with Matilda does have a basis in truth. She was largely unknown to them, having been married to her first husband, an emperor, at an early age. The unease was not with her specifically, but rather with her second husband, Geoffrey, the heir to territory of Anjou and a long-term enemy of Normandy. The potential of Angevin control of territorial lands on both sides of the ocean was potentially dangerous to the security of the Anglo-Norman aristocracy. The Anglo-Norman lords sought to maintain their position. The threat that Geoffrey presented to the Norman realm was well founded, by the time that Henry I died, Geoffrey was seeking to take control of

some castles, a task he would eventually succeed at, further destabilizing the political stability of the Anglo-Norman lords. The *Historia Novella* does not refer to the support of Stephen being based on the gender of his rival. The *Charter of Liberties*<sup>34</sup> discussed earlier suggests that though the gender of the heir was considered, it did not prohibit an heir from inheriting. The *Historia Novella* does not try to suggest a gender driven motive behind Stephen's power grab; gendered nouns are used for convenience in describing the situation, not to draw attention to the fact Empress Matilda was a woman. The author of this chronicle is most definitely adamant that she had more Norman support than English support, due to her territorial holdings. Stephen's usurpation was simply a power grab, executed much the same way that Henry I executed his thirty-five years before. Even so, the author of the *Historia Novella* does not have kind words for Stephen, calling him a man of energy but no judgment,<sup>35</sup> although he clearly admired the rapid action he had taken in securing power.

In the following chapter the impact of Stephen's oath and the reaction of the magnates will be discussed. With the aristocracy forced to take sides in dangerous circumstances, they found that they frequently had to change sides as the tide of war shifted. In the efforts to maintain loyalty, the promise of patrimonial lands and rewards through partible inheritance became the norm and necessity for the nobility to decide to act for either Stephen or Matilda. The

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<sup>34</sup> See Article 3 of *The Charter of Liberties*.

<sup>35</sup> *Historia Novella*, 16.

events of the civil were such that rapid changes occurred in loyalty, as well as decisions fueled not by loyalty to Stephen or Matilda but the interests of aristocratic families. The civil war took on a magnitude that led to a shift in the composition of the aristocracy back to its contours before the reign of Stephen. The result was Henry I's lauded new men were largely left with a weaker position politically.

## Chapter 3

### Stephen's Ascension and Rights to Inherit

Heavily favored by the late king, Stephen held extensive honors in England and northern France, including the critical honor of Lancaster.<sup>36</sup> He also held the county of Boulogne through his marriage Matilda of Boulogne, a descendent of the King Malcolm III of Scotland, also thanks to his uncle's support. Having the late king's favor was crucial for reassuring the magnates for Stephen's capacity for the throne, particularly when considering the careful manipulation that took place prior to the oath that established Empress Matilda as the future ruler of both Normandy and England. The unease of the nobility at this council is palatable in the chronicles, as Henry first delegitimized Robert Curthose's son William Clito (whom the magnates knew) only to promote his daughter. Henry I's view of who was to be his successor was for the settlement and continuation of his line. Despite Henry I's efforts to organize and reduce the influence of the demands of the settlement of territorial disputes for the crown, the succession was left vulnerable, allowing Stephen to seize the throne. Stephen, in the eyes of the magnates, was the fittest to rule England. Stephen had ready support from many magnates in England and Normandy. Throughout the conflict, Stephen was able to retain the support of many of the magnates in England until 1141, when the conflict turned briefly in Matilda's favor and

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<sup>36</sup> Appleby, 9.

despite her eventual defeat, Stephen's followers were never as enthusiastic as before 1142.

Before I continue the analysis of Stephen's ascension, I must make a historiographical digression. The two accounts that I have cited so far, the *Gesta Stephani* and the *Historia Novella* are starkly different works. The *Gesta Stephani* is supportive of Stephen, to the point of only partially admonishing him over his ill treatment of the church. Presenting Stephen as wholly justified in his actions, the author of the *Gesta Stephani*, as K.R.Potter states, is deeply biased and the work was most likely written in the reign of Stephen. Stephen's rule comes across as deeply troubled but entirely justified due to the dangers in the Anglo-Norman realm. By arguing that the only solution was through control from the house of Blois, the author of the *Gesta Stephani* gives image and voice to the dramatic course of events in 1135. By arguing the necessity of Stephen's actions, this evaluation of Stephen's support gives some insight into the feelings about Stephen at the very beginning of his reign. In contrast, the *Historia Novella* is an unfinished work that is deeply critical of Stephen. The text contains several points that are poorly developed or inadequately explained, and the author, William of Malmesbury, stops with an unsatisfactory ending, most likely due to his death. The text leaves the impression that enthusiasm for Stephen soured in the minds of some magnates as his reign lengthened. The author never reaches the end of the reign of Stephen, stopping several years prior to the death of Stephen's son, which led to the resolution to the civil war. This source provides

both a limited and unusually frank account of the first half of Stephen's reign. A strange commonality between the two however is their equal willingness to praise the newly deceased Henry I on his conciliatory stance. However, the clearest overarching theme of these texts was the transition from an initial enthusiasm for Stephen to a lukewarm acceptance of his authority.

The experience of the aristocracy with the respective potential heirs played a crucial impact on the events that followed. Many historians have attributed the hesitancy on the part of the nobility to support Matilda to the fact that she was a woman and England had never been ruled by a woman. Such an argument suggests only part of the reason why Matilda was unsupported. The concern was not the gender of the heir but the heir herself. Matilda had no relationship with any of the nobility, having been married at the age of eight and returning to England again in 1125 after the death of her husband.<sup>37</sup> In all Matilda had spent only four months in England as an adult prior to being "welcomed" as her father's heir. Further, following thirty-five years of her father's severe rule, Matilda appeared to be as harsh as her father. Though unmarried at the time of the oath, the barons were faced with supporting her next husband, as of yet unnamed. The element of uncertainty surrounding Matilda shows the underlying concerns the magnates had about her potential accession.

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<sup>37</sup> Appleby, 13.

The years that followed increased the baron's unease. In marrying his daughter to Geoffrey of Anjou, the powerful and influential count of Anjou and longtime enemy of Normandy, Henry further isolated his selected heir from her future aristocracy. This marriage served to buy off Geoffrey from any future attacks on Normandy, with a near promise that the land would be his as Henry died. The magnates concerns were to be realized in a virtual worst case scenario. Though Geoffrey's machinations in the 1134 were welcomed by some Norman lords,<sup>38</sup> the implication of Matilda's close association with him (as well as her arrogance in still calling herself Empress) increased disaffection in the minds of those uncertain over her ability to rule. By the time that Henry died in France of eating lampreys, many had soured on Matilda.

One of the crucial elements of Stephen's claim to the throne was the assertion that Henry had chosen to release all his nobles from their oath to support his daughter and instead allowed them to support Stephen or someone else. Though this is distinctly out of character for Henry, it is supported by the *Gesta Stephani* and the *Historia Novella*, both citing Hugh Bigod, Earl of Norfolk, was a witness. Though Malmesbury was a supporter of Robert of Gloucester (Henry's most powerful bastard) and by extension Matilda, he nevertheless reports this story. Some authors, (notably Orderic Vitalis) simply avoid the

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<sup>38</sup> Ibid, 18

subject all together.<sup>39</sup> The events of the past decade do suggest that a release on the deathbed of Henry was not out of the question.

“It is possible that King Henry, when he felt death approaching, was so bitter against his daughter and her husband for their attempts to take over Normandy that he released his nobles from their oath of fealty to her. It is equally possible that he intended to hold them to their oath but that they so disliked Matilda and Geoffrey that they refused to be bound by an oath that had been extorted from them almost by force...”<sup>40</sup>

The oath had become dated in the minds of the magnates, as they sought to act in a long term manner. A desire to continue Henry I’s largely unprecedented peacetime rule and forging of the Anglo-Norman lands into one state required a sophisticated political insight demanded a deeper understanding. Stephen’s intention in seizing the throne could be interpreted as either opportunistic or as intended to continue his uncle’s peaceful rule for the greater good of the kingdom. Later writers are more insightful as they approach the circumstances surrounding his succession:

“The significant fact is that soon after Henry’s death the Norman nobles, with Robert, earl of Gloucester, amongst them, assembled either at Neufbourg or at Lisieux and offered the duchy to Count Theobald (Stephen’s older brother) as the eldest of the king’s nephews...Whilst they were debating the matter, a monk arrived on 20 December to inform them that Count Stephen had already landed in England and claimed the crown.”<sup>41</sup>

Realizing the close relationship between their English holdings and Norman holdings, this group of nobles readily accepted Stephen. The readiness of the aristocracy to decide the succession is unusual for the period, and highlights the

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<sup>39</sup> Ibid, 20.

<sup>40</sup> Turner, 21.

<sup>41</sup> Turner, 21.

priorities of the aristocracy to ensure continued union of the kingdom and the duchy.

The most perplexing figure during this uncertain transition was Robert, earl of Gloucester. Henry I's most powerful bastard played a critical role in the 1135, as he provided support for Stephen when it was clear that Stephen was secure. However, it is unlikely that Robert was a true ally of Stephen, since he was seen by some writers (including Robert of Torigeni) as a potential contender for the throne.<sup>42</sup> Yet he had initially supported Stephen's brother, Theobald. Once it became clear that Stephen was the next king of England and probably duke of Normandy, Earl Robert gave his support. But to assume that they were allies is unlikely. Both acted in accordance with their own calculations and means to achieve their goals. Only once their interests aligned did they seek to work together. Though given far greater importance by modern historians,<sup>43</sup> the allegiance of Henry's bastard serves as an example of the opportunism demonstrated by the magnates during the time of Stephen's reign.

In the following section, the opportunities of the civil war for the magnates were many. With the promise of personal success and reward, the magnates acted out of in self-interest, seeking to securing their patrimonial lands. In a period when the throne was contested for an extended period of time, the nobles and magnates were able to manipulate territorial controls

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<sup>42</sup> David Crouch, *The Reign of King Stephen*, (Harlow: Longman, 2000) 34.

<sup>43</sup> Crouch, 35.

despite the national crisis. Because of these issues of self-interest, the magnates were able to have the most significant impact upon the course of the civil war, determining the next king.

## Chapter 4

### Basis of Magnate Support for Stephen and Matilda

Unlike Henry I and Henry II, Stephen did not leave behind a large body of evidence from his rule, because many charters and administrative records either disappeared or never existed.<sup>44</sup> The main means to understand the events of Stephen's reign is from a political standpoint. Aside from the succession, the reign of Stephen had two largely contradictory results. "One is an upgrading of the role of the earl...There were seven at the beginning of the reign; Stephen created new earldoms freely, and made 19 appointments, and not simply to confer honorific titles and enhanced status upon his supporters."<sup>45</sup> Stephen seems to have sought to have a greater local control of England by "creating an earldom for virtually every shire,"<sup>46</sup> while diminishing his own responsibilities. The charter evidence is inconsistent over the course of his reign, because it declines substantially in size.

The second major change that occurred during Stephen's reign was a significant shrinkage in the royal government established by Henry I. Many of Henry's agents were still loyal, and after his death they joined Matilda in France. This led to a pseudo-brain drain from England, where after a very short period of

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<sup>44</sup> H. W. C. Davis, "The Anarchy of Stephen's Reign.", *The English Historical Review* XVIII.LXXII (1903): 630.

<sup>45</sup> Warren, 92

<sup>46</sup> Warren,93.

time, no expert justices were present, to oversee the administration. This exodus reduced the ranks of the new men most of all, many of whom owed their influence to their positions, not from their patrimonial lands. Influence over the appointments and positions to the new men's positions in the royal government did not fall entirely to Stephen. The removal of such personnel left aristocrats such as Roger of Salisbury, one of the single most powerful members of the royal government, with key influences over royal government.

The best manner to evaluate the role of the middle and lower elite is by establishing a base line picture of their wealth and influence for the reigns of Henry I and Henry II, and then using this basis to illuminate what happened under Stephen.<sup>47</sup> This procedure reveals many gaps in the position of justiciars in particular. These political changes came at a high cost to lower and middle elite as a result of the civil war. The documentary evidence for this period yields only limited information about the fate of these individuals. Though still substantial, the royal documentation of Stephen's reign pales in comparison to the documents from both Henry I and Henry II's multifaceted governments.<sup>48</sup>

Despite the frustration expressed by the established magnates over the rise of the new men,<sup>49</sup> whom they decried as low born and unworthy of their

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<sup>47</sup> Turner, 97

<sup>48</sup> King Stephen: Government and Anarchy, Author(s): Edward J. Kealey Source: Albion: A Quarterly 202.

<sup>49</sup> This generalized term can be applied to positions that referred to major roles in the government such as justiciars that went to nobility who did not have as significant a role for their families prior to the position.

positions in multiple chronicles,<sup>50</sup> the grounds for this reaction seems unclear.

There was intense frustration over the position of the new men but this was almost certainly exaggerated. The clues into the motivations of the critics is explained by the analysis of Ralph V. Turner:

“The disparaging comments on Anglo-Norman and Angevin royal officials' base birth by conservative critics must be labeled more propaganda than accurate social analysis, an attempt to discredit the new administrators. Nonetheless, these writers' resentment of "new men" does reveal their vague awareness of actual societal change. A class of professional civil servants-protobureaucrats-was arising in the twelfth century that would compete with warriors and aristocrats for royal favors<sup>51</sup>.”

The burdens of these criticism was that the direction of the kingdom was in the hands of those grossly unqualified for it.

Perception and support for Stephen changed rapidly over the course of his reign. Support for both camps from these factions became scattered and uncertain. To seek to explain the breakdown between those who supported Stephen vs. those who supported Matilda is a straightforward issue. These groups were not to defined by region but rather by relationships and kinship. By 1139, the Anglo-Norman nobility at all levels were no longer concerned with

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<sup>50</sup> *Historia Novella*, *Gesta Stephani*, and *Orderic Vitalis* are prime examples of this.

<sup>51</sup> Thomas K. Keefe, “Geoffrey Plantagenet’s Will and the Angevin Succession.” *Albion: A Quarterly Journal Concerned with British Studies* 6.3 (1974): 266-74: 116.

expanding their territories but rather consolidating and holding onto it.<sup>52</sup> Of all the reforms, that Henry I imposed upon his kingdom, the most important was stability through separated holdings. Henry I's reign, though distinctly overshadowed by the years that followed, was a time of stability punctuated by a harsh rule. Unprecedented in the Anglo-Norman period, the last 10 years of Henry's reign were peaceful. In this period, the second generation of Anglo-Norman lords were able to develop their lands.<sup>53</sup>

Under Stephen, the Anglo-Norman magnates, barons, and lesser nobles had absolute autonomy in their decisions relating to their lands. They sided with the claimant with the greatest strength and ability to offer more to their supporters. The question of law versus defacto power is frequently overlooked. The laws are far too often treated as governing allegiance, when it is more accurate to realize that the ability to enforce one's power came from the control of territories. Though Matilda was married to one of the most powerful territorial rulers in France, Stephen's strength was broader, thanks to the benefaction of his uncle Henry I. W.L. Warren summarizes the first several years exceedingly well in the following manner,

“He (Stephen) was the son of William the Conqueror's sister, Adela, who had been married to the count of Blois to cement an alliance between Normandy and Blois. Stephen's elder brother, Theobald, had already succeeded to the countship; his other brother Henry was bishop of Winchester. Stephen was accepted, rather hastily, by the barons as a preferable alternative to Matilda and her husband. Matilda protested in

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<sup>52</sup> See the works of Charlotte A. Newman referenced earlier.

<sup>53</sup> Bartlett, 121.

vain at the court of Rome that they were all oath-breakers<sup>54</sup>, and Stephen an usurper. But although Stephen was accepted by the barons, and recognized as king by a cautious papacy, he was only briefly in undisputed control. It was not easy for him to satisfy the aspirations of the diverse interest groups which tried to get his support by offering him theirs, and he became, though capriciously, a tool of faction.”<sup>55</sup>

The conflict which was nearly constant throughout Stephen’s reign is confusing, particularly as historians have had difficulty understanding the allegiances of the nobles. “The complicated questions concerning the Anarchy, of course, are those dealing with the motives behind individuals’ choices of sides. Stephen’s “mistakes” were undoubtedly one factor that prompted a few men to choose sides.”<sup>56</sup> Individuals such as Geoffrey of Mandeville<sup>57</sup>, who changed sides multiple times for the promise of reward,<sup>58</sup> make the question of determining intention on the part of the nobles difficult but not insurmountable. However, he is an anomaly and not indicative of the behavior of the majority of the aristocracy in this period. His actions were extremely distasteful even to a medieval chronicler. If he had been a true indicator for the magnates, the civil war would have been far more explosively caustic to the realm than it was.

However, the ill-luck the aristocracy had over the course of the civil war between Matilda and Stephen suggests that there were two major causes for

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<sup>54</sup> The papal appeal, though significant in its symbolism, does not impact the conflict that will ensue, turning the civil war into a virtually internal affair.

<sup>55</sup> Warren, 89

<sup>56</sup> Newman, 164-165.

<sup>57</sup> His actions are a possible source for modern historians to characterize this period as the Anarchy. However, it is a misnomer and comes from the Peterborough Chronicler, who commented that this time was when “Christ and his angels slept.” This exaggeration is relative, due to the greater involvement Henry I and Henry II had in government.

<sup>58</sup> Newman, 164.

their losses. The first was a threat to men whose status was based on royal patronage obtained through royal service, not landed wealth (several of the new men rose to baronies on their own merits). With the reduction (collapse falls into antiquated views of Stephen) in the size of royal government in favor of a greater emphasis on the local level, the foundation of the position of these men shrank. The second reason was the cause of the first. When Stephen seized the throne, many of the new men joined Matilda in France, banking on her success. The promise of reward even when it was unspecified, was sufficient to dramatically shift the political balance among the lesser nobility. Such a generalization does not entirely hold true.

Two figures need more detailed consideration. The first is Roger Bishop of Salisbury. A “new man” under Henry I, he swiftly joined Stephen, though his support would be greatly reduced until Salisbury’s death. Roger was an exceptional “new man”, who was the most effective of Henry’s hand-picked councilors. As one of the first people to join Stephen in his efforts to secure the throne, Roger’s support gave Stephen control of the Treasury, Roger’s choice substantially strengthened Stephen’s early rule. His decision may have stemmed from a great personal desire for power, only achievable by being a close confidant of the new king or perhaps a concern to secure the united realm. Robert of Gloucester, as mentioned before, did not immediately join Stephen or even support him. It appears that he made a rapid calculation on what would

serve him best personally. The *Historia Novella* provides an unusually detailed explanation into his reasoning.

“He had wearied his mind with much reflection, while he was in Normandy, on what he thought he should decide to do in this matter, for he saw that if he submitted to King Stephen it would be contrary to the oath he had taken to his sister, but understood that if he resisted it would bring no advantage to his sister or nephews and would certainly do enormous harm to himself.”<sup>59</sup>

Robert represents an unusual case due to his unique position in the kingdom as the king’s chief bastard. However, the thought process that he went through on the way to supporting Stephen in 1135 can be extrapolated to many barons. Roger’s concern was not unusual, as his hesitancy is comparable to the other magnates. In his case, his questionable birth made him more vulnerable to a regime not related to him. Seeking to enrich himself, he joined the swarms of knights flocking to Stephen out of a desire of a quick reward.<sup>60</sup> The opportunity for rewards of gold or lands was alluring. Because Stephen had greater initial opportunities to provide patronage for his followers, he was able to outmatch Matilda when it came to supporters. The early stages of the conflict was focused upon the ability to offer and control territories, causing a division amongst the magnates over familiar holdings or the possibility of new holdings.

The chief motivating factors for supporting Stephen at the beginning of his reign came from a desire to probe further into familial lands, specifically to take control of the rights of inheritance. Stephen’s reign fell into confusion due

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<sup>59</sup> *Historia Novella*, 17.

<sup>60</sup> *Historia Novella*, 17.

to a lack of a strong leader. Though Henry I's autocratic tendencies may not have been approved by the magnates, they maintained the peace and provided opportunity for both advancement and stability. The description of this period as the anarchy reflects the judgment of the magnates, rather than a lack of local control by Stephen's government, as is widely asserted.<sup>61</sup> Although the area within which the king could provide stable government shrank as evidenced by the increasing infrequency of royal charters and effectiveness, the magnates took control of the situation in some shires and began to end the civil war.

With the death of Stephen's son Eustace in 1153, the succession became unclear. By taking advantage of the instability in England, Geoffrey of Anjou had been able to consolidate power in both Anjou and Normandy, a powerbase that enabled his son Henry Fitzempress to sail to England for his matrimonial land. This invasion prompted the conclusion of the conflict. The series of treaties decided upon at Winchester are somewhat confusing and the chronicles do not fully agree on the terms, save that Henry would supersede the remaining son of Stephen. The key individuals feuding, Stephen and Henry were barely involved, the magnates reached an agreement to resolve the conflict. Perhaps the key reason as to why the terms of the treaty at Winchester is wrapped in a certain degree of mystery is the agreement was focused more on the aristocracy securing their own rights, rather than resolving the succession crisis. The

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<sup>61</sup> Edmund King, "The Anarchy of King Stephen's Reign." *Transactions of the Royal Historical Society* (1984): 34.

chronicle evidence is limited in details as a result, as it involved private agreements among the nobility. With this view in mind, the presence of Henry Plantagenet and King Stephen is a footnote, setting the stage for the greater concerns of the aristocracy about the security of their own lands.

## Chapter 5

### Stephen's Death and Henry II's Succession

The years of Stephen's reign did not see continuous fighting. The relatively quiet periods, however, simply lacked violence. Following Matilda's nine-month rule as queen, Stephen received support from the remaining magnates and had widespread territorial control. "Yet in 1149 King Stephen's prospects were improving; indeed, if anyone were going to restore peace and order, it looked to be the king.<sup>62</sup>" Stephen's return to the throne marked a crucial turning point in this period. The focus turned away from securing the throne to ensuring succession, but Stephen's son died in battle several years before his father's death, an event reminiscent of the circumstances that brought him to power. The details of the agreement that made Henry Plantagenet king are few. The *Historia Novella* ends before this and the *Gesta Stephani* does not provide a full description.<sup>63</sup> Records from Henry II's reign, including Roger of Nugent and others, are more concerned with Henry II's inheritance to the county of Anjou than the throne of England. But nineteen years of chaotic experience had taken their toll and laid positive foundations for the future kingdom. Given Count Henry's ridiculous military exploits in 1149,<sup>64</sup>

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<sup>62</sup> Amt 3

<sup>63</sup> The Bishop of Winchester is credited with telling Stephen to make peace as many of his key allies are either dead or deserted him. 158 gesta stephani

<sup>64</sup> Amt, 3

Emilie Amt explains that contemporary writers would have been startled by Henry's success.

By the time the sixteen year old Henry took up his mother's cause to take the throne, the civil war had virtually ended. Following Matilda's failed nine-month rule, Stephen returned to power after being traded for Robert of Gloucester. His reemergence ensured the stability of the kingdom, as Stephen had more support, as a more effective ruler than the alternative Matilda. His limitations in administration were of less weight in comparison to Matilda's abysmal failures as an administrator and her immense ability alienate supporters. Though Newman made a strong effort to find patterns among the various noble groups she identified, the curial, the service families, and the landed aristocracies, she found that the shifting levels of support from one side to the other cannot be explained on the basis of these groups. The desires for rewards is far more important to consider when explaining these political decisions.

"Favor, however, proved to be more important to individuals than to families. Many individuals started or strengthen fortunes through their service to the king, but the protection of their wealth and position after Henry's death and the continued enhancement of their family's status depended upon other factors. This may perhaps best be seen by looking at the situation of the new men, those who began their rise through Henry I's favor."<sup>65</sup>

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<sup>65</sup> Newman 177.

The families who rose to great prominence during Henry I's time had fallen en masse to lower levels of society, in part because of the backlash during the anarchy against these recently established new men. Lacking a landed powerbase or male heirs prepared to take over the family role, the new families suffered great losses. The service families, established prior to 1100, were able to better survive thanks to more accumulated wealth power and influence due to being established for a longer period of time.<sup>66</sup> It must be remembered that these two groups were different political groups and did not act as an easily defined unit.

But the shock that Amt shows for the future Henry II's ability to lead, especially militarily, is misplaced. His father, upon his death, demanded the splitting of the expanded Angevin realm between Henry and his younger brother Geoffrey, the division being guaranteed by Henry's oath. The oath, discussed by William of Newburgh and only William of Newburgh,<sup>67</sup> was allegedly made before a large group of magnates and to ensure that the second son, Geoffrey would inherit Anjou upon his elder brother's coming of age. This incident does not appear in another chronicler's account and has been widely criticized by historians due to its limited support. However, Thomas K. Keefe defends its validity by noting that most writers would have been unwilling to make an

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<sup>66</sup> Newman, 168.

<sup>67</sup> Thomas K. Keefe, "Geoffrey Plantagenet's Will and the Angevin Succession." *Albion: A Quarterly Journal Concerned with British Studies* 6.3 (1974): 266-74, 266.

allegation that Henry usurped his inheritance, against the will of his father, for fear of retribution from an increasingly powerful ruler.<sup>68</sup> Keefe succinctly explains how this incident bears upon inheritance traditions:

“Though it was normal in twelfth century England and western France for the elder son to inherit the patrimony and the younger son to receive lands acquired through marriage or conquest, we have seen that this rule might be reversed when the acquisition bore a greater honor and significance than the patrimony. Testamentary custom contained certain elasticity, if not always in the letter of the law, at least in its application. With this fact in mind, William of Newburgh's report is altogether credible. And so, while the rules of inheritance and descent were flexible enough to allow Count Geoffrey Plantagenet to ordain that his second son ultimately should follow him in Anjou, his design failed to withstand the ambitions of his eldest son.”<sup>69</sup>

If we accept William of Newburgh's explanation, we see the potential faults in the system of inheritance that had been established in England and France. Despite the theoretical rights of rivals, the person who inherited the land, title and territory was the strongest and most ambitious person at the time.

The ambition of Henry Plantagenet is startling, as his father had shown no interest in England and his mother had failed horribly. The main key difference between Henry's acquisition of his Angevin lands and Stephen's seizure of the English throne is the lack of a strong rival in Anjou, enabling him to make a stronger case for the English throne. Upon gaining powerful backing from his father's supporters following his refusal to honor the oath he allegedly took, a series of events to place similar to those that led to Stephen's coming to the

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<sup>68</sup> Keefe, 266

<sup>69</sup>Keefe, 274.

throne. In both instances, events began with an oath made on a deathbed to ensure that an inheritance went to the heir whom the deceased intended. In both cases, a determined individual was able to take control and keep it. The similarity between Stephen and Henry II disappears after they gained power, as we can see from Stephen's failure and the unifying nature of Henry Plantagenet's rule in France and England. These detailed inheritances and the events of Stephen's reign can lead to a couple of interesting conclusions. First towards the end of their lives, major magnates and landholders were faced frequently with concerns over their ability to ensure that their intended heirs would gain control of the territories at issue, and whether second they would have sufficient support from the important nobility. The ability to build and maintain coalitions was crucial during the rule of Stephen and Matilda, who both failed to gain or retain the supporters they need to be successful. Henry II was, on the other hand, able to gain control of significant support from the key men in his scattered lands.

Unlike Stephen in 1139, the magnates flocked to Henry because of his early ambition and clearly established position. Unlike any other leader in this period rife with unexpected events, Henry Plantagenet was not only prepared for the unexpected, but he used it to shape the events around him. Far from being a single-minded individual, Henry II was a leader unlike any that had been seen in the kingdom for a long time. He exhibited a dogged determination and extreme efficiency in his early years. The threat of Henry's invasion served to not

only rally supporters to his cause but to end the conflict itself. The territories that he inherited from his equally ambitious father made him not only a dangerous enemy to Stephen but also an attractive figure for the magnates to support. Stephen's rapidly eroding support at home shows his failure to consolidate his position.<sup>70</sup> Henry received a favorable appearance at the hands of the contemporary writers during this period. When Henry finally came to England in January of 1153, he destabilized Stephen in a shocking way. Already having the benefit of the barons' support as a viable alternative to Stephen, Henry found himself with more room to maneuver in 1153 and 1154. The civil war had become a private war amongst the nobility, and the nobility sought to resolve the conflict through their own private treaties:

"The private treaties which had proliferated in recent years could not in themselves produce a stable peace; their existence however indicates that many barons-in particular the earls, whose support was crucial to each side-had problems with continued civil war. A permanent national peace agreement would help to eliminate the need for such piecemeal measures. Its benefits would include the ending of the war, the re-establishment of royal authority (which would be popular with some though by no means all barons), and the reunification of Normandy and England. Land disputes arising from or exacerbated by the conditions of civil war could be resolved."<sup>71</sup>

These continuing concerns in England explain the support that Henry received over Stephen. Once again, the magnates were acting not as individuals who were wedded to a single leader but rather as individuals who sought to extend their own influence in a stable manner. Taking into account Newman's exhaustive

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<sup>70</sup> Amt 8

<sup>71</sup> Amt 12

study of the changes in landholding amongst the various levels of the aristocracy during Stephen's reign, it is not surprising that it had become imperative that the barons wished to end the divided kingdom and the lack of an effective general administration. The attitudes of the aristocracy were consistent with a group that had chosen reject the existing royal authority in favor of a restored structure and order.

During the Anarchy, it became clear that the ability to give gifts and rewards was less important than the promise of it. Throughout this period, the question of support or hostility was a sometime thing. Individual opportunities to change lords were frequent, and treason and betrayal were rampant. The *Gesta Stephani* alleges that key castles were taken by this same means.<sup>72</sup> The desire of the individual magnates to avail themselves with each of these aspects of the conflict is complex. Only with Henry II took up his mother's cause in 1158 did the civil war become simplistic. With the youthful energy of Henry II, the conflict ended. But the settlement that emerged was not the result of a joint decision between the two major combatants, but a settlement emerged because the barons forced an agreement.

Shockingly, there is very little record of the details of this agreement. Such a crucial piece of the puzzle further adds to the mystery of the Anarchy. Though the Angevin cause prevailed, analysis of the territorial changes that

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<sup>72</sup> *Gesta Stephani*, 158.

occurred during this time shows that the greater influence on political structures came from the period before the Anarchy.

The issues the Anarchy raises is not that the rules were not simply followed. Instead, it is more profitable to approach the issues of the Anarchy and the operation of inheritance rights by considering the immediate interests of the nobility involved. As stated in the beginning, much of the study of the Anarchy has revolved around the erroneous belief that some individuals acted in response to joint interests. However, this is simply not true. The frequent shifts in allegiance during this period suggests that there were immediate gains to be had that took precedent over the rules and traditions. This mistake, the assumption that rules, order, and standards that were applied automatically has severely weakened our understanding of the Anarchy.

The background cause of this has been the basic assumption that the king, with his various powers, was the sole arbiter for the lands, status, and political weight of the magnates. All three of the kings presented in this thesis, began their seizure of power from a position of being the most powerful amongst the magnates. Their immediate success depended upon having a significant powerbase. Their ability to quickly and effectively consolidate their position during the first five years of their reigns determined their future impact as kings.

The magnates' ability to support their respective kings depended on how vigorously the magnates were willing to act on their choices. The Anglo-Norman lords during this period were in a complex position since their estates were transitioning from acquisitions to patrimony governed by primogeniture. This transition offered the kings a lever for securing the kingdom. The dynastic ambitions of the two parties, easily summarized as Blois and Angevin, followed similar patterns. The seeking of church support from papal legates and the challenges in assembling sufficient magnate support makes it difficult to follow the unfolding conflict during which success vacillated between the two sides.

It is not surprising that the historical interpretation of the period takes its cues from the example of Geoffrey of Mandeville, a man notorious for frequently changing sides. Most key figures only changed their allegiance slowly over time, as Stephen's support eroded over the course of his rule. Henry II in conquering England showed that he was more willing to negotiate with those whom he had an advantage over, rather than deploying military action. His restraint made him attractive to the magnates after a period in which military solutions were far more common than negotiations. Henry's approach to the creation of the Angevin empire was unusual for the period. At the outset of his rule, he was able to obtain the support of magnates through the political agreements that had been made prior to his ascension. Henry II proved himself through a willingness to negotiate and by being far more approachable than Stephen.

Henry II's establishment of the Angevin Empire was an event of importance. His acceptance by the magnates ran counter to the reasons why they refused to support his mother. Henry II was in a much more powerful position than she had ever been by 1153. His successes during these years were surprisingly of his own design. It is also extraordinarily difficult to evaluate Henry II. Not only was he another Frenchman in a long line of Frenchmen who ruled England, but he was a self-contained and careful one from an exceedingly young age. He was by this time a major territorial ruler thanks to his marriage to Eleanor of Aquitaine, and he already controlled a significant portion of French territory.<sup>73</sup> In the case of Henry II, he had become highly skilled politically at an early age, and deftly resolved a conflict with the King of France over Normandy and he swiftly changed his focus to England. There he will gain enough magnate support and control to strike a balance that had not been achieved by either his mother or his predecessor.

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<sup>73</sup> W.L Warren's magnum opus biography of him is testament to the complexity of the man's life and age in which he lived. Biographies before and since have expanded on the many phases of his life and shown the vast changes he accomplished.

## Chapter 6

### Magnates and the Return to Political Stability

As Charlotte Newman and others have shown through examination of charters, tax records, and territorial surveys, the “new men” did not survive Stephen’s reign. Lacking major inherited lands, their influence was reduced by the conflict. Surveys reveal that these families typically returned to their status prior to Henry I’s reign, or simply disappeared.<sup>74</sup> There were two key reasons for their decline, as discussed in the previous section. The first was death without heirs, an event that caused their land to be given as a reward to someone else. This outcome was less common than the second cause, and that was disinheritance. The transfer of lands following defeat was a crucial aspect of warfare in this period. There was very little incentive apart from familial bonds to join one side or the other in this conflict. Familial bonds even served as the incentive to fight against one side, rather than a source of unity.

Following Matilda’s failure as ruler, the civil war took a turn towards private war as she struggled to rally supporters. The civil war was resolved through a carefully manipulated set of agreements, some established prior to Henry II’s arrival in England. Stephen had ceased seeking military victory for

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<sup>74</sup> Newman 176.

himself, his object was security of the realm for his son. Henry Fitz Empress on the other hand, sought to displace the king.<sup>75</sup>

“The attitude of the English Barons – as far as one can speak of their attitude in the singular –was in some ways favorable for Henry’s purposes. The private treaties which had proliferated in recent years could not in themselves produce a stable peace; their very existence, however, indicates that many barons – in particular the earls, whose support was crucial to each side-had problems with continued civil war.”<sup>76</sup>

The concerns of the earls that Amt highlights were also the concerns of the former new men, many of whom were now earls. Though the civil war had reduced their ranks severely, some service families had found a place in Stephen’s government. They were rare by Henry II’s coronation and were gone by his great survey of baronial holdings. These families had played politics carefully and married well, securing their position but not growing it, leading to their eventual fading from the political landscape. The civil war had impacted the nobility hardest, particularly those in the lower nobility. Only those who still had a close relationship with either of the two sides were interested in continuing the struggle in a military sense. The private treaties that had been made by the nobles show that they were increasingly losing confidence in the conflict ending militarily. Without the clear success of a military victory, the nobles were left uncertain as to what their position would be under a new king.

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<sup>75</sup> Amt 11.

<sup>76</sup> Amt 12

For many of the lords involved in this conflict, the reduction of royal influence had had a negative impact. Amt explains the perspective the nobility about the end of the civil war.

“A permanent national peace agreement would help to eliminate the need for such piecemeal measures. Its benefits would include the ending of the war, the re-establishment of royal authority (which would be popular with some though by no means all barons), and the reunification of Normandy and England. Land disputes arising from or exacerbated by the conditions of civil war would be resolved.”<sup>77</sup>

The consequences of civil war had finally reached a peak for the Anglo-Norman aristocracy. The results of the agreement addressed all of these issues. The stabilization of the government was the main goal of the nobility during this time. Of crucial importance, the aristocracy had discovered that it needed the stability of an effective king to govern the country effectively.

The nobility initiated the end of the civil war and brought the combatants to the table. The nobility did not have a significant amount say in the course many parts of the kingdom. The role of the new men, who previously were extremely powerful during the reign of Henry I had been drastically reduced, and they lost nearly all they had gained under Henry I.

“As a group, the descendants of Henry I’s new men as seen in the *Cartae Baronum* did not acquire lasting great fortunes. The traditional feudal factors—a good marriage and the production of an adult male heir who could fight actively for his status—were those which in the long run determined the family fortune. In terms of lasting benefits to their families, the new men profited

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<sup>77</sup> Amt 12

most when Henry's reward for their curial service was granted in the form of good marriages-marriages which provided not only inheritance in land but status and helpful family connections."<sup>78</sup>

Some of these families would continue to influence the political landscape of England for several more generations, including the Beuchamps and the Tancarvilles<sup>79</sup>. These families are rare examples of the permanent changes that occurred during the anarchy. As the exception that proves the rule, these two powerful families had engaged in careful marriages and confident actions in favor of their own familial goals. Only those magnates not directly related to either royal family were consistent in their loyalty. The means to change the direction of the kingdom was reserved for the magnates due to their ability to act as powerbrokers.

The arrival of Henry II did not signal a definitive shift in the views of the magnates on the politics of the realm. They had sought an end to the civil war which had faded away into feuding in particular smaller regions. Though Henry II's entrance into England would dramatically shift the focus of politics back to the royal court, the prolonged conflict had weakened the elite across the kingdom.

"The question of new men versus magnates can be approached in another way then, by looking at the role of education and literacy in late twelfth-century government. The magnates were more likely to offer the monarch the older feudal virtues of loyalty to

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<sup>78</sup> Newman 174.

<sup>79</sup> King, 35.

their liege lord and military prowess than they were proficiency with letters and numbers”<sup>80</sup>.

The need to resolve the conflict was related to strict controls of the kingdom.

Because Henry II already had control of Normandy by conquest, his ascension to the throne of England would reunite these two entities. Stephen’s son had lost support as he was seen as ineffective.<sup>81</sup> Henry II was not only a reasonable alternative to the House of Blois but by his securing of his maternal inheritance prior to the death of Stephen, he ensured the stability of the kingdom once again. Learning from the mistakes of the past, the magnates were the ones in charge of the determination of the inheritance, not an old oath Henry I forced onto a collection of nobles. Selecting a man who was known to the nobles as effective and strong willed, the nobles could take confidence in their new king. Though the early years of Henry II’s reign were focused on consolidation, he was also able to protect the realm and reestablish royal authority.

With the rule of Stephen becoming a bad memory, the magnates found themselves with greater security at the end of the civil war. The aristocracy had become more important in a political sense in their role in establishing a reunited kingdom in this manner. Though personal relationships to the royal family had served the ambitious in peacetime, the difficulty in supporting a noble line from rewards became obvious during times of civil confusion. The reunification of the two sides of the channel removed a major source of political

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<sup>80</sup> Turner, 111.

<sup>81</sup> Crouch, 115.

in stability as allegiance was no longer a question of grave concern. The civil war of Stephen's reign had proven one key point to the nobles. Their land holdings were only secure when the royal inheritance was secure. With the reestablishment of more normal relationships with the throne, the prospects for improvement in status for both the new men and established aristocracy brightened. Henry II would continue the trends which started under Henry I and which weakened under Stephen of rewarding capable men with higher positions.<sup>82</sup> The "new men" will recover as a group (though composed of new families) but not necessarily with the same lands and resources that they had enjoyed during the time of Henry I. The right to inherit would continue to be a reward for loyalty and success, and the defacto rule will create significant difficulties on the right of the opposition to inherit. With more effective oversight of land holdings, the aristocracy would continue to seek the security of their own patrimonial inheritances, followed closely by the security of the realm as a whole.

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<sup>82</sup> Turner, 116.

## Conclusion

Investigating topics such as the Anarchy or inheritance rights in the Anglo-Norman realm are large endeavors. In both instances, the complexity of each can make it common for historians to fixate upon the so called basic nature of each. In the realm of inheritance, the question has typically been what should have happened compared to what did happen. Historians, with a few noted exceptions highlighted here, have looked at the flagship of inheritance through what happened at the top of the feudal order, the king. However, the disastrous transitions of kingship throughout the Anglo-Norman and Angevin periods disrupted the “traditional” pattern of inheritance. Though the traditions of primogeniture were the “norm,” they were never properly applied from the time of the Conqueror onwards. The efforts of the nobility to control their lands was related directly to the maintenance of the royal demesne.

The selfish actions of the nobles in the period provides a corrective to the value supposedly given to loyalty in this period. From the beginning, Henry I sought to gain support from the nobility, a point of necessity caused by the conflict with his brother Robert Curthose. In the aftermath of his success in defeating his enemies, Henry established a system that rewarded service in a wide variety of ways. Noble families who did not have significant lands on either side of the channel (the divided nature of the Anglo-Norman realm with its largely separate concerns and dangers) benefited most from Henry’s reforms.

Henry had the unique opportunity to arbitrate the wealth and status of the second generation of Anglo-Norman lords who inherited their lands. This second generation during this period found themselves with the powerful objective of being able to dictate the events around them due to their established fortune. The reforms and oversight that Henry I established across all levels of government eliminated strife by placing in charge a small number of individuals whose personal political strength and gains were associated strictly with the office they held rather than familial land. In such a climate, service families rose, upsetting the established powerful families.

Henry I's unique reforms caused great anger but no major disruptions in his rule. Although autocratic, Henry was able to maintain peace and order in his kingdom. He crafted alliances with enemies on his borders through marriages to his children, and he was able to establish peace within and without his realm. The nobles largely did not react during his reign, being satisfied with the peace that he had established, a peace that had not been truly felt since before 1066, before any of these nobles were alive.

But the White Ship Disaster drastically changed everything; it placed the peace that had been hard won in jeopardy. The oaths that were forced upon the nobility by Henry I were too easily broken; the magnates false swearing may have been facilitated by the king on his death. Stephen took the initiative and gained the throne. Stephen's success did not last long. He was ultimately a failed

king, forced to spend much of his reign defending against the assaults from Matilda and prominent nobles. The inheritance crisis caused by his rule ultimately shattered the fragile peace of Henry's reign and had destructive consequences that cannot be underestimated.

The force of personality of the king makes a greater difference between the success of a reign and its failure. To consider inheritance, we enter into the very essence of the dynamics of the Anglo-Norman world as it transitions into the Angevin Empire. Both empires were founded and sustained through the force of personality a select few rulers. Rulers whose vision was focused on making peaceful progress and resolving the conflicts that faced them could create stability. Inheritance disputes, though valuable historical discourses in themselves, provide an understanding and insight not only into the manner in which the structures of society functioned but also the dynamics of leadership and the purposes of the wars that pulled together and ripped apart England and Normandy during this period.

The Anglo-Norman state was held together by a concept easy for us to understand. The belief in upward mobility amongst the aristocracy can be seen throughout the reign of Stephen. Support or opposition was laced with the prospect of reward. The ideals of patronage and support were not new concepts under Henry I. Nor are they greatly expanded upon as a result of Stephen. Henry II's ascension only continues this trend, it does not radically change it.

There was a discordant view amongst the aristocracy on the nature of inheritances, namely partible inheritance. It is not possible to study the topic of inheritance without recognizing the differences between royal and general aristocratic inheritance. These disagreements made small differences into larger ones. However, the broader truth is that the profit from support was high and the risk of failure made personal relationships the key to gaining new lands and territory. The Anglo-Norman realm's rules of inheritance were far from rules but rather flexible series of possibilities. This thesis has sought to explain the reasoning behind the actions of the aristocracy during the Anarchy. In acting out of their own family self-interest, familial lands changed hands and were treated as partible by those who did not hold them already.

The issues discussed in this thesis were prevalent both before and after the reign of Stephen. This period serves as an opportunity to focus on these issues due to the magnitude of the conflict and the inability of either side to secure a decisive victory. The stability of the years before and afterwards highlights this period as an example. The generation of Anglo-Norman lords who were involved with this conflict were of the same mindset of those that came with the Conqueror, but they had concerns in England and Normandy from birth. The critical transformations faced by the nobility during this time was the confirmation of the importance of possession of land. The decline of the new men at the end of the reign of Stephen shows that it was far more important for the aristocracy to have landed influence than personal influence. The ability to

muster financial and military might impacted familial inheritance and rights much longer than the personal relationships and favors developed by Henry I when he raised lesser nobility into his government. Without the basis of land, what little importance a noble family had through their closeness to the royal family was quickly stripped away from their children as partible holdings. The magnates seized the lands of the defeated in the course of the civil war. The civil war found its resolution when the magnates determined new heirs and new traditions to resolve their own personal wars. The flexible nature of inheritance in Anglo-Norman England was only temporary. New landed patrimonies such as those created with the new men lasted only as long as the favor of the king and must be secured by the next generation or else be lost.

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