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King John Vs. Magna Carta

James S. Baumlín
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In the Middle Ages the clearest image of wealth was a bag full of golden pieces. Each of them could be weighed in hand. For many centuries wealth meant fields, meadows and woods, flocks of sheep, a castle and villages.... Riches could be seen, handled and smelt. It was only later that they dematerialized, became a symbol, something abstract. Wealth ceased to be a concrete thing and became a slip of paper with writing on it.

—Jan Kott, *Shakespeare Our Contemporary*¹

I thank Mr. Tom Johnson for inviting me to speak this evening and for serving, as always, as a gracious host and patron of *belles lettres*. I thank him, too, for accommodating my students in English Renaissance Literature: this evening, his drawing room becomes our classroom. My lecture this evening addresses the main point of contention between John and the Norman-English barons who, in the spring of 1215, defeated the king at Runnymede and imposed the peace terms of Magna Carta. That point of contention was money: or, more specifically, John's piling-on of taxes, fines, and levies that brought as much as a fifth of the nation's coinage into the royal treasury—a hefty sum, to be placed at the disposal of one man. Of course, he was more than a man: he was an English king, anointed by God. But he was a man nonetheless, and his barons chafed under his yoke.

Is it any wonder that they rebelled? In what civilized time and place has taxation *not* been a point of contention? Consider the rallying cry of our own Founding Fathers, that “taxation without representation is tyranny.” The freedoms fought for in 1776 were protective of our persons *and our purses*, were they not? In 2016, our country is preparing for a presidential campaign whose point of contention remains money. Yes, there are rights and freedoms at stake. But allow me to play armchair Marxist for the moment and observe that economic motives lurk behind most claims of freedom and right; as intellectuals, our task is to unmask those motives—which we shall do so this evening, in the specific context of Magna Carta.

I'm going to shuttle back and forth between three political ages—the early 13th century of King John, the late 16th century of William Shakespeare, and our own 21st century. Each describes a different world with a different political economy: feudalism, early-modern capitalism, and post-industrial capitalism. And since most of the students here with me today are studying the Renaissance, I want to use Shakespeare's play, *The Life and Death of King John*, to mediate our understanding of the Great Charter.

¹ Jan Kott, *Shakespeare Our Contemporary*, Trans. Boleslaw Taborsky (Garden City, NY: Doubleday, 1964), 5-6.

There are many reasons why Americans today might side with one political party or another—or, if putting ourselves back 6001 years to 1215, why one might side with John or with the barons. One might say that it's protected freedoms and guaranteed rights that drive one's allegiance—whether it be, say, to the First or Second Amendment of the U.S. Bill of Rights or to the 39th clause of Magna Carta. But to declare that Magna Carta aimed at guaranteeing individual freedoms and rights of Englishmen under the law would be cherry-picking from among its 63 clauses—only one of which remains widely known and enforced in the U.K. as law of the realm:

(39) No free man (*liber homo*) shall be seized or imprisoned, or stripped of his rights or possessions, ... except by the lawful judgement of his equals or by the law of the land.

Now this “free man” was *not* among the majority of Englishmen alive at the time, most of whom were serfs or villeins and Saxon by birth; these were effectively enslaved to the land by their Norman landholders. So, while modern myths of democracy have gathered around this 13th century document, we need to remember that Magna Carta was a peace treaty and not a bill of rights *per se*. Further, its major concerns were economic, in that it sought to protect the land-rights of an aristocratic elite—the Norman-English barons—at the expense of monarchic rights and privileges.

Traditionally, the conquering Norman kings ruled by *vis* and *auctoritas*: backed by sheer military power (*vis*), the king's personal authority—in effect, whatever the king willed—demanded obedience, even when that authority undermined the “ancient rights,” customs, and legal precedents. Magna Carta marks the first—though far from the last—successful attempt on the part of Englishmen to curb what seemed an arbitrary, unjust, and dangerously unbridled royal power.

No doubt, John abused royal privileges in raising money to reconquer Continental territories that he had lost to the French in 1204. But those privileges, however abused, belonged to Norman kings before John and were woven firmly into the fabric of medieval feudalism. Barons under previous kings had complained of similar abuses; but it was under John that the barons, spurred on by the Pope and aided militarily by the French, rose up with a force that John himself could not match.

As I've noted, Magna Carta was a peace treaty. It was not intended as a formal bill of rights. Its primary purpose was to settle specific complaints of the barons; its secondary purpose was to settle hostage terms with the Welsh and Scottish, thus assuring peace at the country's northern and western borders. Its third purpose was to regulate commerce by standardizing weights and measures, regulating land-use, and ensuring river navigation—all of which served the economic interests of king and barons alike. Also, practically speaking, John needed to woo the barons away from their temporary alliance with the French, who were using English civil strife as a means to keep John's mercenaries on the English side of the channel.

In accepting French aid, the barons were acting treasonously—let there be no doubt about that.² But, sometimes, a king must choose paths of expediency. For John, Magna Carta was a means of temporizing. Whether he ever had any intentions of enforcing the document is doubtful. Once the barons dispersed, John looked to the Papacy as an ally in repudiating Magna Carta—whose clauses seemed to place limitations on ecclesiastical as well as royal authority. And the Papacy, having received concessions from John, nullified the document. Put simply, the 1215 document was never enforced.

Though many of its clauses seem strange and irrelevant today, we share many of its concerns. We have our own crises over wealth and its unequal distribution across economic classes and cultures. Some of these crises are echoed in Magna Carta: protection of farmland, forests, and rivers, the regulation and use of natural resources generally: these remain as hotly contested in 21st century America as in 13th century England. As an issue of taxation, even inheritance rights remain in contention.

But there are differences in the ways that we speak of these resources. In 1215, the language of commodification was only beginning to evolve. Though we moderns talk of “setting prices,” this use of the Latin *pretium* (from which we derive the modern word, “price”) is first recorded in the 14th century—nearly a century later. Originally meaning “reward, value, worth,” *pretium* had moral rather than material/economic meanings. We see a similar evolution in the Latin *commoditas*, from which our modern “commodity” derives.

For there is an idea (or, rather, an ideology) lurking in Magna Carta that not had yet found its vocabulary. It was unnamed in England in 1215, because it remained as yet a nascent concept within the economy of medieval feudalism. In political and moral treatises of Roman antiquity—I’m thinking of Cicero’s *De Legibus*, *De Finibus*, and *De Officiis*—the concept is encompassed within a word-nexus based in *commodum* (roughly, “benefit” or “advantage”). While *De Officiis* remained influential in medieval moral philosophy, it was within Renaissance humanism that Cicero contributed to a philosophy of Realpolitik—one that weighed “advantage” (*commodum*), however broadly defined, *against* “honor” (*honestum*) and “duty” (*officium*). Indeed, the venerable *Oxford English Dictionary* offers 1493 as the date when “commodity” first appears in written English.

As to its meanings in classical Latin, *Lewis and Short* defines *commodum* as “convenient opportunity, favorable condition, convenience.”³ When an adjective, it can mean “proper, suitable, of just measure.” When said of a person, it can mean “pleasant, agreeable, neighborly, personable.” (Think here of our

² Ironically, the families of those barons who imposed Magna Carta on John received their English landholdings as a consequence of the Norman Conquest. You can do the math: from 1066 to 1215, the French speaking Normans held properties that had belonged to the Saxons. William of Normandy suppressed the conquered Saxons by creating a Norman-English aristocracy that would periodically—as in 1215—rise up against his successors. It’s a paradox of history generally that every claim of possession is preceded by an act of violent seizure. In losing the Battle of Hastings, the Saxons lost England to the Normans; it’s *almost* a paradox that Magna Carta sought to protect the Norman-English barons from the sorts of royal seizure that had given them their family wealth to begin with.

³ Lewis and Short’s *Latin Dictionary* (New York, Harper’s, 1879) remains an authoritative reference work in classical Latin. Citations are taken from the web-based edition, accessed 15 October 2015.

modern word, “accommodating.”) In its legal applications, it can mean “favor, privilege, immunity.” And it expresses a commonplace of distributive justice, in that “no law is suited to all circumstances” (*nulla lex satis commoda omnibus est*). Again, the classical *commodum* pertains to morals and manners as well as to the law.⁴

As I’ve noted, the term *commodum* does not appear in Magna Carta. It does, however, appear in Renaissance histories of the reign of King John—most conspicuously in the *Anglica Historia* of the Italian humanist, Polydore Vergil. Published in 1534, Vergil’s history provided source materials for John Foxe’s *Actes and Monuments* (1563) and Raphael Holinshed’s *Chronicles* (1577)—both direct sources for Shakespeare’s play.

It’s quite possible that Shakespeare had access to the *Anglica Historia* and its account of the battles between John, the Papacy, France, and the Norman-English barons. If so, then Polydore Vergil’s vocabulary may well have influenced Shakespeare’s own. Here are two passages from Vergil, the first describing John’s abuses of royal privilege, the second reconstructing a speech by the French King Louis, who promises to restore the baron’s rights:⁵

While there was a rest from external wars, henceforth the whole realm was in a discordant condition and began to openly blaze with internal hatred because the laws of St. Edward had not yet been restored, as John had promised. Nor had those laws been quashed which were of great commodity (*maxime commodo*) to the king, but not to the people....

Then [the French king] Louis is said to have spoken publicly as follows: “I accept your pledges, my lords, and I give you mine, that I shall preserve the institutions of your nation, and, mindful of the commodity (*commodum*) of the English people rather than my own, I shall entirely protect you, who are dearest to me after my parents, from harm.... And so be faithful and follow me. I shall bring it about that the kingdom of England recovers its dignity, and you your liberty.”

⁴ As a lawyer, legislator, and moral philosopher, Cicero made varied use of the term, though he never wavered in placing public duties above private benefits. In *De Legibus* 1.49, he writes that a man who makes “his own advantage (*suum commodum*) absolutely the sole standard of his actions ... is absolutely not a good man.” In *De Officiis* 3.82, he asks—albeit rhetorically—whether there is “any object of such value or any advantage (*commodum*) worth the winning, that, to gain it, one should sacrifice the name of a ‘good man’...?” In *De Finibus* 2.58, he again raises duty above self-interest: addressing the followers of Epicurus, he declares, you “who profess to make your own interest (*vestrum commodum*) and pleasure your sole standard, nevertheless perform actions ... aiming not at pleasure (*voluptatem*) but at duty (*officium*).”

From a Ciceronian-humanist perspective, the goods of mind, body, and fortune are always to be referred to the *summum bonum* or highest good, which is marked by the confluence of individual and civic *virtus*. *Commodum* may be “advantage” or “benefit” in a broad sense, but the *bonus vir* or true Roman, as Cicero describes him, will seek to make *honestum* his *commodum*. At the very least, he would not sacrifice *honestum* for the sake of *commodum*.

⁵ I quote from a web-based translation of the 1555 edition: see Polydore Vergil, *Philological Museum*, accessed 15 October 2015.

As used by Polydore Vergil, *commodum* affirms the Ciceronian-humanist unity of benefits public *and* private, material *and* moral. But Shakespeare peers more deeply into the term and its functioning in political economy—both in John’s age and his own. By bringing *commoditas* into the early-modern English vocabulary, Shakespeare anticipated meanings that Karl Marx would later outline in *Das Kapital* (1867).

Here, at last, is my thesis: in Magna Carta, we glimpse an ideology of commodity-capitalism emerging from the political economy of feudalism. A majority of its 63 clauses aim to establish the “exchange-value” of privileges claimed by the crown. Inheritances, lands, marriages, titles, loyalties—even peace terms—can be bought and sold, and the barons’ aim in negotiating Magna Carta was to set the terms of exchange. More than moral or political “worth,” everything would have a negotiable *price*.

Without ever mentioning the Great Charter, Shakespeare’s *King John* describes its economic effects.⁶ For Fauconbridge—the most memorable character of Shakespeare’s play—it’s not just that everything *has* commodity (in the Ciceronian sense of *commodum*, proffering “advantage” or “benefit”): more salient is his insight that everything *is* “Commodity” and, thus, vendible. But Fauconbridge does more than unmask the effects of commodity-capitalism: he also resists these effects. As expressed in the character of Fauconbridge, early-modern commodity-capital comes into conflict with one’s sense of honor—the Ciceronian *honestum*—as competing ideologies. And, in his case at least, *honestum* wins out. In this sense, Shakespeare offers an exploration, *and critique*, of early-modern commodity-capital.

Before sampling the clauses of Magna Carta, let’s refresh our vocabulary. In feudal society and its distribution of wealth, one spoke of “privileges” belonging by custom to the crown, which the barons were obliged to uphold. And, however abused, those privileges had belonged to all Norman kings before John and were woven into the social fabric:

The king’s barons held their lands “in fee” (*feudum*) from the king, for an oath to him of loyalty and obedience, and with the obligation to provide him with a fixed number of knights....

Besides military service, feudal custom allowed the king to make certain other exactions from his barons.... [H]e could demand from them a financial levy known as an “aid” (*auxilium*). When a baron died, he could demand a succession duty or “relief” (*relevium*) from the baron’s heir. If there was no heir,... the baron’s lands could be forfeited or “escheated” to the Crown.... The king had the

⁶ Shakespeare had good reason to keep silence over Magna Carta. When Henry VII won the Wars of the Roses (1455-85) for the Lancastrian side, Tudor England settled into an ideology of rule that reaffirmed the king’s divine right, so that rebellion under any guise, for any reason, became an overthrow of “natural order” in the body-politic. Loyalty to a king, even a *bad* king, was preferable to rebellion. So Tudor ideology transformed King John into a patriot against foreign invasion and the Papacy—for he, like Elizabeth Tudor, had been excommunicated by the Pope. The Tudors were quite willing to wink at John’s political overreaching. Thus, any artistic depiction of events at Runnymede in 1215, where a king yielded prerogatives to subjects in open rebellion, would have bordered upon treason. Magna Carta had become, in effect, taboo.

right ... to sell the heir himself in marriage.... The widows and daughters of barons might also be sold in marriage....⁷

It is within these contexts that Magna Carta serves to renegotiate royal privileges. Its second clause, for example, goes so far as to fix the monetary value of “relief” payable for rights of inheritance:

(2) If any earl, baron, or other person that holds lands directly of the Crown, for military service, shall die, and at his death his heir shall be of full age and owe a “relief,” the heir shall have his inheritance on payment of the ancient scale of “relief.” That is to say, the heir or heirs of an earl shall pay £100 for the entire earl’s barony, the heir or heirs of a knight 100s. at most for the entire knight’s “fee,” and any man that owes less shall pay less, in accordance with the ancient usage of “fees.”

The Charter’s third clause, in contrast, seeks conditions for avoiding fees altogether:

(3) But if the heir of such a person is under age and a ward, when he comes of age he shall have his inheritance without “relief” or fine....

The fifth clause ensures that guardians of a minority heir will not abuse the lands and natural resources placed under their care:

(5) For so long as a guardian has guardianship of such land, he shall maintain the houses, parks, fish preserves, ponds, mills, and everything else pertaining to it, from the revenues of the land itself. When the heir comes of age, he shall restore the whole land to him, stocked with plough teams and such implements of husbandry as the season demands and the revenues from the land can reasonably bear.

Clause 6 ensures that “arranged marriages” (for economic or political alliances between families) will not compromise an heir’s social status:

(6) Heirs may be given in marriage, but not to someone of lower social standing. Before a marriage takes place, it shall be made known to the heir’s next-of-kin....

Since widows may have uncles, brothers, and sons, a woman’s rights of inheritance and remarriage remain “family matters” worth protecting:⁸

⁷ “Introductory Note,” *The Text of Magna Carta* (Fordham University History Sourcebooks Project), web accessed 30 June 2016. Note the shift in meaning/usage from medieval *feudum* to our modern commodity-based “fee.” Also, in Tudor-Stuart political philosophy, these customs would come to be called royal “prerogatives,” which the king held independently of other competing authorities, such as Parliament.

⁸ We should resist seeing anything protofeminist in this protection of widows’ rights, since a woman’s inheritance would inevitably benefit a male son, brother, or other family relative.

(7) At her husband's death, a widow may have her marriage portion and inheritance at once and without trouble. She shall pay nothing for her dower, marriage portion, or any inheritance that she and her husband held jointly on the day of his death. She may remain in her husband's house for forty days after his death, and within this period her dower shall be assigned to her.

(8) No widow shall be compelled to marry, so long as she wishes to remain without a husband. But she must give security that she will not marry without royal consent, if she holds her lands of the Crown, or without the consent of whatever other lord she may hold them of....

So much for inheritances. A gathering of other clauses follows, most pertaining to the possession, maintenance, and use of natural resources:

(23) No town or person shall be forced to build bridges over rivers except those with an ancient obligation to do so....

(28) No constable or other royal official shall take corn or other movable goods from any man without immediate payment, unless the seller voluntarily offers postponement of this.

(30) No sheriff, royal official, or other person shall take horses or carts for transport from any free man, without his consent.

(31) Neither we nor any royal official will take wood for our castle, or for any other purpose, without the consent of the owner.

(33) All fish-weirs shall be removed from the Thames, the Medway, and throughout the whole of England, except on the sea coast....

(35) There shall be standard measures of wine, ale, and corn (the London quarter), throughout the kingdom. There shall also be a standard width of dyed cloth Weights are to be standardised similarly....

(47) All forests that have been created in our reign shall at once be disafforested. River banks that have been enclosed in our reign shall be treated similarly....

By such clauses as these, the economic bases of Magna Carta become patent. While events leading to Runnymede were revolutionary—the barons, did, in fact, rebel against royal power—please note that the barons had no intention of destroying or subverting feudalism per se. On their own landholdings, after all, the barons profited from feudal practices as much as the king. In this sense, Magna Carta sought an adjustment in the *balance* of power between king and barons, and not change in the basic *structures* of power.

Working toward Shakespeare, we might now to consider the ways that Magna Carta commodifies land-rights; and for this, we need once again to refresh our vocabulary. As Marx defines it in *Das Kapital*, a commodity is “an external object, a thing which through its qualities satisfies human needs of whatever kind” (125).⁹ But, more than “use-value”—its ability to satisfy a need—a commodity must also have an “exchange-value,” as Dino Franco Felluga (summarizing Marx) observes:¹⁰

When Marx speaks of commodities, he is particularly concerned with the “physical properties of the commodity” (126), which he associates closely with the use-value of an object. However, use-value does not automatically lead to a commodity: “He who satisfies his own need with the product of his own labour admittedly creates use-values, but not commodities. In order to produce the latter, he must not only produce use-values, *but use-values for others*, social use-values” (131). Commodities, therefore, “*possess a double form*, i.e. natural form and value form” (138 [emphasis added]).

Whereas use-value is tied to an object’s “physical properties” (*Kapital* 126) and to the human needs it can fulfill, that same object’s exchange-value is grounded in social interaction. As Felluga notes,

[T]wo commodities can be exchanged on the open market because they are always being compared to a third term that functions as their “universal equivalent,” a function that is eventually taken over by money. Exchange-value must always be distinguished from use-value, because “the exchange relation of commodities is characterized precisely by its abstraction from their use-values” (127). In capital, money takes the form of that equivalence.

In Magna Carta, note the shift from customary knightly service to a money payment in place of service: as clause 29 asserts, “No constable may compel a knight to pay money for castle-guard if the knight is willing to undertake the guard in person, or with reasonable excuse to supply some other fit man to do it.” Put simply, John and his constables had come to prefer money over the man. Keep in mind that protective knightly service lay at the foundation of the feudal social structure: the baron pledged to protect both king and realm, for which service he was given landholdings “in fee.” Here, then, it’s not the use-value but rather the exchange-value that John sought to manipulate.

Armed with these definitions and insights, we’re ready to tackle the epigraph printed at the top of this lecture:

In the Middle Ages the clearest image of wealth was a bag full of golden pieces. Each of them could be weighed in hand. For many centuries wealth meant fields, meadows and woods, flocks of sheep, a castle and villages.... Riches could be seen, handled and smelt. It was only later that they dematerialized, became a symbol, something abstract. Wealth ceased to be a concrete thing and became a slip of paper with writing on it.

⁹ “Commodity,” *Introductory Guide to Critical Theory: Marxism* (Purdue University), web accessed 30 June 2016.

¹⁰ *Ibid.*

As Jan Kott describes it, the medieval world understood wealth *in its materiality*, with each natural resource given an exchange-value in precious metal—the “golden pieces” mentioned above. In inventorying England’s resources, Magna Carta expands on Kott’s list: along with “fields, meadows and woods, flocks of sheep,” Magna Carta includes minority heirs and widows among the land’s resources. Surely the “castle and villages” that Kott mentions include “human resources” (as we moderns refer to our fellows): for castles contain servants and retainers and villages keep serfs to work the baron’s meadows and tend his flocks.

Poignantly, Kott also refers to that “later” moment in history when wealth becomes “dematerialized,” reduced to stocks, bonds, and promissory notes. This “later” age, needless to say, is our own.¹¹ And while Shakespeare does not carry us all the way to our own debt-ridden, market-based post-industrialist economy, he does meditate on the forms that “commodity” takes under early-modern capitalism. With these contexts in mind, let us turn to Shakespeare.

Shakespeare paints a neutral portrait of King John, whose victimization at the hands of France and the Papacy are brought on by his own wavering, overreaching, and ineptitude. In fact, Shakespeare’s greatest innovation in this, the most “unhistorical” of his history plays, is his characterization of Richard the Lionheart’s illegitimate son, Philip. It’s the Bastard—as Shakespeare lists him in the *dramatis personae*—who steals the show.

As we have seen, much of Magna Carta concerns inheritance rights; so it seems fitting that Philip—born out of wedlock to John’s own older brother, Richard I—should challenge custom in claiming his younger brother Robert’s “legitimate” rights of inheritance. And so King John, notorious for abusing others’ inheritance rights, is asked to judge between rival claimants—sons both of the same noble parents, though Robert alone was the “legitimate” (as opposed to the “natural,” out-of-wedlock) issue of marriage.

It’s not King John but John’s mother, Eleanor, who gives the solution, offering Philip one of two “privileges”:

ELEANOR

Whether* hadst thou rather be: a Fauconbridge, *Which
And like thy brother, to enjoy thy land,
Or the reputed son of Coeur de Lion,

¹¹ As to the “dematerializ[ation]” of wealth, Niall Ferguson shows how the “paper money” of today’s global stock and bond markets far exceeds the planet’s actual, *material* wealth:

In 2006 the measured economic output of the entire world was around \$47 trillion. The total market capitalization of the world’s stock markets was \$ 51 trillion, 10 per cent larger. The total value of domestic and international bonds was \$ 68 trillion, 50 per cent larger. The amount of derivatives outstanding was \$473 trillion, more than ten times larger. Planet Finance is beginning to dwarf Planet Earth. (10)

I quote from Ferguson’s *Ascent of Money: A Financial History of the World* (New York: Penguin, 2008).

Lord of thy presence, and no land besides?
(1.1.134-37)

Given John's own nickname of "Lackland," Eleanor's offer seems to mirror conflicts between her royal sons, the once landless John vs. the lion-hearted crusader, Richard. Though the name Fauconbridge is itself symbolic and "dematerialized," there is commodity in the ancestral rights accruing thereto—the name itself is worth "500 pound a year" (1.1.69), as the Bastard avers. But possession of a knighthood offers greater "social value" for the older, "natural" son of Richard.

To Eleanor's offer—"Will thou forsake thy fortune, / Bequeath thy land to him, and follow me?" (1.1.148-49)—the Bastard responds without hesitation: "Brother, take you my land. I'll take my chance" (1.1.151). Note Philip's wordplay: forsaking his "fortune" (that is, material wealth), he embraces "chance"—an old English word for the goddess Fortuna. And John performs the ritual knighting: "Kneel thou down Philip, but rise more great: / Arise Sir Richard, and Plantagenet" (1.1.161-62).

Thus, the Bastard forgoes an inheritance for a greater commodity, albeit in abstract—in a word, status.¹² But throughout this early scene, the Bastard has yet to unmask the ideology lurking in his choice. This unmasking occurs in the soliloquy ending Act 2 Scene 1, where he rails against the Machiavellian dissemblings of both the French and English kings. As Shakespeare's modern editor, David Bevington, writes, "the word used to sum up the universal political scheming and oath breaking in this play is *commodity*, or self-interest" (683). Bevington is right in declaring its thematic centrality, but I doubt that his gloss of "self-interest" gives the meaning in full.

The Bastard's soliloquy follows:

BASTARD

Mad world, mad kings, mad composition!
John, to stop Arthur's title in the whole,
Hath willingly departed with a part;
And France, whose armour conscience buckled on,
Whom zeal and charity brought to the field
As God's own soldier, rounded in the ear
With that same purpose-changer, that sly devil,
That broker that still breaks the pate of faith,
That daily break-vow, he that wins of all,
Of kings, of beggars, old men, young men, maids—
Who, having no external thing to lose
But the word "maid," cheats the poor maid of that—
That smooth-faced gentleman, tickling Commodity,

¹² Curiously, the Tudors and Stuart monarchs commodified status by selling knighthoods: though Elizabeth I sold relatively few during her reign, James I sold many at a hefty price—and he didn't give individuals the option of saying no.

has been commodified in the Marxist-materialist sense of this word; and thus kingship shifts in its ideological grounds from honor and right to power and wealth. But you'll remember that this was the argument I made about Magna Carta: the Great Charter looked on legal rights as commodities—as having exchange-value that could be bought and sold or seized or held in ransom.

Like other tests of a character's self-understanding, Fauconbridge here speaks the cold truth about commodity—how opportunities for economic and political self-interest seduce the greatest of men and women, driving them off their paths of virtue, justice, right. It's a gross conclusion that Fauconbridge arrives at: specifically, that he will worship "Gain" as a Lord—much like Shakespeare's more famous bastard in *King Lear*, who declares "Nature" his "goddess" (1.2.1) and lays his plots accordingly. But while Edmund carries self-interest to the point of murder, Fauconbridge never stoops to "worship" "Commodity" or "Gain." In Fauconbridge, Richard I's "natural" child, England finds its most loyal servant, one who sees "Commodity" for what it is; and even if he has been tempted by it, he maintains his loyalty to John. He—the Bastard, who by custom had *no* strong claims to rights of inheritance—becomes the exemplar of what the rebellious barons *should* have remained, since they held their lands "in fealty" to the king.

The triumph of Shakespeare's play is that Fauconbridge repudiates mere self-interest as his motive for action. Of the play's major characters, he alone grows in knowledge—both of the ways of the world and of himself—and he proves true to the nobler, classical-Ciceronian ideals of *honestum*, which underlie his patriotism. In the beginning of the play he is brash, youthfully arrogant. He seems to relish the benefits that come with rank. But, in the end, it is loyalty and protection of right, and not commodity-as-self-interest, that drives him. Hence, he is the hero of the play, much as Hal grows into the hero of the *Henry IV* plays.