

« Assize of Arms » : En 1181, les hommes libres anglais doivent prouver annuellement qu'ils possèdent des armes

En 1181, avec l'Assize of Arms d'Henry II, les hommes libres doivent prouver annuellement qu'ils possèdent des armes. À compter de 1253, cette obligation s'étend également aux serfs qui représentent la classe socio-économique la plus basse. La milice anglaise repose sur le droit des nobles de s'équiper d'une force de défense personnelle qui peut être mise au service du roi.



Assize of Arms :

1. Whoever possesses one knight's fee shall have a shirt of mail, a helmet, a shield, and a lance ; and every knight shall have as many shirts of mail, helmets, shields, and lances as he possesses knight's fees in demesne.
2. Moreover, every free layman who possesses chattels or rents to the value of 16m. shall have a shirt of mail, a helmet, a shield, and a lance; and every free layman possessing chattels or rents to the value of 10m. shall have a hauberk, an iron cap, and a lance.
3. Item, all burgesses and the whole **community of freemen** shall have [each] a gambeson, an iron cap, and a lance.
4. Besides, each of them shall swear to have these arms before the feast of St. Hilary, to be faithful to the lord king Henry - namely, the son of the Empress Matilda - and to bear these arms in his service according to his command and in fealty to the lord king and his kingdom. And henceforth no one having these arms shall sell them or pledge them or lend them or alienate them in any other way ; nor shall a lord in any way alienate them from his men, either through forfeiture or through gift or through pledge or in any other way.
5. If any one having these arms dies, his arms shall remain to his heir. If, however, the heir is not of age to use arms in time of need, that person who has wardship over him shall also have custody of the arms and shall find a man who can use the arms in the service of the lord king until the heir is of age to bear arms, and then he shall have them.
6. Any burgess who has more arms than he ought to have by this assize shall sell them, or give them away, or in some way alienate them to such a man as will keep them for the service of the lord king of England. And none of them shall keep more arms than he ought to have by this assize.
7. Item, no Jew shall keep in his possession a shirt of mail or a hauberk, but he shall sell it or give it away or alienate it in some other way, so that it shall remain in the king's service.
8. Item, no one shall carry arms out of England except by the command of the lord king : no one is to sell arms to another to carry out of England; nor shall a merchant or any other man carry them out of England.
9. Item, the justices shall have [a report] sworn by lawful knights, or by other free and lawful men of the hundreds and neighbourhoods and boroughs - as many as they see fit to employ - as to what persons possess chattels to the amount that they should have a shirt of mail, a helmet, a lance, and a shield according to what has been provided; so that they shall separately name for those [justices] all men of their hundreds and neighbourhoods and boroughs who are worth 16m. in either chattels or rents, and likewise those who are worth 10m. And then the justices shall have written down [the names of] all those jurors and other men, [recording] how much in chattels or rents they [each] have and what arms, according to the value of the chattels or rents, they should [each] have. Then, in their presence and in a common assembly of those men, they shall have read this assize regarding the possession of

arms, and they shall have those men swear to have arms according to the value of the aforesaid chattels or rents, and to keep them for the service of the lord king according to this aforesaid assize, under the command of and in fealty to the lord king Henry and his kingdom. If, moreover, it should happen that any one of them, who ought to have these arms, is not in the county during the period when the justices are in that county, the justices shall set a time for him [to appear] before them in another county. And if he does not come to them in any county through which they are to go, and is not in that land [at all], they shall set him a time at Westminster toward the octave of St. Michael ; so that, as he loves his life and all that he has, he shall be there for swearing his oath. And they shall command him, before the aforesaid feast of St. Hilary, to have arms according to the obligation resting on him.

10. Item, the justices shall have proclamation made in the counties through which they are to go that, with respect to those who do not have such arms as have been specified above, the lord king will take vengeance, not merely on their lands or chattels, but on their limbs.

11. Item, no one who does not possess 16m. [as specified above] or 10m. in chattels is to swear concerning free and lawful men.

12. Item, the justices shall command through all the counties that no one, as he loves his life and all that he has, shall buy or sell any ship to be taken away from England, and that no one shall carry any timber or cause it to be carried out of England. And the lord king commands that no one shall be received for the oath concerning arms unless he is a freeman.