

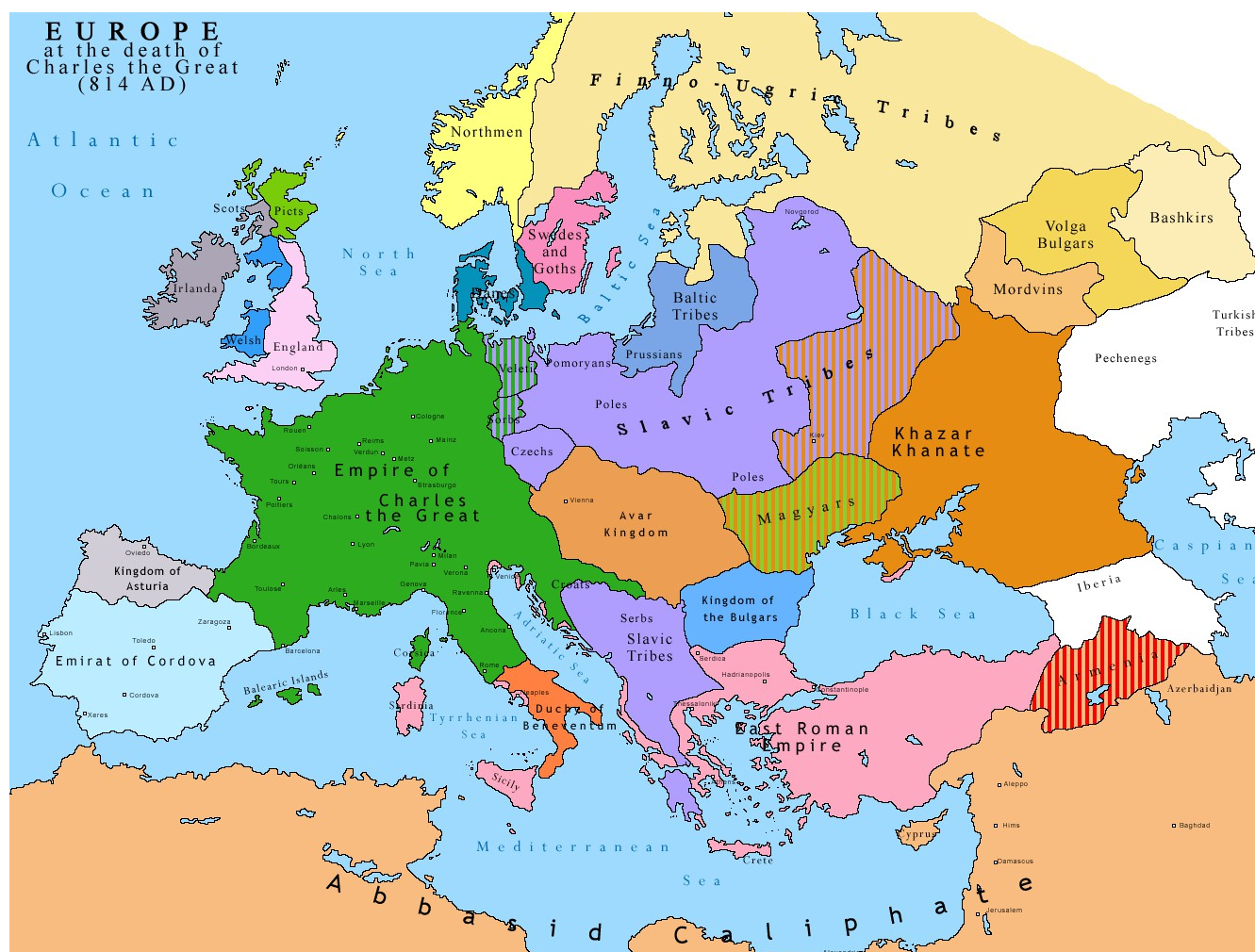
*Chapter 3: European History, The Union of The Crowns, & The Colonization of Eastern America*

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In 633 matters of discipline were established, & uniformity was decreed among liturgy (public services) throughout the kingdom. The British Celts of Galicia accepted the Latin rite, & stringent measures were adopted against baptized Jews who had relapsed into their former faith. The "twelfth" council in 681 assured to the archbishop of Toledo the primacy of Hispania. As nearly one hundred early canons of Toledo found a place in the *Decretum Gratiani*, they exerted an important influence on the development of ecclesiastical law. The seventh century is sometimes called, by Spanish historians, the *Siglo de Concilios*, or "Century of Councils".

Finally, after several attacks within the past century, in 718 Muslims came to dominate most of the peninsula. The advance into Europe was stopped by the (Germanic) Franks under Charles Martel (two kings *before* Charlemagne) at the Battle of Tours in 732.<sup>1</sup>

### Europe at the Time of Charlemagne's Death:



Posted by Pedro Caldeira de Silva on Pinterest: <https://www.pinterest.com/pin/553661347912122223/>

<sup>1</sup> Granada by Richard Gottheil, Meyer Kayserling, *Jewish Encyclopedia*. 1906 ed.

## 1095-1099: The First Crusade;—A Quest to Reclaim The Holy Land:

The First Crusade was the first of a number of crusades that attempted to re-capture the Holy Land from Muslim occupation, called for by Pope Urban II in 1095 in response to an appeal from Byzantine Emperor Alexios I Komnenos, who requested that western volunteers come aid in helping to repel the invading Seljuk Turks from Anatolia. An additional goal of the First Crusade was *freeing Eastern Christians from Muslim rule*.

Knights, peasants & serfs traveled from many regions of Western Europe by both land & sea, first to Constantinople and then on towards Jerusalem. What began as a widespread pilgrimage in western Christendom, ended as a military expedition which resulted in the capture of Jerusalem in 1099, at which time many of the city's Muslim & Jewish inhabitants were massacred.

The First Crusade was also the first major step toward reopening international trade in the West since the fall of the Western Roman Empire, which is likely the main reason the pilgrims came to establish the crusader states of the Kingdom of Jerusalem, the County of Tripoli, the Principality of Antioch, & the County of Edessa.

The crusader army, on seizure of lands, refused to honour a brokered promise before the seizure to return gained lands to the control of the Byzantine Empire, thus conquering now in the name Roman Catholicism.<sup>2</sup>



*"The Fight for Jerusalem and the Gate to the Middle East" by Author & Schoolteacher Mary Ames Mitchell:*

<http://crossingtheoceansea.com/OceanSeaPages/OS-11-JerusalemGates.html>

<sup>2</sup> France, John (2005). *The Crusades and the expansion of Catholic Christendom*. New York: Routledge. ISBN-13: 978-0415371285 & ISBN-10: 0415371287

## 1118 A.D.: The Origin of The Knights Templar:

After Christian fighters captured Jerusalem during the First Crusade, groups of pilgrims from across Western Europe again were able to begin visiting the Holy Land as they had done *prior* to Muslim conquest. Many were killed, however, while crossing through Muslim-controlled territory during their journey. Around 1118, a French knight named Hugues de Payens founded a military order along with eight relatives & acquaintances, calling it the Poor Knights of the Temple of King Solomon (later known as the Knights Templar). With the support of Baldwin II, the king of Jerusalem, they set up headquarters on the sacred Temple Mount (ancient temple of Solomon) & pledged to protect Christian visitors to the city.

After facing initial criticism by religious leaders, in 1129 the knights received the formal endorsement of the Catholic Church, & support from Bernard of Clairvaux, a prominent abbot. New recruits & lavish donations began pouring in from across Europe. (Though the Templars themselves took vows of poverty, the order could still accrue wealth & land.) It was also around this time that the knights adopted an austere code of conduct, & their signature style of dress: white habits emblazoned with a red cross.<sup>3</sup>



*ClipArtFest (prints for sale):*

<https://clipartfest.com/download/04630c80d7e511fb7868943d63790c7bbfbb14b9.html>

3 UShistory.com, “History of the Knights Templar”: <http://www.history.com/news/who-were-the-knights-templar-2>

## The Underpinnings of Seeking to Maintain a Just System— *Chivalry*:

Now numbering in the thousands, the Templars established new chapters throughout Western Europe. They developed a reputation as fierce warriors during key battles of the Crusades, driven by religious fervor & forbidden by their code from retreating unless vastly outnumbered.<sup>4</sup>

Despite their fearsome, battle-hardened reputation, the Knights Templar were learned men, dedicated to protecting travelers & pilgrims of all religions, not just Christians. They were great statesmen, politically adept, economic traders, & were apparently allied with the great sailor-fraternity that had created a worldwide trading empire in Phoenician times.<sup>5</sup>

The fundamental character & function of the Order itself, as documented in the historical record, was to serve *as the very essence & embodiment* of traditional values. The culture of Chivalry (code of conduct, code of honor) represented the highest ideals of European nobility, & also served as a supporting tradition which contributes humanitarian values to the culture at large.

The word “Value” is defined as “a principle or quality” which is “intrinsically valuable or desirable”. It originates from the feminine form ‘*value*’ of the French ‘*valoir*’, which since the 13th century emphasizes “moral worth”, & the feminine form ‘*valuta*’ of the Latin ‘*valere*’, which from the 14th century means “to be of worth”, & also “to be strong”. These are closely connected to the word “Valiant”, which from the 12th century means “brave, courageous” & “strong in abilities”. The universal root ‘*Val-*’ originates from the Old German ‘*Wal-*’ (strength), & the Celtic ‘*Walos-*’ (leadership).<sup>6</sup>

The word “Chivalry” comes from the Latin ‘*caballarius*’ & the 11th century Old French ‘*chevalerie*’ meaning “horse soldiery”, however the word itself embodies a concept & philosophy much greater than its literal elements of horsemanship & knightly discipline. Since Classical Antiquity & throughout the Middle Ages, it also doubled as the word for “upper social classes”, referring to the principles of morals & ethics which nobility were obligated to represent.<sup>7</sup> The essence of Chivalry involved *bravery, skilled training, & dedication in service to others*.<sup>8</sup>

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4 UShistory.com, “History of the Knights Templar”: <http://www.history.com/news/who-were-the-knights-templar-2>

5 Holy Blood, Holy Grail, Michael Baigent, Richard Leigh & Henry Lincoln, 1982, Johnathan Cape, London (published in the U.K. as The Holy Blood and the Holy Grail), transcribed by David Hatcher Childress from GreyFalcon Website, from: [http://www.bibliotecapleyades.net/sociopolitica/sociopol\\_masonsknightstemplar05.htm](http://www.bibliotecapleyades.net/sociopolitica/sociopol_masonsknightstemplar05.htm)

6 Douglas Harper, Online Etymology Dictionary (2014), “Values”, “Valiant”.

7 The World Book Encyclopedia, World Book, Inc. (1994), ISBN: 0716666944 9780716666943. OCLC Number: 34668960, pp.346-351.

8 Emile Leon Gautier, La Chevalerie (1883), translated in: Henry Frith, Chivalry, George Routledge & Sons, London (1891), reprinted as 3rd Edition (1985), p.2.

The Code of Chivalry evolved into a highly developed “system” of social ethics, moral values, religious virtues, & courtly manners, combined in the context of honour & “noble” conduct.<sup>9</sup> These formalized practices inspire Knights & Dames to be the best person they can be, & motivate them to best represent noble values in their daily lives.

Chivalry is also famous for the tradition of *respect for women*, including the concept of the “honour of a lady” & knightly devotion to it. This was originally derived from the characteristic emphasis on veneration of Mother Mary in Catholicism by the Knights Templar.<sup>10</sup> The knightly emphasis on Mother Mary representing the “divine feminine” principle, as a mediator to God & source of refuge for men, is closely related to the medieval development of positive changing attitudes towards women.<sup>11</sup>



**“Accolade” by Edmund Leighton 1901:**

<http://www.ebay.com/itm/20x30-print-Accolade-by-Edmund-Leighton-1901-medieval-knight-chivalry-queen-art-/251745461008>

9 Johan Huizinga, *The Waning of the Middle Ages* (1919), Republished (1924), Chapter: “The Idea of Chivalry”, p.58.

10 Geoffrey W. Bromiley, *International Standard Bible Encyclopedia* (1994), p.272.

11 Ruth Tucker, *Daughters of the Church* (1987), p.168.

## The Code of Chivalry:

Through maintaining this code of ethics, Templars served as a corps of engineers, diplomats, scholars, scientists, archaeologists, philanthropists, founders & guardians of historical institutions such as cathedrals, libraries & museums. They had international authority as economists, bankers & financial trustees, & massive cultural influence through creating & advancing literature & fine arts. They invented cutting edge technologies in military infrastructure, architecture, cryptology (the study of codes, *of writing & solving them*), geographical mapping, & international shipping & navigation.

Templar Knights & Dames served as visible public role models of tradition, culture, spirituality, ethics, & humanitarian values. Through *setting an example* by active leadership, all of these qualities they caused to become famously known worldwide as *the character* of Chivalry.

In 1883, prominent French historian Emile Leon Gautier (1832-1897 AD), archivist of the Imperial Archives & Chief of the historical section of the National Archives, reconstructed the authentic Code of Chivalry of 1066 AD from the historical record, creating the first “popular summary” of the original 11th century “ancient code of chivalry”.<sup>12</sup> In 2015, *that* landmark work was carefully modernized, by further academic restoration, by legal scholar, historian, & linguist Prince Matthew of Thebes, resulting in the Universal Code of Chivalry.

### The Ten Pillars of the Universal Code of Chivalry:

1. Believe in spiritual teachings & apply them in daily life
2. Defend the traditions of religion & the principle of faith
3. Respect & defend the weak against abuses by the strong
4. Love the people & sovereignty of your country & others
5. Do not be a coward, face the enemy, & use direct force
6. Fight the enemies of good relentlessly & without mercy
7. Perform all secular duties under the higher Laws of God
8. Never lie nor breach your word, be reliable for friend or foe
9. Give generously & wholeheartedly, for meaningful impact
10. Always uphold right & good, against all evil & injustice

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<sup>12</sup> Emile Leon Gautier, *La Chevalerie* (1883), *translated in:* Henry Frith, *Chivalry*, George Routledge & Sons, London (1891).



Thebes *also* reconstructed the authentic medieval Templar Code of 1150 AD using his authoritative English translation from Old French as well as original Latin manuscripts of the Temple Rule of 1129 AD. Several principles appear to overlap with the Code of Chivalry.

### **The Twelve Pillars of the Templar Code:**

1. Preserve the ancient origins of religion & spirituality
2. Seek communion with the feminine face of God
3. Practice the discipline of daily prayerful meditation
4. Use one's strength only to protect & uphold the weak
5. Always uphold & represent Justice with fairness
6. Actively pursue scholarly studies of the Truth
7. Strive to embody & exemplify the virtue of Wisdom
8. Respect & include women in balanced harmony
9. Live by simplicity, modesty & humility
10. Practice moderation as the foundation of discipline
11. Shun all forms of pride in oneself & others
12. Avoid & oppose all forms of gossip & defamation

In the modern era, the Knights Templar practice Chivalry in real-world situations, by engaging in the following traditional activities:

1. Representing & promoting culture and values in society
2. Restoring & preserving the collective heritage of humanity
3. Interfaith diplomacy & defending the principles of faith and tolerance
4. Promoting justice, supporting & defending civil rights & human rights
5. Social diplomacy & outreach for different cultures to learn from each other
6. Innovation & development for the advancement of civilization with moral values
7. Research and academia to support education & intellectual development of society

The modern weapon of the Knights Templar is the pen instead of the sword. Their words inspire & uphold the principles of charity, justice, & humanitarian works. Their projects assist different traditions to come together on common ground, & work together to restore & protect cultural values.<sup>13</sup>

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<sup>13</sup> Order of the Temple of Solomon, "CHIVALRY UPHOLDING VALUES AS PILLARS OF CIVILIZATION THE CHIVALRIC WAY OF LIFE AS PRACTICAL ACTIVITIES IN THE MODERN WORLD": <http://www.knightstemplarorder.org/chivalry/>

## 1150: The Knights Templar Set Up The First International Banking Network:

Though the Templars started out living poor & a life of devotion to the scriptures, as the continuing crusades against the Muslims went on, they slowly accumulated wealth as **papal bulls** (a type of charter issued by the Pope) authorized them to keep whatever they acquired from the Muslims. The Templars also accepted *gifts*, as well as paid tasks to transport valuable items through major trading routes & shipping lanes. Over the course of 200 years, the Knights gained dizzying amounts of wealth, land, & at one point nearly 800 castles which later on served as full service banks. The Knights became bankers of Monarchs for their **mortgages**, as well as via offering loans to finance wars with their headquarters in Paris.

A knight could deposit money in Jerusalem, & then make a withdrawal in the form of gold coins when he arrived in Paris.<sup>14</sup> By 1150, the Order's original mission of guarding pilgrims had changed into a mission of guarding their valuables through an innovative way of issuing letters of credit, an early precursor of modern banking. Pilgrims would visit a Templar house in their home country, depositing their deeds & valuables.<sup>15</sup> The Templars would then give them a letter which would describe their holdings. While traveling, the pilgrims could present the letter to other Templars along the way to "withdraw" funds from their accounts. This kept the pilgrims safe since they were not carrying valuables, & further increased the power of the Templars.

The Knights' involvement in banking grew over time into a new basis for money. One indication of their powerful political connections is that the Templars' involvement in **usury** (charging interest on loans) did not lead to more controversy within the Order *or* the church at large. Officially the idea of lending money in return for interest was forbidden by the church, but the Order sidestepped this with clever loopholes, such as a stipulation that the Templars "retained the rights to the production of mortgaged property"—or as one Templar researcher put it, "Since they weren't allowed to charge interest, they charged rent instead."<sup>16</sup>

The Knights Templar transformed into an institution of great wealth & power; they even planned to form their own state, just as the Teutonic Knights (military order & league of hospital workers founded in 1190; all knights had to be descended from ancient German nobility<sup>17</sup>) formed Prussia.<sup>18</sup> At the height of their influence, they boasted a sizable fleet of ships, owned the island of Cyprus, & served as a primary lender to European monarchs & nobles.<sup>19</sup>

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14 Econtrader History, "The knights templar 1 of 2 First banking institution":

[http://history.econtrader.com/the\\_first\\_banking\\_institution.htm](http://history.econtrader.com/the_first_banking_institution.htm)

15 Kahn, David (1996). *The Codebreakers*. Scribner. p. 823. ISBN 978-0-684-83130-5.

16 The History Channel, *Decoding the Past: The Templar Code*, video documentary, November 7, 2005, written by Marcy Marzuni

17 The Order of The Teutonic Knights of St.Mary's Hospital in Jerusalem – 1190-2016:

<http://www.imperialteutonicorder.com/id16.html>

18 Econtrader History, "The knights templar 1 of 2 First banking institution":

[http://history.econtrader.com/the\\_first\\_banking\\_institution.htm](http://history.econtrader.com/the_first_banking_institution.htm)

19 UShistory.com, "History of the Knights Templar": <http://www.history.com/news/who-were-the-knights-templar-2>

### **Banking in Rome Prior to The International Templarian System:**

Rome, a sophisticated world super power in its time, built the world's first empire that was *systematized* around money. Though founded as a *kingdom* around 753 B.C., following *an overthrow of its kings* Rome became re-established as a Republic around 509 B.C. Since the minting of the first coins in the ancient city of Lydia, the Romans since became vessels of the coin system. The prosperity of Rome can be credited to its concepts based on a market economy, money, technological advancements, & military might. The success of the empire was *the direct result* of numerous military conquests— *sacking* a conquered nation & taking the riches back to its capital city— Rome. This continuous flow of funds from economic growth.

Rome saw its economic apex during the reign of Marcus Aurelius, when most of the Mediterranean & surrounding lands became united under Rome's *first* (& secret) emperor. During this stage, the Empire became virtually self sufficient— with grains imported from Egypt, & wine from Iberia (present day Spain). This era also marked a peak in security which resulted in more commerce, thus increasing the quality of money available in the market, thereby improving the quality of life for most of its citizens.<sup>20</sup>

Early banking was different then from modern banking— with banking activities conducted by private individuals— *not* by large banking **firms** (more than one person conducting business together) such that exist today. Since almost all moneylenders in the Empire were private individuals, anybody that had any additional capital & wished to lend it could do so,<sup>21</sup> which made it largely a matter of private loans advanced to persons short of cash, whether persistently in debt, or temporarily until the next harvest. Mostly, it was undertaken by exceedingly rich men who were prepared to take on a high risk if the profit looked good; interest rates were fixed privately & were almost entirely unrestricted by law at the time. Investment was generally regarded as a matter of seeking personal profit. The rich who were in a position to take advantage of the situation became the moneylenders when the ever-increasing tax demands in the last declining days of the Empire crippled & eventually destroyed the peasant class by reducing tenant-farmers to serfdom. It became evident at this point that usury meant exploitation of the poor,<sup>22</sup> a form of “debt-slavery”. A debtor who is found unable to repay a loan can be placed in a state of debt-slavery, a situation whereby their life & labors are directed by the lender until the debt is considered repaid.<sup>23</sup> Usury is often a major part of extending this slavery, not uncommonly assisting in extending the debt-slavery onto the children of the debtor, thus making slaves of multiple generations, thus promoting child labor.<sup>24</sup>

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20 Econtrader, “The Roman Empire”: [http://history.econtrader.com/the\\_demise\\_of\\_the\\_roman\\_empire.htm](http://history.econtrader.com/the_demise_of_the_roman_empire.htm)

21 Zgur, Andrej: *The economy of the Roman Empire in the first two centuries A.D., An examination of market capitalism in the Roman economy*, Aarhus School of Business, December 2007, pp. 252–261.

22 Young, Frances: *Christian Attitudes to Finance in the First Four Centuries*, Epworth Review 4.3, Peterborough, September 1977, pp. 81–82.

23 "Swept Under the Rug | Human Rights Watch". [Hrw.org](http://www.hrw.org). 2006-07-28. Retrieved 2014-02-24: <https://www.hrw.org/report/2006/07/27/swept-under-rug/abuses-against-domestic-workers-around-world>

24 Kovacevic, Natasa (2009-03-22). "Child Slavery | Harvard International Review". [Hir.harvard.edu](http://hir.harvard.edu). Retrieved 2014-02-24: <http://hir.harvard.edu/courting-africa/child-slavery>

## Religious Condemnation of “Charging Interest on Loans”:

The First Council of Nicaea, in 325, forbade clergy from engaging in usury— which at the time was considered “charging interest of any kind”: the canon forbade the clergy to lend money at interest rates even as low as 1 percent per year. Later **ecumenical** (interculturally-inclusive, non-dogmatic) councils applied this regulation to the **laity** (layperson).

In 1179, *under Pope Alexander III*, The Third Council of Lateran decreed that persons who accepted interest on loans could not receive sacraments *or* a Christian burial. Pope Clement V made *the belief in the right to usury* a **heresy** (*a contemptible practice, punishable, sometimes by death*) in 1311, & abolished *all* secular legislation which allowed it. In the 16<sup>th</sup> century, Pope Sixtus V condemned the practice of charging interest as "**detestable to God & man, damned by the sacred canons, & contrary to Christian charity.**"<sup>25</sup>

In the Hebrew Bible (“Old Testament”), interest can be charged to strangers but not to fellow Hebrews.

**Exodus 22:25:** “If thou lend money to [any of] my people [that is] poor by thee, thou shalt not be to him as an usurer, neither shalt thou lay upon him usury.”

**Leviticus 25:35:** “And if thy brother be waxen poor, & fallen in decay with thee; then thou shalt relieve him... 36 Take thou no usury of him, or increase... 37 Thou shalt not give him thy money upon usury, nor lend him thy victuals for increase.”

**Deuteronomy 15:7-11:** “If there be among you a poor man of one of thy brethren within any of thy gates in thy land... thou shalt not harden thine heart, nor shut thine hand from thy poor brother.”

**Deuteronomy 23:19:** “Thou shalt not lend upon interest to thy brother: interest of money, interest of victuals, interest of any thing that is lent upon interest. 20 Unto a foreigner thou mayest lend upon interest; but unto thy brother thou shalt not lend upon interest; that the LORD thy God may bless thee in all that thou putteth thy hand unto...”

**Ezekiel 18:8:** “He [that] hath not given forth upon usury, neither hath taken any increase, [that] hath withdrawn his hand from iniquity, hath executed true judgment between man & man.”

**Ezekiel 22:12:** “In thee have they taken gifts to shed blood; thou hast taken usury & increase, & thou hast greedily gained of thy neighbours by extortion... 13 Hath given forth upon usury, & hath taken increase: shall he then live? He shall not live: he hath done all these abominations; he shall surely die; his blood shall be upon him.”

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25 Moehlman, Conrad H. 1934. "The Christianization of Interest." *Church History*. Issue 3, 1934, p. 6-7.

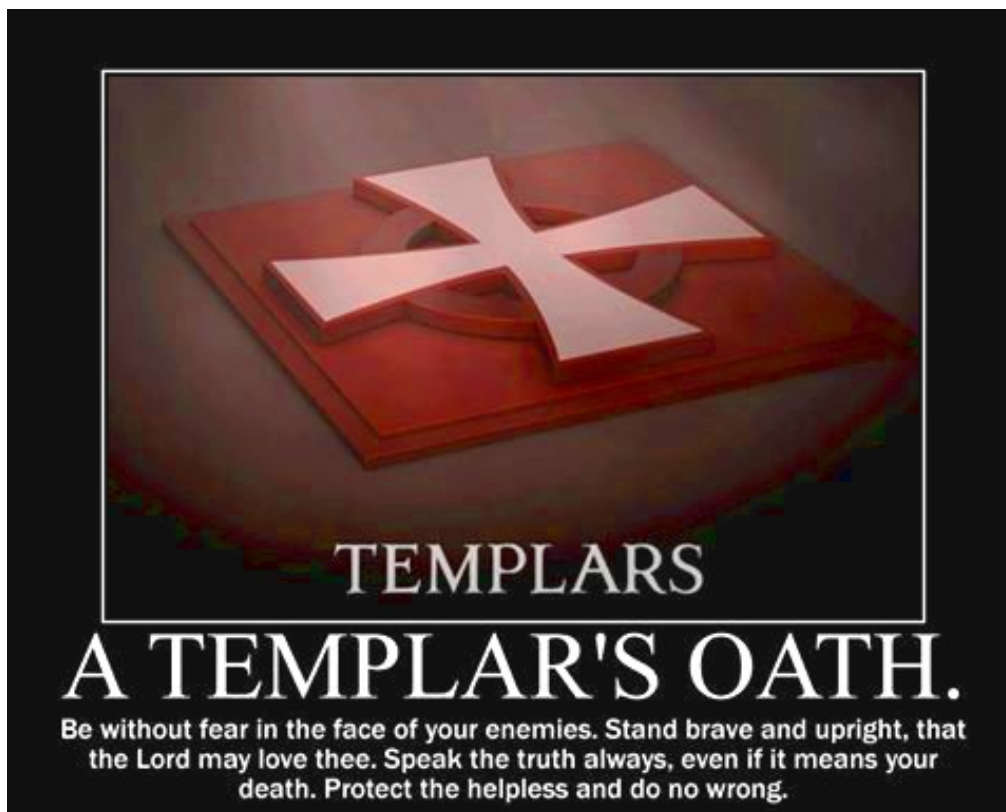
**Proverbs 28:8:** “He that by usury & unjust gain increaseth his substance, he shall gather it for him that will pity the poor.”

**Ezekiel 18:17:** “[That] hath taken off his hand from the poor, [that] hath not received usury nor increase, hath executed my judgments, hath walked in my statutes; he shall not die for the iniquity of his father, he shall surely live.”

#### **New Testament Verses on Charity:**

**Luke 6:35:** “But love ye your enemies, & do good, & lend, hoping for nothing again; and your reward shall be great, and ye shall be the children of the Highest: for he is kind unto the unthankful and [to] the evil.”

**John 13:34-35:** “The Savior wants all people to receive His love & to share it with others. He declared to His disciples: “A new commandment I give unto you, That ye love one another; as I have loved you, that ye also love one another. By this shall all men know that ye are my disciples, if ye have love one to another”. In relationships with family members & others, followers of Christ look to the Savior as their example & strive to love as He loves, with unfailing compassion, patience, & mercy.”



*Commonly attributed traditional Oath:*

*<https://www.pinterest.com/source/dhoelcher.blogspot.com>*

## Early Christian's Views on Economics & Real Estate:

The prefix **mort** translates “death” (as in mortuary or mortality), & **gage** translates “pledge”: the term **mortgage** literally translates “**dead pledge**”. In *Bouvier's Law Dictionary* (1856), “**Dead-Pledge**” is defined as “a **mortgage** of lands or goods.” It's considered *a pledge of death* because its an engagement in *debt*, which is considered a neglect or violation of a Christian's duty. When transposing the Book of Romans between 50-60 A.D., the Apostle Paul between 50-60 A.D. when transposing the book of Romans<sup>26</sup>, wrote:

**Romans 13:8:** “**Owe no man any thing**, but to love one another:”

**Proverbs 22:7:** “The rich ruleth over the poor, and the **borrower is servant to the lender.**”

**2 Kings 4:** “Now there cried a certain woman of the wives of the sons of the prophets unto Elisha, saying, Thy servant my husband is dead; and thou knowest that thy servant did fear the LORD: and the **creditor** is come to take unto him my two sons to be **bondmen**.” (*According to Jewish tradition, Jeremiah wrote the Book of Kings around 586 BCE.*<sup>27</sup>)

When one enter into debt, he becomes a servant to *the merchants of the earth*, because *their* law, “the Law Merchant”, has full jurisdiction over debt within their system. Within early Christian theology, there's not really *any* debt, because it is taught to give *freely* & expect nothing in return, for “**it is more blessed to give than to receive**” (Acts 20:35). But, when dealing with the “law of nations” or “international law”, one is then enters *into* “the law of negotiable instruments”, aka the *lex mercatoria*, or “Law Merchant”, an ancient system of commercial trade aka “commerce”.

**Nehemiah 5:3-5:** “... We have **mortgaged** our lands, vineyards, and houses... We have **borrowed money** for the king's tribute, and that upon our lands and vineyards... and, lo, we bring into **bondage** our sons and our daughters to be **servants**, and some of our daughters are brought unto **bondage** already: neither is it in our power to redeem them; for other men have our lands and vineyards.” (*Nehemiah was written the second half of the 5<sup>th</sup> century B.C.*<sup>28</sup>)

Mortgage history has its roots in ancient civilization, where debtors would swear a pledge to obtain property before the advent of the mortgage. During these times, the “mortgagor” would make an agreement with a “mortgagee” to exchange property for repayment over time. The pledge became “dead” when the borrowing party could or could not meet the agreement.

The Ancient Greeks & Roman civilizations simply borrowed these concepts from Judaic sources. The Romans adopted the concept of debt security by assigning the possession of property to the creditor while the debtor remains in control of it until the debt is repaid.<sup>29</sup>

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26 James D. G. “Jimmy” Dunn, Emeritus Lightfoot Professor of Divinity in the Department of Theology at the University of Durham, Bible Commentary. Dallas, Texas: Word Books, Publisher.

27 Spieckerman, Hermann (2001). “The Deuteronomistic History”. In Leo G. Perdue. *The Blackwell Companion to the Hebrew Bible*. Blackwell. ISBN 978-0-631-21071-9, p. 337

28 Albright, William (1963). *The Biblical Period from Abraham to Ezra: An Historical Survey*. Harpercollins College Div. ISBN 0-06-130102-7.

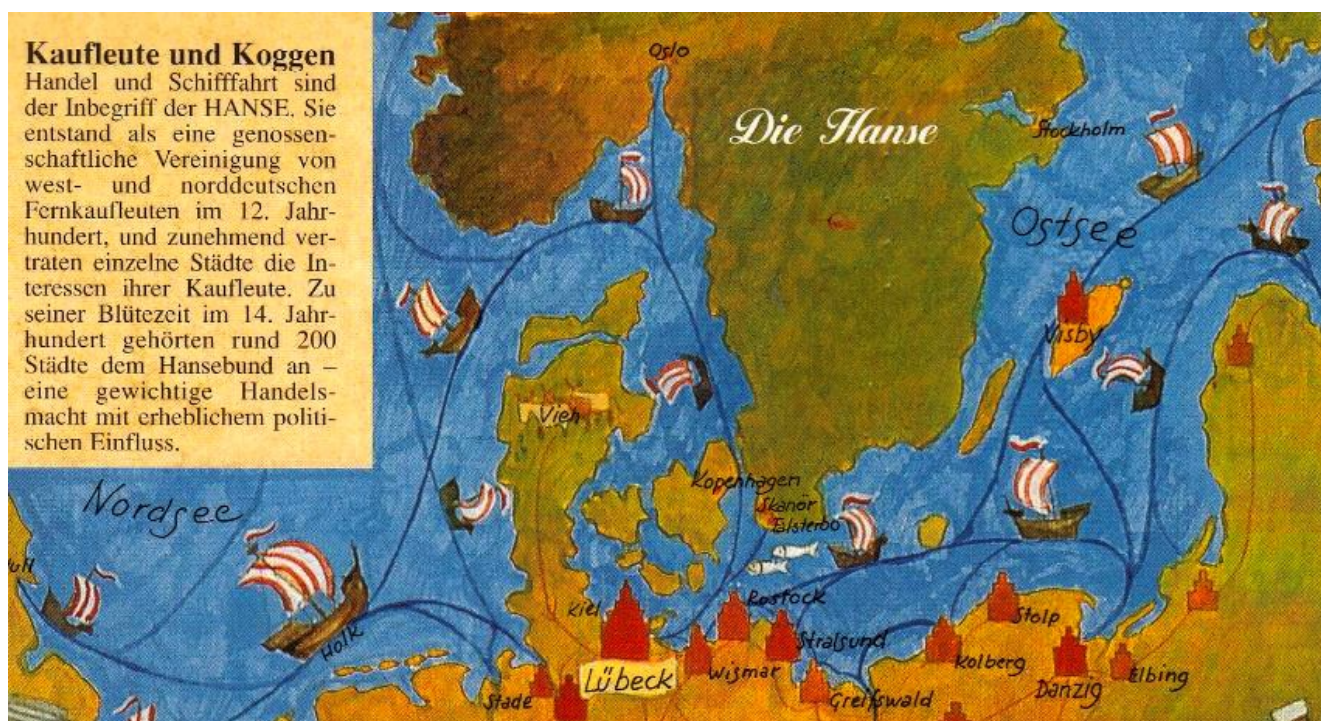
29 Mortgage Calculator, *The History of American Mortgage*: <http://www.mortgagecalculator.org/helpful-advice/american-mortgage-history.php>

## 1100-1800: The Hanseatic League Revives Merchant Trade:

The Hanseatic League was a commercial & defensive confederation of merchant guilds (& their market towns) that dominated Baltic maritime trade along the coast of Northern Europe c. 1400–1800. *Hanse*, later spelled *Hansa*, was the Middle Low German word for “convoy”, & this word was applied to bands of merchants traveling between the Hanseatic cities whether by land or sea.

Merchants of the Italian city states & of cities that were members of the Hanseatic League rejuvenated general European trade in the twelfth & thirteenth centuries, *following its almost total abandonment after the fall of Rome*. These traders took precepts from the ancient law of the Romans Empire, *adapted them to their times*, & created customs of trade & *ways of doing business* that became accepted among the merchants of all Europe. And hence, this body of business, or commercial law, obtained the name Law Merchant. The law of agencies, sales, negotiable instruments, insurance, carriage, debt, guarantees, soffage & transit, liens, partnership & bankruptcy, was made by these traveling, international private merchants.”<sup>30</sup>

The League was created to protect the guilds' economic interests & diplomatic privileges in their affiliated cities & countries, as well as along the trade routes the merchants visited. They had their own legal system, & furnished their own armies for mutual protection & aid.<sup>31</sup>



"The World's History in Postcards": <http://theworldshistoryinpostcards.blogspot.com/2015/07/germany-hanseatic-league-and-its-queen.html>

30 Stone, Smith, Frank, & Rommage, *Fundamentals of Business Law*, 1950.

31 Hansen, Mogens Herman (2000). *A comparative study of thirty city-state cultures: an investigation*. Royal Danish Academy of Sciences & Letters: Copenhagen Polis Centre (Historisk-filosofiske Skrifter 21). p. 305.

## 1066–1272: Norman Conquest Imposes Judaic Legal System into England: Real Estate Laws Tear the Fabric of Christian Society & Feudal Europe:

English Law, *like the English language*, is an amalgam of diverse cultural influences. After the conquest of 1066, the Viking rulers (“Normans”) imposed on the English an *efficiently organized social system* that crowded out many Anglo Saxon traditions that existed since Christianity's introduction in the 1<sup>st</sup> & 2<sup>nd</sup> centuries by Rome.

The Jews, *whom the Normans (“Northmen”, Vikings) brought to England* contributed to the changing English society by introducing a **refined system of commercial law**, their own *form of commerce*, alongside a stringent system of rules to facilitate & govern it. Several elements of historically **Jewish practices became embedded into the English legal system during this time**. Notable among these is the **written credit agreement**, called the ***Shetar***, or ***Starr***, as it appears in English documents. The basis of the *Shetar*, or *Jewish gauge*, was a **lien** (*a right to keep possession of property belonging to another person until a debt owed by that person is discharged*) **on all property, including realty**. Under Jewish law, the *Shetar* permitted a **creditor** (one who is owed a debt) to proceed against all the goods *and* land of the defaulted debtor. **Both “movable property” (called *chattels*) and “immovable property” (land &/or housing aka “*chattels real*” or “*real property*”) was subjected to distraint.**

In contrast, the obligation of knight service, *under Anglo Saxon Norman law*, barred a land transfer that would have imposed a new tenant, & therefore, a different knight owing service upon the landlord. The dominance of personal feudal loyalties equally **forbade the attachment of land in satisfaction of a debt; only the debtor's chattels (movable personal property) could be seized**. The *Shetar (written credit agreement)* completely changed what debt could apply itself to; the *Shetar is the origin of the modern mortgage system*. Previously throughout Europe, the land could *not* be taken from another person, which had kept feudal obligations in tact, assuring that the landlord would continue to be served by his own knights. When incorporated into English practice, the notion from Jewish law, that debts could be recovered against a loan secured by “all property, movable and immovable”, was a **weapon of socio-economic change that tore the fabric of feudal society & established the power of liquid wealth in place of land holding**.<sup>32</sup>

The crusades of the twelfth century opened an era of change in feudal England. **To obtain funds from Jewish merchants, nobles offered their land as collateral**, although the Jews, *as aliens*, could not hold land in **fee simple** (*with absolute freedom & authority to do with it as one wills, as owner*), they could take **security interest** (*which entitled a creditor to seize & then sell property in order to recover the debt owed to them*) in substantial money value. By 1250, **scutage** (*taxes paid for Knight services*) had completely replaced feudal services; **tenant obligations had been reduced to money payments (rent)**. The moral **principles** (i.e. “chivalry”) in the landlord/tenant relationship was unable to be sustained due to debts owed by nobles. The rules had changed from *upholding moral principles and tending the lands to extracting rent from tenants, which was generally paid via earning a wage via service to merchants*.

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32 The Georgetown Law Journal, ARTICLE: “The Shetar's Affect on the English Law, a Law of the Jews becomes the Law of the Land” by *Judith A. Shapiro*



## 1272-1307: King Edward “Adopts” The Mortgage System for Use in Gaining Land & Wealth for the The Royal Family:

The law of the Shetar had become *developed & elaborated* by 500 A.D. in the **Babylonian Talmud**. Historically, the Shetar was an instrument that established formal obligation either in **contract** or in **debt**: at the moment a debtor acknowledged his indebtedness through a Shetar, a general *lien* was established encumbering *all the debtors property* as security for ultimate **repayment**. In case of default (announced inability to pay), the **creditor** (the person who is owed) could proceed not only against “movable *and* immovable property” held by the debtor, but *also* against encumbered land that the debtor had transferred to a third party. The debt attached to the land, & the creditors lien had priority over subsequent alienations.

The crucial limitation on debt collection under Jewish law was that **a creditor had a lien against the debtor's land, but not against the debtor's person**. Personal freedom was not to be diminished by a debt obligation, & **a creditor could not enslave one who was unable to repay him**.

A nation of wanderers, in adapting a variety of cultures, determined that the language in which the Shetar was written should be irrelevant to its legal validity.<sup>33</sup> Jewish influence continued to have impact on societies around the world, who, one by one, adopted money-lending practices: it came out of the Babylonian Talmud & was adopted by *the merchants of the world, including the Templars in their banking system (pages 140-141), & so on*.

The first Jewish communities of significant size came to England with William the Conqueror in 1066 (*page 145*). On the conquest of England, William instituted a feudal system whereby all estates formally belonged to the Crown; the king then appointed lords over these vast estates, but they were subject to duties and obligations (financial and military) to the king. Under the lords were further subjects such as serfs, who were bound & obliged to their lords, & their lords' obligations. Merchants had a special status in the system as did Jews. Jews were declared to be direct subjects of the King,<sup>34</sup> unlike the rest of the population. This was a precarious legal position for the Jewish population, in that they were not tied to any particular lord, but were subject to the whims of the king. This could at times prove advantageous, & at other times disadvantageous. Every successive king formally reviewed a royal charter granting Jews the right to remain in England. Jews did not enjoy any of the guarantees of the Magna Carta (passed in 1215) which would have otherwise guaranteed to them (constitutionally) “religious freedom”, as this could have caused heightened problems in debts which could otherwise be charged.<sup>35</sup>

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33 *The Jewish Credit Agreement in Feudal England*, page 1179-1200:  
<https://www.ecclesia.org/truth/debt.html>

34 Glassman, Bernard (1975), *Anti-Semitic Stereotypes Without Jews: Images of the Jews in England 1290–1700*, Wayne State University Press, ISBN 0-8143-1545-3. p. 14

35 Rubinstein, W. D. (1996), *A History of the Jews in the English-Speaking World: Great Britain*, Macmillan Press, ISBN 0-333-55833-2. p. 36

### **1290: Edward I Expels The Jews, Capitalizes on Christian Contempt for Judaism:**

Economically, Jews played a key role in the country. The church at the time strictly forbade the lending of money for profit (*page 142*), which created a vacuum in the economy of Europe that Jews filled (*especially due to extreme discrimination in every other economic area*). Canon law was not considered applicable to Jews, & Judaism does not forbid loans with interest between Jews & non-Jews (*page 142*).<sup>36</sup> In consequence, some Jews made large amounts of money, to which the King, taking advantage of their unique status as his direct subjects, could appropriate Jewish assets in the form of heavy taxes without the need to have to summon Parliament.<sup>37</sup> The service of *physical & political protection* offered to Jews by Norman lords & military was exchanged for *wealth* extracted from Jewish realtors & moneylenders.

Jews, however, acquired a reputation as extortionate moneylenders which made them extremely unpopular with both the church & the general public. While an anti-Jewish attitude was widespread in Europe, medieval England was particularly anti-Jewish.<sup>38</sup> An image of the Jew as a diabolical figure who hated Christ started to become widespread, & antisemitic myths as well as allegations of ritual murders originated & spread throughout England, Scotland, & Wales.<sup>39</sup> Jews were said to hunt for children to murder before Passover so they could use their blood to make the unleavened matzah, & anti-Jewish attitudes soon swelled into numerous riots during which many were murdered, most notably in 1190 when over a hundred Jews were massacred in the city of York.<sup>40</sup>

During an era of socio-economic change from 1272 to 1307, King Edward I was weary of the Jews. **Thus, he issued laws forbidding Jews from holding real property, denying them usurious practice (see page 142), & ordering them to wear distinctive dress and identifying badges.** Even as he restricted Jewish money lenders, Edward *expanded* the universe of non-Jewish money lending. He had before him a model of *secured debt contracts* that could greatly strengthen the power of the crown. In the *statute of merchants* in 1285, Edward extended to creditors the forms of registry, remedy, & enforcement that had previously been the substance of the exchequer of the Jews. Under the statute, a debtor acknowledged the existence of his debt before the mayor & one of the recording clerks. The clerks recorded the debt in two rolls, *one to remain with the mayor, & one with the clerks*. In his own recognizable handwriting, the clerk prepared a *debt instrument* to which the debtor affixed his seal & the officials affixed the king's seal. This instrument was given to the creditor who could present it to the mayor & the courts to prove his rights if the debtor defaulted.

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36 Parkes, James (1976), *The Jew in the Medieval Community*, Hermon Press, ISBN 0-87203-059-8. p. 303

37 Rubinstein, W. D. (1996), *A History of the Jews in the English-Speaking World: Great Britain*, Macmillan Press, ISBN 0-333-55833-2. page 37

38 Rubenstein. page 36

39 Glassman, Bernard (1975), *Anti-Semitic Stereotypes Without Jews: Images of the Jews in England 1290–1700*, Wayne State University Press, ISBN 0-8143-1545-3. page 17

40 Rubenstein. page 39

More than the enrollment procedures paralleled the structures of the exchequer of the Jews, the *remedies* extended to *Christian creditors* the *relief* formally available only to Jews. If the Christian creditor presented to the mayor a matured acknowledged debt instrument corresponding to an enrolled debt, he had established full *right to relief*. If the debtor did *not* pay, the creditor eventually obtained access to the debtor's lands even as the Jews had done for years. **The new law expressly excluded Jews.**

We see then how the system of debt, mortgage, & land acquisition was developed & promoted. Jewish scholars "invented" it, taxes were extracted in order to maintain the legal structure which upheld the system, & then after the system had been fully studied & practiced, the king, to make this practice *appear* Christian, excluded the original "inventors"—*the Jews*. Then he went even further to complete the ruse:

Five years after the statute of merchants, Edward I expelled the Jews from England. Religious hostility was rife. Repeated business partnerships had depleted the Jews' resources, & lessened their value to the king's purse. No longer were the Jews the unique source of credit in England; their knowledge had been adopted into the system. By the statute of merchants, Edward granted to all non-Jewish creditors the same remedies & procedural rights previously available to the Jews. He took a private invention & instituted it for public access. Debts became secured by land, & the contracts which upheld such debts survived the death of the creditor for use in enforcing the *alienation of the real property*. In addition to the numerous land holdings that escheated to the royal family upon their departure, the Jews left behind a law of "debtors" & "creditors" that was developed in the Talmud, *introduced in the exchequer* (*administrative accounting process*), & then preserved within in the laws of England.

Traces of the Shetar procedures survived for centuries in English law. A sealed debt continued to be discharged only by a *deed of release, cancellation, or destruction of the debt instrument*. The practice of *debt cancellation* by requiring return of the *pes of the chirograph* (*evidence that a fine is due*) continued from 1194 until its abolition by statute in 1833. Most important, **the encumbrance of real property permitted by the Jewish law of the Shetar had been adopted by English law.** Bonds contained the traditional Hebrew formula of pledging "all my goods, movable *and* immovable". Creditors had the statutory right to execute against the debtor's land. **No longer were personal obligations & rights in land rigidly separate.** Even while Edward was divesting himself of his Jewish money lenders, he made their legacy permanent. A small but significant principle of Jewish law wherein *personal debt superceded rights in real property had become the law of the land.*<sup>41</sup>

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41 Christ's Lawful Assembly, "*Debt, Mortgage, & The Law Merchant*":  
<https://www.ecclesia.org/truth/debt.html>

## 1126 A.D.: Peter of Bruys & *The Origin of Cross Burning*— The Pre-American Origins of the Ku Klux Klan & Protestantism:

Peter of Bruys (Pierre De Bruys) was a popular French religious teacher who was deemed a **heresiarch** (leader of a heretical movement) by the Roman Catholic Church because he criticized infant baptism, the erecting of churches, the veneration of crosses, the doctrine of transubstantiation, & the efficacy of prayers for the dead.<sup>42 43</sup> Believers in Bruys became popularly known as “Petrobrusians”, & they were infamous for *publicly burning crosses* in direct defiance to *the veneration of the crosses*, & to the *enforcement* of the church's teachings upon the people. Bruys taught: **“Edifices for temples & churches should not be erected... It is superfluous to build temples, since the church of God does not consist in a multitude of stones joined together, but in the unity of the believers assembled.”** Thinkers in the medieval Church argued that cathedrals & churches were created to glorify God, & that it is appropriate that those buildings should be as grand & as beautiful as wealth & skill could make them.<sup>44</sup>

Bruys & thus Petrobrusians also argued: **“... the sacred crosses (ought) be broken into pieces & burned, because that form or instrument by which Christ was so dreadfully tortured, so cruelly slain, is not worthy of any adoration, or veneration or supplication, but for the avenging of his torments & death it should be treated with unseemly dishonour, cut in pieces with swords, burnt in fire.”**

The Royal Masonic Cyclopaedia on *Petrobrusians*: **“... founded in the Netherlands around 1126, thus reviving the traditions of the Primitive Christians, in which Christ was regarded not only as the Body— but the Church itself: that His injunctions as to being 'prayerful in the closet, & not in any special structure', was the best. They... strongly opposed the worship of an object (the cross) upon which... Jesus Christ had been sacrificed; & to them, as to many others, the cross was abhorrent.”**<sup>45</sup>

The Catholic News Agency's website: **“In the seventh century, the Church in Rome adopted the practice of Adoration of the Cross from the Church in Jerusalem, where a fragment of wood which was *believed to be* the Lord's cross had been venerated (honored, revered) every year on Good Friday since the fourth century... a part of the Holy Cross was discovered by the mother of the emperor Constantine, St. Helen, on a pilgrimage to Jerusalem in 326. A fifth century account describes this service in Jerusalem. A coffer of gold-plated silver containing the wood of the cross was brought forward. The bishop placed the relic on the a table in the chapel of the Crucifixion, & the faithful approached it, touching brow, eyes, & lips to the wood, as the priest said (as every priest has done ever since): 'Behold, the Wood of the Cross.' [This] does not mean that we actually adore the material image, of course, but rather what it represents. In kneeling before the crucifix & kissing it we are paying the highest honor to our Lord's cross as the instrument of our salvation. Because the Cross is inseparable**

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42 F. L. Cross; E. A. Livingstone (editors) (1997). *The Oxford Dictionary of the Christian Church*, 3rd edition. USA: Oxford University Press. p. 1264. ISBN 0-19-211655-X.

43 **"Petrobrusians"**. *Catholic Encyclopedia*. Robert Appleton Company. 1911. Retrieved 2007-08-22.

44 Swaan, Wim. *Art and Architecture of the Late Middle Ages*, Omega Books, ISBN 0-907853-35-8

45 Royal Masonic Cyclopaedia Part 2, by Kenneth R. H. MacKenzie, inscribed to John Hervey, Esquire 32 degree, published by Kissinger Publishing, LLC, ISBN 10: 0766126110 ISBN 13: 9780766126114

**from His sacrifice, in reverencing His Cross we, in effect, adore Christ. Thus we affirm: 'We adore Thee, O Christ, & we bless Thee because by Thy Holy Cross Thou has Redeemed the World.'**"<sup>46</sup>

Brys argued against infant baptism: **"Not by another's, but one's own faith, together with baptism, can a person be saved,"** referencing Mark 16:16: **"He who will believe & be baptized shall be saved, but he who will not believe shall be condemned."** This ran counter to the medieval Church's teaching, in the Latin West where, following the theology of Augustine, baptism of infants & children was essential to *salvation from original sin* (can. 849, CIC 1983).

Petrobrusians denied sacramental grace, rejecting Communion entirely, as well as the real presence or the nascent Scholastic account of "transubstantiation", used to describe the transformation of the consecrated bread and wine into the body & blood of Christ, was first used by Hildebert de Lavardin in about 1079. The theory was quickly becoming accepted as orthodox doctrine at the time of the attacks by Peter of Bruys. In less than two centuries, in 1215, the Fourth Lateran Council officially declared transubstantiation the necessary, orthodox Catholic explanation of the Eucharist. Bruys taught that Christ had never been born in the flesh & had never truly suffered & died, therefore, the Eucharist was without meaning.

Peter the Venerable aka Peter of Montboissier was an *internationally renown abbot & religious writer* who became a popular figure within the church, & an associate of many national & religious leaders of his day. He *and* Peter Abelard attacked the teachings of Bruys & the Petrobrusians, arguing **"Children, before the age of understanding can be saved by baptism..."** Peter the Venerable wrote a famous treatise (*The Treatise of Peter the Venerable*) which publicly condemned Brys's teachings<sup>47</sup>: **"They deny not only the truth of the body & blood of the Lord, daily & constantly offered in the church through the sacrament, but declare that it is nothing at all, & ought not to be offered to God. They say, 'Oh, people, do not believe the bishops, priests, or clergy who seduce you; who, as in many things, so in the office of the altar, deceive you when they falsely profess to make the body of Christ, & give it to you for the salvation of your souls.... they deride sacrifices, prayers, alms, & other good works by the faithful living for the faithful dead, & say that these things cannot aid any of the dead even in the least... The good deeds of the living cannot profit the dead, because translated from this life their merits cannot be increased or diminished, for beyond this life there is no longer place for merits, only for retribution. Nor can a dead man hope from anybody that which while alive in the world he did not obtain. Therefore those things are vain that are done by the living for the dead, because since they are mortal they passed by death over the way for all flesh to the state of the future world, & took with them all their merit, to which nothing can be added."**<sup>48</sup>

Around the year 1126, Peter was publicly burning crosses in St Gilles near Nîmes, when local Roman Catholics, angered by his actions, cast him into the flames of his own bonfire.<sup>49</sup>

46 Catholic News Agency, "The Veneration of The Cross": <http://www.catholicnewsagency.com/resources/holy-week/good-friday/the-veneration-of-the-cross/>

47 Swaan, Wim. *Art and Architecture of the Late Middle Ages*, Omega Books, ISBN 0-907853-35-8

48 "TREATISE OF PETER THE VENERABLE", Peter of Cluny. *Patrologia Latina vol. 189: Tractatus Contra Petrobrussianos*. Jacques-Paul Migne. pp. 720-850: [http://www.fampeople.com/cat-peter-of-bruys\\_2](http://www.fampeople.com/cat-peter-of-bruys_2)

49 F. L. Cross; E. A. Livingstone (editors) (1997). *The Oxford Dictionary of the Christian Church, 3rd edition*. USA: Oxford University Press. p. 1264. ISBN 0-19-211655-X.

### **1208-1244: The Cathar Wars aka *The Albigensian Crusades* *Eradication of those with Opposing Beliefs Leads to Coming Rise of Protestantism:***

Mass killings against the people of the Languedoc began in 1208. Like all crusades it was a war, declared by the Pope, (Innocent III) backed by the Roman Church with promises of remission of sins & a guaranteed place in heaven.

Arnaud Amaury, Abbot of Cîteaux, was the military leader of the crusaders during the first stages of the war, & was responsible for the massacre at Béziers & for the immortal words "**Kill them all. God will know his own.**" Some 20,000 men, women & children were killed in this "exercise of christian charity". The first Cathar crusade was lead by vassals of Philippe Augustus, whose son, Prince Louis, *future King Louis VIII*, joined the Crusade. Louis VIII *was* an ancestor of the Louis XVI who eventually would become guillotined on January 21<sup>st</sup>, 1793 by his Catholic relatives for helping the American Revolutionaries to gain their freedom.

Cathars refused to eat animal products– not only meat but also milk, cheese & eggs. In many respects Cathars resembled modern day vegans, except that they ate fish. For many centuries the Roman Church regarded vegetarianism as a capital crime on the grounds that God had given man dominion over the earth and had provided animals for him to eat. Inquisition records include cases of people being required to kill & eat animals, often chickens, to prove that they were not Cathars. Failure to do so meant death. Similarly, vegetarianism was a capital crime.

The Mainstream Church was hostile to vegetarianism well into the twentieth century. In Britain, a Government Minister, John Selwyn Gummer, could still publicly ridicule vegetarians as being anti-Christian as late as the 1980s, citing the traditional argument that God had given man dominion over the earth & had provided animals for him to eat. Vegetarians are still regarded as vaguely anti-Christian by many denominations even today.

To the conventional Roman Catholic mind, human society is planned & ordered by God; God has ordained *what is natural & what is not*. The problem arises when *we* need to distinguish between what is natural & what is not. If we look to evolution or to human nature, we do not always arrive at the same results as the Medieval Church. To an objective outsider it looks as though the Medieval Church hierarchy used its own cultural preconceptions to distinguish between natural & unnatural. Broadly, anything the Church agreed with was natural, & anything the Church disagreed with was unnatural. Under these rules the Church & everything it stood for was natural, & anything opposed to the Church was unnatural.

This outlook explains the enmity of the Roman Church to many aspects of the Cathars. For the Roman Church, *their* views were orthodox, & the views of others were *heretical*. Their ideas on sex were right, & *others'* views were perverse. Their views on women were God-given, & *others'* views were blasphemous. Their religious rites & books were divine, & *others'* were vile satanic parodies..<sup>50</sup>

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50 Cathars.ingo, "*Cathars and Cathar Beliefs in the Languedoc, Cathar Beliefs*":  
[www.cathar.info/cathar\\_beliefs.htm#gnosticism](http://www.cathar.info/cathar_beliefs.htm#gnosticism)

Cathars in many ways were regarded much the same as they viewed others, however—seen as nagging “*puritans*” by outsiders:

**“Of themselves they say: "We are the poor of Christ, who have no fixed abode & flee from city to city like sheep amidst wolves, are persecuted as were the apostles & the martyrs, despite the fact that we lead a most strict & holy life, persevering day & night in fasts and abstinence, in prayers, & in labour from which we seek only the necessities of life. We undergo this because we are not of this world. But you, lovers of the world, have peace with it because you are of the world. False apostles, who pollute the word of Christ, who seek after their own interest, have led you & your fathers astray from the true path. We & our fathers, of apostolic descent, have continued in the Grace of God & shall so remain to the end of time. To distinguish between us & you Christ said "By their fruits you shall know them". Our fruits consist in following the footsteps of Christ.”<sup>51</sup>**

The idea of women having power over men was antithetical & seen with disdain & condemnation by the Roman Church, relying on an injunction by St Paul that women should have no dominion over men, & a number of similar biblical assertions. Soon after developing a priesthood in the early centuries, the Orthodox Church began to minimalise the role of women. They were barred from the new priesthood, & prominent women in the Bible were concealed by a simple name change (eg Julia "who was prominent among the disciples" became Julian). Deaconesses disappeared later, & later still women were even excluded from choirs. By the Middle Ages the role of women in the early Church had been forgotten, & St Paul said everything on the matter that was needed. From this perspective, it seemed anti-Christian to allow any form of equality to women. Churchmen were horrified therefore to learn that Cathars had not only Parfaits (male members of the elect – equivalent with priests, but with different rites & ceremonies) but also Parfaites (women members of the elect). Here is the Cistercian Alan of Lille writing against this “heretical idea” from around 1190-1202:

**“If it is a dangerous thing for wise and holy men to preach, it is most dangerous for the uneducated who do not know what should be preached; to whom, how, when, and where there should be preaching. These persons resist the Apostle [St Paul] in that they have women with them and have them preach in the gatherings of the faithful, although the Apostle says in the first Epistle to the Corinthians: "Let women keep silence in the churches, for it is not permitted them to speak, but to be subject, as also the law saith. But if they would learn anything, let them ask their husbands at home". [I Corinthians 14:34-35]”**

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51 (Sancti Bernardi epistolae, (letter 472, Everwini Steinfeldensis praepositi ad S. Bernardum) cited by Walter L Wakefield & Austin P Evans *Heresies of the High Middle Ages*, (Columbia, 1991) p. 129.)

## 1307-1312: Friday The 13<sup>th</sup> & *The Suppression of The Knights Templar*: The BAR Association then Infiltrates the Temples & Monopolizes the Legal System:



*Knights Templar Vault “Geoffroi de Gonneville:  
confusions and theories”:*

<http://knightstemplarvault.com/tag/de-molay/>

By 1303, the knights had lost their foothold in the Muslim world & established a base of operations in Paris. Meanwhile, the French king Philip IV was deeply in debt, including to the Knights Templar. While King Edward had ordered the Jews to leave England in 1290 (*pages 146-149*), Philip the Fair expelled the Jews from France in 1306. With the Jews gone, Philip appointed royal guardians to collect the loans made by the Jews, and the money was passed to the Crown. The scheme did not work well. The Jews were regarded to be good businessmen who satisfied their customers, while the king's collectors were universally unpopular. Finally, in 1315, due to the "clamour of the people", the Jews were invited back with an offer of 12 years of guaranteed residence, free from government interference.<sup>52</sup>

resolved to bring down the order, whom he was deeply indebted to, while the order itself was expressing interest in forming their own state in southeastern France. Philip was condemned by his enemy, Pope Boniface VIII in the Catholic Church, for spending frivolously.

On October 13, 1307, scores of French Templars were arrested along with the order's grand master, Jacques de Molay. Charged with a host of offenses ranging from heresy, devil worship, spitting on the cross, homosexuality, fraud, & financial corruption, the men were brutally tortured. Many, including de Molay, confessed under duress. King Philip then convinced Pope Clement V, who had raised concerns about the knights' secret initiation rites & practices in the past, to launch his own inquiry. In 1310, dozens of Templars were burned at the stake in Paris for recanting their earlier confessions during their trials; de Molay would suffer the same punishment in 1314. Under pressure from Philip, Pope Clement reluctantly dissolved the Knights Templar in 1312.<sup>53</sup>

<sup>52</sup> Charles Adams, *Fight, Flight, Fraud The Story of Taxation*, 1982

<sup>53</sup> UShistory.com, “History of the Knights Templar”: <http://www.history.com/news/who-were-the-knights-templar-2>



## **The BAR Association Infiltrates The Temples of The Knights Templar: Abducts, & Maintains Monopoly Over, The Legal Advisory Industry:**

Barristers have been providing expert advice & advocacy since the 13th century. For many years, they had a monopoly on the right to represent people in the higher courts. Although that monopoly has gone, the Bar remains a thriving profession offering high quality advice & advocacy.

Lawyers took over the Inner & Middle Temples from the Order of Knights Templar. Lincoln's & Gray's Inns grew from association with Henry de Lacy, Earl of Lincoln and the de Gray family respectively. From the 17th century onward, the right to practise as an advocate in the Royal Courts was restricted to members of the Inns. In the 19th century, the Bar firmly became a referral profession acting on the instructions of solicitors.<sup>54</sup>

- Solicitor:**
1. a person who tries to obtain business orders, advertising, etc.; a canvasser.
  2. the chief law officer of a city, town, or government department.

### **1234: Teaching *Knowledge of Common Law* Became Illegal:**

During the 12th and 13th century, the law was taught in the City of London primarily by the clergy, however, during the 13th century, two events happened which destroyed this form of legal education:

1. A decree by Henry III of England on December 2<sup>nd</sup>, 1234 enforced that *no institutes of legal education could exist in the City of London.*<sup>55</sup>
2. A papal bull that prohibited the clergy from teaching the common law, rather than canon law, became instituted.<sup>56</sup>

As a result of these changes the common law practitioners were forced to relocate & reorganize. They moved into 'hostels' and 'inns' in the hamlet of Holborn - chosen because it was the closest place to the law courts in Westminster that was not within the City - and the Inns of Court were established.<sup>57</sup>

### **1321: Pope John XXII Spearheads Massive Campaign Across Europe: Witch Trials Begin– to Wring Admissions in Court, from Suspected Witches, via Torture**

See page 103, then pages 98-102 for context, details, & reference.

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54 The BAR Council *official website*, “Origins of the BAR”: <http://www.barcouncil.org.uk/about-the-bar/what-is-the-bar/history-of-the-bar/>

55 Douthwaite, William Ralph (1886). *Gray's Inn, Its History & Associations*. Reeves and Turner. OCLC 2578698.p.2

56 Watt, Francis; Dunbar Plunket Barton; Charles Benham (1928). *The Story of the Inns of Court*. Boston: Houghton Mifflin. OCLC 77565485 p.133

57 “A Brief History of Barristers & the Inns of Court”: <https://hubpages.com/education/A-Brief-History-of-Barristers-the-Inns-of-Court>

## Screenshot of The BAR Council Website, 5-21-2017:

[www.barcouncil.org.uk/about-the-bar/what-is-the-bar/history-of-the-bar/](http://www.barcouncil.org.uk/about-the-bar/what-is-the-bar/history-of-the-bar/)


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Home > About the Bar > What is the Bar? > History of the Bar

### History of the Bar



Barristers have been providing expert advice and advocacy since the 13th century. For many years, they had a monopoly on the right to represent people in the higher courts. Although that monopoly has gone, the Bar remains a thriving profession offering high quality advice and advocacy.

**What is the Bar?**

- History of the Bar
- Future of the Bar
- Inns of Court
- Circuits
- Specialist Bar Associations
- Legal Practice Management Association
- Institute of Barristers' Clerks
- About barristers
- Facts and figures
- Other organisations

**Beginnings** | **Discipline** | **Regulatory framework** | **Representative responsibilities**

### > The origins of the Bar

Lawyers took over the Inner and Middle Temples from the Order of Knights Templar, a Common Bench having been established at Westminster in the late 13th and early 14th century. Lincoln's and Gray's Inns grew from association with Henry de Lacy, Earl of Lincoln and the de Gray family respectively. From the 17th century onward, the right to practise as an advocate in the Royal Courts was restricted to members of the Inns. In the 19th century, the Bar firmly became a referral profession acting on the instructions of solicitors.

### **Halloween Night, 1519: Martin Luther Tacks *The 95 Theses* Onto All Saints' Church, Wittenberg, Germany, Sparks The Protestant Reformation:**

Luther's teachings may have played into the interests of the Princes, but it also touched off a popular social rebellion against aristocratic power. In 1525 peasants in Northern Germany rose up in rebellion against their landlords. Luther had told them to read the Bible, and had preached that the Papacy had no authority since it was not explicitly mentioned in the Bible. Peasants indeed read the Bible, & came to the conclusion that the Bible also contained no justification of the power of the aristocrats or the justness of feudal dues & rents. They not only refused to pay their taxes & dues, but rebelled & tried to drive the aristocrats off the land. This horrified Luther. Citing the New Testament, Luther argued that Christians must "render unto Caesar that which is Caesar's"—meaning that in temporal affairs God expects Christians to obey their princes absolutely, no matter how tyrannical their rule. Luther took the side of the princes in the peasant rebellion of 1525, & called for bloody repression of all unrest.

Lutheranism began in Germany, but quickly spread to Denmark, Norway, & Sweden (each of which officially converted in the 1520s). But Lutheranism was not the only "Protestant" faith to emerge in the 1500s; other forms of "protest" religions against Catholic dogma arose in England & in Switzerland.<sup>58</sup>

Many Petrobrusian (page 154) and Catharian (page 156) beliefs became defining features of Protestant belief (page 156). These teachings included the rejection of Roman Catholic tradition in favor of scripture, including the rejection of a priesthood, the rejection of "graven images" (sculptures) & the idolatry associated with them, rejection of the cults of saints & relics, denial of Purgatory, & the rejection of non-communal sacraments. Protestants, too, rejected the doctrine of transubstantiation, & infant baptism.

Protestant Churches encourage laymen to read the scriptures for themselves. Most accept women as ministers, & most affirm the dignity of labour. Clergy themselves became increasingly working class rather than living off tithes. Contraception rather than "abstinence until marriage" was often encouraged by Protestant theologians. Many Protestants are universalists, believing in the eventual redemption of all rather than "eternal damnation".

Proto-Protestants, such as Anabaptists, & later non-conformists like the Quakers adopted several Catharian beliefs as well: refusing to swear oaths including commercial & legal oaths. Many protestants refused to kill – even in war, believing to "turn the other cheek". Many rejected priesthoods, church buildings, relics, & the hierarchy of Archbishops, Metropolitans, Primate, Popes, & Patriarchs. Also, like the Cathars, some sects, such as Pentecostals, celebrated baptism by fire rather than water.<sup>59</sup>

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58 **Lecture 14 The Protestant Reformation:** <http://facstaff.bloomu.edu/mhickey/to%201650%20%20lecture%2014.htm>

59 **Cathars and Cathar Beliefs in the Languedoc; "The Cathar Legacy: Cathar Vestiges, Repercussions and Survivals; Influence of Catharism on Protestant Churches":**  
[www.cathar.info/cathar\\_legacy.htm#protestant](http://www.cathar.info/cathar_legacy.htm#protestant)

## The Now *Unsuppressed Sciences* Begin to Emerge:

### Famous Protestants:

**Copernicus- 1543**, first European astronomer to challenge the medieval belief that the heavens revolved around the Earth. Stated that the planets, including the Earth, orbited around the sun but was unable to prove it

**Galileo 1632** able to prove Copernicus was right. This was a dangerous discovery & Galileo was seemed to be destroying a thousand year old tradition of respect for religious authority. The *Condemnations of 1210-1277* were enacted by local Bishops at the medieval University of Paris to restrict certain teachings as being heretical.<sup>60</sup>

**Isaac Newton- 1660s**, brought tougher earlier explanations of the universe in a new theory based on the law of gravity. After Newton it began to seem that science could unlock all the secrets of the world and that religion was no longer needed to provide explanations for the mysteries of life.

**Andreas Versalius-** a famous anatomist in the 16th century, vastly improved knowledge about the human body through the use of the microscope<sup>61</sup>

## What “The Union of The Crowns” *Really Meant* (see page 96): *A Monopoly of European States beneath The Roman Catholic Empire:*

The greatest threat to the Puritans *and* to King James himself was Catholic Spain, who was preparing a blood-bath for the now *Protestant* Europe. The Spanish Inquisition had been relentlessly wiping out Protestantism in Spain & had turned its eye toward England. The torture-rack, slow deaths, & executions, awaited all non-Catholics who fell under Spanish control. However, during King James’ first year on the Throne, English troops defeated Spain & ended the danger.

**Shown at Right:** The "Quaterionenadler" displays "a map of Coat of Arms" showing how The Roman Catholic German *and* Spanish Empires spread Kings, Nobles, Barons, & Sheriffs throughout Europe to uphold Papal Decrees; this oil painting shows its member states during 1510 A.D.

The earliest depiction of the double-headed eagle can be found on ancient Hittite monuments in central Anatolia. In the early 19th century, in Boğazkale, an old Hittite capital in modern-day Turkey Charles Texier discovered cylindric seals with clearly visible two-headed eagle with spread wings. The double-headed eagle motif originally dates from c. 3800 BC. The Hittites had worshiped the double headed eagle as the King of Heaven, who was also called the Hittite Bird of the Sun. The bird was their symbol to signify Hittite military power.<sup>62</sup>

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60 Hans Thijssen (2003-01-30). "Condemnation of 1277". *Stanford Encyclopedia of Philosophy*. University of Stanford. Retrieved 2009-09-14.

61 Social Studies 9, Chapter One, “Kings Gain Power”:

<http://www.msbsocialstudies.com/uploads/5/8/6/3/58635511/20160115170425271.pdf>

62 MessageToEagle.com, owned by Ellen Lloyd, “Mystery Of The Ancient Double-Headed Eagle Symbol”: <http://www.message-to-eagle.com/mystery-of-the-ancient-double-headed-eagle->



“Quaterionenadler”, David De Negker Renaissance Oil Painting:

<http://www.likepainting.com/quaterionenadler-david-de-negker-renaissance-oil-painting-p-4027.html>

## The Virginia Company— 2 Companies, *One Purpose*:



*The grants by King James VI & I to the London & Plymouth Companies in 1606 & 1620. The overlapping area was granted to both companies on the stipulation that neither found a settlement within 100 miles of each other.*

<sup>63</sup> “The Virginia Company” refers to a joint stock company chartered by “King James VI & I” beginning on 10 April 1606<sup>64</sup> <sup>65</sup> <sup>66</sup> for the *purpose* of “establishing settlements on the coast of North America”.

**Joint-Stock Company:** “A company selling stock to raise profits, also called a **corporation** or a **public limited company**”.

**Public Limited Company:** “A company that trades on the stock exchange. The shares can be traded and sold by any member of the public. It is governed by a set of strict regulations. They are required that they publish a true financial position so investors can determine the exact worth of any shares that they hold in the company.”

**Charter:** “The act of legislature that creates a corporation & sets forth its franchise that defines the organization of a corporation.”

The two companies, called “The Virginia Company of London” (*aka* “*London Company*”) & “The Virginia Company of Plymouth” (*aka* “*Plymouth Company*”) operated with *identical* charters, but with differing territories.

England was a relatively poor nation in the late 1500s, with a ruler willing to send privateers against other colonial powers, but unwilling to risk public monies on a standing English colony. Queen Elizabeth I gave blessing to Sir Walter Raleigh’s personal funding of the Roanoke colony (an earlier expedition), but it mysteriously *disappeared*, becoming known as “The Lost Colony of Roanoke”.

The answer became a joint-stock venture, an early version of today’s corporations. Wealthy London gentlemen would buy a share in The Virginia Company, thus providing the capital necessary to start & supply a colony, with hope the colony would return a profit to them.

63 2004 Matthew Trump: [https://commons.wikimedia.org/wiki/File:Wpdms\\_king\\_james\\_grants.png](https://commons.wikimedia.org/wiki/File:Wpdms_king_james_grants.png)

64 Paullin, Charles O, Edited by John K. Wright (1932). *Atlas of the Historical Geography of the United States*. New York, New York and Washington, D.C.: Carnegie Institution of Washington and American Geographical Society. pp. Plate 42.

65 Swindler, William F., Editor (1973–1979). *Sources and Documents of United States Constitutions.* 10 Volumes. Dobbs Ferry, New York: Oceana Publications. pp. Vol. 10: 17–23.

66 Van Zandt, Franklin K. (1976). *Boundaries of the United States and the Several States; Geological Survey Professional Paper 909*. Washington, D.C.: Government Printing Office. p. 92.

King James I granted The Virginia Company a royal charter for the colonial pursuit in 1606. The Company had the power to appoint a Council of leaders in the colony, a Governor, & other officials. It also took the responsibility to continually provide settlers, supplies, & ships for the venture. The Company's plan was to identify profitable raw materials such as gold & silver in Virginia to repay the investors back in England.

On 14 May 1607, the London Company established the Jamestown Settlement about 40 miles inland along the James River, a major tributary of the Chesapeake Bay in present-day Virginia.

In 1620, George Calvert asked King James I for a charter for English Catholics to add the territory of the Plymouth Company.

The Merchant Adventurers were the group of English investors whose capital funded the establishment of both colonies, with hopes to make a profit from the fur trade, fishing, possible gold, silver, & minerals, or from any other methods the colonists might invent. The number of investors was initially about fifty, but began to drop substantially as various internal disputes arose. After several financial problems, the flailing company reorganized in 1628, with James Shirley, Richard Andrews, John Beauchamp, Timothy Hatherley, & a group of leading Plymouth colonists, buying out the remaining shareholders.<sup>67</sup>



*The extension of the rights granted to the Virginia Company by the Plymouth Council "from sea to sea."*



*Silver King James shillings, dated 1603, are the type of money investors in the Merchant Adventurers hoped to earn. A single share of Plymouth company stock cost 200 of these shillings.*

<sup>67</sup> Caleb Johnson's Mayflower History.com, "The Merchant Adventurers": <http://mayflowerhistory.com/merchant-adventurers/>

## 1607: Colonists Shipped to The New World by The Hundreds:

The Virginia Colony, founded in 1607, was a private company's investment, governed by *stockholders of the company* until it went bankrupt, at which time the charter was then revoked by King James II, when he declared it a *royal colony— owned & operated by the royal family*.

**Stockholder:** “A person who owns shares of stock in a corporation or joint-stock company. The owners of shares in a corporation which has a capital stock are called "stock- holders." If a corporation has no capital stock, the corporators & their successors are called *members*.”

The Virginia Company of London was managed by a council in London, originally appointed by King James VI & I. The company sent its colonists to the New World without even announcing who would be the local leaders in Virginia. When the Susan Constant, Godspeed, and Discovery finally reached the James River, Captain Newport opened the sealed envelope with the London Company’s instructions, including having to release Captain John Smith from confinement so the prisoner could take his place on the resident council.

To attract settlers after the "starving time" in 1609-1610 & the failure of the colony to thrive, the London Company offered potential investors a great deal of flexibility in creating new settlements. Shiploads of settlers were sent to Virginia to create largely self-sufficient "hundreds". Within the *London Company*, there were internal disputes between investors who wanted to

maintain *strict discipline* over colonists, as reflected in the "Laws Divine, Morall & Martiall".<sup>68</sup>



**The Wittenberg Door, “Today in History: Jamestown, Virginia”:**  
<http://wittenberg-door.blogspot.com/2013/04/today-in-history-jamestown-virginia.html>

The faction led by Thomas Smythe finally lost control to the group led by Edwin Sandys, & in 1618 King James VI & I granted the company a Third Charter known as the Great Charter. The new group sent a new governor, Sir George Yeardley, to Virginia with the intention of making the place attractive to new settlers, in part by granting greater freedom, & in part by sending more women across the Atlantic so English families could be established in Virginia.

68 “How Counties Got Started in Virginia”, *Virginia Places*:  
<http://www.virginiaplaces.org/vacount/howstart.html>



*Chapter 3: European History, The Union of The Crowns, & The Colonization of Eastern America*

In the instructions to George Yeardley within the Great Charter, the colony was divided by the Virginia company into four Incorporations called *boroughs*: *Henricus, Charles City, James City, & Kecoughtan*. Each borough was granted 1,500 acres of land with the expectation that company workers would farm that land, & a share of the profits would offset the need for taxes to support government operations. There were also provisions within the charter for elected representatives to help govern the colony, & in 1619 the 11 small settlements within the four Incorporations elected representatives to the first General Assembly. A 3,000-acre tract was set aside as the Governor's Land to provide his salary, & 100-acre tracts were allocated as Glebe land to support ministers. The instructions also authorized "particular plantations" which had self-government authority that would be outside the direct control of the London Company. They had to be located at least five miles away from the company-controlled settlements.

Until 1624, the colony of Virginia was a business managed by the equivalent of a plant manager (first the "president" of the council, then the "governor") with a local oversight board (the council, then the General Assembly). The company's "Board of Directors" was the London Company lead by its Treasurer, & those directors remained in England.<sup>69</sup>

Starting with the 1619 meeting, the General Assembly handled executive, legislative, & judicial issues for the Virginia colony. The assembly created the first courts to handle small lawsuits in 1621, but the population increase (about 5,000 colonists by 1634) caused the administrative workload to become a hassle. In 1634 the General Assembly chartered eight *shires*, which became called "counties" afterwards. The first eight counties were the four existing Incorporations (Henrico, Charles City, James City, & "Elizabeth City" - which replaced the "heathen" name of Kecoughtan) plus four new areas: *Accomack, Charles River, Warrosquyoake, & Warwick River*. The boundaries of the eight counties were drawn so colonists could reach their county court sessions, where justices dealt with property issues & criminal accusations, in one day. The primary basis for drawing Virginia's county boundaries was to make the courts accessible.<sup>70</sup>



***Boundaries of the first eight counties in Virginia, extending west of the Fall Line into the Piedmont. For changing names & specific dates of county formation, see Newberry Library's Virginia Historical Counties.***

69 Harch, Charles E., *The First Seventeen years, Virginia, 1607-1624, Jamestown 350th Anniversary Historical*, 1957, p.20, pp.75-76: <http://books.google.com/books?id=GzSMXk1mAyIC> (last checked October 4, 2009)

70 Virginia Places, "How Counties Got Started in Virginia": <http://www.virginiaplaces.org/vacount/howstart.html>

## 1608: Lord Coke Merges The *Lex Mercatoria* with The Common Law:

First printed in 1622, this is the first *English presentation* of the *Lex Mercatoria*, printed in 1629. Written by Gerard Malynes, entitled "Consultudo Vel Lex Mercatoria" or the Ancient Law Merchant. In his preface to this work, he stated that he had entitled it *Lex Mercatoria* instead of *Jus Mercatorum* because it is customary law provided by the authority of all kingdoms & Commonwealths, & not a law established by the sovereignty of any prince.

In 1608 Chief Justice & barrister Edward Coke described the *Lex Mercatoria* (aka the "Law of Negotiable Instruments") as "a part of the common law", even though many of the laws of the *Lex Mercatoria* were established to evade inconvenient rules which had been established historically under common law.<sup>71 72</sup>

### The Well of Justice, Römerberg Square, Frankfurt, Germany:



*Lady Justice aka "Justitia", built 1887. Sculptor unknown. Photo Source: Top 10, "TOP 10 FAMOUS SCULPTURES IN THE WORLD", posted November 11th, 2014: <http://top10bd24.com/top-10-famous-sculptures-world/>*

71 "Instructions to George Yeardley" Virginia Company of London (November 18, 1618)," *Encyclopedia Virginia*,: [http://www.encyclopediavirginia.org/\\_Instructions\\_to\\_George\\_Yeardley\\_by\\_the\\_Virginia\\_Company\\_of\\_London\\_November\\_18\\_1618](http://www.encyclopediavirginia.org/_Instructions_to_George_Yeardley_by_the_Virginia_Company_of_London_November_18_1618) (last checked December 22, 2015)

72 "The Theory of The *Lex Mercatoria*", *Law Teacher*: <http://www.lawteacher.net/free-law-essays/commercial-law/the-theory-of-the-lex-mercatoria-commercial-law-essay.php>

In 1622, in *First Treatise on Merchant Law in England* Blackstone stated that the affairs of commerce were regulated by a law of their own called the International Law Merchant or Lex Mercatoria **"which all nations agree in & take notice of & it is particularly held to be part of the law of England which justifies the causes of merchants & the general rules which obtain in all commercial countries."**

Still later, Lord Chief Justice Mansfield, from 1756 to 1788, stated that **"Mercantile law is not the law of a particular country but the law of all nations."**<sup>73</sup>

Many of the rules of the Law Merchant were directed to evade inconvenient rules of the common law. For example, one of the first rules of the common law is that a man cannot give what he himself has not. Hence, a man who has no title to goods cannot give title. Consequently, when you buy a thing, if you are to be sure that you have title to it, you must inquire into the title of that thing

back to its remote possessors, to make sure that no one in the chain of title stole it or obtained it by fraud. Whereas, the merchant said that commercial business **"cannot be carried on if we have to inquire into the title of everybody who comes to us with documents of title."**

Lord Justice Bowen in *Sanders v. McKlean*, 11 Q.B.D. page 343 said, **"The practice of merchants is not based on the supposition of possible fraud. The object of mercantile usage is to prevent the risk of insolvency, not of fraud; & anyone who attempts to follow & understand the Law Merchant will soon find himself lost, if he begins by assuming that merchants conduct their business on the basis of attempting to insure themselves against fraudulent dealing. The contra is the case. Credit, not distrust, is the basis of commercial dealings. Mercantile genius consists principally in knowing whom to trust & with whom to deal..."**



<sup>73</sup> Gerard Malynes; *Lex Mercatoria*, 2nd. Printing, 1629, 501 pages: <http://www.tssi-no.com/philosophers-stone/lex.html>

## 1620: Dutch Pilgrims Settle The Plymouth Colony:



*Pilgrims leaving Netherlands. Credit: Print Collector Hulton Archive Getty Images: <https://www.reference.com/history/difference-between-pilgrims-puritans-79b69a776dabc9d1>*

However *some* of the Pilgrims were known as Puritans when they were still in England— a less extreme version of the Separatists. They believed that the Church of England needed reform in certain areas, but they didn't withdraw from it completely. Many Puritans eventually joined the Separatists in their journey to America, where they formed a farming colony in present-day Virginia.<sup>75</sup>

Mainly Separatists arrived in what is now Massachusetts in 1620 after *fleeing* England due to being persecuted for their beliefs. They first sought exile in the Netherlands because Dutch laws were lenient & allowed them to practice their religious ideals freely, however they were concerned about the loss of the English language & culture, so about 100 pilgrims journeyed to found what became The Plymouth Colony.<sup>76</sup>

The Dutch have given many things to America: Easter eggs, Santa Claus, waffles, sauerkraut, sleighing, skating, & a host of “vans” and “velts” who helped to build our nation, but perhaps their greatest contribution to America was the 11 years of freedom they gave The Pilgrims— crucial years that helped America’s founding fathers work out their philosophy of freedom & prepare for self-government in the “New World”.<sup>74</sup>

When the Pilgrims lived in England, they were called Separatists & were considered an extremist group. Dissatisfied with the lax rules of the Church of England at the time, they'd formed an illegal congregation apart from Queen Elizabeth I's Church of England.



*Encyclopedia Britannica, Pilgrim Fathers boarding the Mayflower, painting by Bernard Gribble: <https://www.britannica.com/topic/Pilgrim-Fathers/images-videos/Pilgrim-Fathers-boarding-the-Mayflower-painting-by-Bernard-Gribble/120100>*

74 **The First Fifty Years: Freedom and Friendship at Plymouth Plantation:**

<https://first50yrs.wordpress.com/category/uncategorized/page/2/>

75 **Reference, By what name were the Pilgrims called when they lived in England”:**

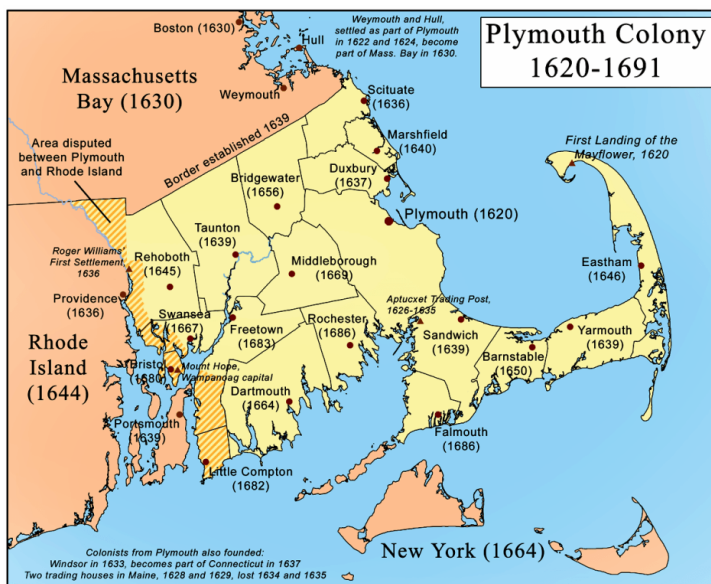
<https://www.reference.com/history/name-were-pilgrims-called-lived-england-6ee3fa3baa8c4c7a?qo=contentSimilarQuestions#>

76 **Reference, What is the difference between the Pilgrims and Puritans?”:**

<https://www.reference.com/history/difference-between-pilgrims-puritans-79b69a776dabc9d1>

That November, their ship landed on the shores of Cape Cod, present-day Massachusetts. A scouting party was sent out, & in late December they landed at Plymouth Harbor, where they formed the first permanent settlement of Europeans in New England.

“Democracy”, “Separation of Church & State”, “Consent of the Governed”, “Self-Determination”, & “Equal & Just Laws Serving the Common Good” *were all tenets of a civil government* which arose from the principles & ideals of the original Mayflower Pilgrims.<sup>77</sup>



### Differences Between Puritans & Separatists:

The Puritans were part of a faction known as ‘Separatists’, who believed The Church of England *and* The Roman Catholic Church had *both* strayed beyond Christ’s teachings by establishing rituals & hierarchies which were contradictory to the teachings of the Bible, so they left the The Church of England to create their own denominations. The Puritans & Separatists—although both sharing in disdain for the churches – had very different sentiments regarding ‘what they wanted’.

Puritans sought to purify The Church of England from all Roman Catholic practices; their argument included that The Church of England was only partially reformed, & they sought to reform the Church from within, whereas the people distinctly known as ‘Separatists’ sought to maintain their own set of traditions completely separate from the churches.



At Left: Traditional Pilgrim clothing.

Drawing posted by Antonio Soares Neto:  
<https://www.pinterest.com/pin/345158758914754153/>

<sup>77</sup> **The First Fifty Years: Freedom and Friendship at Plymouth Plantation:**  
<https://first50yrs.wordpress.com/category/uncategorized/page/2/>

## April 1<sup>st</sup>, 1621: The Pilgrim-Wampanoag Peace Treaty Becomes Signed First Treaty Between England (King James VI & I) & An Indigenous Tribe:

Signed into between Massasoit, *the leader of the Wampanoag Nation*, & the leaders of Plymouth Colony, *acting on behalf of King James VI & I*, less than a month after first contact was made between the settlers & members of the indigenous nation.<sup>78</sup>

About an hour after noon on warm day, Samoset & Squanto appeared in the village of Plymouth with skins & newly caught & dried herrings to trade. They told the colonists that the great Sachem Massasoit was nearby with his brother Quadequina & all their men. About an hour later Massasoit came to the top of the hill with some sixty of his men. However, the Pilgrims were not willing to send their governor to meet them, & the Indians were unwilling to come to them. Squanto went again to Massasoit & brought back word that Massasoit wished to have trade & peace with them, asking the Pilgrims to send someone to parley with him. Edward Winslow agreed to serve as diplomatic ambassador & went to Massasoit.



The scene was described by Winslow in his Journal as follows:

**“We sent to the King a payre of Knives, and a Copper Chayne, with a Jewell at it. To Quadequina we sent likewise a Knife & a Jewell to hang in his eare, & withall a Pot of strong water, a good quantity of Bisket, & some butter, which were all accepted: our Messenger [Winslow] made a speech unto him, that King James saluted him with words of love & Peace, & did accept him as his Friend & Alie, & that our Governour desired to see him & to trucke with him, & to confirme a Peace with him, & his next neighbour: he liked well of the speech & heard it attentively, though the Interpreters did not well expresse it; after he had eaten & drunke himselfe, & given the rest to his company, he looked upon his messengers sword & armour which he had on, with intimation of his desire to buy it, but on the other side, our messenger shewed his unwillingness to part with it: In the end he left him in the custodie of Quadequina his brother, & came over the brooke, & some twentie men following him, leaving all their Bowes & Arrowes behind them. We kept six or seaven as hostages for our messenger.”**

<sup>78</sup> Native History: First Wampanoag-Pilgrim Treaty Signed on April Fools’, *Indian Country Today Media Network*: <http://indiancountrytodaymedianetwork.com/2014/04/01/native-history-first-wampanoag-pilgrim-treaty-signed-april-fools-154204>

Captain Standish & William Brewster met the king at the brook with half a dozen musketeers, where they saluted him & he them, then escorted Massasoit to a house which was just being built. On the floor, the Pilgrims placed a green rug & several cushions.



TREATY OF THE PILGRIMS WITH MASSASOIT.

Winslow described Massasoit & his men as **“...a very lustie [strong] man, in his best yeares, an able body, grave of countenance, & spare of speech: In his Attyre little or nothing differing from the rest of his followers, only a great Chaine of white bone Beades about his neck, & at it behind his necke, hangs a little bagg of Tobacco, which he dranke & gave us to drinke; his face was paynted with a sad [dark] red like murray, & oyled both head & face, that he looked greasily... his followers were likewise... their faces, in part or in whole painted, some blacke, some red, some yellow, & some white, some with crosses & other Antick [antique] workes, some had skins on them, & some naked, all strong, tall, all men in appearance...”**

Governor Carver came to the house with drum & trumpet after him & a few musketeers. Governor Carver kissed the hand of Massasoit & Massasoit kissed Carver before they sat down. Carver called for strong water, & made a toast to Massasoit. Massasoit drank deeply of the liquor which made him sweat. Then Carver called for fresh meat, which Massasoit ate & shared with his followers. Winslow later wrote: **“...one thing I forgot, the King had in his bosome hanging in a string, a great long knife, hee marvelled much at out Trumpet, & some of his men would sound it as well as they could...”**

## TERMS OF THE TREATY:

1. That he nor any of his should do hurt to any of their people.
2. That if any of his did hurt any of theirs, he should send the offender, that they might punish him.
3. That if anything were taken away from any of theirs, he should cause it to be restored; and they should do the like to his.
4. If any did unjustly war against him, they would aid him; if any did war against them, he should aid them.
5. He should send to his neighbors confederates to certify them of this, that they might not wrong them, but might be likewise compromised in the conditions of peace.
6. That when their men came to them, they should leave their bows and arrows behind them.
7. That King James would esteem Massasoit as his friend and ally.

Winslow concluded his account of the treaty signing as follow: ***“Wee cannot yet conceive, but that he is willing to have peace with us, for they have seene our people sometimes alone two or three in the woods at worke and fowling, when as they offered them no harme as they might easily have done, and especially because hee hath a potent Adversary the Narowhiganseis [Narragansetts], that are at warre with him, against whom hee thinkes wee may be some strength to him...”***<sup>79</sup>

The harvest celebration in the fall of 1621 is regarded as *The First Thanksgiving*, & was *the beginning* to a great transformation of consciousness between people of *very different* cultural backgrounds, *Europeans & Native Americans*.

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<sup>79</sup>The Wampanoag/Pilgrim Treaty: <http://www.rootsweb.ancestry.com/~mosmd/peacetreaty.htm>



**Coming soon:**

**Relationship between the Wampanoag Tribes & the tribes of Powhattan, & how the native people saved the Pilgrims by teaching them how to plant foods such as corn.**

**Also to be added to this chapter later:**

- **The conquest of the Aryans under The Roman Empire following The First Nicene Council for their crime of believing Jesus was not to be worshipped as God, but moreso as a revolutionary.**
- **The conquest of Scandinavia under the first Roman Kingships & Vikings sent north.**

### **March 22<sup>nd</sup>, 1622: “The Jamestown Massacre”: Powhatan's Tribe Rises Up Against Virginia Colonists:**

The Jamestown Massacre which devastated that colony in 1622 brought on unfavorable attention, particularly from King James I who had originally chartered the Company. There was a period of debate in Britain between Company officers who wished to guard the original charter, & those who wished the Company ended. This led to the King's decision to dissolve the company in 1624 & transform it into a royal colony.

Beginning in 1618, a faction in the company led by the treasurer Sir Edwin Sandys had steered the company in the direction of integration of Indians into English settlements. Families received houses in the settlements & funds were established for a college for Indian youth to Christianize & civilize them. Most assumed that Opechancanough & the Wahunsunacawh tribes of the Powhatan nation shared the ideal of an integrated society.

Not only had the Indians not agreed to cultural suicide, but as George Thorpe, a supporter of the new policy of integration, observed, most of the English settlers still harbored their contempt for “Indians”. **"There is scarce any man among us,"** he reported, **"that doth soe much as afforde them a good thought in his hart & most men with their mouthes give them nothinge but maledictions & bitter excretions."**

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The silence of the natives in the face of daily insults of occupation & verbal abuse the English mistook for subservience. By 1622 it was apparent to the Indians that the colonists intended to expand their holdings in Virginia., which threatened their way of life. Of even greater concern, perhaps, were the renewed colonial efforts to convert & educate the "savages." Opechancanough's response to the threat of cultural deconstruction was to plan & stage a massive attack on the English settlement as a demonstration of Indian power & in an attempt to drive off the English for good.

According to English accounts, Opechancanough planned to attack the Jamestown fort as well as the outlying settlements, but a young Indian boy who had been Christianized by the settlers forewarned the inhabitants. The news did not spread fast enough, however, to save the English living in the settlements.

On the day prior to the attack, the Indians came bringing gifts of meats & fruits, & shared them with the settlers, disguising their intentions.

The following morning they circulated freely & socialized with the settlers before suddenly seizing their own work tools to attack them. They killed families in the plantation houses, servants, & field workers. The Powhatans killed 347 settlers — men, women, & children. Not even George Thorpe, a prominent colonist well known for his friendly stance towards the Indians, was spared. They burned most of the outlying plantations, & destroyed the livestock & crops.<sup>80 81</sup>  
82 83 84

In 1624, King James I took official control of Virginia by revoking the London Company's charter, & Virginia then became ruled as a royal colony of the king until the American Revolution. James died in 1625, & the union began to fall apart. James never visited Ireland, Wales, the Highlands or islands of Scotland, & the 'British Isles' never became culturally united as he had hoped.



*Powhatan in a longhouse at Werowocomoco (detail of John Smith map, 1612):*

[https://commons.wikimedia.org/wiki/File:Powhatan\\_john\\_smith\\_map.jpg](https://commons.wikimedia.org/wiki/File:Powhatan_john_smith_map.jpg)

80 **Virtual Jamestown Crandall Shifflett:** <http://www.virtualjamestown.org/phantmass.html>

81 **Gleach, Frederic W. Powhatan's World and Colonial Virginia (1997).**

82 **Morgan, Edmund S. American Slavery, American Freedom (1975).**

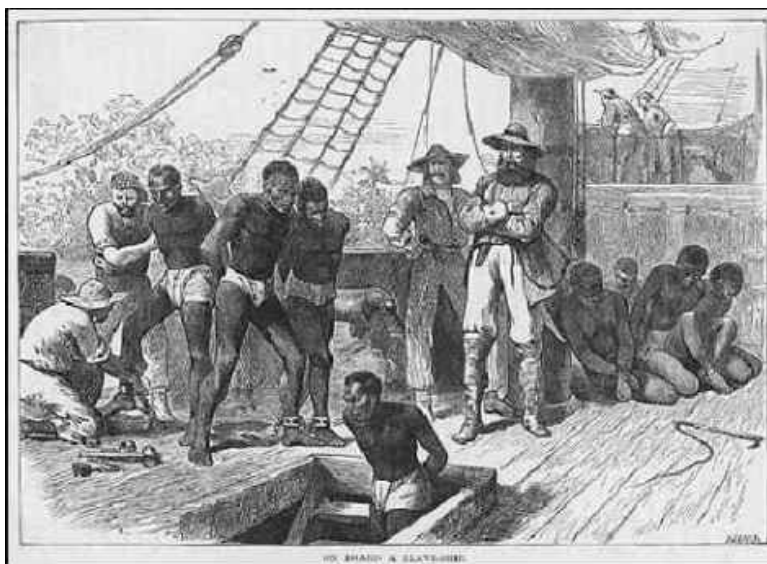
83 **Rountree, Helen. The Powhatan Indians of Virginia (1989).**

84 **Vaughan, Alden. American Genesis: Captain John Smith and the Founding of Virginia (1975).**

## **1625: Puritan Samuel Maverick Introduces The Beginning of The African Slave Trade to North America:**

Four years later, a Puritan by the name of Samuel Maverick, master of Noddle's Island in Boston Harbor, arrived with two African slaves, thus beginning the infamous "Trans-Atlantic Slave Trade" in North America; because the Puritans translated & enforced the Bible's Old and New Testaments *literally*, the concept of slavery was often justified due to the Biblical story of Hem & Shem, found in Genesis 9:20-27:

- 20 And Noah began to be an husbandman, & he planted a vineyard:**
- 21 And he drank of the wine, & was drunken; & he was uncovered within his tent.**
- 22 And Ham, the father of Canaan, saw the nakedness of his father, & told his two brethren without.**
- 23 And Shem & Japheth took a garment, & laid it upon both their shoulders, & went backward, & covered the nakedness of their father; & their faces were backward, and they saw not their father's nakedness.**
- 24 And Noah awoke from his wine, & knew what his younger son had done unto him.**
- 25 And he said, Cursed be Canaan; a servant of servants shall he be unto his brethren.**
- 26 And he said, Blessed be the Lord God of Shem; & Canaan shall be his servant.**
- 27 God shall enlarge Japheth, & he shall dwell in the tents of Shem; & Canaan shall be his servant.**

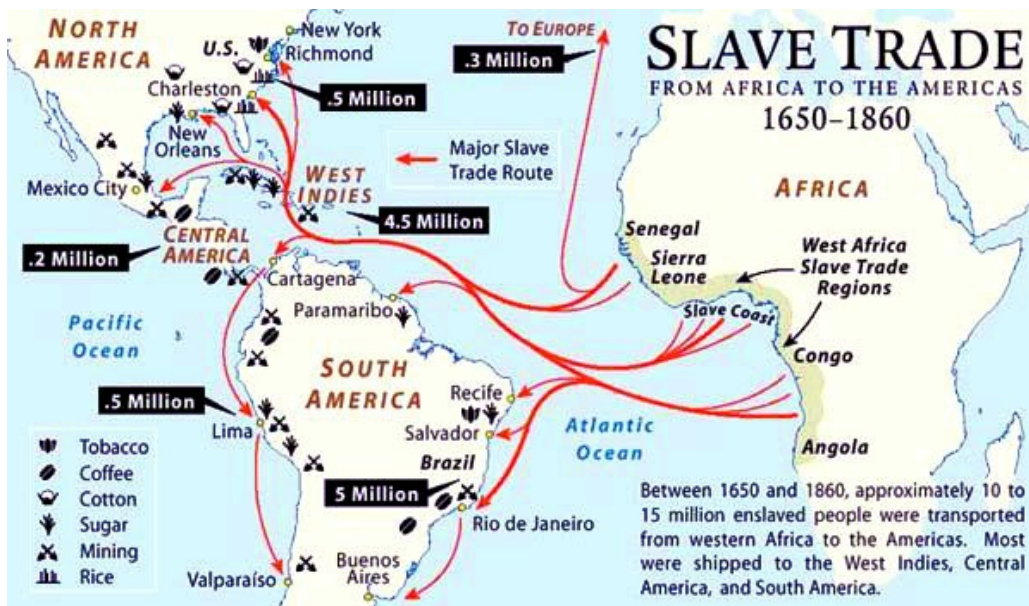


## 1629: English Puritans Arrive *En Masse*:

In the early 17th century, thousands more English Puritans began to settle North America, mainly in New England. Puritans were generally members of the Church of England who believed that the Church of England was insufficiently reformed, retaining too much of its Roman Catholic doctrinal roots, and who therefore opposed royal ecclesiastical policy under Elizabeth I of England, James I of England, & Charles I of England. Most Puritans were "non-separating Puritans", meaning that they did not advocate setting up separate congregations distinct from the Church of England; a small minority of Puritans were "separating Puritans" who advocated setting up congregations outside the Church.

In 1632, Missionaries begin to arrive in Wampanoag territory. John Eliot arrived from Cambridge, England & begins to learn the language of the Wampanoag in an effort to translate religious materials into Wopanaotaok (Wampanoag language) for the conversion of Wampanoag to Christianity. This is the first Amer-Indian language to employ an alphabetic writing system in the codification of its language.

Non-separating Puritans played leading roles in establishing the Massachusetts Bay Colony in 1629, the Saybrook Colony in 1635, the Connecticut Colony in 1636, & the New Haven Colony in 1638. The Colony of Rhode Island & Providence Plantations were established by settlers expelled from the Massachusetts Bay Colony because of their unorthodox religious opinions. Puritans were also active in New Hampshire before it became a crown colony in 1691; most who migrated to North America arrived between 1630-1640 in what is known as the Great Migration.<sup>85</sup> The infamous Trans-Atlantic slave trade had begun ~1500 A.D. following Columbus's voyage.



"The Trans Atlantic Slave": <http://macquirelatory.com/Trans%20Atlantic%20Slave%20Trade.htm>

<sup>85</sup> Bremer, Francis J. (2009). *Puritanism: A Very Short Introduction*. Oxford University Press. ISBN 9780199740871., pages 2-3

## 1669: The 'Lord Proprietors' Set Up a Feudal System in Carolina:

The *Lord Proprietors* formalized their plan for government in the colony of Carolina in what they named *the Fundamental Constitutions of Carolina*, often referred to as the "Grand Model." This plan was considerably different from what had been previously provided to colonists in *the Concessions and Agreements* of 1665, which, having been intended to attract settlers, allowed the colonists a fair degree of control over their own government. *The new Fundamental Constitutions* of 1669 gave settlers a very limited role in self-government, as the Constitutions were primarily focused on the interests of the Lords Proprietors, & to "avoid erecting a numerous democracy."

Many historians gave John Locke (*page 184*) credit for these Fundamental Constitutions, however more & more researchers question what extent, if any, Locke truly contributed other than being the scribe, since he was only the *Secretary* to the eight Lords Proprietors, primarily to *Lord Anthony Ashley Cooper, Earl of Shaftesbury*.

Historians generally accept that all of the eight Lords Proprietors contributed to the "Grand Model", several of whom were associates of James Harrington, who, in 1656, published "The Commonwealth of Oceana", which contains many ideas that later show up in the Carolina Fundamental Constitutions. Many of these ideas can also be found in the Lords Proprietors' charters of 1663 & 1665, which indicate that all eight Lords Proprietors, most likely colluded with King Charles II in drafting them.

The Fundamental Constitutions laid out a governmental structure which enabled the Lords Proprietors to exercise the desired feudal powers granted in their charters. Provisions were made for the creation of a local nobility, including the creation of manors & manorial courts, the exemption of Carolina from further subinfeudation (*dividing up of land by tenants*) & the adherence to the "bishop-of-Durham clause." In a nutshell, this latter item gave the Lords Proprietors almost regal authority over Carolina—to enact laws, levy taxes, raise troops, impress ships, etc.

This "Grand Model" provided a governmental structure & also called for a complete social & economic system for the colony. As in all feudal systems, control over land is the basis of governmental powers & of legal & social status. The Lords Proprietors maintained ultimate rights to all of the lands of Carolina, & their next in power & status were the "local nobility", whose titles included: *Landgrave, Cacique, & Barony*. The Lords Proprietors bestowed all titles to this new "noble class," as well as all lands & other privileges, such as membership in the "local parliament" & the rights to be tried in the Lords Proprietors' Court instead of lower courts.

Beneath the nobility were the "freemen," who could own land, have a very limited role in their local government, & appeals from lower courts. Below the freemen were the "leet-men," who were tenants of the noblemen & lords of manors, who were bound to the land on which they lived, given no voice in their local government, & had no rights for any legal appeals. At the bottom of the social order were the slaves.

The Fundamental Constitutions provided for the creation of counties, as deemed necessary as the population increased. One-fifth of each county was to be subdivided into eight seignories as assigned by the Lords Proprietors. Another one-fifth would be subdivided into eight Baronies also granted by the Lords Proprietors. Four Baronies were given to a Landgrave, & the other four Baronies were divided between two Caciques. The remainder of the the county was to be divided into four precincts, to be further subdivided into colonies, which was granted to freemen.

The ultimate government agency was to be the Palatine's Court, comprised of the eight Lords Proprietors, the eldest of which to be called the Palatine. Below this agency seven more courts were provided, each made up of a Proprietor & six Councillors, selected by a complex process which assured that at least half of the councillors in each court would be members of the local nobility, sons of Proprietors, or sons of local noblemen.

A "Grand Council" was also ordained, which was assigned executive, judicial, & legislative powers. It was to be composed of the eight Lords Proprietors & the forty-two councillors of the Proprietors' Courts. The Executive Council's powers included deciding what matters might go before Parliament – the so-called "assembly for the province." The Parliament was to include the Lords Proprietors or their "deputies," all of the Landgraves & Caciques of the colony, & one freeholder from each precinct, who was to be elected by fellow freeholders in the same precinct. All recommendations of the Parliament would require ratification by the Palatine & three other of the Lords Proprietors. Any action of the Executive Council & Parliament could be nullified by the Palatine's Court. These agencies were given complete jurisdiction over the colony.

The Fundamental Constitutions also provided for local courts & officials, including municipal officers. Freemen were guaranteed certain individual rights, such as trial by jury & protection against double jeopardy.<sup>86</sup>

They also introduced certain safeguards for groups seeking refuge for religious reasons, a somewhat new concept that brought about the recent settling of the "new world." To that end, Article 97 read: **"...the natives who...are utterly strangers to Christianity, whose idolatry, ignorance, or mistake gives us no right to expel or use them ill; & those who remove from other parts to plant there will unavoidably be of different opinions concerning matters of religion, the liberty whereof they will expect to have allowed them... and also that Jews, heathens, & other dissenters from the purity of Christian religion may not be scared & kept at a distance from it... therefore, any seven or more persons agreeing in any religion, shall constitute a church or profession, to which they shall give some name, to distinguish it from others."**

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86 **Fundamental Constitutions:**

[www.carolana.com/Carolina/Documents/fundamental\\_constitutions\\_overview.html](http://www.carolana.com/Carolina/Documents/fundamental_constitutions_overview.html)

Nevertheless, the Constitutions were far from the egalitarian, democratic, or liberal standard of John Locke, especially in regards to slavery: the notorious article 110 stated **“Every freeman of Carolina shall have absolute power and authority over his negro slaves, of what opinion or religion soever”**.<sup>87</sup>

This "Grand Model" was planned to last forever, & it was designed for a society desired by the eight Lords Proprietors - however, it did not take into account of the existing inhabitants who had already settled in the colony several years before they were delivered to the province. Upon delivery, the Lords Proprietors instructed officials in Albemarle (*Charles Town had not been settled yet*) to implement only those measures considered practicable under existing conditions.

Even limited implementation required significant changes to the recently-established government that was already in place since Governor William Drummond & Governor Samuel Stephens had both already taken office. The existing General Assembly was denied power to initiate legislation & the office of the governor had also lost much of its authority & prestige. Some of these existing powers were now assigned to the Executive Council, which soon acquired greater prestige & increased authority.

The Lords Proprietors clearly expected to fully implement the "Grand Model," however, since it was introduced six years after settlers had already arrived in the colony, they never fully succeeded in doing this. Instructions were sent to new governors to implement the Fundamental Constitutions, but modifications were soon being sent quite often as well. The Fundamental Constitutions were formally revised over time: the first copy in 1669, the second in 1670, two additional versions in 1682, & in 1693 the Lord Proprietors suspended the Fundamental Constitutions following protests. Five years later, a drastic revision of the Fundamental Constitutions was adopted by the Lords Proprietors and sent to Carolina. The 1698 version was much more streamlined & considered to be much more practicable than the earlier ones, however its full enforcement was also never really attempted.

Around the year 1700, the Lords Proprietors, now the second and third generation of Lords Proprietors in most instances, stopped referring to the "Grand Model" & allowed the Fundamental Constitutions to be ignored. On the surface, it might appear that they had very little influence on the colony because they were never fully implemented. A landed gentry never developed in North Carolina except in very small numbers, & only a slightly larger one evolved in South Carolina, thanks primarily the Barbadian influence & not the Lords Proprietors. Serfdom never materialized either, thankfully. The Palatine's Court was the only Proprietors' court organized, but the Executive Council & the Parliament were very infrequently assembled.

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<sup>87</sup> Armitage, David *"John Locke, Carolina and Two Treaties of Government"*, Harvard University Web Site 4 (2004):, Accessed 14 June 2015, Page 609.



However, the General Assembly in North Carolina had very little power for many years and it did not regain its former right to initiate legislation until the Fundamental Constitutions were suspended in the 1690s.<sup>88</sup>

In 1663, eight members of the English nobility received a charter from King Charles II to establish the colony of Carolina. These men were known as the Lords Proprietors of Carolina and were the ruling landlords of the colony. The original eight Lords Proprietors of Carolina were:

- George Monck, 1st Duke of Albemarle (1608–1670)
- Edward Hyde, 1st Earl of Clarendon (1609–1674)
- John Berkeley, 1st Baron Berkeley of Stratton (1602–1678)
- William Craven, 1st Earl of Craven (1608–1697)
- Sir George Carteret ( 1610–1680)
- Sir William Berkeley (1605–1677)
- Sir John Colleton, 1st Baronet (1608–1666)
- Anthony Ashley Cooper, 1st Earl of Shaftesbury (1621–1683).<sup>89</sup>

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88 **Fundamental Constitutions:**

[www.carolana.com/Carolina/Documents/fundamental\\_constitutions\\_overview.html](http://www.carolana.com/Carolina/Documents/fundamental_constitutions_overview.html)

89 **Gundersen, Joan R. "Colonial Life in America". *World Book Student*. Retrieved May 25, 2011.**