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## **THE ENACTMENT OF THE LIVRE AU ROI: A CHRONOLOGICAL INQUIRY\*\***

*The Livre au roi is the oldest of all the treatises that make up the Assizes of Jerusalem. The enactment of this codification was associated with the reign of King Amalric of Lusignan. The subject of research in this paper is an attempt to determine the moment of its adoption more precisely. Firstly, the legal features of the Livre au roi are pointed out. Then, it is indicated to the conflict between King Amalric and Ralph of Tiberias, which had a decisive influence on the enactment and on the content of this codification. Finally, the moment of the Livre au roi's enactment is sharpened by pointing the peace treaties which King Amalric concluded with Sultan Al-Malik Al-Adil and the provisions of the codification which regulated the regency. The Livre au roi could have been enacted in 1200, 1204, or it was created in both of the mentioned years.*

**Key words:** *King Amalric of Lusignan. – Livre au roi. – Queen Isabella I. – Ralph of Tiberias. – Sultan Al-Malik Al-Adil.*

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## 1. INTRODUCTION

The *Livre au roi* is one of the oldest compilations of feudal customary law in general, especially among those composed in the Old French language, and the oldest of all the treatises that make up the Assizes of Jerusalem.

Specifically, the *Livre au roi* most likely and mainly represents a compilation of the feudal law of the Latin Kingdom of Jerusalem, which existed until 1187 and, according to legend, was irretrievably lost with the fall of Jerusalem to Saladin. Therefore, it cannot be reliably determined whether and to what extent the legal rules that existed in the First Kingdom of Jerusalem were then authentically formulated and codified in this compilation of laws, or if it underwent some modification.<sup>1</sup>

According to current scientific results, what also seems certain, regarding the content of the *Livre au roi*, is that this collection ‘reproduces assizes, judgments and certain customs of the Latin Kingdom, though it has no official character’ (Greilsammer 1982, 219).<sup>2</sup> In any case, the arguments stating that the internal structure of this compilation of laws was not systematic have been rejected, and it has been shown that this code of feudal law possesses a certain internal logic and structure (Greilsammer 1995, 70).

What is almost undoubtable is that it was created in Acre, by an author or commission whose identity cannot be reliably established nowadays, but who was well acquainted with the customs and assizes of the First Kingdom of Jerusalem. The legal technique with which the *Livre au roi* was written also implies that its author was more skilled in legal practice than in legal theory, with a pronounced sense and the ability to respond precisely and clearly to even the most complex legal issues (Beugnot 1841, LXVI; Riley-Smith 1973, 155; Grandclaude 1923, 118, 121). This may be due to the fact

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<sup>1</sup> All three manuscripts in which the *Livre au roi* is preserved (French manuscript 19026 of Paris, Codex Gallus 51 of Munich and Codex Gallus 771 of Munich) were created more than 100 years after this codification. According to Grandclaude (1926b, 422–424), all these manuscripts are similar to each other, which does not mean that they are close to the original. He points out that it is also possible that they all originate from an earlier, common manuscript that may be different from the original text of the *Livre au roi*. It is also possible that the preserved manuscripts contain certain interpolations (See also Greilsammer 1995, 30–66).

<sup>2</sup> It can be said that this conclusion, presented by Greilsammer, relies on the previous considerations of Grandclaude (1926a, 309, 312, 314), according to which all the provisions that make up the *Livre au roi*, in the form this code is preserved, can be divided into two large categories. In his opinion, one consists of those that represent previously issued judgments or extracts from previously issued judgments (*extraits de jugements*), and the other represents legal provisions (*anciens bans*).

that the possible author of this codification, as the king's vassal, participated in the work of the High Court before 1187. However, the spirit of the *Livre au roi* and the conflict between King Amalric and Ralph of Tiberias indicate that these may not have been the biggest feudal lords, or at least not all of them, but in all likelihood, the nobility loyal to King Amalric and his notions about consolidating royal power. For this reason, one can also conclude that the *Livre au roi* was an act of one or more laymen, which was a rarity compared to other similar collections of feudal law created at the time (Greilsammer 1995, 107–110, 118 n. 201; Grandclaude 1926a, 314).

However, to this day, there is no scholarly consensus on when exactly the *Livre au roi* was issued. Its origin is defined by different authors as being at different times. For example, Hans Eberhard Mayer (1990, 161) states that it was composed between 1196 and 1205, Greilsammer (1995, 83–86), Maurice Grandclaude (1923, 50; 1926b, 419) and Gaston Dodu (1894, 49) consider it was enacted between 1197 and 1205, Jonathan Riley-Smith (1973, 10, 36, 142) places it between 1198 and 1205, Joshua Prawer (1980, 5) 'in the last years of the twelfth century', Peter Edbury (1997, 105) and Michel Balard (2018, 21) in about 1200, Florian Besson (2015, 772; 2018, 95) between 1201 and 1205, while John La Monte (1970, 26) states that it is was written by 1210.

Until recently, it seemed that Auguste-Arthur Beugnot's opinion (1841, LXVI) that the *Livre au roi* was composed between 1271 and 1291 had been abandoned.<sup>3</sup> However, relying on Beugnot's argumentation, Louis-Marie Audrerie (2023, 209, 215) has offered arguments that the *Livre au roi*, as a compilation of decisions previously issued by the High Court, was actually written on Cyprus between 1285 and 1306, during the reign of King Henry II of Cyprus. Audrerie (2023, 220–222) also put forward the hypothesis that the compiler of the rules that make up the *Livre au roi* was Gerard of Montreal, who, according to Audrerie, was also the possible compiler of the Munich manuscript of this codification.

The aim of this paper is to try to determine the time of creation of the *Livre au roi* more precisely, starting from the historical and social circumstances and considering the evolution of the legal order and legislation of the Latin Kingdom of Jerusalem, primarily from the second half of the 12<sup>th</sup> century. Although there is almost no doubt that this happened during the reign of King Amalric (Amaury) of Lusignan and Queen Isabella I, and that the *Livre*

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<sup>3</sup> For a critique of this Beugnot's attitude, see, especially, Grandclaude 1923, 46–50.

*au roi* is even considered as ‘constitutionally the most important event of the reign of Amaury’ (La Monte 1970, 45), it seems that the moment of its enactment can be determined even more precisely.

Many authors (Grandclaude 1923, 119; Greilsammer 1982, 220–223; Greilsammer 1995, 73–82, 99–100; Besson 2018, 95–96) agree that the *Livre au roi*, with its content and the spirit with which it is imbued, represents a legal basis for the manifestation of royal authority towards high nobility, which was still strong at the time of its enactment. Following Greilsammer (1982, 226) this was done by emphasising and re-establishing the royal powers, that is, by fixing the powers of the high nobility with the intention to preserve them, thus preventing the strengthening of great vassals.<sup>4</sup> Bearing in mind the historical and political circumstances following the fall of Jerusalem in 1187, this does not exclude the possibility that this treatise was already somewhat anachronistic at the time of its creation. This is especially true considering that some of the prominent Christian families of the Latin East, such as Ibelin, Gibelet and Garnier, took advantage of the illness of King Baldwin IV, the fall of Jerusalem, and the weakness of Guy of Lusignan to seize the powers and authority that would otherwise belong to the king (Besson 2015, 771–772).

However, the epoch when the *Livre au roi* was created did not feature a strong influence of the baronial movement, as had been the case just a few decades later. With this in mind, the explanation for the remark by Audrerie (2023, 215) – that the sources not only lack information about the *Livre au roi*, but also about any collection of court decisions or collection of laws issued by the High Court before 1250 – is obvious. One can easily understand that later jurists deliberately tried to erase any evidence of new codification of the assizes after the fall of Hattin, bearing in mind that it was not in line with their point of view, as defenders of pure feudalism. This is all the more so if one accepts the view that the *Livre au roi* was not official in nature. However, some evidence about the legislative activity resulting in the creation of the *Livre au roi* does appear to exist. According to Greilsammer (1982, 224–225) the additional prologue of manuscript CG 771 testifies to Amalric’s efforts to reconstitute codification of laws resulted in the assizes contained in the *Livre au roi*. A similar response could be made to Audrerie’s (2023, 216–217) argument that the treatises by the great jurists of the

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<sup>4</sup> Indeed, as suggested by Besson (2010, 110) even in the *Livre au roi*, the monarch’s powers were not defined as unlimited and absolute, but rather limits were set for them so that they would not exceed them. Besson (2015, 771–792) points to a particular perspective that reveals how King Amalric, by prescribing various offenses and sanctions in the *Livre au roi*, aimed to consolidate his power.

13<sup>th</sup> century did not discuss the king's authority to deprive a woman of her inherited fief if she married a baron without the king's consent, which is provided for in Chapter 31 of the *Livre au roi*.

Audrerie's (2023, 219) claim that the enactment of the *Livre au roi* should be viewed through the prism of a time when an attempt was made to reassert central, royal authority was acceptable. However, his conclusions that this codification is a product of the legal and political circumstances of the late 13<sup>th</sup> and early 14<sup>th</sup> century, or that the *Livre au roi* is a product of the High Court's activities in that period, under the patronage of King Henry II, cannot be accepted.

Firstly, it is almost certain that the content of the *Livre au roi* refers to the legislation of the Latin Kingdom of Jerusalem, since its provisions do not mention Cyprus. It is indisputable that the *Livre au roi* was already partially anachronistic at the time of its adoption. This is in part due to the choice of assizes in it, as well as the possible combination of previous and newly emerging customs – but which as a whole testify to a strong royal authority, to which the vassals had to submit (Greilsammer 1982, 226). However, if such a conception of the *Livre au roi* did not quite correspond to the social and political circumstances of the late 12<sup>th</sup> and early 13<sup>th</sup> century, or match the interests of the high nobility – which is confirmed by the treatises John of Ibelin and Philip of Novara, who do not even refer to the *Livre au roi* (Balard 2018, 21, 29) – how anachronistic *Livre au roi*'s rules must have been in the second half of the 13<sup>th</sup> century, after the emergence of these two aforementioned treatises? Namely, the Crusader states arose at a time when feudalism in Western Europe was at its peak. Even if the pilgrims intended to fully replicate its achievements in the Holy Land, this proved to be impossible in practice. In fact, the range of legal institutions, the powers granted to local officials, and the organization of state administration represented a combination of Western and Eastern historical and legal heritage (Cahen 1983, 155–166; Ketsamian 2014, 42–54). This practice gradually shaped the Crusader states for almost two centuries, and its evolution would not have been unknown to the Cypriot king, had he had any doubts about the possibility of implementing an idealised feudal-legal order in 13<sup>th</sup> or 14<sup>th</sup> century Cyprus. Moreover, in several places in the *Livre au roi* text, when citing relevant norms and referring to previous decisions and assizes, the authority of what was cited is supported by statements that such a solution was envisaged by '*le droit et la raison du royaume de Jérusalem*'. Is there any reason that the King of Cyprus would have referred to the law and customs of the Kingdom of Jerusalem, especially after the fall of Acre?

Indeed, during the Third Crusade, King Richard the Lionheart conquered Cyprus, in 1191, only to sell it the following year to Guy of Lusignan, whose brother and successor Amalric founded the Lusignan dynasty that ruled Cyprus for the next three centuries. But the state institutions of the Latin Kingdom of Jerusalem and the Kingdom of Cyprus were separate from the very beginning, and when Amalric of Lusignan died in 1205, Jerusalem and Cyprus continued to be ruled by two different dynasties. King Amalric and Queen Isabella I had no children who would, like them, unite the two kingdoms under one dynasty (Phillips 2001, 127). However, although the state institutions were separate and the feudal structure was different in the Latin Kingdom of Jerusalem and the Kingdom of Cyprus, the legal systems were intertwined to a certain degree. Thus, in the 13<sup>th</sup> century, the same unified law was in force both in the Latin Kingdom of Jerusalem and the Kingdom of Cyprus, and the feudal customs of the Latin Kingdom of Jerusalem were applied in Cyprus and vice versa (Edbury [1977] 1999, 329). However, over time, separate customs began to develop in Cyprus, but similar to those in the Latin Kingdom of Jerusalem. Namely, although the Assizes of Jerusalem continued to apply only in Cyprus after the fall of Acre, they were nevertheless imported to the island from a different social and legal system. In the second period of its history, the Latin Kingdom of Jerusalem represented the ideal feudal state, while Cyprus was practically the private domain of the Lusignans, where there were no large feudal domains and where all fief holders were directly dependent on the king (Grandclaude 1923, 114, 150–151).

As suggested by Audrerie (2023, 217), Chapter 47 of the *Livre au roi* states that knights suffering from leprosy are invited to join the Order of Saint Lazarus, while also pointing out that the Order of Saint Lazarus is first mentioned as an order during the reign of Pope Gregory IX (1227–1241). However, the truth is that the earliest reference to the Order's military activity is dated to 1234. It is believed that this monastic order was created in the during the 1130s, as a hospitaller order, but the first unambiguous reference to this order was made by King Fulk in 1142 when he gave land in Jerusalem to 'the Church of St Lazarus and the convent of the sick who are called *miselli*' (Marcombe 2003, 7). Therefore, leaving aside terminological differences, there is no doubt that the Order, consisting of knights suffering from leprosy, existed in the Kingdom of Jerusalem as early as the mid-12<sup>th</sup> century.

Elsewhere, Audrerie (2023, 210) relies on Schlumberger's argumentation and points out, citing Chapter 16 of the *Livre au roi*, that the king could confiscate the fief of a baron who minted money independently – even without the decision of the High Court. Based on this, Audrerie highlights that such a provision could only have originated in Cyprus, because the

licence to mint money in Cyprus was reserved solely for the king, while it is known that in the Latin Kingdom of Jerusalem there was a number of crown vassals who minted money. Grandclaude and Greilsammer respond to this argumentation by pointing out that the minting of money without the king's authorization first began in Sidon, between 1165 and 1204, and that the relevant (but also other) provisions of the *Livre au roi* at the time they were adopted had long since ceased to correspond to reality. Furthermore, the rule on the sanctioning of vassals who minted money found its way into the *Livre au roi* thanks to the Assize on confiscation (*établissement*) of King Baldwin III. According to Grandclaude, it cannot be determined whether and to what extent this Assize applied at the time of the adoption of the *Livre au roi*, which will be discussed further in this text. Finally, the term 'coin', which is contained in the *Livre au roi*, and which is generally interpreted as the right to mint money, can also be interpreted differently, etymologically and historically, as the right to affix a seal by a local feudal lord (Grandclaude 1923, 44–45; Greilsammer 1995, 104–106).<sup>5</sup>

Having all of this in mind, the conclusion of this article is that the initiator of enacting the *Livre au roi*, in the specific historical, social and legal framework of the late 12<sup>th</sup> and early 13<sup>th</sup> century in the Latin Kingdom of Jerusalem (or what remained of it), could only be a ruler who, according to their internal and external political achievements, could emerge as the first strong ruler and politician after the defeat at Hattin – or at least with good reason to act so.<sup>6</sup> In this sense, the *Livre au roi* was supposed to represent a legal round-up of the political and social consolidation of the circumstances by King Amalric of Lusignan, one of the kings of Jerusalem most skilled in legal matters.<sup>7</sup>

According to Greilsammer (1982, 226) and Besson (2018, 96), he primarily intended to restore 'a strong monarchy rather than to set down in writing the old assizes lost in 1187'.<sup>8</sup> Yet, even if only as a means of achieving King

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<sup>5</sup> According to Riley-Smith (1971, 188), the clause forbidding the minting of coins was consistently broken without any legal consequences.

<sup>6</sup> The historical period from 1193 to 1229 in the Latin Kingdom of Jerusalem is also referred to as the 'period of recovery and reconstruction' (Jotischky 2015, 590).

<sup>7</sup> John of Ibelin (*Livre de Jean d'Ibelin*, chap. CCLXXIII, 430) describes the legal knowledge of King Amalric of Lusignan as 'Il sot miaus les uz et les assises que nul autre, se tesmoignent ciaux qui le virent, et moult les avoit en memoire'.

<sup>8</sup> According to Besson (2015, 792) 'it reflected Amalric's will to re-impose the monarchy above the barons: by deliberately using anachronistic assizes and vocabulary, by claiming the right to judge, the king wanted to show himself as the direct successor of the powerful kings of the past'.

Amalric's political goals, the *Livre au roi* could not have been created without the prior fulfilment of certain social and political conditions. These internal and external political conditions can serve for the more accurate dating of the creation of the *Livre au roi*.

## 2. DOMESTIC POLICY

Having married Queen Isabella I and after their coronation in January 1198, Amalric of Lusignan became the king of the Latin Kingdom of Jerusalem (Eracles, chaps. IV–V, 221–223; Ernoul, chap. XXVIII, 308–312). Amalric was a wise and determined politician, capable of imposing his will on the barons of Jerusalem, even at the risk of his own unpopularity (Riley-Smith 1971, 184).<sup>9</sup> Having witnessed the instability and frequent changes on the throne after the fall of Jerusalem to Saladin, and likely aware of the considerable public odium towards his brother, Guy of Lusignan, Amalric must have had both state-related and personal reason for strengthening his own power. The opportunity to begin implementing such a policy presented itself very soon.

The most significant success that Amalric achieved domestically during his reign was the confirmation of his dominance in relation to the high nobility. This was manifested by his triumph over Ralph of Tiberias, known as 'the Socrates of the Barons'. Although there is no evidence that he left behind any written legislative work, his legal knowledge, competence in judicial procedure, court speeches and legal argumentation overshadowed all his contemporaries and served as an inspiration to subsequent generations (Riley-Smith 1971, 184; 1973, 122).<sup>10</sup> This comes as no surprise. Having

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<sup>9</sup> Dodu (1894, 150) bases his argument for a similar view of King Amalric's personal and ruling qualities on one of his assizes, in which he requiring the knights to sell their fiefs if it was necessary to raise money to ransom a king who became a Saracen captive. Praising the qualities of King Amalric of Lusignan and his advancement through the state institutions of the Latin Kingdom of Jerusalem, John of Ibelin (*Livre de Jean d'Ibelin*, chap. CCLXXIII, 429–430) left the following testimony about him: 'Le rei Heymeri [...] qui estoit un povre valet et gentishom, puis ot il toz les offices dou reiaume, dès la chamberlainie jusque à la conestablie, et puis fu il roi des deus reiaumes, premierement de Chipre et puis de Surie, et ambedeus les gouverna bien et sagement jusque à la mort'.

<sup>10</sup> 'Et s'il avenist que aucunes d'elles se mariast sans le congié dou seignor, et il en vauisist aver dreit par sa court, après ce qu'ele vendreit en la presence de la court, de ce ai je oï et veu grant debat: car les treis plus sages que je onques veisse de sà meir, c'est assaver, monseignor Raou de Tabarie, monseignor de Baruth le veil et monseignor de Saieste, en estoient end escort, si que nus d'eaus disoit ce que l'autre en semble.' (*Livre de Philippe de Navarre*, chaps. XLVII, LXXIII, XCIV, 543–545, 559,



held the function of seneschal, i.e. 'representing an absent king, regent or lieutenant in the High Court and presiding over the *secrete*', Ralph had gained a great deal of insight into the functioning of the state administration, as well as becoming thoroughly familiar with court procedures (Riley-Smith 1973, 157; La Monte 1970, 44, n. 1).

The falling-out most likely took place in the autumn of 1198, because the last occasion when Ralph witnessed one of Amalric's charters was in October 1198 (Riley-Smith 1971, 189 n. 52).<sup>11</sup> Ralph of Tiberias, who turned down the king's invitation to participate in the reconstruction and codification of the legislation from the era of the First Kingdom of Jerusalem (*Livre de Jean d'Ibelin*, chap. CCLXXIII, 430; *Livre de Philippe de Navarre*, chap. XLVII, 523)<sup>12</sup>

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570). Philipe of Novara himself can be considered a student of Ralph of Tiberias. Ralph, bedridden during the first siege of Damietta, spoke to him extensively about the law and customs of the Latin Kingdom of Jerusalem, and Philip, in his own words, memorized it all (*Livre de Philippe de Navarre*, chap XLIX, 525).

<sup>11</sup> According to Loud (1985, 206), Ralph of Tiberias witnessed two royal charters in August 1198, but not later.

<sup>12</sup> Prawer (1980, 287–288) relied on a Philip of Novara's argumentation that Ralph of Tiberias rejected King Amalric's invitation to reconstitute the assizes of the Kingdom stating that 'he would not cooperate with Antiaume, a man of low extraction'. However, was this just an excuse for Ralph of Tiberias, given that his refusal of such an invitation, which in a broader sense could also be subsumed under his feudal obligation of *auxilium et consilium*, would have been a gross violation of his feudal obligations. It seems that by including Ralph of Tiberias in this legislative undertaking, Amalric really wanted to gain the support of the high nobility for the adoption of the *Livre au roi* and thus provide it with additional legitimacy. However, Beugnot (1841, XXXI) points out that there was undeniable resistance to legislative reform among representatives of the aristocracy in the Holy Land, among other reasons, due to the understanding that power and knowledge should remain limited to the nobility. Other authors (see especially Riley-Smith 1973, 155) have similar views to Beugnot on Ralph of Tiberias's refusal to respond to King Amalric's invitation to participate in the legislative preparation: 'The king certainly shared the anxiety of the feudatories lest the lost laws be completely forgotten and he may also have sensed a possible danger to the crown if its past record of legislation was obliterated. He thought of establishing a commission of two men under his presidency to codify what was remembered of the law and he wanted Ralph of Tiberias to participate as well. It is unlikely that Ralph flatly refused to serve on the commission – it would have been a service required of him as a vassal – but it is very possible that his quarrel with the king intervened before the commission met. At any rate he played no part in the compiling of a treatise on the laws'. Mayer's (1990, 161) observation should also be interpreted along these lines: 'Ralph excused him from a task which was so incompatible with his own class interests'. Likewise, as suggested by Grandclaude (1923, 101 n. 4) and Greilsammer (1995, 91–93, 106–107), Ralph's refusal reflected the negative attitude of the high nobility towards this undertaking, which was clearly aimed at strengthening royal power. Taking all this into account, they point out that Ralph declined the invitation to participate in Amalric's commission before the king sanctioned it without a court

and who had been his rival to marry Queen Isabella,<sup>13</sup> was identified as the initiator of the failed assassination of King Amalric by four German knights, although his complicity was never proven (Eracles, chaps. VI, X–XI, 224, 228–231; Ernoul, chap. XXVIII, 310–311).<sup>14</sup> Amalric recovered quickly and sanctioned his reluctant vassal without the formal judgement (*esgart*) of the High Court, ordering him to leave the Kingdom within eight days, although it seems he did not confiscate his fief. Amalric probably found a legal basis for acting in this way – alluding to Ralph's apparent treason without proof – in the *établissement* of King Baldwin III.<sup>15</sup> The *établissement* was most likely enacted between 1118 and 1131 and enumerated 12 reasons for the

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decision, i.e. '*avant de se fâcher avec lui*'. Finally, a somewhat different and original explanation, offered by Greilsammer (1995, 61, 98–99), seems plausible. In her opinion, Ralph of Tiberias 'participated at least in the first phase' of the redaction of the *Livre au roi* – although it cannot be determined to what extent – before he left the Kingdom of Jerusalem, i.e. before the conflict with King Amalric.

<sup>13</sup> After the death of Henry of Champagne, the issue of Queen Isabella's new husband arose. Hugh of Tiberias, garnered the support of some barons for his brother, Ralph of Tiberias, a member of the second generation of Westerners living in the Holy Land, to be the queen's new husband, but the proposal was rejected. The reason for this seem to be that the Templars and Hospitallers believed that Ralph was not wealthy enough, or rather, not influential enough outside the Crusader states, to provide aid to the threatened kingdom. German pressure in favour of the King of Cyprus likely carried some weight too. Therefore, the following proposal, by Conrad of Querfurt, was that Queen Isabella marry the King of Cyprus, Amalric of Lusignan. Patriarch Aymar initially opposed this, arguing that such a marriage would be impossible under canon law, since his brother was already married to her sister. However, he relented, most likely due to the privileges that were promised to the church (Eracles, chap. V, 222–223; Ernoul, chap. XXVIII, 308–311; Riley-Smith 1971, 184; 1973, 152; La Monte 1970, 42, 44; Mayer 1990, 164; Edbury 1997, 25–26; Runciman 1954, 94). It is plausible that part of the explanation for Ralph of Tiberias's refusal to participate in the reconstruction and codification of the legislation of the First Kingdom of Jerusalem was the personal animosity that must have arisen from the rivalry for becoming Queen Isabella's husband (Riley-Smith 1971, 183–184).

<sup>14</sup> In fact, one could argue the opposite: Ralph of Tiberias was not on good terms with the German crusaders, quite on the contrary. Upon the arrival of the Germans in the Holy Land, Ralph's brother, Hugh of Tiberias, who was unable to protect his peers, advised them to place their wives and children under the protection of the Military Orders (Eracles, chap. XXVIII, 216; Riley-Smith 1973, 152).

<sup>15</sup> According to Riley-Smith (1971, 189–190, translated by author) 'Aimery's promulgation of Ralph's banishment looks like a trial of strength with reference to the assise of Baldwin III, an attempt to reestablish a right to act without *esgart* in certain circumstances'. At first, Prawer (1961, 524) considered King Baldwin II as a legislator during whose reign *Assise sur les confiscations (établissement)* was put into force. The same opinion is shared by Riley-Smith (1985, 178–179). Prawer (1962, 42), however, later corrected his opinion and argued convincingly that King Baldwin III was more likely to be considered the author of the *établissement*.

deprivation of a vassal of his fief (i.e. confiscating it) without a formal court decision (*esgart*) (*Livre au roi*, chap. 16, 177–184; Prawer 1961, 523; Dodu 1894, 248).<sup>16</sup> However, with the adoption of the *Assise sur la ligece* by King Amalric I (Amaury I), between 1162 and 1170, the said *établissement* was practically nullified, because the mentioned Assize stipulated that a vassal could not be deprived of his freedom or of his fief without a court decision in any case (Riley-Smith 1973, 150; Prawer 1959, 65–66). Hence, Prawer (1961, 522) and Riley-Smith (1973, 155) note that not only is it strange that the *établissement* found a place in the *Livre au roi*, but also that this legal text itself contradicts the underlying tendencies and principles of the 12<sup>th</sup> – century feudal society in the Latin East.

Although the sources (Livre de Jean d'Ibelin, Livre de Philippe de Navarre, Eracles, Ernoul) are not entirely unanimous in describing the course of the legal battle between King Amalric of Lusignan and Ralph of Tiberias,<sup>17</sup> it seems that it can be assumed – if one accept Ibelin's and Novara's reports – that Ralph based his legal defence precisely on the application of the *Assise sur la ligece*. He pointed out the incompatibility of the *établissement* with this Assize, i.e. argued that a High Court decision was necessary in a dispute between a lord and his vassal (Riley-Smith 1971, 190–191; 1973, 157; Mayer 1990, 249).<sup>18</sup> This means that, contrary to the intention of its editor, King Aimery I, the Assize was applied for the first time against the king in this case. This was not entirely successful, as the conflict ended with Ralph's leaving of the Kingdom of Jerusalem within said eight days, and he did not return until after Amalric's death. On the other hand, the *établissement* became an integral part of the *Livre au roi*, owing to which it has been preserved.<sup>19</sup>

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<sup>16</sup> According to Riley-Smith (1973, 146) the 'theory of regalia [...] was best expressed in [this] *assise*', but he believes that Baldwin III is the most likely king to have passed it.

<sup>17</sup> For more about these differences, see especially Loud 1985, 204–212.

<sup>18</sup> Relying primarily on Eracles (1859) as a source that describes the conflict between King Amalric and Ralph of Tiberias, Loud (1985, 210) concludes that 'nearest contemporary account of the events in question, that of the *L'Estoire d'Eracles*, makes no mention of the *Assise sur la ligece* being used against the king, and is perfectly consistent with the *Livre au roi*'. Even if this approach was accepted, this would not resolve the dilemma about the reasons why the *établissement* found its place in the *Livre au roi*, because the *Assise sur la ligece*, whose existence could not have been unknown to the nobles, was enacted after the *établissement* and practically nullified it.

<sup>19</sup> According to Grandclaude (1926a, 309) the *établissement* is classified among those provisions of the *Livre au roi* that he equates with the *anciens bans*. Having this particular case in mind, Riley-Smith (1973, 151, 158–159) concludes: 'The

As suggested by Greilsammer (1995, 71, n. 105), the *Livre au roi* is imbued to a significant extent with the spirit of the *Assise sur la ligèce* which, as she says, the *Livre au roi* ‘interiorised’, despite not quoting it. The way in which the Assize sets out the relations between the king and the nobility tacitly reflected the relationship between them defined in the *Livre au roi*.<sup>20</sup> The fact that this codification of law is imbued with the spirit of the *Assise sur la ligèce* should not necessarily be considered a contradiction for one more reason: the *Livre au roi* states that a vassal cannot be arrested by his lord unless he had been judged by his peers in court.<sup>21</sup>

Therefore, the conclusion that the *Livre au roi* was created between 1187 and 1198, before the conflict between King Amalric of Lusignan and Ralph of Tiberias, would seem unfounded, regardless of the fact it contained the *établissement*, which was nullified by the *Assise sur la ligèce* (Riley-Smith 1973, 146), and which, according to the testimonies of Philip of Novara and John of Ibelin, was the basis for Ralph of Tiberias’s legal defence in this dispute. It is much more likely that King Amalric of Lusignan, as the de facto winner of this conflict, wanted to confirm the strength of his own authority immediately after this success and give legitimacy to his own action against Ralph of Tiberias by incorporating the *établissement* into the *Livre au roi*. At the same time, it can be concluded that he wanted to create the opportunity for himself so that he could punish other unruly vassals in the future, in the same manner and without restrictions (Greilsammer 1982, 221 n. 14; 1995, 101). Moreover, according to Prawer (1962, 30), the range of cases in which confiscation could occur was expanded in the *Livre au roi*, compared to the *établissement*. Specifically, referring to Chapters 7 and 8 of the *Livre au roi*, this author indicated that refusal of the vassal to submit as a hostage for his lord or serve as an assurer for his debts, was sanctioned with confiscation.

Bearing all this in mind, the opinion of some authors that the *Livre au roi* actually was ‘the new edition of the Laws’, whose enactment was initiated by King Amalric of Lusignan, can be accepted (Runciman 1954, 95). In this sense, La Monte (1970, 44) appears to be correct that Ralph’s refusal to participate in the work of the legislative commission does not mean that

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weaknesses in the baronial interpretation of the *Assise sur la ligece* will become apparent as we consider its development from the moment when it was first proposed by Ralph of Tiberias’.

<sup>20</sup> Besson (2015, 785) argues similarly. Grandclaude (1923, 119) is more moderate in his assessment, pointing out that the *Livre au roi* treats the *Assise sur la ligèce* ‘only summarily’, giving priority to the Assize on confiscation of King Baldwin.

<sup>21</sup> This will be one of the arguments for Riley-Smith (1973, 10, 36, 143) to conclude that ‘it is an exaggeration to call it a treatise on behalf of the monarchy’ (See also: *Livre au roi*, chap. 25, 208–210).

this commission was not established at all and that it did not work to ‘revive’ and codify the legislation of the Latin Kingdom of Jerusalem from the period before the fall of Jerusalem in 1187. Moreover, it is possible that the *Livre au roi* was created precisely by this commission. The additional prologue to manuscript CG 771 testifies that Amalric’s effort to reconstitute this codification resulted in the assizes contained in the *Livre au roi* (Riley-Smith 1971, 185; Greilsammer 1982, 224–225).<sup>22</sup> Did King Amalric’s reference to the *établissement* in his conflict with Ralph, among other things, also represent a kind of retribution for Ralph’s refusal to participate in the work of this commission?

In this regard, it seems indisputable that the author of the *Livre au roi* was someone very familiar with the legislation of the First Kingdom of Jerusalem, of which they probably knew some assizes by heart, word by word. However, it is also clear that their redaction was done selectively, sometimes even partially, in fragments, which makes it difficult to fully identify the content of this codification with the content and meaning of the law of the First Kingdom of Jerusalem (Grandclaude 1923, 122).

Given all this, was the content of the *Livre au roi* directly influenced, at least to a small extent, by King Amalric of Lusignan himself, just as Napoleon influenced certain provisions of his *Code civil*?<sup>23</sup> Since he was not a legal theorist, but undeniably had respectable legal knowledge,<sup>24</sup> it seems that this hypothesis should not be rejected either, especially since the *Livre au roi* was written in a pragmatic manner. King Amalric had an apparent interest in this, especially in this systematization of the law in global. In this sense, although not overemphasised, the reference to the *Assise sur la ligèce* in the *Livre au roi* could actually represent a balance between the King Amalric’s idea to strengthen central power and emphasise the king’s authority over the nobility in the *Livre au roi* on the one hand, and the practical circumstances

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<sup>22</sup> In this regard, the opinion of the great mid-13th century jurists of the Kingdom of Jerusalem, that the refusal of Ralph of Tiberias to take a part in this commission led to defeat of King Amalric’s entire effort to restore the legislation of the first Kingdom of Jerusalem, cannot be accepted.

<sup>23</sup> For example, as suggested by Loud (1985, 208), ‘the section protecting the vassal from physical punishment without judgement may also reflect the personal experience of King Aimery, when as royal constable he was arrested by Henry of Champagne c. 1193’. See also *Livre au roi*, chap. 25, 208–210.

<sup>24</sup> Following Riley-Smith (1971, 185): ‘He was remembered above all as a great lawyer who knew the laws and usages better than his contemporaries, having memorized many of them. Only Ralph of Tiberias was more learned than he was’. See also *Livre de Philippe de Navarre*, chaps. XLVII, LXXIII, XCIV, 521–523, 543–545, 570; *Livre de Jean d’Ibelin*, chap. CCLXXIII, 429–430.

that indicated this could not be implemented consistently and completely, on the other hand. This is especially true since during the reign of King Amalric the *Assise sur la ligèce* continued to reflect the strength of the royal authority and the limitations of the great barons. Namely, the Assize only fully became a lever of power for the high nobility during the struggle against Emperor Frederick II of Hohenstaufen, primarily in Cyprus (Riley-Smith 1971, 179–204). However, it is clear now that the beginnings of that struggle and the possibility of a completely opposite interpretation of the Assize did become visible during the conflict between King Amalric and Ralph of Tiberias, who invoked it for the first time against a ruler. In this regard, two hypotheses can be put forward.

According to the first, it is possible that King Amalric, based on his own experience in the dispute with Ralph of Tiberias, had already become aware of the implications that the *Assise sur la ligèce* could have in the future. In fact, Amalric emerged victorious from this conflict, although not with an indisputable legal basis, because Ralph of Tiberias left the Kingdom of Jerusalem. So, spurred on by the success against Ralph of Tiberias, the king tried to strengthen his own position (Mayer 1990, 161–162), apparently realising that this Assize could be used against him or any other future king, and eventually wanted to keep it applicable only against lower vassals. Thus, one might conclude that by reaffirming the *établissement* in the *Livre au roi*, the king wanted to prevent new tendencies in the application of this Assize and strengthen royal authority.<sup>25</sup> This is supported by the fact that the successful application of the Assize against the ruler would only take place in the mid-13<sup>th</sup> century, as a legal remedy in the conflict between the barons and Emperor Friedrich II Hohenstaufen. The place of the *établissement* in the *Livre au roi*, understood in this way, can also be interpreted as a compromise. Namely, even if in the 1230s the *établissement* was considered as a limitation of regal power,<sup>26</sup> in new circumstances – following the adoption of the *Assise*

<sup>25</sup> As suggested by Riley-Smith (1971, 188), the similar explanation for inclusion of *établissement* in the *Livre au roi* is possible: 'It was an archaic, half-forgotten piece of legislation introduced, like so much in the book, to answer a contemporary need'.

<sup>26</sup> Riley-Smith (1985, 176, 178) at first claimed the opposite: 'All historians including myself, have been of the opinion that the *établissement* is evidence of the strength of the kings in the first half of the twelfth century'. Later, he was closer to the opposite conclusion: 'Thirdly, the *établissement* surely demonstrates not so much the strength as the limitations of royal power. [...] But if a virtue of the *établissement* is that it provides us with early evidence for prerogatives, a vice is that a king had taken the step of putting down on paper those cases in which he could impose a fixed sentence without *esgart* and this could only have the effect of limiting his freedom of action: it is an age-old principle of law-making that

*sur la ligèce*, the defeat at Hattin, and the king's conflict with Ralph of Tiberias – the *établissement* could be treated as a step towards the re-strengthening of royal power (Greilsammer 1995, 81, 101 n. 165), as well as a meaning of the king's attempt to convalidate his behaviour towards Ralph of Tiberias.

According to the second hypothesis, one could argue that King Amalric did not anticipate the far-reaching implications of the interpretation of the Assize invoked by Ralph of Tiberias, which led to the application of the *Assise sur la ligèce* against the central authority in the 13<sup>th</sup> century. This is especially the case since he emerged as the de facto winner in the conflict with Ralph of Tiberias. It may be that Philip of Novara and John of Ibelin, under the influence of their circumstances and needs, i.e. their belonging to the nobility and the goals with which they wrote their treatises, exaggerated the significance of the Assize in the conflict between King Amalric and Ralph of Tiberias – especially knowing that the *Assise sur la ligèce* was originally created to strengthen the power of the crown. If so, perhaps this is precisely why the king had no objection to the Assize becoming a part of the *Livre au roi*, albeit indirectly. Since this Assize only gained significance in the Kingdom of Cyprus, which it did not have in the Latin Kingdom of Jerusalem, i.e. a means of challenging the central government, then Audrery's conclusion that the *Livre au roi* was composed in Cyprus seems even less convincing. If his interpretation were to be accepted, the contradiction in content and meaning between the *Assise sur la ligèce* and the *Livre au roi* would be irreconcilable.

Regardless of which hypothesis is accepted, it seems indisputable that in the time of King Amalric the central authority in the Latin Kingdom of Jerusalem was not as strong as it had been during the early 12<sup>th</sup> century, nor as weakened as the circumstances of the 13<sup>th</sup> century would dictate. Consciously or not, its content embodies a period of balancing, a shift in the pendulum of power towards the centre, a compromise between the differing aspirations of the king and the nobility. Like any legislative undertaking, however future-oriented it may be, it was greatly shaped by the experiences of the past. In this sense, it is justified to consider the *Livre au roi* as a swan song of the strengthening of royal power, but also as the establishment of the outlines of a new order that this codification deeply manifests.

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definitions of rights should be avoided, since they create a framework beyond which it becomes difficult to operate'. Following Prager (1980, 432), a somewhat more balanced view: 'Our *assise*, which determined the relations between the king and his vassals, strengthened the king's position, although to some extent it also safeguarded vassals from too arbitrary decisions from their lord'.



### 3. FOREIGN POLICY AND PERSONAL MOTIVATION

On the foreign policy front, on 1 July 1198, King Amalric of Lusignan signed a peace treaty with Sultan Al-Malik Al-Adil for duration of 5 years and 8 months, which secured Frankish control of the Mediterranean coast from Acre to Antioch. Specifically, the Franks kept possession of Jebail and Beirut, Al-Adil kept Jaffa, while Sidon was divided between them. Amalric would pivot his foreign politics around the intent to keep peace with Al-Adil while waiting for a huge crusade to the Holy Land that being prepared in Europe (Eracles, chap. X, 228–230; Ernoul, chap. XXVIII, 316–317; Runciman 1954, 98, 101–102, 129; Greilsammer 1995, 89). Having consolidated his internal power after the conflict with Ralph of Tiberias and having ensured a respite and consolidation in the fight with the Saracens through a truce with Al-Adil, the earliest time when Amalric could have passed the *Livre au roi* and rounded off his authority on the legislative level is the autumn or winter of 1198.

However, the exclusive reliance on this dating of the enactment of the *Livre au roi* is not without its drawbacks. John of Ibelin and Philip of Novara state that the major barons who supported Ralph of Tiberias in his dispute with the king collectively ceased to fulfil their feudal obligations to the king, withdrawing from his service – all in reference to the *Assise sur la ligèce*. According to these sources, despite Ralph's departure from the Latin Kingdom of Jerusalem to the County of Tripoli, the vassals did not resume their feudal obligations to the king until at least 1200 (Livre de Jean d'Ibelin, chap. CCIV, 327–328; Livre de Philippe de Navarre, chap. XLII, LII-LIII, 518, 527–529). On the other hand, according to Loud (1985, 207), this interpretation of John of Ibelin's account of the baron's actions, which is common in literature, is incorrect. He claims that John's report 'means exactly the opposite – that the threat was withdrawn'.

However, in this regard, it seems more acceptable to set the year 1200 as the earliest moment when the *Livre au roi* could have been created. Firstly, if one starts from the reasonable assumption that the work on the *Livre au roi* began after the accession of King Amalric of Lusignan to the throne and before his conflict with Ralph of Tiberias, it is unlikely that this work could have been completed in only 8 or 9 months. Therefore, it is plausible that the vassals returned to the king's service in 1200, or withdrew their threat – perhaps as a result of the compromise reached with the king. Such a compromise is also manifested in the content of the *Livre au roi*, which, as previously noted, although imbued with the spirit of the *Assise sur la ligèce*,



still retained the *établissement*. Thus, the *Livre au roi* could have been created in 1200 precisely as a symbolic result of the consolidation of the internal and external political circumstances in the Latin Kingdom of Jerusalem.

On the other hand, Riley-Smith (1971, 185) and Greilsammer (1995, 84–86) demonstrated that the provisions of Articles 5 and 6 of the *Livre au roi* were written precisely considering the specific family and ruling status of King Amalric and Queen Isabella I.<sup>27</sup> Amalric was Queen Isabella's fourth husband,<sup>28</sup> with whom she had two daughters and one son, while Isabella had a daughter, Mary, from her second husband, Conrad of Montferrat. The previously mentioned provisions of the *Livre au roi* regulated the order of succession to the throne of the queen's children born from two marriages. If the queen were to become widowed and remarry, in the event of her death, the heir to the throne would be her eldest son from her first marriage. However, if she had no children from her first marriage, the throne would go to the eldest child from her second marriage (Dodu 1894, 106–107). In other words, it was decided that the queen's heirs from her first marriage would have priority, with sons taking precedence over daughters; if there were no male heirs from the previous marriage, then the daughters from the first marriage took precedence over the sons from the later marriage. Finally, if there were no children from the first marriage, then the son from the second marriage took precedence over the daughter, even if she was the older sibling. Regency belonged to the eldest male or female relative, but on the side through which the throne escheated. If the queen had no offspring from her first, but only from her second marriage, and the father of the children outlived the queen, the regency over the minor heir would belong to the father, until his son or daughter came of age (La Monte 1970, 49–50).

In the specific circumstances, the possibility of Amalric's regency in the event of Isabella's and even Mary's death was obviously foreseen. As suggested by Greilsammer (1995, 85–86; 1982, 224), Amalric advocated for these provisions in order to secure his own bailage and consequently revert

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<sup>27</sup> This is one of the key arguments in favour of Grandclaude's (1923, 50, 119–120) claim that the *Livre au roi* was written between 1197 and 1205.

<sup>28</sup> Queen Isabella's first husband was Humphrey of Toron. Dissatisfied with his weak and indecisive character, the barons had influenced the annulment of his marriage to Isabella. She was then married to Conrad, Marquess of Montferrat, who was murdered. Then, also under the influence of the nobility, Henry, Count of Champagne, was chosen as the heir to the throne, to whom Queen Isabella was married for this purpose. After his death in 1197, Isabella, at the age of only 26, married her fourth husband, Amalric of Lusignan, King of Cyprus, who was invited by the Syrian barons to take power over Syria through this marriage (Ernoult, chaps. XXIV–XXVIII, 264–317).

to the throne of his heirs, should Isabella and her heiress die first. From these provisions, it is clear that at the time of the writing of the *Livre au roi*, all three children from the Amalric and Isabella's marriage had been born, so this treatise could only have been created after the birth of their youngest child. Their elder daughter Sybilla was born in 1198, the younger, Melisende in 1200, while it is not known when their son Amalric was born, but he is known to have died as an infant on 2 February 1205 (Greilsammer 1995, 86; Runciman 1954, 103 n. 3).

According to Audrerie (2023, 211–219), this argumentation should not be rejected, but he points out that it could be applied to a whole series of similar events related to the succession to the throne of the Latin Kingdom of Jerusalem that took place between 1185 and 1268. However, starting from the hypothesis that the *Livre au roi* is a collection of extracts from decisions and counsels passed by the High Court, he concludes that all these cases must have preceded the creation of the *Livre au roi*, i.e. that this codification could not have been created before the late 13<sup>th</sup> or early 14<sup>th</sup> century. In this regard, he highlights the text of the preamble to Chapter 1 of the *Livre au roi*, which stresses the need to preserve the judgments of the High Court, and concludes that this decision was made only between 1285 and 1291. Audrerie's argument does not seem convincing enough, especially in the context of all the other arguments about the time of the creation of the *Livre au roi* that are presented in this paper. He bases his conclusion on the hypothesis that the *Livre au roi* is a kind of legal manual compiled from previous legal precedents. Although this hypothesis is not without its shortcomings, even if taken as indisputable, it does not mean that it refers exclusively to previous events, quite the opposite. It could also be concluded differently – that issues regarding the succession to the throne and the regency were frequent in the Latin Kingdom of Jerusalem, therefore their regulation in the *Livre au roi* served as a model for the resolution of similar future cases. In this sense, the preamble to Chapter 1 of the *Livre au roi* may also be a later interpolation. Finally, according to Grandclaude (1923, 44, 49), a whole series of provisions in the *Livre au roi* indicate that the *chief seignor* was the queen, not the king, and this was not the case between 1244 and 1291, but it was repeated without interruption between 1192 and 1227. With the latter in mind, why would the King of Cyprus prescribe provisions formulated in this manner? Above all other cases, they could in fact be related to the situation in which Queen Isabella I found herself alongside her four husbands.

A similar argument can be used to respond to Audrerie's (2023, 216) claim that Chapter 1 of the *Livre au roi*, which prohibits the king, queen, and their vassals from voluntarily surrendering their fortresses and castles to

the Saracens, is actually a precedent derived from the conflict between King Hugh III and the lord of Beirut. This occurred in 1273, after the lord of Beirut, Haymo Léstrange, surrendered his fief and his widow, Isabelle of Ibelin, to the protection of Sultan Baibars. There is no doubt that the prohibition prescribed in Chapter 1 of the *Livre au roi* was of essential importance from the very beginning in the Latin Kingdom of Jerusalem, because it not only indicated a violation of feudal obligations, but also represented a condition for the survival of the Crusader states. It is impossible that the Crusaders did not consider it worthy of regulation during the full two centuries of their statehood in the Holy Land, and that they only noticed its value in the late 13<sup>th</sup> or early 14<sup>th</sup> century. The event mentioned by Audrerie is a consequence rather than a cause of such an understanding. In this regard, the prohibition that the *Livre au roi* foresees, in connection with the surrender of fortresses to the Saracens by the king's vassals, is emphasised in Chapter 39 of the *Livre au roi*, which explicitly mentions Crac, Jaffa, Ascalon, Arsur, Cesarea, Cayphas, Tiberias, Belinas, Toron, Scandelion, Sidon, Sais, and Beirut (Grandclaude 1923, 45–46). If Audrerie's claim about the time of enactment of the *Livre au roi* is accepted, the question must be asked whether there are any arguments for the claim that in 1291, on the eve of the collapse of the Crusader states, when some of these cities were still under Crusader control, there were social and political opportunities for a legislative undertaking whose content ignores not only the significant influence of the nobility, but also the overall difficult situation in the remnants of the Kingdom of Jerusalem.<sup>29</sup> It seems even less logical that the Cypriot king, in composing the *Livre au roi*, would mention the cities that the Crusaders had lost after the fall of Acre.

Another foreign policy success of King Amalric of Lusignan should be added to the pinpointing of the possible time of creation of the *Livre au roi*. In September 1204, he renewed the truce with Sultan Al-Malik Al-Adil to last for six years. It seems that Al-Adil was prepared to finally abandon Beirut

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<sup>29</sup> The opposite interpretation is offered by Audrerie (2023, 218–219). In his opinion, the work on the *Livre au roi* began between 1285 and 1291 in Cyprus, during the reign of King Henry II. According to Audrerie, through this legislative undertaking, Henry wanted to strengthen royal power by introducing new legal rules (some maybe even as a part of his own judgements) and reaffirming some of the old ones, such as the *établissement*. Another argument can be added to the objection that the general framework of political and social circumstances in the Latin East leaves no room for such a conclusion. If the reference to the *établissement* in the last 12th century, in the conflict between King Amalric and Ralph of Tiberias, was already anachronistic, how much more so must it have been almost a full century later?

and Sidon to Amalric, to cede Jaffa and Ramleh to him, and to simplify the terms for pilgrims going to Jerusalem and to Nazareth (Eracles, chap. XII, 263; Ernoul, chap. XXXII, 347–367).

One should not forget that Constantinople also fell during the Fourth Crusade, in 1204, which led to the creation of new crusader states on the territory of the Byzantine Empire, potentially rivalling the Latin Kingdom of Jerusalem. For all these reasons – and above all based on the relevant text of the *Livre au roi* on the succession to the throne and regency over the throne, and the new truce with Al-Adel, which further strengthened King Amalric's power and expanded the borders of the Kingdom of Jerusalem – another hypothesis can be put forward. The *Livre au roi*, as the pinnacle of the previously implemented internal stabilization and another of Amalric's foreign political successes, was created between September 1204 and February 1205 and most likely in the late autumn or winter of 1204. Since Amalric was born in 1145 and died suddenly on 1 April 1205 of a surfeit of fish (Eracles, chap. XI, 304–305; La Monte 1970, 45, n. 3; Runciman 1954, 103),<sup>30</sup> was that the moment when King Amalric had already prepared the legal framework, through the *Livre au roi*, for the possible enthronement of his children from his marriage with Queen Isabella, primarily his son Amalric, who was still alive at the time? In this case, it is possible that Amalric's death prevented the *Livre au roi* from becoming an official part of the Latin Kingdom of Jerusalem's legislation (Greilsammer 1995, 88).

Finally, taking into account all of the above, a third hypothesis about the date of enactment of the *Livre au roi* could also be nominated. As King Amalric resolved the internal political situation by triumphing over Ralph of Tiberias in 1198, although this result was not immediately accepted by the other barons, Ralph did not return to his full service until 1200. In the same year Amalric foreign political successes began through the first concluded truce with the Sultan Al-Adil (which was renewed in 1204), and seeing that the provisions of the *Livre au roi* as we know it today indicate that at the time of its creation all three of his children from his marriage to Queen Isabella I were alive, could the *Livre au roi* have been created in two successive and complementary acts, the first of which appeared between late 1198 and 1200 (more likely in 1200), and the other in 1204? Comparatively,

<sup>30</sup> Anyway, Isabella I ruled after Amalric's death alone only shortwards due to her death. Their two sons have passed away before Amalric's death, so Isabella was succeeded by her daughter from her second marriage, Mary la Marquise (Ernoul, chap. XXXV, 407 n. 2; Mayer 1990, 249–250).

a historical example from Serbian history shows that this kind of hypothesis is plausible: Emperor Dušan (the Mighty) Nemanjić passed his famous Code in 1349, at the council in Skopje, and supplemented it in 1354 in Serres.

#### 4. CONCLUSION

The *Livre au roi* is the oldest of the treatises that make up the Assizes of Jerusalem. Its content represents a compromise between the interests of the growing influence of the great barons and the interests of the royal authority, which was neither as strong as it had been for much of the 12<sup>th</sup> century nor as weak as it had been after the fall of Jerusalem in 1187. Thus, as an attempt to strengthen the central authority, the *Livre au roi* could only have been the product of a strong ruler, skilled in law, such as King Amalric of Lusignan was.

Historical circumstances, i.e. Amalric's successes in domestic and foreign policy, indicate that the *Livre au roi* was the crowning glory of his reign. First, he emerged victorious from the conflict with Ralph of Tiberias, one of the leaders of the barons in the Holy Land, and this was confirmed by the rest of the nobility in 1200, in returning to the king's authority. On the other hand, by concluding peace treaties with Sultan Al-Malik Al-Adil in July 1198 and September 1204, he not only secured peace for the Kingdom of Jerusalem, but also regained some of the lost territories. King Amalric concluded all this with the provisions of the *Livre au roi* by which he reserved the right to inherit the throne for his son Amalric, from his marriage to Queen Isabella I, and the right of regency over him for himself. However, his son died in early February 1205, and King Amalric died in April.

King Amalric of Lusignan, with his successes in domestic and foreign policy, undoubtedly contributed to the consolidation of the Latin Kingdom of Jerusalem. The crowning achievement of this policy was his great legislative undertaking, embodied in the enactment of the *Livre au roi*. The rewriting of the laws was intended to restore the state's authority and the confidence of the Franks, since the previous legislation had most likely been lost forever with Saladin's conquest of Jerusalem in 1187.

In the context of all the above events, one can conclude that the *Livre au roi* was enacted in 1200 or 1204, or that it was created in 1200 and its text was supplemented in 1204.

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