

A Companion to Britain in the Later Middle Ages

*S. H. Rigby,
Editor*

Blackwell Publishing

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A COMPANION TO BRITAIN IN THE LATER MIDDLE AGES

Edited by

S. H. Rigby



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Contents

List of Figures	x
List of Plates	xi
List of Maps	xii
List of Contributors	xiii
Introduction	xvi
PART I ECONOMY AND SOCIETY IN TOWN AND COUNTRY	1
1 England: Land and People <i>Bruce M. S. Campbell</i>	3
2 England: The Family and the Village Community <i>Phillipp R. Schofield</i>	26
3 England: Towns, Trade and Industry <i>Richard H. Britnell</i>	47
4 England: Popular Politics and Social Conflict <i>Jane Whittle and S. H. Rigby</i>	65
5 England: Women and Gender <i>Judith M. Bennett</i>	87
6 Scotland: Economy and Society <i>Nicholas J. Mayhew</i>	107
7 Wales: Economy and Society <i>A. D. Carr</i>	125
8 Ireland: Economy and Society <i>Brian Graham</i>	142

PART II POLITICS, GOVERNMENT AND LAW	163
9 The British Perspective <i>Seán Duffy</i>	165
10 England: Kingship and the Political Community, c.1100–1272 <i>Ralph V. Turner</i>	183
11 England: Kingship and the Political Community, 1272–1377 <i>Scott L. Waugh</i>	208
12 England: Kingship and the Political Community, 1377–c.1500 <i>Rosemary Horrox</i>	224
13 England: Law, Society and the State <i>Robert C. Palmer</i>	242
14 England: The Nobility and the Gentry <i>Christine Carpenter</i>	261
15 Scotland: Politics, Government and Law <i>Hector L. MacQueen</i>	283
16 Wales: Politics, Government and Law <i>J. Beverley Smith and Llinos Beverley Smith</i>	309
17 Ireland: Politics, Government and Law <i>James Lydon</i>	335
PART III THE CHURCH AND PIETY	357
18 England: Church and Clergy <i>David Lepine</i>	359
19 England: Piety, Heresy and Anti-clericalism <i>Matthew Groom</i>	381
20 Scotland: Religion and Piety <i>D. E. R. Watt</i>	396
21 Wales: Religion and Piety <i>Huw Pryce</i>	411
22 Ireland: Religion and Piety <i>Henry A. Jefferies</i>	430
PART IV EDUCATION AND CULTURE	449
23 England: Education and Society <i>Jo Ann H. Moran Cruz</i>	451
24 England: Art and Society <i>Veronica Sekules</i>	472

25	England: Literature and Society <i>S. H. Rigby</i>	497
26	Scotland: Culture and Society <i>Louise O. Fradenburg</i>	521
27	Wales: Culture and Society <i>Susan L. Aronstein</i>	541
28	Ireland: Culture and Society <i>Edel Bhreathmach and Raghmall Ó Floinn</i>	558
	Bibliography of Secondary Sources	596
	Index	649

Figures

12.1	The descendants of Henry III – simplified	227
12.2	The descendants of Edward III – simplified	228
12.3	The Beauforts: illegitimate descendants of John of Gaunt	229
13.1	Distribution of litigation: court of common pleas	250
15.1	Genealogical table: Malcolm III to James IV	297

Plates

24.1	Nave of Norwich cathedral looking east, showing decorated piers at the crossing, <i>c.</i> 1100	475
24.2	Christ in majesty, tympanum over the south porch entrance, Malmesbury abbey, Wilts., <i>c.</i> 1120	479
24.3	Matthew Paris, Map of Britain, <i>c.</i> 1255	481
24.4	Crucifixion, Lambeth Apocalypse, <i>c.</i> 1260–7	484
24.5	Exterior elevation of Beauchamp chapel, St Mary's, Warwick, 1441–52	488
24.6	Donor image, stained glass, Holy Trinity parish church, Long Melford, Suffolk, 1480s	490
28.1	The Cross of Cong	563
28.2	Cormac's Chapel, Cashel, Co. Tipperary	565
28.3	West doorway, St Canice's cathedral, Kilkenny, <i>c.</i> 1260	566
28.4	Trim castle, Co. Meath	567
28.5	The Shrine of the Stowe Missal	570
28.6	Tomb of an Irish king or nobleman, Corcomroe, Co. Clare	572
28.7	The Dunvegan Cup	574

Maps

6.1	Scotland: land quality	108
6.2	Scotland: burghs in existence by 1300	110
8.1	The Anglo-Norman colonization of Ireland	150
8.2	Towns and boroughs in late medieval Ireland, <i>c.</i> 1300	155
10.1	Counties of England	193
15.1	Scotland: earldoms and ‘provincial lordships’, 1124 to 1286	291
15.2	Scotland: earldoms and lordships about 1405	304
16.1	The major administrative and lordship divisions of Wales in the fourteenth century	324
17.1	Ireland: politics and government	337
20.1	The Scottish church <i>c.</i> 1300	399
21.1	Dioceses, religious houses and other churches in Wales, <i>c.</i> 1300	418
22.1	The dioceses of Ireland, <i>c.</i> 1300	434

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Introduction

S. H. RIGBY

The number of scholars currently studying Britain in the later middle ages is relatively small when compared with that for more recent historical periods. Even so, as a glance at the books and articles listed in bibliographical guides such as the Historical Association's *Annual Bulletin of Historical Literature* will reveal, it is now virtually impossible for any one individual to keep up with the flood of work that is currently being published on the economic, social, political, religious and cultural history of Britain in the later middle ages. The aim of this *Companion* is to help the general and student reader to begin making sense of this mass of literature, to introduce them to the major themes and developments in British history in the period from c.1100 to c.1500, and to familiarize them with some of the most influential approaches and perspectives with which historians have attempted to make sense of this period. The 'later middle ages' is defined here as the period from c.1100 to c.1500, in distinction to the 'early' medieval period covered by the previous volume in this series, rather than in terms of the more familiar distinctions between the early (c.400–1000), high (c.1000–1300) and late (c.1300–1500) medieval periods. Whilst the division of history into separate periods is inevitable, it is also artificial and misleading. There is, after all, no reason why the history of, say, population or the economy should have the same rhythm of development as that of religion or of the visual arts. Nevertheless, the period covered in this volume can be seen as a relatively coherent one, being given a unity by the arrival of an aggressively expansionist Norman-French political culture at its beginning and marked at its terminus by the Reformation and by a renewed growth of population after the century and a half's downturn which followed the arrival of plague in Britain in 1348.

Perhaps the biggest single decision which had to be taken in choosing the chapters and contributors for this volume was whether its themes should be discussed in relation to the British Isles as a whole or whether England, Ireland, Scotland and Wales should be treated in separate chapters. Certainly, one of the main changes in the historiography of the last generation has been the rise of a 'British history' perspective emphasizing the interaction of all four countries and the need for historians to adopt a comparative approach to their development. The benefits of this per-

spective are outlined below by Seán Duffy. Nevertheless, as Seán himself emphasizes, in the period covered by this volume Scotland was a separate nation whilst much of Ireland and (at least in the period before Edward I) of Wales were not under English control. There is arguably no more reason why these countries should be regarded as sharing a single history than should, say, England and France, important though the interactions of the two were and instructive though comparisons and contrasts between them might be. Thus, the decision to devote separate chapters to England, Ireland, Wales and Scotland in this volume certainly did not result from any anglo-centric viewpoint as opposed to a more inclusive 'British' perspective. On the contrary, it arose from a desire to do justice to the history of each of Britain's component parts. Indeed, in relation to their populations, the sources available and the numbers of scholars and students studying them, one could contend that Ireland, Scotland and Wales are over-represented in terms of the space devoted to them in this volume. However, I make no apology for this given the renewed attention which the histories of Ireland, Scotland and Wales have received in recent years.

All of the contributors to this *Companion* have had a free hand in writing their own chapters. As editor, I have asked only that they provide their readers with some guidance about earlier work on their subject so as to locate current concerns and debates within a broader historiographical context. History is, of course, a mansion with many rooms and so, inevitably, individual contributors have adopted very different approaches to their subject matter. Some have provided overviews of their field whilst others have supplied us with the results of their own original archival research. Some have opted for chronological narratives whilst others have adopted a more thematic approach. Together, their work reveals the rich diversity of ways in which historians from what are, in intellectual terms, a wide range of different 'generations' have made sense of Britain in the later middle ages and looks forward to new questions and research in the field. A unified bibliography incorporating secondary sources mentioned in the text is provided at the end of this volume. Within each chapter, references in notes are given in full unless they appear in the bibliography or further reading list at the end of the chapter, in which case they are given in shortened form.

In editing this volume, I have benefited from the assistance and advice of many friends and colleagues. The editorial staff at Blackwell, including Brigitte Lee, the copy editor, have been particularly helpful and encouraging, whilst the comments of the anonymous readers on the original proposal for this volume helped to clarify its themes and structure. I would like to thank all of the contributors for their patience in dealing with my comments and queries and, in particular, Donald Watt, who for some reason always seemed to end up as the chief victim of my editorial incompetence. The publisher is extremely grateful to the Atlas Trustees of the Scottish Medievalists Conference for permission to use maps composed by A. A. M. Duncan, A. Grant, I. A. Morrison, K. J. Stringer and D. E. R. Watt that were originally published in the indispensable *Atlas of Scottish History to 1707* (Scottish Medievalists Conference, 1996), edited by H. L. MacQueen and P. G. B. McNeill. Particular thanks are due to Jane Whittle, who stepped in to provide most of chapter 4 (on rural social conflict) when, rather late in the day, another contributor had to drop out. Apologies are owed to readers for inflicting them with my own views on urban social conflict in this chapter. Their inclusion was the result of the same emergency rather than of any desire on my part to appear in two chapters of this volume. Matthew Groom is also deserving of

special thanks for stepping in to provide chapter 19 when, at the very last moment, the original contributor had to withdraw from the volume. In writing my own chapter on literature and society I benefited immensely from the expert advice of Gail Ashton, Alcuin Blamires, Bruce Campbell, Richard Davies and Carole Weinberg. Above all, I would like to thank Rosalind Brown-Grant not only for her comments on that chapter but for her continuing support throughout this project.

PART I

**Economy and Society in Town
and Country**

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CHAPTER ONE

England: Land and People

BRUCE M. S. CAMPBELL

Culturally, socially, politically and, above all, economically, medieval England was rooted in the land. In 1086 probably three-quarters or more of all income came directly from the land and four centuries later, at the close of the middle ages, the equivalent proportion undoubtedly remained well over 60 per cent. Nevertheless, land was more than a simple factor of production; title to land conferred status, power, wealth and obligations. Feudal lords, whether lay or ecclesiastical, were land lords in a very real sense and they valued their estates for the standing and influence these bestowed and for the recreational amenity they provided as well as for the incomes that they generated. Yet for no one, bar the monarch, was proprietorship absolute. Under the system of land tenure introduced by William the Conqueror, all land was ultimately held from the king in return for homage, service and payment. Tenants who held in chief from the crown in turn subinfeudated land on similar terms to lesser lords, who might further subinfeudate their estates to others. The complex hierarchy of proprietorship thereby created was mapped onto the land via the manorial system. Manors comprised land, tenants and jurisdictional rights in an almost infinite variety of forms and combinations. Many of the tenantry, who actually occupied and worked the land and paid rent to do so, were servile as well as subordinate. Status and tenure were inextricably interlinked. Labour, like land, therefore, was not yet freely owned as a factor of production. For the medieval peasantry, whether free or unfree, the significance of land lay primarily in the livelihood to be derived from it and the security against want that it provided in an age without institutionalized welfare. Relatively few were wholly landless and within the countryside those who were generally ranked amongst the most vulnerable in society.

Agriculture was the very foundation of the national economy and throughout the medieval centuries, and long after, performed a trilogy of key functions. First, and most obviously, agriculture fed the population, both urban and rural, non-agricultural and agricultural. Second, it reproduced and sustained the animate sources of draught power – the horses and oxen – employed throughout the economy. Third, it supplied the manufacturing sector with organic raw materials: timber, wood and charcoal; textile fibres from both plants and animals; dye plants and other industrial

crops; furs, pelts, skins and hides; fat and tallow; wax; grain (for brewing) and straw for thatching and a host of other humble purposes. For agriculture to fulfil this trilogy of functions required most of the land, the bulk of the labour force, much of the capital and a great deal of the management talent available within the national economy. How efficiently these were exploited depended upon many factors, institutional as well as environmental, cultural as well as economic, and exogenous as well as endogenous.

No closed economy could develop beyond the limits imposed by the output and productivity of its agricultural sector. Yet for small countries like England agricultural development was itself contingent upon the wider market opportunities bestowed by the economy becoming more open. Of course, England had never been a completely closed economy and it became less so as the middle ages advanced and a greater international division of labour became established through the growth of trade and commerce. Until late in the fourteenth century England's principal comparative advantage lay in the export of unprocessed primary products – wool above all, plus hides, grain, firewood, tin, lead and coal. These were exchanged for other primary products (timber, wax, hides and fish), certain industrial raw materials, such luxuries as wine and furs, and manufactured goods. This pattern of trade, with its pronounced agricultural bias, reflects the relatively undeveloped state of the European economy at that time. The core of that economy remained located in the Mediterranean whence it was linked by overland trade routes east to Asia and north to Flanders and thence England. England, especially outside of the extreme south-east, thus occupied a relatively peripheral location within the wider European economy and consequently was less urbanized and supported a smaller manufacturing sector than more advantageously located economies such as Flanders and Italy.

By the close of the middle ages, in contrast, England was adding value to its agricultural exports by processing much of its wool into cloth, inanimate power was being harnessed more fully to industrial processes, and a growing share of the profits of trade were accruing to denizen merchants. Advances in geographical and scientific knowledge were also transforming the country's location, as the Atlantic was opened up as a commercial alternative to the Mediterranean and a direct maritime link was at last established with the East. From these developments much would subsequently stem. Expanding international trade and commerce coupled with fuller utilization of inanimate power sources and greater usage of imported and inorganic raw materials would release England from too exclusive and narrow a self-sufficiency. Ultimately this would lead to industrial revolution. Nevertheless, in the more geographically circumscribed and economically and technologically less sophisticated world of the middle ages, the growth of non-agricultural populations and activities remained contingent upon the sustained expansion and diversification of national agricultural output. Never again would the country be so wholly dependent for food, raw materials, fuel, draught power and exports upon its own agricultural sector. Verdicts upon the overall performance of the medieval economy therefore tend to hinge upon how adequately that sector stood up to the considerable demands placed upon it. Hitherto, those verdicts have been predominantly negative.

For M. M. Postan, and those who have subscribed to his 'population-resources' account of economic developments, long-term demographic and economic expansion were not indefinitely sustainable on an agrarian base without higher rates of

investment and more developed forms of technology than those attainable under feudal socio-property relations. According to this view the acute land-hunger, depressed living standards and heavy famine mortality of the early fourteenth century were the price paid for a century or more of headlong population growth. Moreover, the crisis was rendered all the more profound by a failure of agricultural productivity, both of land and labour. For the alternative Marxist school of thought, articulated most forcibly by Robert Brenner, the failure of agricultural productivity was more fundamental than the growth of population and was an inevitable consequence of the exploitative nature of feudal socio-property relations, which deterred both investment and innovation. For both Postan and Brenner nemesis was the price paid for expansion; they differ primarily in their diagnoses of the root cause.

More recently, however, there has been a fuller appreciation of the international dimensions of the early fourteenth-century crisis and with it a shift towards explanations that are less narrowly agrarian. Nor were feudal socio-property relations exclusively malign. Lords were rarely as rapacious and serfs as oppressed and exploited as has often been represented. Rather, it was the territorial and dynastic ambitions of militaristic kings and nobles that proved most damaging by fuelling the explosion of warfare that characterized the fourteenth century. War, by increasing risks and driving up costs, helped induce the trade-based economic recession that is now recognized as an important component of the period. Taxation and purveyance depleted capital resources and siphoned off potential investment capital. Commodity markets and capital markets were both disrupted. As market demand contracted so employment opportunities withered and population was forced back upon the land. Given this deteriorating economic situation it is easy to see why historians have relegated the climatic and biological catastrophes of famine, murrain and plague to essentially secondary roles. Yet this fails to do justice to the magnitude and uniqueness of this sequence of environmental events. By any standard these were major exogenous shocks which through their impact transformed the status quo and thereby altered the course of development. Indeed, a mounting body of archaeological evidence suggests that the climatic and biological disasters of the period were themselves interconnected in ways that have yet to be unravelled. The exogenous dimensions of the crisis are thus ripe for reassessment. This rethinking of the period is likely to continue as more evidence is assembled and developments in England are interpreted within a broader geographical framework and wider historical context.

Challenges and Dilemmas

All agrarian-based economies, such as that of pre-industrial England, had to contend with five long-enduring dilemmas, each of which was capable of thwarting progress and precipitating crisis. The first of these dilemmas was a 'tenurial dilemma' of how most effectively to occupy the land and on what terms. It was landlords who by controlling tenure regulated access to land. The terms upon which land was granted to those who worked it determined the number, size and layout of the units of production and, accordingly, the nature of the labour process (servile, hired, familial). Tenure likewise determined the 'rent' paid for the land and the form that this took, typically labour, kind or cash. Efficient forms of tenure were those which delivered the best returns to land and the labour and capital invested in it. Tenure, however,

was institutionally determined and characteristically slower to reform than economic circumstances were to change. Not unusually, it was tenurial inertia that frustrated fuller and more efficient use of the land.

Medieval tenures were rooted in local custom and manorial jurisdictions and could vary with dramatic effect from manor to manor, with far-reaching demographic and economic consequences. Some manors boasted substantial demesnes which might be managed on behalf of the lord or leased to tenants, others lacked them; on some manors the bulk of tenants held by customary tenures of one sort or another, on others free tenure prevailed; some tenants were burdened with rent and owed heavy labour services to their lords, many others owed fixed money rents that no longer reflected the full economic value of the land; on some manors lords insisted on the immutability of holdings and opposed any attempts to subdivide or engross, on others a lively peasant land market prevailed and holdings were constantly changing in number, size and composition. By 1300, on the evidence of the *inquisitiones post mortem*, more tenants held by free than by unfree tenure, more paid a sub-economic than a full rack rent, and there were many more small holdings than large. These traits were more pronounced on small manors than large, on lesser estates rather than greater, and on estates in lay hands rather than those in episcopal and Benedictine ownership. Such diverse tenurial arrangements were the source of much economic inefficiency but were neither quick nor easy to change. They were also the stuff of much agrarian discontent, which occasionally flared up in direct conflict between tenants and landlords. Tenurial reform was a major challenge, especially at times of acute population pressure. Legal impediments could retard progress and there were often political and humanitarian obstacles to be overcome. Change was generally most easily implemented when land was in relative abundance, as was the case throughout the fifteenth century.

Second, there was an 'ecological dilemma' of how to maintain and raise output without jeopardizing the productivity of the soil by overcropping and overgrazing. Medieval agriculture was organic and although there was much sound experience and lore on how best to work the land there was no scientific knowledge *per se*. Medieval agricultural treatises stressed best-practice financial and management arrangements and only at the very close of the middle ages was there a renewal of scientific interest in plants and animals, stimulated by the writings of Columella, Pier de' Crescenzi and Palladius. Then, as now, the key to sustaining output lay in maintaining the nutrient balance within the soil, especially the three essential nutrients of nitrogen, phosphorus and potassium. Scarcity in any one of these would inhibit plant growth. The nutrients removed in harvested crops consequently needed constant replenishment. The techniques available to medieval husbandmen in order to achieve this included crop rotation, sowing nitrifying courses of legumes (peas, beans and vetches), fallowing, alternating land between arable and grass (ley husbandry), dunging, manuring and marling. All required effort and organization, which were most likely to be applied wherever land was scarce and labour abundant.

Paradoxically, it was cheap land and dear labour that were most likely to lead to a 'slash and burn' approach to the soil. The same circumstances could also result in the kind of 'tragedy of the commons' that arose from poorly policed common property rights, whereby individuals pursued self-interest to the detriment of the common good. The hypothesis that arable soils tended to become exhausted has appealed to

a number of medieval historians, although there is as yet little unequivocal evidence to support the hypothesis. There are certainly several well-documented cases of falling yields, but whether this was because of depleted soil fertility, less favourable weather, increased plant disease (especially rust infestation), reduced labour and capital inputs or a change in husbandry methods has proved hard to establish. Moreover, non-economic factors – especially war and the heavy taxation and purveyancing that went with it – could destabilize agro-systems by draining them of the capital inputs – manpower, seed, draught animals – required for their maintenance. There are also several clear examples of very intensive and demanding systems of cropping that successfully delivered a sustained high level of yield. Rather, if the land suffered it is more likely to have been the pasture than the arable. There was a natural temptation to overstock – to the detriment of animals as well as pastures – and systems of sheep-corn husbandry widely used to maintain arable fertility effectively did so by systematically robbing pastures of their nutrients. Much grassland may thereby have degenerated into heath, which in lowland England is rarely a natural climax vegetation. Maintaining the ecological status quo therefore tended to be selective and required both vigilance and skill.

Productivity also lay at the root of the third dilemma, namely the ‘Ricardian dilemma’ of how to raise output without incurring diminishing returns to land and labour. The diminishing returns to land came from bringing inferior land into production as the population rose. The diminishing returns to labour arose once the incremental application of labour to land began to drive down first the marginal then the average productivity of labour. Such diminishing returns, once initiated, proved difficult to reverse. Excess population became entrapped on the land, depressing rural incomes and thereby investment, and frustrating further growth of the non-agricultural sector to the detriment of the economy at large. This scenario could only be postponed or avoided by maximizing the productivity gains that accrued from the division of labour (itself a function of the size of the market), adopting more efficient forms of labour process which raised output per worker in agriculture (e.g. replacing servile labour with hired labour and family farms with capitalist farms), and by investing in labour-saving technologies. A necessary corollary was the occupational and geographical migration of labour out of agriculture and off the land, to which there could be considerable resistance by those most directly affected. Maintaining or changing the economic status quo incurred high social costs; the only difference was the nature of the costs.

Closely related to this Ricardian dilemma was a fourth dilemma – the ‘Malthusian dilemma’ – of how to prevent the growth of population from outpacing the growth of agricultural output. Pre-industrial populations were capable of growing at up to 1.5 per cent per annum, but agricultural output and national income rarely sustained growth rates in excess of 0.5 per cent. Large-scale emigration was one solution to this dilemma, but it was contingent upon the availability of suitable destinations and the means of reaching them. The middle ages were not without such opportunities and in the twelfth and thirteenth centuries south Wales, the lordship of Ireland, the royal burghs of Scotland, and north Wales successively attracted significant numbers of English settlers. This exodus from England is likely to have been disproportionately male and, to judge from its impact upon the Celtic lands of the west, probably numbered some tens of thousands of migrants. As with later episodes of mass

emigration, female marriage rates may have fallen in England for want of sufficient male partners. Any reduction in marriage and the formation of new households will have helped curb fertility and thereby slow or even halt the continued growth of population. In the early modern period fertility rates would vary quite significantly with economic opportunities in a process of homoeostatic adjustment but, for want of hard evidence, whether such preventive measures formed part of the medieval demographic regime can only be conjectured.

Mortality rates, in contrast, plainly varied a good deal and were certainly capable of acting as a positive check on population growth. Background mortality, for instance, was likely to rise whenever a general deterioration in living standards resulted in reduced standards of nutrition and hygiene. It could also rise and fall independently of living standards according to the incidence and morbidity of disease. Thus the thirteenth century seems to have been a relatively healthy period for all its falling living standards, whereas the fifteenth century was comparatively unhealthy notwithstanding greatly improved living standards. Migration could also redistribute population from low- to high-mortality locations, such as malaria-infected marshland and congested and insanitary towns, both of which recruited significant numbers of in-migrants during the twelfth and thirteenth centuries. Most dramatic of all, harvest failure could trigger a major subsistence crisis, resulting in a surge of deaths from starvation and famine fevers. The Great European Famine of 1315–22 rates as the most severe such crisis in recorded English history and although some communities subsequently made good their demographic losses it is unlikely that the medieval population as a whole ever recovered to its pre-famine maximum. For Postan, the Great Famine rather than the Black Death was the key watershed demographic event.

Any failure of subsistence highlighted the fifth dilemma – an ‘entitlements dilemma’ – of who shared in the fruits of production and on what terms. There were, of course, several different ways of securing the means of subsistence, notably through direct production, gift exchange and market purchase. Individuals were, however, far from equally endowed in their access to these means and any deficiency was bound to be highlighted at times of acute scarcity. Typically, the bulk of famine victims comprise those with the weakest economic entitlement to obtain food and those who, by dint of the crisis, have forfeited whatever entitlement they once had. Such victimization could only be prevented or mitigated by the adoption of welfare measures designed either to protect the entitlement of the most vulnerable or compensate for that loss of entitlement for as long as the crisis lasted. Historically, that has meant evolving appropriate institutions and strategies and distinguishing between those deserving and undeserving of assistance. In the middle ages there was as yet no concept that these were the responsibilities of government. Rather, trust was placed in family support, Christian charity and guild organizations, inadequate though these invariably proved when times were hard. Not until the close of the period, at a time when the entitlements dilemma was at its least acute, were the foundations laid for the emergence of a more community-based system of welfare support administered through the parish.

The acuteness of these dilemmas and the measures adopted to cope with them varied across space and over time. Over the course of the middle ages the waxing and then waning of population, development of commodity and factor markets (in

land, labour and capital), expansion and contraction of towns and cities, growth of proto-industrialization and progressive redefinition of socio-property rights and associated transformation of labour processes all made a material difference to the severity of the challenge to be met and the precise nature of the response. Liberation from these dilemmas was beyond the capacity of pre-industrial societies; only the transformation of the entire socio-economic system through an 'industrial revolution' could achieve that. Rather, it was a case of developing strategies for coping and preventing the 'worst-case' scenarios from happening. The measure of success is not, therefore, whether these dilemmas were resolved but how effectively they were contained given the levels of knowledge and technology prevailing at the time. Because all five of these dilemmas were closely interconnected, that required progress across a broad front. The 'solutions' did not lie within agriculture alone. Moreover, the scale of the challenge could be greatly magnified by environmental instability, both physical and biological.

The exogenous risks of harvest failure and disease – both of animals and humans – were not constant over time and need to be separated from the endogenous risks inherent to the socio-economic system as a whole. Environmental shocks were autonomous, although the socio-economic context within which they occurred shaped both their impact and the response. Thus, dendrochronology identifies two major episodes of severe climatic abnormality as having taken place during the middle ages. The first – from 1163 to 1189 – occurred at the threshold of a century or more of demographic and economic expansion, whereas the second – from 1315 to 1353 – marks the onset of a century and a half of contraction and stagnation. Plainly, the context within which these shocks occurred was all-important in determining whether subsequent demographic and economic developments were positive or negative. That they should have happened is not necessarily an indictment of the socio-economic system they affected, for few such systems could have withstood them. Whatever their effects, the environmental disasters that wrought such havoc in the fourteenth century cannot in themselves be explained by the theories of Malthus, Marx or Ricardo. To all intents and purposes they were accidents. Disentangling non-economic causes from economic effects is in fact a dilemma for historians of this period, all the more so because environmental factors clearly exercised a profound influence.

Sources of Agricultural Change and Patterns of Response

Any change in the size and structure of a population directly affected both the demand for agricultural produce and the supply of agricultural labour. Between 1086, when England was a relatively underpopulated country with probably just over 2 million inhabitants, and 1300 the population at least doubled to probably some 4.5 to 5 million inhabitants. By 1377, however, the combination of famine (in 1315–22, 1330–1 and 1346–7), war (with Scotland, France and the Gaelic Irish) and plague (in 1348–9, 1361–2, 1369 and 1375) had reduced the population by 40–60 per cent to 2.5 to 2.75 million inhabitants. Thereafter, numbers seem to have drifted downwards to a mid-fifteenth-century minimum of less than 2 million and there was no sustained revival of demographic vigour until the second quarter of the sixteenth century when the population may still have been little greater than in 1086. What

drove this prolonged expansion and then dramatic contraction of the English population over the period 1086–1540 is as yet imperfectly understood, but it is plain that it had profound repercussions for the agricultural sector. Nor were these always as simple and direct as has sometimes been supposed.

Agricultural producers responded to the rise and fall of population much as they would do to subsequent demographic cycles. First, and most conspicuously, land was either brought into or withdrawn from agricultural use. The process, which has been extensively documented, was geographically highly selective and tended to be most conspicuous at the environmental, locational and political margins. In the most extreme cases it was accompanied by wholesale settlement colonization or abandonment. Although landlords acted both as colonizers and depopulators, it was individual peasant farmers who were most active in bringing land into or taking it out of cultivation. The new religious orders of the age, especially the Cistercians, also made an active contribution to the reclamation process through a combination of superior organization and the labour of lay brothers. Examples of agricultural expansion include widespread fenland and marshland drainage; the piecemeal reclamation of upland areas; and the recolonization of Yorkshire and other wasted areas in the north. Examples of subsequent agricultural retreat include the abandonment of much reclaimed coastal marshland, especially in Kent and Sussex; the desertion of farms, hamlets and villages in many environmentally and economically marginal locations – the edge of Dartmoor, the sandy and infertile Breckland of East Anglia, the stiff, cold clay soils of the midlands – and the withdrawal of settlement from the contested lands of the Scottish border. Yet, contraction did not exactly mirror expansion. The net effect of first advance and then retreat, over the period 1086–1540, was to bring about a profound transformation in the local and regional distribution of population due to differential rates of natural increase and decrease and significant inter-regional migration. The country's population map was substantially redrawn and in the process the balance of land-use was profoundly altered.

More important than changes in the agricultural area were changes in the use to which land was put, for there was never much land which yielded no agricultural output whatsoever. Even the most unimproved wastes generally supported some livestock. Thus, during the era of population growth land-use in general became more intensive. Arable, the most intensive land-use of all, expanded at the expense of pasture and wood. By 1300 in excess of 10 million acres may have been under the plough. But even at the height of the medieval ploughing-up campaign there was at least as much grassland as there was arable, for much reclamation of marshland, low-lying valley bottoms and upland was for pasture rather than tillage. The area of meadow, so essential for the production of hay, was thereby greatly enlarged, particularly in Yorkshire, which after Lincolnshire became England's most meadow-rich county. Around England's upland margins many a pasture farm was also brought into being. The Pennine Dales, for example, became threaded with seigniorial and monastic vaccaries. Where lordship was weak there was often much squatting on and reclamation of former common pasture and 'waste', as in the Arden area of Warwickshire and many parts of the north of England. Although the advance of the plough may have left many individual holdings and localities deficient in pasture, land-use within the country as a whole remained more pastoral than arable. This found expression in the development of different agrarian economies and the inter-regional exchange

of animals and animal products. It was largely to service that trade between upland breeders and rearers and lowland consumers that the growing number of seasonal fairs was brought into being.

Everywhere, during the twelfth and thirteenth centuries, there was much felling of woodland, to the extent that some parts of the country became virtually treeless. What remained was carefully protected and intensively managed. Coppicing became the norm in many parts of lowland England as the most effective means of maintaining sustained yield woodland and, as fuel costs rose, so coal began to be more widely exploited as an alternative. By the close of the thirteenth century Newcastle was supplying coal to ports up and down the east coast. Yet although by this date the land of England was being more fully and intensively exploited than ever before, a variety of mostly institutional obstacles meant that much agriculturally underexploited land nevertheless remained. Considerable areas, for example, had been set aside by monarchs and magnates as royal forest and private hunting grounds and as such could not readily be brought into more productive use. There were also substantial amounts of common pasture and waste. True, these did yield a range of agricultural products, but rates of productivity were bound to remain low until more effective means of management and exploitation could be put in place. In most cases the latter were contingent upon enclosure, which first began to have a big impact in the late fifteenth century, thereby initiating the long and fitful process by which common pastures, commonfields and common rights were extinguished.

After 1349, during the prolonged post-plague era of population decline and stagnation, many of these land-use changes were reversed. Meadows and rich marshland grazings deteriorated as drainage systems and flood dykes were neglected. Improved pasture reverted to rough pasture, scrub and eventually woodland, and many a coppiced woodland was left to run wild. The dendrochronological record testifies to a widespread post-1350 regeneration of woodland. With a greatly reduced population to feed there was neither the need for so much arable nor the labour force to till it, hence the arable area shrank. It contracted most wherever cultivation was least rewarding, typically on the lightest and most infertile and the stiffest and heaviest soils as well as where landlords were most reactionary and oppressive. It was this process which underlay most lowland village desertion, with one in ten villages in the south midlands disappearing in this way as a single substantial (often seigniorial) pasture farm replaced a mixed-farming community. The decay of such communities generally took place gradually and the *coup de grâce* was usually only delivered at a relatively advanced stage, more typically in the fifteenth than the fourteenth century. As a process, it progressed furthest where land offered a better return as grass than as tillage and where the power of lordship promoted the voluntary or involuntary removal of population. Because these land-use changes were reinforced by changes in settlement they proved remarkably enduring in effect. In much of lowland England a more rational pattern of land-use was brought into being. In particular, heavy clayland, with its high cultivation costs and poor returns, was converted to grass. Such land-use changes further reinforced the redistribution of rural population.

These processes of land-use substitution were directly associated with corresponding changes in the agricultural product mix. Some historians have assumed that more arable meant less livestock, and vice versa, but it was not as simple as this and there was no simple lineal relationship between the two sectors. Arable production

could only be successfully expanded if it became more closely integrated with the pastoral production upon which it depended for draught power and manure. The key to output success lay in the closer integration of arable and pastoral production on the same land. Thus, as the arable area expanded there was a corresponding growth of arable-based mixed-farming systems characterized by fallow grazing and fodder cropping. Features of such systems were the substitution of horses for oxen, off-the-farm replacement of working animals, cattle-based dairying, the sty feeding of swine and the employment of sheep as walking dung machines as well as producers of England's most important raw material. Paradoxically, it was in the arable east of England that non-working animals were present in the greatest relative numbers and flocks and herds were demographically most specialized. In these ways the pastoral sector became more productive of energy and food. Corresponding changes in the crop mix trended in the same direction and allowed a greatly increased population to be accommodated on the land. Increasingly, grain grown for bread and pottage replaced that grown for malting and brewing, since the latter yielded a far lower food-extraction rate. Likewise, the cheapest and coarsest grains – rye rather than wheat and oats rather than barley plus peas and beans for pottage – gained relative to their more costly and refined alternatives. This helped guarantee the supply of food to those with the most limited purses, at some sacrifice of their dietary preferences.

In these ways the output of affordable foodstuffs grew by far more than the expansion of the agricultural area (an estimated 100–150 per cent gain in processed grain kilocalories compared with a 75–80 per cent increase in the arable area), thereby greatly qualifying the Malthusian prediction that the expansion of food supply could not match the expansion of population. Once the pressure of population was removed the product mix changed in the opposite direction, as the population became better able to indulge its preference to consume meat rather than dairy produce, bread rather than pottage (especially the more refined types of bread), and greater quantities of higher-quality ale. Since the production of meat and brewing grains was more land extensive than the production of milk and bread grains, the contraction in the agricultural area was similarly less pronounced than the contraction in population (an estimated 20 per cent reduction in the arable area compared with a 50 per cent loss in processed grain kilocalories). Articulating these developments were relative shifts in product prices and the costs of land, labour and capital.

The rise and fall of population altered the relative costs of land and labour and, to a lesser extent, capital. As a result those factors of production most in abundance were substituted for those that were in greatest scarcity. Population increase during the twelfth and thirteenth centuries promoted a process of intensification as increasing quantities of labour were lavished on the land. Hence the growing emphasis upon tillage, upon fodder-fed livestock, upon closely managed hay meadows and coppiced woodlands, and upon the closer integration of arable and pastoral husbandry. Conversely, after 1349, as labour became scarcer and costlier and land relatively more abundant, so producers adopted production strategies which made less use of labour and more use of land. In other words, agriculture became more extensive in character. Thus there was a retreat from the most intensive methods of production, especially those dependent upon such labour-intensive tasks as systematic manuring and marling, multiple ploughings, weeding and fodder cropping. Although the land

ceased to yield as much as before, labour became more productive and far better remunerated. Since livestock are more land- and less labour-intensive to produce than crops, pastoral husbandry gained relative to arable. Partly for the same reason, sheep – the most extensive of livestock – gained relative to cattle, leading ultimately to Thomas More’s famous lament that ‘sheep do eat up men’. In fact, by the close of the middle ages England had become a land relatively empty of people but full of animals and the average Englishman enjoyed a far more carnivorous diet than for centuries before or after.

The more that farms, localities, regions and the country at large exploited their respective comparative advantages, the more contingent the whole process became upon the development of trade and commerce. No medieval farm was fully self-sufficient either in the consumption requirements of the household or the diverse inputs required to maintain agricultural production. Seed, manure, fodder, hay, replacement animals, tools and implements, building materials, building skills, extra labour, additional land and capital for investment were all purchased in one way or another as required. Surpluses were exchanged or sold. Many lived at a subsistence level but they provided for their subsistence by participating in the market. Geoffrey Chaucer’s poor widow and her two daughters in the *Nun’s Priest’s Tale* are a clear if fictional example. Great landlords alone possessed a sufficiently large and broad portfolio of resources to insulate themselves from the market and practise total autarky, yet even they were impelled into market participation by their innate tendency to overproduce and desire for the good things that money could buy. Lords in a ten-county area around London c.1300 sold on average just under half of the net output of their demesnes. The remainder was disposed of either on the manor or on the estate. When lords opted to run their estates like integrated firms with large numbers of internal transfers they were taking conscious account of the higher transaction costs likely to be incurred by market exchange. Prices thus increasingly shaped the decisions of producers irrespective of whether they bought or sold. The medieval countryside was a commercialized place and it tended to become even more so with the passage of time.

Domesday Book testifies that the requisite infrastructure of towns, markets and fairs required for the conduct of trade was already in place throughout southern England by 1086. Thereafter, that infrastructure was extended into northern England and the conquered and colonized lands of Wales and the lordship of Ireland. Throughout England it also became progressively elaborated through the establishment of further chartered and unchartered trading places, the rising number of trading places providing a crude index of the growing volume of market transactions. Lords were especially active in ‘founding’ boroughs, markets and fairs by obtaining grants of the requisite charters from the crown. A thriving borough or market could bring them welcome revenues, enhance their prestige and facilitate the conversion of tenant surpluses into cash rents. Chartered boroughs, markets and fairs were entitled to impose tolls upon those who used them but they also provided traders and dealers with speedy justice. Informal markets were cheaper but riskier places in which to operate. Commerce was further facilitated by the improvement of the country’s transport infrastructure. Thanks to private enterprise, most river crossings had been bridged by 1300 and at those too wide to be bridged ferries operated. Bulky agricultural products travelled more cheaply by water than by road, hence at riverine and

coastal entrepôts there was substantial investment in wharfage and storage facilities. Drovers, carters, boatmen and shipmen were all available for hire and an array of mongers, dealers and hucksters grew up who serviced the trade in agricultural products. Commercialization advanced as knowledge and experience of market exchange grew and confidence in markets increased. The crown encouraged the process by maintaining an adequate supply of sound coin. Between 1086 and 1300 there was a threefold increase in the real supply of coinage per capita.

Where the growth of commodity markets led the development of factor markets in land, labour and capital followed. From a relatively early date labour was widely bought and sold throughout the medieval economy, so much so that by 1300, on R. H. Britnell's estimation, wage labour may have accounted for about a fifth to a quarter of the total labour expended in producing goods and services within the economy at large (family labour providing the lion's share of the remainder). Markets in land and capital faced more significant institutional obstacles and therefore developed somewhat later and more unevenly. Such markets were a prerequisite for the growth of economic efficiency by facilitating the reallocation of resources. Nevertheless, markets *per se* did not necessarily deliver progress and prosperity; rather, they expedited change whether for better or worse. They created new opportunities but also introduced new risks and penalties. Wage earning may have enabled more people to be supported but those thus dependent could find their livelihoods jeopardized when employment contracted, wage rates fell and food prices rose. Significantly, real wage rates sank to their medieval nadir during the agrarian crisis of 1315–22. Nor do such rates tell the full story, for with reduced harvests and less purchasing power employment shrank.

Historically, one of the most positive stimuli to agricultural development has been the growth of concentrated urban demand, provided that, as in England, towns exercised neither monopolistic nor coercive control over their supply hinterlands. Large towns created opportunities for greater specialization and intensification which, in turn, stimulated technological innovation and structural change. Other things being equal, the greater the scale of urban centres, the greater the potential for agricultural change and progress. The extent of urban hinterlands was linked exponentially to the size of the cities they served: the stronger the gravitational pull, the wider the territorial impact. Within those hinterlands the products produced and the intensity of their production were structured by cost-distance from the market.

London alone among medieval English cities attained a size sufficient to influence land-use and agriculture across a wide area. It could already boast a population of approximately 20,000 at the time of Domesday and two centuries later it had attained its medieval temporal peak of approximately 70,000 inhabitants. At that time Paris had, perhaps, 200,000 inhabitants and the great constellation of Flemish cities comprising Bruges, Ghent, Ypres and the many lesser towns around them a combined population of at least 250,000. The demand of all three of these urban concentrations for food, fuel, draught power and raw materials impacted to some extent upon agricultural producers in England. Indeed, in eastern Kent their respective hinterlands overlapped, driving up economic rent and stimulating the development of exceptionally intensive and productive systems of husbandry.

In normal years London drew its grain provisions from a hinterland of approximately 4,000 square miles, which extended furthest east and west along the artery

provided by the Thames. Faversham was the leading grain entrepot downstream of the city and Henley the principal entrepot upstream. Within London's broad supply hinterland the crops produced and intensity of their production varied with cost-distance from the metropolis. Thus, oats and rye – both cheap and required in great quantity – were produced closest to the city, malted barley at an intermediate distance, and wheat – the grain best able to bear the costs of transport – at the greatest distance. Specialist zones of hay production and firewood production can also be recognized. Livestock and their products tended to be brought from even greater distances via overland rather than riverine and estuarine supply routes. In 1317, for instance, at the height of the worst harvest failure on record, the king ordered his sheriffs to procure essential provisions for the royal household at Westminster. Hay, one of the bulkiest of commodities, was to be obtained from the counties closest to London – Middlesex, Essex, Hertfordshire, Surrey and Sussex. Grain, better able to withstand the costs of carriage, was to come from a much wider geographical area, comprising Kent, Surrey, Sussex, Hertfordshire, Essex, Suffolk, Norfolk, Cambridgeshire and Huntingdonshire (in the last two cases presumably shipped to London via King's Lynn). Finally, livestock were to be procured from a wide scatter of inland counties and thence, presumably, driven overland to Westminster. Most of this group of counties were at a considerable distance from the city – Cambridgeshire and Huntingdonshire on the fen edge (a major pastoral area), plus Hampshire, Wiltshire, Gloucestershire and Somerset (all counties relatively well provided with permanent pasture).

The year 1317 was abnormal: at this stage in the city's development probably only a fifth of the country was regularly engaged in making some contribution to the provisioning of the city. In addition, there were the provisions sent overseas to neighbouring continental towns and cities, and the wool exported in quantity to the great cloth manufacturing cities of Flanders and Italy. Few parts of the country were therefore wholly untouched in some way or other by concentrated urban demand. For most of England, however, that demand was relatively remote, with the result that low rather than high levels of economic rent tended to prevail. While that was the case extensive agricultural systems with their low levels of land productivity were bound to predominate, especially in inland districts remote from navigable rivers. Without stronger economic incentives, adoption of more intensive and productive husbandry systems was unjustified.

From the early fourteenth century, concentrated urban demand contracted everywhere. By 1500 London's population had fallen by 25 per cent to about 55,000. Its provisioning hinterland contracted accordingly and, within that hinterland, levels of economic rent fell. The structure of urban demand also changed, as urban per capita incomes rose. Fifteenth-century Londoners wanted more meat, white bread and ale brewed from malted barley than their thirteenth-century predecessors. For agricultural producers that meant a process of adjustment that was often difficult. The former major grain entrepot of Henley declined. Old specialisms, such as rye in the lower Thames valley, fell into abeyance and new specialisms and sources of supply arose, notably the production of malting barley in the vale country north of the Chilterns. London butchers obtained their fat animals from graziers in the midlands where pastoral husbandry was in the ascendant. There can be little doubt that had London been larger the necessary provisions would have been forthcoming and the incentives to specialize and intensify would have been felt across an even greater area.

This is demonstrated by the ease with which the city re-expanded in the sixteenth century, quadrupling in size within the space of a hundred years and thereby becoming an even greater catalyst of agricultural change.

For areas economically penalized by remoteness from major centres of demand one solution was to turn to manufacturing. In particular, the cheap labour that was consequent upon cheap land and low living costs could be used to produce cloth for sale in distant markets. Textiles had the great merit that labour costs accounted for the bulk of the finished price while their high unit value meant that they were well able to bear the costs of transport. Until the fourteenth century few rural areas successfully diversified in this way and with a few notable exceptions the mass production of cloth was largely confined to the towns. Thereafter, however, 'proto-industrialization' took strong root in many parts of the countryside, where the greater cheapness of rural labour and the fact that it was not hidebound by guild restrictions offered real competitive advantages. The cloth industry was further encouraged by the export duty on wool, which gave English producers a further cost advantage over foreign competitors. From a modest start these industries eventually went from strength to strength, transforming the localities within which they grew.

Those areas which proved particularly fertile for the development of proto-industry offered cheap labour with the relevant indigenous skills, an absence of tight manorial and other institutional controls, and ready access to land so that there was no upper limit on the supply of small holders seeking by-employment. As these rural industries grew, so they in turn became important sources of demand for raw materials and foodstuffs and a further source of agricultural change. Earnings in industry attracted migrants and stimulated relatively high levels of fertility, with the result that in demographic terms these were among the most dynamic regions. Tax records show that between 1334 and 1524 the textile-producing regions of East Anglia, the south-east and, above all, the south-west all gained in wealth and population relative to most of the rest of the country. Areas which had formerly been among the least developed now became active and prosperous participants in the widening orbit of commercial exchange. They became the suppliers of many of the cheap, mass-produced trade goods upon which the continued growth of the metropolis and its commerce were in part founded.

This combined emergence of metropolitan demand and rural industry, and attendant accumulation of capital in the hands of native merchants, was a late medieval phenomenon. So, too, was the nascent emergence of the capitalist agriculture which in future centuries would keep feeding the metropolis, provisioning the expanding manufacturing areas and producing the industrial raw materials, whilst providing, in return, a market for urban goods and services and rural manufactures. This creation of capitalist agriculture was contingent upon a redefinition of property rights combined with structural change in the units of production.

Whereas the rise and fall of population and expansion and contraction of cities were cyclical, evolution of the law of property was lineal. The population may have been little larger in 1540 than 1086, but its relationship to the land and the terms upon which the latter was occupied had been transformed by developments in property law. So, too, had personal status. Freeholders and their proprietary rights were the

first to benefit from the development of the common law as enforced in the royal courts. From the late twelfth century this placed them increasingly beyond the bounds of seigniorial jurisdiction and greatly enhanced the desirability of freehold tenures. Much of the reclamation of the period was undertaken by freeholders and in the north and west lords used free tenure as a bait to attract colonists. Since freeholders in effect paid fixed rents, rising land values during the long thirteenth century encouraged subdivision, thereby further increasing the supply of freeholdings. By 1300 on lay manors free tenants probably outnumbered customary tenants by approximately two to one. As labour now was an abundant rather than scarce commodity lords increasingly realized that hired labour gave a better return than customary labour and it certainly incurred lower supervision costs. Customary services were therefore increasingly commuted for money rents. Servility, of course, endured and serfs continued to be denied access to the royal courts but prudent landlords, such as Ramsey Abbey, realized that there was more to be gained by cooperating with their customary tenants than by coercing and exploiting them. Almost imperceptibly the old customary tenures were being diluted and transformed.

Following the demographic collapse of the mid-fourteenth century the pace of tenurial change accelerated and became irresistible. Tenants were able to play one lord off against another and in an increasingly mobile world many preferred to forsake the manors of their birth rather than live any longer under the yoke of serfdom. The bid by the peasantry in 1381 to have serfdom abolished for good may have failed, but thereafter as an institution it proved unsustainable. With land in relative abundance and good wages to be earned outside agriculture, tenants would no longer take holdings on the old servile terms. Customary services, too, were performed increasingly grudgingly and inefficiently. Although labour was again scarce, attempting to enforce servile status now proved counterproductive to lords. They fared better with free tenants and hired labour. Personal servility was not abolished, it lapsed, and had effectively gone by the mid-sixteenth century. Tenure ceased to be related to personal status and those who held former customary land, often by some form of copyhold tenure or as tenants at will, were no longer stigmatized as unfree and debarred from the royal courts. Meanwhile there was a significant increase in leasehold as lords progressively withdrew from direct management of their demesnes. The difficult second quarter of the fourteenth century seems to have precipitated the first flurry of leasing and the Black Death then initiated a further spate. Nevertheless, for the next thirty years, buoyed up by a post-catastrophe inflationary price rise and backed up by the enforced wage restraint of the Statute of Labourers, direct management enjoyed something of an Indian summer. It was only from the last quarter of the century, as prices fell, labour costs soared and customary services decayed, that lords started leasing out their demesnes *en masse*, either entire or piecemeal. By the mid-fifteenth century it was only home farms directly engaged in provisioning the seigniorial household and demesnes for which no suitable tenant could be found that were still in hand.

Through this process approximately 25 to 30 per cent of all arable land was transferred to the tenant sector and landlords became the rentiers that they were henceforth to remain. Much tenant land that had reverted to lords was also converted to leasehold. Then, over the course of the late fifteenth and early sixteenth centuries, legal developments effectively extended proprietary rights to leaseholders and copyholders and eventually enabled them to defend their titles in the common law courts.

These courts enforced manorial custom against lords and eventually, towards the end of the sixteenth century, capped the entry fines that lords could demand of heritable copyholds. Lordship remained a power in the land but its most arbitrary powers were effectively curbed. From the mid-fifteenth century tenants of all sorts enjoyed greater security both of tenure and of wealth and most, *pro rata*, paid less rent. They were therefore able to retain a larger share of the profits of their own labours and had a stronger incentive to reinvest in their holdings, except when discouraged by slack demand and low prices. In those parts of eastern and southeastern England where a peasant land market had long been established there were now fewer obstacles than ever before to the *inter vivos* conveyance of land. In fact, most manorial courts here became *de facto* little more than a register of copyhold land transfers. In parts of central, southern and western England, in contrast, where an active market in customary land had never developed, lords retained their ancient right to grant out land and tenants were prevented from benefiting from the sale of land held by copyhold.

Tenants like lords also sought ways of circumventing customary rules of inheritance through the transfer of land during their own lives, if need be on their deathbeds, to their chosen heirs. Customary rules of inheritance only applied by default in cases where tenants had made no alternative arrangements. Then, from 1540, testamentary bequests of land gained legal standing and freehold tenants and holders of heritable copyholds who made wills gained full control over the descent of land and property (leasehold interests had always been bequeathable). Depending upon their circumstances, some chose to divide their property, but more preferred to pass it on intact, having provided for younger children in other ways. For those tenants with the means and the will, the way was opened to the energetic engrossing of farms. Nor was this something that landlords any longer opposed. During the fifteenth century when landholding was a mixed blessing, wage rates were high and alternative employment relatively easy to find, numbers of tenants opted out of landownership altogether. Others seized the opportunity to accumulate land. Herein lay the origin of a new class division within the countryside.

Institutional and economic factors were all important in determining how far this dichotomy between landlessness and engrossing progressed, but it was sufficiently well established by the early sixteenth century for renewed population growth to reinforce rather than reverse the process in most lowland mixed-farming districts. The scene was set for the emergence of capitalized yeoman farms and a wage-labouring, cottage-occupying proletariat. Once holdings grew above 24 hectares in size they became increasingly dependent upon the employment of additional hired labour, now liberated from servitude and an increasingly mobile factor of production. On farms of 30 hectares or more hired labour generally exceeded family labour. This represents a transformation of rural class relations from those that had prevailed at the climax of medieval demographic and economic expansion at the opening of the fourteenth century, and with it a transformation of the fields and farms which comprised the units of production. Except in areas of proto-industry and in areas of former forest and common waste where squatting was rife, the plethora of tiny peasant holdings was a thing of the past. Long gone, too, was the substantial demesne with dependent customary tenants supplying labour services. As successful tenants accumulated land and consolidated strips and parcels, so piecemeal enclosure began to convert

land held in common to land held in severalty. These processes were not universal and they certainly did not proceed at a uniform pace. So much depended upon intensely local circumstances that adjacent manors often developed in entirely different ways. The roots of these differences and of the profound changes that were eventually effected nevertheless both lay in the middle ages.

Continuity, Change and Crisis

In 1520, as in 1086, agriculture still occupied a majority position in the national economy. Three-quarters of the population of approximately 2 million continued to derive its living from the land and three-quarters of the remainder lived on or close to the land while making its living from essentially non-agricultural activities. Only 6 per cent of the population lived in towns with 5,000 or more inhabitants, almost half of them in London. The economy as a whole remained pre-industrial and underdeveloped. Nevertheless, progress there had certainly been. The population had undergone significant geographical redistribution. London, although smaller than in 1300, was of enhanced political and economic importance and on the threshold of renewed vigorous growth. English merchants were handling a greater share of overseas trade and thereby accumulating mercantile capital. The growth of proto-industry was generating employment, transforming local and regional economies and adding value to English exports. Commercial exchange had become more sophisticated and the commercial infrastructure more mature, with fewer more developed central places. Facilitated by changes in property rights, factor markets in land, labour and capital had grown up alongside the older established commodity markets, thereby offering the possibility of a more efficient allocation of economic resources. With the recent discovery of the Americas and opening up of the Atlantic and the maritime routes to the East, England's relative location was also significantly improved. Ocean-going ships were larger, more manoeuvrable, could carry more, sail further and be navigated with greater precision. England was poised to gain from a significant growth in maritime trade and commerce.

Against these achievements the advances which had been made in the techniques and tools of agriculture seem modest. Introduction of the rabbit in the twelfth century had helped turn poor soils to profit, until by the fifteenth century it had so acclimatized itself as to become a pest. Windmills, a technological breakthrough of the late twelfth century, harnessed more inanimate power to the processing of food-stuffs, especially in areas deficient in water power, and by the first half of the fourteenth century accounted for approximately a quarter of all milling capacity. Likewise, from the twelfth century progressive substitution of horses for oxen enhanced the application of animate power to haulage and traction. By 1300 road carriage was dominated by horses and they were almost universally, if very selectively, used in farm-work, especially on peasant holdings. In particular, horses were a key component of the new integrated and intensive mixed-farming systems that were evolving in the most progressive and populous areas. Meanwhile, the first post-classical treatises on agriculture offered advice to landlords on estate management at the very time that the advent of written accounting was providing a more effective way of monitoring costs and estimating profits. Thanks to significantly improved methods of construction introduced and developed during the thirteenth century, the fixed capital stock

of agriculture in the form of barns and other farm buildings was also greatly enhanced. In a related development in the fifteenth century, importation of stud animals initiated a slow improvement of livestock breeds. The principal field crops nevertheless remained much as before: systematic seed selection and the introduction of root crops, ley grasses and a whole range of new horticultural crops all lay in the future.

In the sixteenth century both the crops grown and animals stocked and the techniques of their cultivation and management were much the same as those that had prevailed in the thirteenth century. Nor did Elizabethan yeomen achieve significantly better results than their medieval forebears. Within Norfolk, a county in the vanguard of change, early seventeenth-century crop yields were much the same as those of the early fourteenth century. The medieval best standard of excellence was not decisively bettered until the early eighteenth century. Nationally, by 1640 a slightly larger population may have been fed from a slightly smaller arable area than in 1300, but the differences were not great. There had been no fundamental transformation in the agricultural resources of the country. Worse, as the renewal of population growth in the sixteenth century revealed, the old dilemmas had not been overcome.

Raising agricultural output without jeopardizing the fragile productivity of the soil would continue to present problems until the advent of clover and root crops in the late seventeenth century helped guarantee the effective recycling of nutrients. Even then, it took time to adapt the new crops and associated systems of cultivation to the specific site requirements of individual farms. Earlier the much vaunted convertible husbandry may have delivered an initial productivity boost, but these gains proved difficult to sustain once the initial store of nitrogen had become depleted. In the sixteenth century, as before, producing more from the land required effort, vigilance and lavish inputs of labour and/or capital. When early modern farmers managed to raise yields they did so with essentially medieval methods. The results came slowly and they were hard won. There was a very real risk, therefore, that the Ricardian dilemma would resurface and diminishing returns would once more be incurred. Brian Outhwaite believes that re-expansion of the tillage area resulted in precisely this. From the late sixteenth century, falling real wage rates and mounting rural underemployment imply that there was similar downward pressure upon labour productivity. Once again living standards fell as they had done during the second half of the thirteenth century. In fact, by the early seventeenth century the purchasing power of a building craftsman in southern England was worse than it had been in the darkest days of the early fourteenth century. Once more, inefficient systems of land tenure were trapping excess population on the land and as land values again rose ahead of rents so in some parts of the country there was an irresistible temptation to subdivide holdings into ever smaller and more fragmented units. For as long as these inefficiencies persisted in the allocation of land there would be disincentives to specialization and investment and the structural shortcomings of the economy would persist. In direct contrast to the earlier situation, however, the historiographic verdict passed on sixteenth- and seventeenth-century agriculture has been more positive than negative. Indeed, for some this was a time of agricultural revolution. Such a view is hard to reconcile with the re-emergence of an entitlements problem.

The last subsistence crisis of the middle ages had occurred in 1438. Thereafter England was more or less free of famine for over a hundred years. But the spectre of famine had not been banished. From the late sixteenth century dearth and famine became recurrent, especially in proto-industrial areas in the north dependent upon grain purchases. Without a curtailment of fertility and large-scale emigration to Ireland and North America the problem would have been much worse. As in the half-century or so before the Black Death, the Malthusian dilemma remained as real as ever. On this occasion it was contained by a combination of preventive and positive checks, although the latter were again in large part autonomous. Mass poverty, too, had resurfaced, fed by the proletarianization of labour, growth of proto-industrialization and inflation of urban populations. Destitution had been relocated socially and geographically, it had not gone away. The establishment of a national poor law and emergence of a concept of moral economy merely represented new ways of dealing with the entitlements dilemma, which in certain respects had grown more, not less, intractable. In so far as there was progress it was in the creation of an infrastructure to cope with the problem.

The ending of the middle ages therefore brought no clean break with the past. The dilemmas which had dogged the agrarian economy persisted, and many of the same strategies were employed to deal with them. Nor were the outcomes in terms of living standards and entitlements very much different. Population growth drove down living standards in the late sixteenth and early seventeenth centuries as it had done in the late thirteenth and early fourteenth centuries and would do again in the late eighteenth and early nineteenth (spectacularly so in Ireland). Ostensibly, there is little here to justify the Whiggish and Marxist disposition to stress the 'backwardness' of all things medieval and 'progressiveness' of subsequent periods. Nor do recent reassessments of medieval technological change support such a view. For Joel Mokyr medieval technology 'eventually transformed daily existence. It produced more and better food, transportation, clothes, gadgets, and shelter. It was the stuff of Schumpeterian growth' (Mokyr, 1990, p. 56). Pessimistic accounts likewise represent the disasters of the early fourteenth century as an indictment of the period as a whole, as though the achievements of the twelfth and thirteenth centuries count for nought. Yet given the magnitude of the problems with which all pre-industrial agrarian economies had to contend, what is remarkable is that medieval agriculture coped so well for so long, rather than so badly. Dilemmas may not have been resolved but they were contained.

Great resourcefulness was shown in rising to the challenges of demographic, commercial and urban growth. By 1300 English agriculture was feeding a national population of at least 4.5 million and supplying it with fuel and raw materials. Without apparent strain it was provisioning a metropolis of approximately 70,000 inhabitants together with at least a dozen other urban centres with populations of 10,000 or more. Had there been stronger demand-side incentives more might have been achieved; that there were not was for structural reasons not exclusive to agriculture. At this climax of economic and demographic expansion as much as 10 per cent of agricultural production may have been exported, amounting to between 6.5 and 8 per cent of GDP. Via trade, English wool and other commodities were exchanged for a range of more land-extensive imports – Welsh and Scottish cattle, Baltic fur, wax and timber, and Gascon wine – which effectively served as

land substitutes. In due course such a strategy would come increasingly to the fore. Similarly, the basic strategies for raising agricultural output during the twelfth and thirteenth centuries – expanding the agricultural area, intensifying land-use and changing the product mix – would be re-employed in later centuries. Naturally, knowledge improved and technology advanced with the passage of time, but progress was evolutionary rather than revolutionary and the middle ages was a formative first stage in that long and difficult process.

That it was subsequently possible to achieve so much was because there were firm foundations to build upon. It was during the middle ages that a fully fledged commercialized economy was brought into being. By the period's close commercial values and commercial knowledge permeated the countryside. The contribution of the pre-plague period was to create an infrastructure of trade and exchange, the contribution of the post-plague period to rationalize and reconfigure it. Regional and inter-regional mercantile networks were strengthened at the expense of more localized patterns of exchange. The number of central places declined but the functions and influence of many of those that survived were enhanced. In the aftermath of the Black Death proto-industry took root and started to deliver significant economic gains by converting primary raw materials into manufactures: all of England's principal textile-producing districts can trace their origins back to the fifteenth century, as can the midland metal industries. Perhaps most critical of all, the legal redefinition of property rights opened the door to significant changes in the ownership and occupation of land and the separation of personal status from tenure.

Gone for good by the close of the middle ages were the old servile customary tenures and, with them, much of the jurisdictional authority of lords (to the further advantage of royal justice and the state). Thenceforth, landlord-tenant relations became more contractual and less customary and leasehold began to become the landlords' favoured tenure. From the fifteenth century landlords themselves became active as both engrossers and enclosers and employed these processes to create fewer, larger and more capitalized farms. More importantly, peasants themselves exploited the markets in copyhold and freehold land to build up their holdings. This 'peasant route' to agrarian capitalism – initiated during the later middle ages when it was easy to accumulate land – was propelled by changed attitudes to family, land and worldly possessions which ensured that the processes of engrossment and consolidation mostly continued unchecked despite the resumption of population growth and renewal of pressures to subdivide in the sixteenth century. In direct contrast to the thirteenth century, population growth was now translated into the creation of virtually landless cottage subtenures rather than the fragmentation of direct manorial tenures. Herein lay the origins of a new agrarian socio-economic order characterized by substantial copyhold and yeoman farmers who worked their capitalized holdings with a combination of family labour, live-in hired servants and casual waged labour. This type of labour process when applied to relatively substantial holdings seems to have been capable of delivering levels of labour productivity superior to those obtaining on either the large seigniorial demesnes or small peasant holdings of the middle ages. Indeed, comparing 1520 with 1086, it is the production units that changed most, in their size, their layout, the terms upon which they were held and the values and aspirations of those who held them. Once initiated, these contrasts would become increasingly marked.

Nevertheless, there was more to agricultural progress than tenurial reform alone. As the middle ages demonstrate, the entire economic, social, institutional and cultural context within which agriculture operated also needed to change. Because the process was so complex and contingent upon developments taking place simultaneously on so many fronts and at a variety of different scales, from the individual holding to the state and the wider commercial world beyond, it is small wonder that progress was so drawn out and uneven. There were many different constraints and obstacles to be overcome. What these were and how adequately they were resolved await further enquiry. Institutional factors – lordship, manors, field systems, the law – were clearly important. So, too, was how the market operated, what it did, and how it reallocated risks and entitlements. In a hazard-prone and market-dependent world the setbacks could be dramatic. Within the limits set by available knowledge and technology, much was nevertheless achieved during the demographic and economic upswing of the twelfth and thirteenth centuries. In the long run, reversals, both relative and absolute, were unavoidable. Indeed, the latter were themselves crucial to the initiation of those processes of rationalization and restructuring which ultimately allowed the establishment of that new and potentially more productive relationship between land and people from which so much subsequent agricultural development would stem. The middle ages thus constitute a formative first stage in the protracted and fitful process by which England eventually achieved agrarian and economic transformation.

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CHAPTER TWO

England: The Family and the Village Community

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Although keen to stress the familial and communal nature of modern peasant existence, anthropologists and sociologists have long been disinclined to characterize the peasantry as entirely subsistence-based and insular. Almost forty years ago, Thorner cogently insisted that the present or past environments which permitted a peasant sector to exist in isolation, either socially, politically or economically, were rare indeed. Half a century before Thorner, Chayanov, an individual often associated, though not entirely accurately, with a subsistence model of the peasantry, argued that it was a lack of opportunity, not a lack of will, that may have confined peasants to family and village. Even if peasants concentrated their attentions upon and built their life experiences in and around the world of the family and the village, this was not to say that significant moments and forces did not play upon them from beyond the boundaries of household and local community. Further, as these forces increased or decreased or changed their nature, so opportunity for the peasantry altered and, in so doing, affected the nature of the family and the local community.

Medieval historians have, partly, perhaps largely, as a consequence of this literature, tended to describe the peasantry of medieval England in similar terms. In recent years, most especially, some attempt has been made to free the peasantry from the bonds of family and of community and to admit them into a broader world where they have taken their place beside lawyers, the religious, politicians and merchants. This change of focus has, inevitably, affected historians' understanding and regard for the peasant family and the local community. This does not mean that historical interest in family and community has waned, rather that the significance of their roles has been redefined. Although no longer the limits of peasant experience and worldliness, family and community have retained an importance in discussions of the medieval peasantry because of their variety and their potential to mould opportunities and life experiences. The behaviour of the medieval family and of the community in the countryside, changes in their form or function, have served as barometers of the pressures playing upon rural society. It is, therefore, in a growing awareness of the variety of the form and role of the peasant family that the history of the medieval English peasant is being rewritten.

Historical explorations of this diversity have produced significant departures from any prevailing orthodoxy regarding the medieval peasant family and community. Where once the family of the wealthy villein peasantry of central, open-field or 'champion' England tended to stand for all peasant families in the middle ages, a partial consequence of an early seminal study by Homans, it is now acknowledged that the structure and function of the medieval peasant family were more diverse and that, in a sense, the peasant family which dominates the literature served as an ideal to which few peasants could possibly aspire. The demographic study of the peasant family, best exemplified in the work of historians such as Razi and Smith, has drawn attention both to the differentiation of family structure within particular communities and to the regional distinctiveness of family forms. The results of close research into peasant families within individual communities have been employed to support broader discussions of rural society and explanations of change in that society. Macfarlane, for instance, employing the particular research of medieval historians and contrasting it with a rather partial definition of 'peasantry', has felt sufficiently encouraged to question the extent to which medieval rural society was, in essence, a peasant society. Further, the researches of, *inter alia*, Smith, Razi and Poos have led them to stress certain features of the peasant family as indices of the demographic regime. Whilst Razi has stressed the persistence of extended familial forms and their associated features, such as early marriage and kin dependency, Smith and Poos have posited a rather different view of the peasantry, one based upon nuclearization and life-cycle service. Both theses have important implications for explanations of population movement in the high and late middle ages. Such work on the nature of the peasant family has also caused historians to reassess the bonds and dependencies which operated in rural society. Consideration of the extent to which the wider community was dependent upon biological, economic, political, religious and social relationships established in and around the peasant family has sat at the centre of historical discussions of the village community. Historians working within a Marxist tradition, such as Hilton and Dyer, as well as historians who have promoted a social stratification thesis, notably the so-called 'Toronto School' led by Raftis, whilst far from rejecting the role of the peasant family as a cohesive force within the village community, have also investigated the roles of political and economic relationships in moulding the relationships of the peasantry. Most recently, historical accounts of the commercialization of high and late medieval society by, amongst others, Britnell, Masschaele and Raftis have sought to locate the peasant, the peasant family and the village community within, rather than beyond, widespread networks of trade. The extent to which individuals, especially women, moved between communities, and the demographic, social and economic implications of such movement, have also been fiercely discussed in recent years, notably in the work of Poos, Goldberg and, from a contrary standpoint, Bailey. Alongside these economic networks, historians have also attempted to explore the extent to which communities were linked to rather than divorced from politics, government and administration. Relations between landlords and their tenants, a staple of Marxist historians, have attracted further attention as historians have developed an awareness of the multiplicity of agendas and loyalties which challenge any simple categorization of the peasant community as homogeneous. Most evidently, the role of members of the peasant family and the village community in arenas other than those of the family or the village, as, for instance, county court jurors or

taxation assessors, encourages scrutiny of the notion of an integral village community while, at the same time, admitting sections of the peasantry into other communities including, as the work of Maddicott and Carpenter has shown, the community of the realm.

Whilst the effect of this research might indeed appear to challenge notions of 'peasantry' in ways consistent with the attempt already made by Macfarlane, it seems more sensible to consider such explorations of the variety of peasant family and community experience as a growing corpus of evidence for the interaction of a predominantly agrarian society with exogenous and endogenous demographic, political, economic and social processes in the way envisaged by Thorner and others. This intricate and ongoing (re)definition of 'peasantry' and the role of the peasantry inevitably continues to generate its own debates and, since the centrality of the family and the local community, even within this 'new peasantry', are generally acknowledged, historical discussion of family and community remains of paramount importance.

Family and Community: Structures

We should begin by describing the variety of forms which family and community could take in the middle ages. Not only were there significant regional differences between types of family and communal organization but these types underwent important developments during the medieval period. The nature of familial and communal structures, their degrees of coherence and of independence, were all consequences of a range of influences which varied in their effectiveness. In the high and late middle ages, family structure was not determined solely by biology but by a combination of pressures and inducements, not all of which operated to the same general effect. Similarly, the nature and structure of village communities underwent major transformations in the four hundred years after Domesday Book. Population movements and shifting patterns of mobility, changes in landholding and agrarian practices, the altered role of the laity in the workings of the parish, all had consequences for communal organization and solidity.

It is now an axiom of the historical literature that the majority of peasant families or households in the high and late middle ages were neither large, which is to say more than four or five individuals, nor complex, that is, other than the two generations of parents and their children. In this the English peasantry conformed to the general experience of almost all populations since, for reasons of demography alone, the majority of households in any population are, at any one time, likely to be simple, two-generational units. This is not to say, therefore, that there were no large or complex peasant households in medieval England, but rather that their proportion relative to the majority of households was always small. The extent to which that proportion varied across time and between regions will need to be considered later.

There is only scant evidence for the structure of the peasant family and household and, unsurprisingly, it is not uniform across the periods. Eleventh- and twelfth-century sources have almost nothing to say on the size and structure of the peasant family or household, tending, instead, to identify household heads rather than the members of families. Similar problems prevail in the sources from later centuries but

some listings, such as the late thirteenth-century Spalding serf lists, do survive which seem to offer direct information on family form. Records of *post mortem* transfers of property provided in manorial court rolls and wills also offer glimpses of family members as heirs and beneficiaries, while archaeology presents oblique views of family form through the excavation of medieval houses. However, it is the poll-tax listings of the late fourteenth century that may offer the most important insights into family size and form in medieval England. The extensive national coverage of the poll-tax lists has encouraged historians to propose typicalities of family and household forms. Allied to its wide geographical coverage is the fact that, since the poll tax was not a tax on property but on individuals, it should illustrate family and household form amongst a range of economic groups or sub-groups. More than a half-century ago, J. C. Russell proposed that the listings for the first poll tax of 1377 indicated that peasant families were small. He estimated that the average family contained 3.5 persons. Although his estimates have not been universally accepted and questions raised regarding his methodologies, the listings do suggest a preponderance of small, conjugal units. Comparison of manorial records with poll-tax data also appears to confirm Russell's average. At Kibworth Harcourt (Leics.) the average size of households in the late fourteenth century was 3.72 persons, a calculation based upon the 1377 and 1379 poll-tax listings with extensive cross-referencing to local records. However, if the average was low, investigation of the range of household sizes suggests a significant array of sizes. At Kibworth Harcourt, the 1377 and 1379 poll-tax lists indicate that the largest households were composed of six or seven individuals, whilst the smallest contained just a single person.¹

Although nothing directly comparable to the poll-tax listings exists for earlier periods, a few, scattered pieces of information suggest that the average family sizes, at least for the thirteenth century, were not dramatically different from those to be found in late fourteenth-century Kibworth. Late thirteenth-century listings of serfs on manors belonging to the prior of Spalding indicate that family size may have been slightly larger than in the later fourteenth century. The average size of households on three Spalding manors in south Lincolnshire varied between 4.37 persons and 4.81 persons. Interpretation of the source has been shown to be problematic, however, and it is possible that the calculations based upon the lists overestimate family size on these manors. That said, the figures do accord with other calculations of late thirteenth-century family size. Smith, using manorial court rolls, has estimated that the average family size on the Bury St Edmunds manors of Redgrave and Rickinghall (Suffolk) was 4.7 and 4.9 respectively, while, for central England, Razi has produced the broadly comparable figure of 4.7 for peasant families at Halesowen.²

As always such averages hide a potentially wide range of family and household sizes and, in particular, obscure the presence of a minority of larger households. As Hallam's survey of the Spalding serf lists suggests, some households in medieval villages could have been quite substantial, with more than six persons and more than two generations co-residing. Although we should not risk treating the serf lists as 'censuses', the variance in number of individuals per family does suggest that a proportion of families on the priory's manors could have been large and complex, if not so large and complex as Hallam's initial investigations may have suggested. Most telling, however, is the high proportion of families and households that were small,

composed of two, three or four individuals. At Moulton (Lincs.), Hallam estimated that 58 per cent of households were smaller than his calculated mean household size, which was, itself, less than five.³ It is possible that complex households were relatively more common in areas of low population density, pastoral husbandry and where opportunities for alternative employment, which would have encouraged out-migration, were limited. In certain parts of the country, beyond the boundaries of champion England, the outlying farmsteads on moorland and rough pasture may also have conformed more closely to the complex, multi-generational household types traditionally associated with a European peasantry. The isolated farmsteads of Ashwater on Dartmoor (Devon) perhaps included two or more generations of the same family but would also have been bolstered by live-in servants, known as servants-in-husbandry. Archaeological evidence also encourages the view that such farmsteads may have contained complex household units.⁴ In fifteenth-century England, similar conditions of economic independence and *de facto* 'isolation' were also created by market forces that led to a polarized society of landed peasant entrepreneurs and landless or near-landless labourers. Peasant entrepreneurs or 'yeomen' in southern and eastern England constructed substantial houses for themselves and their families and employed live-in servants or servants-in-husbandry. The survival of late medieval 'wealden' houses, with their separated living and servant quarters, reminds us that the wealthiest members of the peasantry could afford the complexity of household structures which their poorer peers could not. But in all periods, these appear to have been exceptions and it is now generally acknowledged that complexity was not the norm.

What were the forces which promoted this polarization of family and household forms, encouraging a preponderance of small, nuclear units and a minority of larger, more complex households? G. C. Homans, writing in the mid-twentieth century, had suggested that the complex peasant household of the medieval countryside was the typical household form in the thirteenth-century countryside. He argued a case based upon an assumed relationship between the acquisition of land and the establishment of a household, what is sometimes termed a neolocal household formation system, where marriage and household formation are dependent upon acquisition of necessary resources. Where opportunities for such acquisition are constrained in some way, for example, by rules of inheritance which favour a single son over his siblings, then the opportunities for the non-inheriting siblings to establish households and families of their own are limited. In such cases, Homans contended, they may become dependents in the households of the inheriting son, thus forming complex, here, technically, 'stem-', families. For Homans, as for certain other writers in mid-century, family and household formation were dependent upon opportunity and, according to his view of the medieval countryside, opportunity was extremely limited and largely dependent upon demographic processes, in particular, upon the deaths that freed up land for heirs.⁵

Homans's model, as more recent research has shown, cannot be applied universally, or, indeed, hardly at all, to the peasantry of medieval England. Although it is generally assumed that some form of neolocality applied in medieval rural household formation systems, it also seems evident that no single household formation regime operated amongst the medieval peasantry. Instead, it seems most sensible to acknowledge two separated forms of neolocality, commonly distinguished as, on the one

hand, a 'peasant' or 'niche' system of household formation, in which individuals intending marriage and household formation had to await the availability of land, often through some demographic moment or crisis, and, on the other, a 'real wages' or 'proletarian' system, in which the individual labours to accumulate sufficient capital that will permit him or her to marry. Historians in attempting to apply these separate models to the evidence from rural medieval England have tended to give primacy to the 'peasant' or 'niche' model. This is unsurprising, given that surviving sources concentrate our attention upon issues largely applicable to that model: inheritance, dower, family property, tenant deaths, and so on. This has the added effect that our view of the peasantry is skewed towards the wealthier tenantry who also, of necessity, dominate our sources. Theirs was not, however, the only type of peasant family in medieval England and, indeed, in most parts of the country they are hardly evident at all. We will, however, begin with some observations regarding these wealthier peasants, their household formation systems and their familial ties before proceeding to consider the remainder of the peasantry, those whose lives conformed rather more closely to the 'proletarian' or 'real wages' model.

Complexity and relative 'largeness' of family size were features more typical of the wealthier peasantry. Landed resources provided opportunities for both heirs and the non-inheriting to gain access to land at reasonably early ages. Contrary to the early statements of Homans, failure to inherit did not, as the research of a number of historians has now shown, prevent marriage and household formation. Even if, as is also widely assumed, marriage and household formation were dependent on the prior acquisition of sufficient resources, inheritance was not the only channel through which these resources could be obtained. Opportunities for marriage to heiresses or to widows presented other points of access into landholding, while parents frequently provided non-inheriting offspring with land or financial support in the form of dowry for daughters, sufficient to establish them in married life. Marriage and the onset of child-rearing tended, therefore, to be early while the advantaged position of these wealthier peasants may have been some protection against diseases, especially of infants and mothers. Furthermore, the wealthier peasantry were more likely to employ servants-in-husbandry and to provide accommodation for dependents, in particular for retired parents. All of these factors could have boosted household size and increased complexity. Additionally, the resources of the family, which permitted the establishment of family members within the vicinity of the parental household, ensured that, over time, wide networks of kin would also be established. Familial support was, for the most part, a contingent consequence of the 'peasant' or 'niche' model; typically, the family made available resources which, in some way, could be employed to establish a separate household.

For others of the peasantry, the piecemeal acquisition of sufficient capital and/or land was achieved independently of familial support or the chance appearance of landholding opportunities. Where household formation was independent of inheritance or bequest by family members, efforts to accumulate sufficient capital were likely to be concentrated in some form of labour or service. This appears to have been especially true for the poorer sections of the peasantry. In this circumstance, which approximates to the 'real wages' or 'proletarian' model, the various forces in play tended to promote simple, two-generational households. First, mortality and fertility combined, to varied extents, to limit family size. In a neolocal household

formation system, any drains on landed or financial resources, essentially the exactions of family, church, state or lordship, might interfere with individual marriage plans and effectively delay them. Attempts by parents to provide for a number of offspring, and the additional burdens of rent, tithe and taxation, may all have helped generate smaller family sizes, simply by delaying marriage. Where resources were scarce, members of the family would have been obliged to abandon the family and household and seek their opportunity elsewhere. Further, and perhaps most importantly, the decision to marry and form a household was not, in this situation, one dependent upon the timing of inheritance or the transference of land or some other resource from the family. Life expectancy amongst the peasantry, although it cannot be accurately calculated in this period, was almost certainly low, probably less than thirty years at birth, and is likely to have been lowest amongst the poorer peasantry. Fertility amongst the poorer peasantry is also likely to have been lower than amongst the wealthiest peasantry as a consequence of later marriage.

There is, therefore, an important distinction to be drawn between those families and households which could maintain such close contacts between their members and those which could not. Broadly speaking, complexity, whether of actual family or household form or of wider networks of kin, was a function of wealth. The more resources which a family could muster, the greater was the potential to establish heirs and non-heirs within the main households or its environs. The relatively well-to-do peasantry, especially the tenants of the larger units of servile land, were best placed to achieve this.

The possibility that the majority of the peasantry could provide family members with sufficient resources to permit them to remain within the main household or to establish households of their own is, however, questionable. E. A. Kosminsky, in his analysis of the late thirteenth-century Hundred Rolls, found that for a block of counties in central England, the vast majority (*c.*75 per cent) of free and unfree tenants did not hold as much as a standard holding or virgate and that a significant proportion of these held less than five acres (perhaps 30 per cent of the unfree and a greater percentage of the free tenantry).⁶ Instead, it is likely that, throughout the period for reasons of land-hunger (notably, thirteenth and early fourteenth centuries) or polarization of landed resources (fifteenth century), a large proportion of the peasantry had to look elsewhere than to their own families to accumulate the resources necessary to establish families and households of their own. This is a point to which we will need to return when we consider the function of the family.

Finally, shifts in these variables over time effected changes in family and household form. The period between 1100 and 1500 witnessed dramatic movements in population, a general increase in levels of trade and commercial activity, and the growth of an urban sector. Additionally, there was an overall decline in the strength of lordship and its claims upon a servile tenant population. Alongside the decline of serfdom, there is evidence of increased self-determination in other facets of peasant life, particularly in terms of labour choices, mobility, religious expression and consumption. In reviewing these developments, historians have spoken of a period of transition from feudalism to capitalism and of the rise of the individual as entrepreneur and as free agent within a money economy. Most importantly, despite the abundance of land in the post-plague countryside, such developments prompted a process of polarization in landholding and an effective proletarianization of the

countryside which is likely to have increased the proportion of small, nuclear households ill-supported by more distant networks of kin. Not all of these developments occurred with the same force in every part of the country. In particular, the growth of a market economy appears to have had a more significant impact in southern and eastern England than it did in the highland zone of England where long-established forms of landholding and social structure persisted into the early modern period.

To move from discussion of the medieval family to consider the 'structure' of the village community is, in part, to turn our attention to the physical layout of the village. The function of the village community, which will be discussed below, was, to a large extent, a response to the geography of the village. But the cohesion of the village community, its energy and coherence, were also the products of other variables, not the least of which were the nature of land-use and of lordship. As with the family, it is, consequently, the variety of village forms, husbandry and lordships that impress, and not the ubiquity of a single form. But also, as with the family, one form in particular has tended to dominate our view.

The 'traditional' village of the medieval countryside has standard elements: the village plan is nucleated, with the village houses concentrated upon a central road, with a church and manor house at its core. Beyond the village, two or three great, 'open'-fields are given over to arable, with one field fallow in a two- or threefold course of rotation. Each of the open-fields is divided into strips and villagers hold their land as composite units of these strips. The lord of the manor, in this standard village type, manages part of the land directly, the demesne, whilst extracting rent, some of which would be in the form of labour, from his tenants. Again, in this traditional model, the manor, the unit of lordship, and the village, the geographical unit, are co-terminous. Finally, the village and the parish are synonymous, with the parish church situated at the village's centre. Villages such as these did exist in the medieval countryside.

In central, southern, midland and northeastern England, it is possible to find examples of settlements consistent with this model. The manor of Cuxham (Oxon.) provides a closely studied example of a nucleated village, surrounded by open-fields and held by a single lord.⁷ By the close of the middle ages, Cuxham was held by the Fellows of Merton College, Oxford. From the eleventh century until the late thirteenth, the manor had been in the possession of a succession of minor noble families. By the end of the thirteenth century, when sources permit close investigation, the unfree or servile tenantry were composed of thirteen 'cottagers' and thirteen villeins, the latter holding twelve acres or half of a standard holding, or virgate. There were also two holdings held by free tenants of the manor. The cottagers paid most of their rent in the form of money but also performed some minor labour services for the lord. By contrast, the villein tenants paid the bulk of their rent as labour, each villein providing about two days' work per week for the lord. At Cuxham, the houses of the villagers appear to have followed the course of the main road. P. D. A. Harvey's reconstructed map of the village suggests that the tenants of the larger villein holdings and the cottagers, with their smaller tenements, occupied distinct parts of the village. At the centre of the village were the rectory, demesne farm and church. The village was surrounded by three open-fields, subject to a three-course rotation of crops. Each of the open-fields was divided into furlongs and the furlongs subdivided into strips. While the lord's portion of the arable at Cuxham was held as single blocks

within the open-fields, tenant land was divided into strips, each of which measured no more than an acre. Unlike the demesne, the lands of the tenants were scattered throughout the three fields, their identity marked by boundary stones. While the tenants do not appear to have grown exactly the same crops as those grown on the lord's demesne, they do appear to have grown similar produce to each other, with a predominance of rye and vetch. Beyond the arable of the open-fields, to the north of the parish, was meadow, which was also let in strips to the villagers. Most tenants had a few head of livestock, perhaps just an ox or a horse, a cow and a pig.

Such arrangements of village, lordship and land were familiar features of the medieval countryside. The physical ordering of the village, the expectations of lordship and the organization of land-use all speak of some communally organized effort. It is in the very nature of open-field agriculture that individuals cooperate: without collective activity and agreement such a system cannot function. Similarly, lordship has also organized the village in ways that seek to maximize the benefits of this collective enterprise whilst, to a degree, providing some measure of protection and security for the labour force. It has, in fact, been suggested that villages such as Cuxham were the planned products of lordship in the decades either side of the Norman Conquest: an artificial community constructed for collective endeavour and seigniorial benefit. In the next section of this chapter, we will return to the nucleated village to consider more closely the nature of the village community in such settlements. Before we do, we need to consider the variety of rural settlements that did not conform to the model simplicity of the nucleated village.

Even within the boundaries of champion England, the nucleated vill co-terminous with the manor and the parish was not the only village form, nor was open-field agriculture the only type of land-use. Villages within champion England did not all display the neat focus of a Cuxham. In Oxfordshire, in the heart of champion England, the physical layout of a significant number of modern villages suggests that their medieval antecedents were not composed of a single core but were, instead, agglomerations of smaller hamlets and farmsteads. These 'polyfocal' villages, such as Hook Norton in the north of the county, were characterized by divided lordships and irregular field-systems with a combination of open-fields and some enclosed arable.⁸ Furthermore, not all lordships operated in ways similar to that found at Cuxham. There was, on many manors, no demesne to speak of and the tenantry were certainly not everywhere divided between free tenants, cottagers and villeins owing labour services. Neither was there, as appears to have been the case at Cuxham, a neat uniformity of landholding. Topography, early patterns of settlement and land-use, the nature of local lordship, the influence of local and regional markets: all of these helped determine the structures of communities and produced significant variations, even within regions where standard forms appear to have dominated.

When we move beyond the boundaries of champion England, however, the nucleated settlements and, especially, the open-fields tend to disappear from view to be replaced by hamlets, dispersed and isolated settlements, areas of ancient enclosure, pasture, woodland and moorland. In the south-west, for instance, in areas of moorland and pasture, hamlets and farmsteads were most typical. Similarly, in the far north-west, whilst the lower-lying settlements, many of which were established after the Conquest, conformed in certain respects to the villages of the lowland south, a

process of colonization of the higher moorland produced isolated farmsteads and dispersed settlements. In the east of the country also, a system of land-use which included anciently enclosed fields and wood-pasture also encouraged a degree of dispersed settlement. In Essex, for example, only the far north-west of the county was identifiably open-field countryside in the middle ages. The rest of the county tended to hedged fields and coppiced woodland. Whilst settlement in the Essex countryside could conform to the nucleated villages found in central England, a significant proportion of the inhabitants lived in much smaller settlements dotted amongst the woodlands and fields. Hamlets and smaller moated settlements are standard features of this countryside. At Cressing, in central Essex, the parish contained a number of distinct settlements, none of which were particularly large. It was densely settled countryside of moated sites and small hamlets formed around greens.⁹

Within most of these regions, there were significant differences and variations produced by the vagaries of topography and of geology. In particular, distinctive natural features promoted agrarian practices and rural industries which, in their turn, effected developments in the size, layout and nature of the communities in which they were situated. Areas of pastoral husbandry, such as the wool-producing uplands of the Cotswolds, the downlands of the south coast or the cattle-grazing regions in the west of England, prompted distinctive forms of land-use, communal and agrarian organization. The heavily wooded or forested areas of the countryside, such as the Forest of Dean, militated against the close nucleation of the villages of the central midlands. The terrain, as well as the demands of labour and of lordship, ordered the lives of medieval men and women in ways that were also distinctive. The pastoral economies of western England imposed a range of employments upon rural dwellers and regulated their lives differently from those who worked in areas that were predominantly arable. The management of herds and flocks, their husbandry and marketing made specific demands of the labour force. Similarly, the inhabitants of areas which were largely forested and wooded lived their lives according to the dictates of their by-employments: coppicing, charcoal-burning, hunting and so on.

Certain parts of the medieval countryside were also home to industry which led to further diversities of community scale and structure. Lead-mining in Derbyshire and the Pennines and tin-mining in Cornwall engineered distinctions within the local rural communities and their economies. Miners used the profits of their labour to buy into local land and, in so doing, effected changes in the balance of local communities. The same could be said of the cloth industry in the countryside. In the principal areas of the cloth industry in the late medieval countryside, in-migration swelled rural populations while the capital generated by the industry encouraged a stratification of wealth and a significant range of landholdings. In the late fourteenth and fifteenth centuries, for instance, villages such as Castle Coombe (Somerset) or Lavenham (Suffolk) were transformed into significant towns by the presence of the cloth industry and of those who had benefited from participation in it.

As well as topography and geology, geography also dictated difference. Distance from or proximity to particular features of the medieval political and economic landscape influenced the structure and organization of rural communities. Those rural settlements within the hinterland of larger towns or cities also found themselves drawn within the economies of those urban centres, both as providers of produce for their markets and as sources of investment for wealthy townsmen. The gravitational

pull of these towns and cities also drew country-dwellers away from their own communities. Villages and other rural settlements within urban hinterlands are likely, therefore, to have been less stable than were more isolated settlements. But it was not only towns that exerted such influences upon the countryside. Communities could be moulded and refashioned by a range of other factors peculiar to certain regions. In those parts of the country which were more vulnerable to political disturbance and warfare, the tenor of community life and the physical ordering of communities were affected accordingly. The countryside of the Scottish borders, an area which saw severe disruption from Scottish raids in the high and late middle ages, was characterized by its fortified settlements and an unstable population. The physicality of community in the more remote reaches of the northern borders must have been something wholly distinctive from that to be found in central and southern England.

As with the family, no single chronology will serve to account for developments in the village community. Local and regional variations in population levels, climate, soil quality, lordship, land-use, the urban sector, trade and politics ensured that, as in the case of developments in family and household form, changes in the form of rural settlement were also not uniform. Historians have tended to account for particular developments and shifts according to their own predilections as to the driving forces of historical change. Population movement and economic shifts feature large in most historical accounts of changes in patterns of settlement. Most obviously, the decline and, on occasion, wholesale abandonment of settlement in the post-plague period have been described in terms of demographic stagnation and migration from the countryside to the towns. But this is not a model that can be consistently applied: whilst certain reaches of the countryside declined in the fifteenth century, others prospered. Relocation of industry into the countryside, itself a response to shifts in international trade and politics, caused the population of villages in advantaged areas to swell. In earlier centuries, sudden dramatic shifts caused fundamental changes in social structure and settlement. The post-Conquest harrying of the north or the Scottish raids of the early fourteenth century affected patterns of settlement and threatened the existence of whole communities in ways that were utterly alien to the experience of communities elsewhere in the country.

Family and Community: Practice

Whilst the family was, to a greater or lesser extent, a reality for all country-dwellers, the extent to which it impinged upon their lives varied considerably by time and by place. The same was true of 'community'. Furthermore, whilst some basic elements and anticipated consequences of family life were undoubtedly common to all – provision of comfort, warmth, sustenance – there was also, undoubtedly, a series of expectations and roles which certain individuals assigned to their families as a matter of course and others did not or could not. The same is true, once more, of community.

To the individual family member, the family meant support, succour, education and opportunity. From birth, the child was, of course, dependent upon the family, although, in a relatively short time, the family would grow increasingly dependent upon the child. In its earliest years, a child's care was in the hands of parents, siblings or servants. As carers and educators, more distant relatives, as we have seen

in the earlier discussion of family forms, are unlikely to have been much in evidence. The bulk of a child's education was learned from his or her family and, for the majority, what he or she learned under the aegis of family members offered a fundamental basis for life's necessary 'skills'. Religion, a sense of law, rudimentary politics, all were likely to be encountered, at least initially, within the family. The family brought its own expectations to its members: individual members of the family were expected to labour for its benefit. For heirs, as we have already seen, the family could offer opportunity in terms of family property and land; in such cases, their futures were determined by birth. Where the family held resources sufficient to be distributed usefully amongst its members, provision could also be made for non-inheriting offspring. Pre-nuptial gifts of land and payments of dowry were means by which the family helped establish its individual members in adult life. Elderly and dependent members of families looked to their immediate relatives for support and care in their old age. Elderly parents frequently entered into agreements with their offspring that they would provide food and shelter in their final years while non-inheriting siblings were sometimes housed within the message of the family home. For more distant kin, family ties also provided opportunities and points of access into communities. In post-plague Halesowen, for example, cousins and distant relatives appear to have been afforded an easier entry into the community, where they were more quickly accepted into the responsible positions of local administration and into landholding than were complete strangers.

The resources of the family could be employed for the benefit of those other than its members. Families exchanged their facilities and their labour. Small loans of goods and services are well evidenced in local records. Furthermore, families within and beyond communities regarded their neighbours as opportunities for aggrandizement and social elevation. The institutions and defining events of family life, notably marriage but also birth and death, provided opportunities for families to ally and to swell their resources. Marital agreements and arrangements were entered into by wealthier peasants in this period while deaths of household heads offered niches for non-inheriting sons. Birth, or more precisely baptism, provided a further opportunity to cement ties between families, particularly through the institution of godparenthood. But, while neighbouring families could offer support and opportunity, they could also present a challenge. There is some indication in manorial records that feuds between peasant families persisted over a number of generations. On the Suffolk manor of Hinderclay in the late thirteenth century, two villagers, Robert the son of Adam and Nicholas Wodeward, fought out a bitter rivalry through the secular and ecclesiastical courts as well as extra-curially, through the agency of gangs of supporters. Nicholas's dispute with Robert, which involved debts owed by Robert and an adulterous relationship between Robert and Nicholas's wife, Alice, was inherited by Nicholas's son.¹⁰ Such disputes also, of course, served to reinforce a sense of familial identity.

The family was a basis of community. The family served the wider needs of the community as a unit of control and of policing. Heads of families were responsible for the behaviour of their members and stood surety for their good behaviour and compliance. The family also served as a guarantor in other ways, especially economic. As a collective repository of resources, knowledge of the family background of an individual underscored deals and agreements in village society and permitted

everyday arrangements to be conducted with a degree of confidence. Given the security which the concept of family could bring to the community, the rural community was eager to protect the family as an asset. The community set about its defence of the family in a number of ways. First, it attacked and shamed those who deviated from traditional values. Those who committed crimes that ran counter to the ethos of family – fornicators, adulterers, the incestuous – were censured by the community. Tenants of the earl Warenne at Stanley (Yorks.) complained, in the early fourteenth century, that ‘Richard del Ker has lived an incestuous life amongst them and has allowed the harlot . . . to return again’. Although Richard protested that ‘the harlot lived in the house with him to bring up his children, but he had no relations with her’, an inquest found otherwise and he was fined and held under further penalty for his good behaviour.¹¹ Second, the community helped secure the rights of individual family members. The vital elements of succession and familial continuity, rules of inheritance, rights to land, family trees and descents, all of these were stored in the collective memory of the community and were unearthed in the defence of family as and when the situation required. In 1357, for instance, Thomas de Hodyng could testify to the age of John de Liston at Braintree (Essex) because his own son had been born at the same time.¹² Finally, the community reinforced these bonds through its participation in the significant moments of the family. Baptisms, marriages and funerals were typically public events.

As with the community, so local lords saw the peasant family as a foundation of their world. The family was a unit of account and a unit of labour. Though often only individual household heads were identified in seigniorial records, the levies of lordship were frequently made of the peasant family in its entirety. Where, in particular, the lord claimed rent in the form of labour, members of the family in addition to the head of the family could be called upon to provide this. Again, as the community, the lord also saw the peasant family’s vital events as an opportunity to reinforce his or her relationship with the family and to take full advantage. Thus lords expected, as a matter of custom, to be invited to the wedding feasts of their tenants. Marriage and death could bring financial reward to the lord, as, especially, unfree tenants paid fines for licence to marry (*merchet*) and to enter into inheritances (*heriot*). Further, where the individual veered from the path of family, the lord penalized him or her: fines for fornication (*leyrwite*) and for bearing children out of wedlock (*childwyte*) reinforced the lord’s commitment to the peasant family and his proprietorial regard for it.

If the care and attention which the wider community and lordship displayed towards the peasant family was, in no small part, a product of self-interest, it also reflected a good deal of learned behaviour. The church also promoted the concept of ‘family’ and placed events closely linked to family, especially the sacrament of marriage, at the core of the Christian liturgy. As with lay lords, the church benefited financially from family life: payments for baptisms, marriages and burials, masses for the dead, and so on, were all made, as a matter of necessity, by relatives keen to provide as best they might for their loved ones. Although, as we shall discuss a little later, the church challenged the authority of the family in significant ways, its message of duty and acquiescence within the family also promoted pious reflection and imitation. Those few late medieval representations still to be found in parish churches, mostly the brasses and *memento mori* of the wealthier parishioners in cloth- or wool-

producing regions, show the individual surrounded by the members of his family. In the late fifteenth-century funeral brass of Thomas Spring II and his family at Lavenham, for instance, family and marriage are revealed as holy states at a time when a newly emergent 'yeomanry' aped the nobility in their dynastic ambitions.

Beyond family, community, lordship and the church lurked two more entities which also conceived of the family as the fundamental unit of society and cared, in varying degrees and for various reasons, for its preservation: the state and the outside world. Although tending to concentrate its attentions upon the individual, the state was also aware of the potential of the family as a basis for taxation. The family was employed less and less as a foundation of law and order and relatively little allowance was made for familial sensibilities in judgements and penalties. There was little or no room for the concepts of feud and blood-money in post-Conquest law, for instance. However, taxation of moveable goods from the twelfth century was based upon individual households and novel attempts at taxation, such as the poll taxes of the later fourteenth century, also appear to have distinguished between households. Finally, strangers saw family and household as a source of charity and of employment. Whilst medieval theologians preached that charity began at home, there was an expectation that the family would be a source of charity for the wayfarer and the destitute. Further, the family offered employment. Servants-in-husbandry found regular work within the households of wealthier villagers and, as we have seen, in certain parts of the country and under particular economic conditions, service of this kind was a singularly important aspect of employment opportunities.

The function of the family was further fulfilled by the community. But community could also offer an alternative to family. Members of communities provided mutual support and the usual benefits of neighbourliness. In more organized form, neighbourliness merged into charity. Feasts and ales, the parish-box and other forms of collection were all manifestations of collective charity. In a period before state-organized charitable provision, the family and the local community stood alongside the church as the significant donors of charity. The community also used its collective resources to entertain and to educate. Plays and other entertainments were funded by the community while it was also substantially responsible for the fabric of the parish church. In their religious convictions, also, members of communities reaffirmed their faith through their collective observance. In some rural parishes, membership of religious guilds, associated with local saints, corresponded to membership of the community while the regularity of church attendance and the public celebration of the liturgical round also confirmed bonds of membership.

The community was capable of organizing itself in ways that minimized risk and worked to the mutual advantage of its members. Especially in areas of open-field agriculture, where compromise and cooperation were vital, agricultural activity was regulated according to the agreed dictates of the community. By-laws, such as the early fifteenth-century document at Wimeswold (Leics.), which contained nineteen clauses for regulating the harvest and access to pasture, controlled access to and from the open-fields, the timing of sowing and of harvesting, the hours of labour, the employment of strangers, and a number of similar activities. Observance of these regulations permitted such an agricultural system to operate and sacrificed the ultimate benefit of the individual to the general security of the wider community. In similar ways, the individual was subsumed within the community in matters of law and order. Freedom

of action and privacy were partially traded for security and mutual protection. Members of the community were responsible for the behaviour of each other and it was incumbent upon them to report malefactions. Pre-Conquest institutions that persisted into the late middle ages, such as the tithing group and the 'hue and cry', were also dependent, in their operation, upon the villagers' sense of responsibility. Less formal 'institutions' of the village, such as idle gossip and defamation, also served to reinforce norms of behaviour and to constrain individual excess. Further, security and order were achieved through the willingness of villages to accept formal responsibilities and offices. Villagers held official roles within the community as, for example, jurors, constables, chief-pledges, affeerors and ale-tasters. As well as offices closely associated with the regulation of order, there were offices linked to manorial administration, such as the reeve and hayward, and to the organization of the parish. Office-holding was an inevitable condition for the more senior male members of medieval village communities and a further indication that membership brought with it responsibilities.

Membership of communities also brought with it a degree of familiarity and notoriety, or, as contemporaries described it in the particular context of pleas of defamation, 'public fame'. To be known within a community, however, was to be capable of being vouched for. The community's memory of past deeds and associations offered an important resource which could be tapped to the advantage of the individual villager seeking to make good a claim. In attempting to prove some or other right, an individual could call upon members of his or her community to support the claim or, rather, to testify to the worth of the claimant. Finally, the community was capable of collective action in opposition to some common threat or enemy. Villagers combined to oppose their lord on many occasions in the middle ages. They shared their resources to employ lawyers in order to contest the claims of lords but also joined together in concerted resistance, such as rent strikes and a policy of silence and non-cooperation. In the early fourteenth century, in a deliberate show of defiance, the tenants of the bishop of Exeter at Paignton (Devon) refused to gather grain in sheaves since, as they argued, their custom was to gather the sheaves unbound.¹³ The community was capable of similar concerted behaviour against or in support of the state, as events at the outset of the Peasants' Revolt of 1381 or the skirmishes at Peatling Magna in the Barons' War a century earlier testify. Ultimately, of course, villagers risked all in such actions.

If lordship could be a focus for community, so could community occupy the close attention of lordship. Lords made demands of the 'whole community of the vill' and recognized that the community retained a wealth of information relating to its past. Just as the community employed its collective memory for its own benefit, so the lord also made use of this memory to ease the transfer of lands between his tenants, for instance, or to settle long-standing disputes. Further to this, the good order valued by members of the community was also valued by the lord who sought the calm functioning of the community. Consequently, the lord also expected the community to provide, from its number, administrators and senior villagers capable of facilitating the organization of the community and of the lord's enterprises. The lord also employed the village community as a surrogate for the individual or the family. In particular, where some undisclosed or unattributed misdemeanour was carried out

to the injury of the lord, the lord was able to impose a fine upon the whole community. Similarly, the lord, especially where he or she had appropriated and attempted to exploit ancient regalian rights, taxed the community as a unit but turned the actual collection of the sum over to the community.

The church also made use of the community in a number of ways. Its members, as parishioners, were, as we have seen, collectively responsible for the maintenance of the parish church. The church's efforts at pastoral care and education of the laity, especially from the time of the Fourth Lateran Council of 1215, made deliberate use of the community. The concept of charity was dependent upon some sense of mutual cooperation and neighbourliness. The community met that responsibility in a number of ways, notably through the funding of charitable doles and the making of provision for the poor, as we have already seen. Less obviously, perhaps, the community also served the church as a moral guardian, its collective sense of that morality constraining the actions of the individual through fear of censure. Where fear of detection and shame did not prove sufficient deterrents, neighbours and other members of the community, through their gossip, brought cases of immorality to the notice of the church, which then proceeded against the parties in the ecclesiastical courts.

Finally, for the state, the village community was a unit of law and administration. In medieval England, government and law were essentially one and the same. In its most basic form, government meant the local community. The shire court, the regional focus for government orders and the administrative developments, was dependent upon the local community for its personnel; the itinerant justice of the eyre also demanded the presence of local jurors. At the level of the community itself, the crown expected that the more substantial villagers would oversee the collection of taxes and ensure that its justice was upheld. Finally, the community was also a unit of taxation and of military levy.

Family and Community: Durability and Relevance

Despite the undoubted importance of family and community in the lives of rural dwellers, neither family nor community dominated all relationships in the countryside. That household size, even amongst the wealthiest tenantry, seems, typically, not to have been large may reflect, in part, a disinclination to reside in extended domestic units. As we have seen, peasant patriarchs and matriarchs provided land for their offspring so that they could establish households of their own, a counter-tendency to the move towards complexity. Further, even where a variety of factors combined to provide the conditions conducive to the establishment of complex households, the peasantry generally appear to have eschewed the opportunity. Although it is accepted that unmarried siblings, retired parents and other dependants might well remain in close proximity to the family home, especially in a period of rising population, land-hunger and strong lordship, as existed, for instance, *c.*1300, there is a great deal of evidence to suggest that they occupied separate buildings, although often on the same messuage or plot of land. On the Cambridgeshire manors of Crowland Abbey, for instance, dependants were given small plots of land adjacent to the principal holding while, at Halesowen, in the early fourteenth century, the main house 'was surrounded by cottages occupied by single as well as married relations of the tenant'.¹⁴

Such distance could be extended through more extreme activity. Whilst there was little opportunity for divorce under church law, the institutions of the family could be challenged in other ways, through adulterous relationships, for example. Finally, whilst the church promoted marriage, the parties to a marriage did not require consent of anyone but themselves. Marriage and household formation were, in essence, potentially creations of individual will.

Investigation of contracts between individuals in the medieval village suggests that economic ties and associations of trade were as likely to determine alliances as were ties of blood. Villagers and country-dwellers also sought out other associations, such as religious guilds, which were not always centred upon the family or community. In their observable activities, villagers did not necessarily ally instinctively with family or community. Research upon the peasant land market does not reveal that family members and kin were always treated with particular preference. In fact, in years of dearth, an increase in transfers between kin has been taken as indication of competition between family members. By the same token, acquisitive and competitive behaviour by members of the village community, activity again especially evident in studies of the peasant land market, suggests that individuals were prepared to promote their own interests at the expense of their neighbours. The same may also be said of villagers who appear to have perceived their best interests to lie not within their own communities but elsewhere. The reeve who sided with his lord or the peasant who bought produce beyond the village and sold at profit to his fellows were hardly unknown in the medieval countryside. Death-bed transfers of land, the diversion of wealth from the family to the chantry priest to pay for masses for the dead, and other arbitrary distributions of property also indicate a preoccupation with the individual rather than the family. Perhaps most importantly, a significant proportion of peasants, anticipating greater opportunity in the wider economy, looked to move beyond their families and communities in search of employment.

In certain measure, as we saw at the outset of this chapter, any evident increase in acquisitiveness, the chance flickerings of individualism and the development of self-identity have been employed as crude measures of historical process, the rise of the individual and the decline of the wider group used as indices of economic and social change. It would, however, be clearly inappropriate to suggest that family and community had, in some way, lost ground to the individual by the close of the period. The variety of experience and the changing social, economic, political and religious tenor of the countryside ensured that, whilst the close ties of family and community could weaken, they could also increase in strength. If, however, we were to single out a development of the period that, perhaps more than any, marked a change in the role of family and community, it would be the apparent increase in out-migration from peasant families. Changes in the level of peasant mobility sit at the heart of historical explanations of fundamental demographic, social and economic shifts. Such changes are consistent with a reorientation of the nature and role of the peasant family and the village community but not with their reduction. Essentially, as has been argued throughout this chapter, family and community in the middle ages performed a multiplicity of functions and were constrained and propelled by a variety of forces, political, economic, social, religious, as well, of course, as natural. It is in the interaction with those forces rather than in the isolation from them that the history of the peasant family and the village community lies.

NOTES

- 1 Howell, *Kibworth Harcourt*, pp. 217–20, 235.
- 2 Razi, *Life, Marriage and Death*, p. 93.
- 3 Hallam, ‘Thirteenth-century censuses’, p. 352; compare the comments of Smith, ‘Hypothèses sur la nuptialité’, pp. 120–1.
- 4 Fox, ‘Servants, cottagers and tied cottages’, p. 131; Beresford, ‘Three deserted medieval settlements’, pp. 133 (houses 7 and 4), 139.
- 5 Homans, *English Villagers of the Thirteenth Century*, Page, *Estates of Crowland Abbey*, pp. 110–11.
- 6 Kosminsky, *Agrarian History*, pp. 216, 223.
- 7 Harvey, *Medieval Oxfordshire Village*, pp. 1–9, 17–31, 113–40.
- 8 Bond, ‘Medieval Oxfordshire villages’, pp. 113, 115.
- 9 Hunter, ‘Cressing Temple and its environs’, pp. 32–4.
- 10 Schofield, ‘Peasants and the manor court’.
- 11 *Court Rolls of the Manor of Wakefield*, vol. 3, 1313 to 1316, and 1286, ed. J. Lister (Yorkshire Archaeological Society, 57, 1917), pp. 94–5.
- 12 Poos, *Rural Society*, pp. 191–2.
- 13 Ault, *Open-field Husbandry*, pp. 386–7.
- 14 Page, *Estates of Crowland Abbey*, p. 111; Page, ‘Customary poor law’, pp. 128–9; Razi, ‘Immutable English family’, p. 9.

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CHAPTER THREE

England: Towns, Trade and Industry

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There are three criteria, economic, political and cultural, by which medieval settlements qualify for urban status. The first is that of economic centrality: a town was a place where non-agrarian activity was exceptionally well developed, that acted as a focus of demand for agricultural produce, and was consequently a centre for exchange. The presence of a well-established market with a community of artisans and tradesmen, able to attract visits by countrymen from seven miles away or more, indicates a town in accordance with this requirement. The second criterion is that of administrative complexity and structure. Towns were administratively more demanding than rural communities, partly because of their greater volume of litigation, partly because of the need for more supervision of the environment, partly because of statutory requirements to monitor trade from week to week.¹ The obligation to control weights and measures, in particular, was an obligation to the crown that kings periodically pursued by sending their officers to test that royal standards were being enforced.² This greater administrative burden sometimes increased the attraction to landlords of allowing townsmen a measure of self-government, but much depended upon the administrative costs to the landlord on the one hand (including, maybe, the costs of suppressing tenant resistance), and the advantages of retaining control on the other. In practice the administrative autonomy of towns varied very widely, being most advanced, from the late twelfth century, in the older and larger royal boroughs. The third criterion of urbanity is that of cultural diversity. Towns were more likely than rural settlements to have a polyfocal structure of social activities. Foreign merchants and artisans, both passing visitors and longer-term residents, were to be found in the larger cities. Amongst native residents, towns offered a wider range of alternative social groupings. The number of parishes was a very poor guide to the size of a settlement's population, but older towns often had numerous parishes of different character, and the presence of monasteries, friaries and other religious institutions created additional bonds of allegiance.³ In the later middle ages towns were more likely than villages and hamlets to have a variety of religious fraternities, whose memberships had different social characteristics. Crafts, too, could also act as reference groups for those belonging to them if they were large enough to support a

range of social activities such as providing relief for needy members, or praying for the souls of those who died.⁴

These three criteria indicate how an appropriate scale of urbanity may be envisaged and partially constructed, starting at the bottom with ambiguous cases of small marketing centres with no administrative independence and without separate parochial status, and reaching at the top to London around 1300 with its numerous specialized markets, its proud tradition of self-government, its foreign visitors and immigrants, its hundreds of churches and its companies, guilds and fraternities. The degree to which urban characteristics are identifiable is inevitably related to settlement size; they are most obvious in the largest centres of population and become increasingly hard to distinguish in smaller ones. This line of thought is worth pursuing simply because of the very wide range of places under discussion. Historians of medieval England describe as towns many settlements that would not qualify as urban in normal modern usage. Beresford's study of *New Towns of the Middle Ages*, for example, includes South Zeal (Devon) with twenty burgesses in 1315, presumably with a population of around a hundred. The justification for calling such small places towns is that in the predominantly agrarian economy of the time they functioned as such by the economic, political or cultural criteria outlined above. They were distinguished by particular central-place activities, and need to be distinguished by some word or other from settlements of a predominantly agricultural character.

Considerable progress has been achieved during the last hundred years in exploring differences between towns and the villages around them, and in identifying urban origins and patterns of development. These discussions oscillate uneasily between asserting the separation of town and country and recognizing the impossibility of understanding towns outside a pervasively rural environment. Agricultural interests and concerns penetrated into the heart of even many larger towns whose inhabitants held much of their capital and employment in landownership and farming. An old town like Cambridge had attached fields that were administered in its law courts and over which its burgesses had rights of common.⁵ In many places such rights were one of the chief advantages of being a burgess, and the importance town-dwellers attached to them may be judged from their propensity to wrangle among themselves and with local landlords over unwarranted enclosures.⁶ Among the newer towns, by contrast, there were many whose burgage plots were laid out without any land attached, often as enclaves within the fields of an existing settlement. Their law court had no jurisdiction over property other than that held by burgage tenure. However, since tradesmen who prospered characteristically invested in land on surrounding manors, even towns such as these often had an agrarian component to their inhabitants' incomes.

Historians have explored the tensions between the separate and the embedded qualities of town life in recent years in many contexts, and they are central to some of the most interesting and frustrating current debates. The extent to which England became more urbanized in the twelfth and thirteenth centuries, and the extent to which town-dwellers dominated the growing demand for agricultural produce in that period, are cases in point, since a lot hinges on what sort of community is reckoned urban, and on how distinctive urban demand was from rural demand. Another debate concerns the extent to which towns were prosperous or decaying in the fourteenth

and fifteenth centuries, and whether rural industry was growing at the expense of urban industry, where again the distinction between the greater cities like Norwich or York and smaller places like Totnes and Tiverton, is central to the definition of what was going on. Such debates have generated many excellent studies, but one of the most important lessons to be learned from them is that the large number of very small towns is a principal source of ambiguity, and that overstating the distinction between town and country is a recurrent source of confusion.

The extent of urbanization in England in this period was far from static. Anglo-Saxon urban development had been confined to southern England and the midlands, and there were still in 1086 few towns with more than a few thousand inhabitants. London was already England's largest city, but probably had no more than 10,000 to 20,000 inhabitants. During the following two centuries towns already established in 1100 grew, to differing extents, while many new markets and boroughs were founded even in parts of Britain that had known no town life earlier on.⁷ Beresford has identified 170 new towns founded between 1066 and 1350, of which 145 were founded before 1250.⁸ Most, like Linton (Cambs.), remained on the fringe of urban status,⁹ but others – Newcastle upon Tyne, Hull, Boston and King's Lynn are important examples – became trading centres of international significance. England south and east of a line from Exeter to York remained the most urbanized part of the country by any criteria, but well beyond that line local economies were transformed by the construction of new marketing centres. In parts of northern and western England the development of urban life was closely associated with the coming of Anglo-French lords who built boroughs to augment the value of their estates, sometimes in conjunction with the construction of a castle for defence; Richmond (Yorkshire), Barnard Castle (Durham) and Alnwick (Northumberland) are good representative examples with surviving castles. It seems possible that the proportion of the population that was urban by the most generous definitions (including many places of ambiguous urban status) increased from at most 10 per cent in 1086 to reach 15 to 20 percent around 1300.¹⁰

During the fourteenth and fifteenth centuries, by contrast, many towns shrank in size, particularly the largest ones, and some of the smallest towns lost their minimal urban characteristics. Since England's population as a whole declined in this same period through famine (in 1315–18) and disease (in 1348–9, 1361 and in subsequent epidemics of plague, typhus and other diseases), a decline in aggregate urban population was compatible with a slight increase in its share of the total.¹¹ The relative success of the urban sector of the economy was due partly to the ability of some towns to benefit from national and international commercial opportunities in manufacturing industry, though different places benefited at different periods. Mortality remained everywhere unattractively high, but in other respects the archaeological and the documentary record agree that most towns became pleasanter places in this period. Even where population had fallen, urban families were able to benefit from reduced pressure on space, generally fuller employment, higher incomes and better living standards than their predecessors.¹²

Medieval urban development permanently transformed the importance of towns, trade and industry in English society, both in terms of their weight and their spatial distribution. Manufacturing and trade came to account for a larger share of employment and income, and the administrative and cultural aspects of town life were also

transformed, at least in the larger towns, through the development of distinctive institutions of local government. The structures of everyday life in late medieval towns were more definitively urban than those of 1050. The differences between towns with respect to economic specialization, administrative operations and cultural preferences had widened in the process, and small towns had come to differ more from large ones. That increasing variety of urban experience is one of the most rewarding features of urban history, even though it restricts the historian's freedom to make sweeping generalizations.

Urban Economies

Many of the dealings of artisans and traders, both before the Black Death and afterwards, were with neighbouring countrymen, and the broader the region a town supplied the more different types of manufacturing and trade that could flourish there. Archaeologists often discover industrial sites in the middle of medieval towns, since most crafts were conducted in the workman's own home or nearby. Even in small towns like Thornbury (Gloucestershire) as many as thirty-five different non-agricultural activities are recorded in personal bynames, though many people had smallholdings as well.¹³ The multiplication of small towns during the twelfth and thirteenth centuries meant that all over England communities of primary craftsmen – bakers, butchers, brewers, carpenters, smiths, tailors, shoemakers, potters – were separating themselves from more agricultural contexts as demand for their services increased. At the same time, the growth of larger towns was accompanied by a growing range of urban crafts and trades there. Norman London was already outstanding for the number of its different occupations,¹⁴ and that number increased during the following centuries. Other larger towns followed at a distance with dozens of other different crafts whose presence was increasingly signified in street names in the chief commercial centres. In Winchester between 1300 and 1339, at a time when the city's population was perhaps about 10,000, there were fifty-seven different recorded non-agricultural crafts and trades, even excluding the city officers and the domestic staff of large households and placing all merchants as a single category.¹⁵ Urban economies offered a wider range of employments for women as well as men. Since husbands were responsible in law for the debts of their wives, legal records underplay the extent to which women participated in the growing range of occupational possibilities, but they had a prominent role in the expanding victualling trades during the thirteenth century – especially in retailing foodstuffs and in the brewing and selling of ale¹⁶ – and were important in the preparatory stages of the textile industry. Most of the work that was specifically female was low-paid. Women were also important behind the scenes in many male-dominated crafts, working alongside their husbands, apprentices and hired servants. A woman who continued in business after her husband's death, as some did, had presumably been involved in it during his lifetime.¹⁷

The wider range of commodities and services available in large towns meant that their catchment area was larger than that of smaller ones. Cheap clothing might be obtainable from a local market, and some better qualities might be available from time to time at village fairs, but the best range of choice, especially of quality goods, was to be had from a larger town of several thousand inhabitants. The widest range

of crafts of all kinds was available in London, whose status as a centre of consumption for the rich was already well established by the thirteenth century.¹⁸

Some towns, meanwhile, were actively centres of long-distance mercantile enterprise. Merchants either travelled themselves or sent their assistants round Britain, or to Ireland, France and the Low Countries, and sometimes even further afield. The English were not among the great mercantile peoples of Europe. Much of the overseas trade was in the hands of foreign merchants. Yet in either case the growth of interregional trade encouraged the expansion of ports and some other towns with a distinctive specialization. Between 1100 and 1300 the wool trade with the continent grew through southern and eastern ports, and there were other export trades in grain, hides and minerals. The western coast, by contrast, offered fewer trading opportunities, and experienced less growth of urban life. Though a number of small ports came into existence in Wales, as at Carmarthen, Cardigan and Haverford, Chester remained the principal port north of the Severn estuary on the eastern shore of the Irish Sea. The effect of long-distance trade on urban economies is most apparent in the growth of port towns, including London, though it had an impact on some inland towns, like Shrewsbury, whose merchants engaged in buying and packing wool.¹⁹ Some English towns too (especially Beverley, Lincoln, Stamford and Northampton) acquired an international reputation for manufacturing cloth for export in the twelfth and earlier thirteenth centuries,²⁰ though after this promising start English manufactures experienced difficulties in foreign markets in the later thirteenth century and early fourteenth because of the disruptions of international trade by continental warfare.²¹ The impact of long-distance trade was of very secondary significance for many larger inland towns, and hardly represented at all in the economies of small and unspecialized local market towns. The growing importance of merchants and their trade accordingly led to further differentiation between towns, in the nature of their primary concerns, their employment structures, the character of their social elites, and their vulnerability to external shocks.

The nature and extent of overseas connections remained a powerful determinant of urban character in the fourteenth and fifteenth centuries, though the changing structure of overseas trade led to many interesting shifts in the relative advantages of different towns. After the Black Death England acquired greater international importance than ever before in the making of woollen cloth, chiefly because costs of production were relatively low. This was partly the result of a permanent increase in the rate of export duties on raw wool to finance the outbreak of war against France in 1337. Since textile manufacture for export remained a town-based activity, the changing fortunes of the cloth industry saw large shifts in the ranking of towns according to their international industrial competitiveness. In the first instance, up to the early fifteenth century, the growth of the cloth industry favoured well-established centres, including some old towns like York, Salisbury and Colchester.²² Later on, following a long interruption to the growth of exports during the mid-fifteenth century, the focus of attention passed to some newer and smaller inland clothmaking centres – Halifax, Hadleigh, Lavenham, Trowbridge, Stroud, Tiverton, Leeds – which grew at the expense of older centres. Merchant capital was always important in the organization of the manufacture and export of woollens, but in the fifteenth century merchant clothiers were more prominent in the development of cloth towns than ever before. London, like Edinburgh in its Scottish context, captured a larger share of the

export trade at the expense of provincial ports. It is likely that smaller English towns prospered at the expense of the larger centres after 1450 chiefly because they offered more unrestricted scope for the deployment of London capital.

Despite the importance of long-distance trade for the development of some of Britain's most interesting towns, it was not the commonest source of changing urban fortunes, and the underlying chronology of urban growth (1100–1300) followed by urban contraction or stagnation (1300–1500), especially for small towns, is better explained by reference to local trade. Towns developed to supply the inhabitants of rural areas in various ways, so it is not difficult to explain why some urban economies responded to agrarian expansion in the twelfth and thirteenth centuries but were vulnerable to the transformation of rural life that accompanied the population decline of the fourteenth and fifteenth centuries. In the latter period the problem for smaller towns was not always a decline in regional spending so much as the redirection of spending to goods not produced locally, such as metalwares and clothing of superior qualities.

Because of their local orientation, and their commitment to supplying a narrower range of basic goods and services, the economies of smaller towns were less markedly differentiated from one another than those of larger towns. Many features of their employment structure are predictable. They rarely had any clearly defined specialism, though examples of small towns with distinctive industries become more common from the fourteenth century onwards with the growth of English clothmaking. Thaxted (Essex) is an unusual example of a small town that developed a distinctive metal industry, the manufacture of cutlery – seventy-nine cutlers were listed there in 1381.²³ Differences there nevertheless were, and these differences were important for the prosperity and survival of small towns through the difficult times of the fifteenth century. Some were more assiduously nurtured by landlords, through the provision of facilities and the orientation of personal expenditure. Between 1415 and 1450 Sir John Fastolf needed cloth in large quantities to fit out his retinue of soldiers in France, and he directed his orders to his own tenants back home. About fifty new houses were built in Castle Combe in the war period, and new fulling mills were constructed for finishing cloth.²⁴ Other small towns benefited from a location on a principal road or waterway, which created special opportunities for innkeepers and taverners; the various small Stratfords were all in this position, since the name signifies a location on a surviving Roman road.²⁵

Because a larger proportion of the wealth in towns was in goods, cash and credit than in the countryside, their growth attracted the notice of governments seeking new sources of taxation. In 1100 the chief source of English taxation, the geld, was levied on land and was poorly adapted to tapping urban incomes. By 1300 the system had changed; frequent assessed taxes on movable wealth levied cash from the towns, and customs duties on overseas trade took particular advantage of commercial enterprise in the export of wool and the import of wine. During the transition between these two points there had been a long experimental phase, in which the raising of rents and tallages from boroughs was one of the recurrent elements.²⁶ Customs duties on overseas trade were introduced by the Angevin kings.

Much of the brunt of the experimental phase was borne by the English Jews for whom resistance was well-nigh impossible. Jewish merchants had come to England from Normandy after 1066, establishing communities in a dozen or so places by

1159, including Norwich, Lincoln, Cambridge and Winchester, and there was a Jewish community in York soon after. No Jews established themselves in England further north than this. They maintained safe houses where valuables could be stored, traded in precious metals and lent money to needy gentiles, depending on royal favour for the recovery of sums they were owed. For a long while the crown was willing to offer its protection in exchange for financial benefits, especially the right to tallage Jewish wealth occasionally, but during the thirteenth century these exactions rose to a peak under Henry III, who took £13,333 from them in 1241–2 and £60,000 more in taxes over the following fifteen years. Jewish wealth was depleted by this policy, and was given no opportunity to recover. Legislation in 1269, 1271 and 1275 restricted the ability of Jews to act as moneylenders and drove them into direct competition with native merchants in the grain and wool trades. Eventually, in 1290, Edward I succumbed to anti-Semitic feeling and expelled all the Jews from England.²⁷ The destruction of Jewish wealth and enterprise is the most striking illustration in English medieval history of the clash of interests between an accumulating merchant class and a heavy-spending government; Jews were much more vulnerable to such rapacity than the denizen merchants amongst whom they lived.

Meanwhile the kings of England had developed new taxation systems in which ordinary urban families made a greater contribution than at the start of the period – a clear indication that the wealth of towns was perceptibly increasing. Early in his reign, when seeking to establish a working relationship with the Riccardi Company, Edward I of England instituted customs duties on wool as a regular source of royal income. The importance of these taxes on wool for the wars of Edward III from 1337 is an easy demonstration of the way in which economic development had permitted new fiscal and constitutional developments since the eleventh century. Urbanization and commercial development affected royal income in other ways. The increasing circulation of money in the thirteenth century created new opportunities for government that were seized, especially after 1290, to raise taxes on urban wealth to a position of greater importance in the tax structure. In England taxes on movable goods became a principal means to support Edward I's wars in Scotland and France. These taxes were assessed, up to 1334, by a valuation of vendible livestock, grain, utensils, raw materials and manufactured goods; a proportion of this value was taken in tax from every assessed taxpayer not exempted on grounds of poverty, and the proportion taken from urban taxpayers was usually higher than that taken from countrymen. Unlike the taxation of Jews, however, these taxes on movables were never high enough to arrest mercantile accumulation for long, and the growth of parliamentary traditions during the fourteenth century ensured that institutional restraints on royal acquisitiveness grew stronger rather than weaker over the period after 1300.

The surviving records of these tax assessments before 1334, when their levels became fixed, are a valuable indicator of the ranking of towns and of the differences in wealth between them. In the 1334 assessment, there was a vast gap between London, whose movable was assessed at £11,000, and the next largest town, Bristol, whose assessed wealth was £2,200. Only five other towns (York, Newcastle upon Tyne, Boston, Great Yarmouth and Lincoln) were assessed at £1,000 or more, though Norwich was also in this category in other taxes of the period. The fiftieth town, ranked in this way (excluding the Cinque ports, and towns in the counties of

Chester and Durham, which were not liable to assessment), was Bridgwater, assessed at £260, and the hundredth was Bath, with an assessment of £133. Among the hundreds of smaller towns are assessments of £73 for Harwich, £69 for Chelmsford, £60 for Devizes, £40 for Poole, £40 for Lancaster and £30 for Liverpool.²⁸ These figures give some impression of the great differences between the different places that the historian of medieval English towns has to deal with.

Urban Government

In 1100 royal, aristocratic or ecclesiastical authority over towns was universal. England's largest towns had royal castles imposed on them under William the Conqueror and remained central points of the king's government of the shires. The fact that towns, with their castles and castle garrisons, were important for the military organization of the kingdom meant that until the early thirteenth century they were vulnerable to political instability, and suffered badly in periods of civil war, such as the Anarchy of Stephen's reign or the rebellion against King John. Many new towns of the twelfth century were constructed by castles or monasteries, to which they were treated as appendages. Even when founded at a distance from centres of power, their administration was integrated into that of the lordship to which they belonged. Many such towns remained for centuries in the same dependent situation without achieving any advanced measure of autonomy. Seigniorial boroughs were just as subject to the king's laws and to his right to tax or levy troops as royal boroughs were, but the lord's estate steward presided over their court of law, and his officers collected judicial fines and tolls. Some of the best-known examples are monastery towns, St Albans, Bury St Edmunds, Peterborough and Durham. Seigniorial towns were not necessarily economically disadvantaged by their dependent status, which might even bring advantages, such as the lord's responsibility for maintaining the fabric of bridges and market installations.

The task of administering a large town was more than some landlords wanted, and there were attractions in letting townsmen take some responsibility for managing their day-to-day affairs. The word townsmen is precise, in this context, since there was no question of women participating in urban government at any level. The delegation of responsibility started earliest and proceeded farthest in the larger royal boroughs. The leasing of royal revenues to burgesses collectively, rather than to individual royal appointees, is first known from London and Lincoln in 1130, though at that stage the arrangement was not permanent. Grants of this right in perpetuity began early in the reign of Richard I, in charters to the men of Bedford, Colchester, Hereford, Northampton and Worcester.²⁹ The existence of such liberties implied that their beneficiaries, the freemen or burgesses, were a hereditary group. In practice, as well as admitting new burgesses by inheritance, towns were willing to admit others on paying an entry fee to the community chest, or completing an apprenticeship to an existing freeman. Only freemen, who constituted in law the 'community' of the borough, were allowed trading privileges and other rights over pastures and fisheries. Burgesses adopted rules to protect their position in their own market against outsiders. Larger towns often did so under the institutional form of a merchant guild, though their powers were confined to the town itself, and, unlike Scotland, did not create extensive territorial monopolies. Burgesses also had the right, graded accord-

ing to their status in the community, to participate in the government of the town and the election of borough officers. From the thirteenth century onwards, but particularly in the fourteenth and fifteenth, it became common for chartered boroughs to issue ordinances or by-laws to modify their constitutions or to supplement the statutory regulation of agriculture and trade.

Lords other than kings often granted some autonomy to the towns on their demesne. Three well-known examples of charters of liberty from Lancashire are those granted to Salford by Ralph, earl of Lincoln (*c.*1230), to Stockport by Robert of Stockport (*c.*1260) and to Manchester by Thomas Grelley (1301).³⁰ The burgesses of all three were allowed to choose their borough reeve, though not to lease the lord's revenues nor to hold their own courts unless the overlord's steward presided. As this implies, there were different degrees of urban autonomy, and the distinction between self-governing boroughs and those without such independence was never an absolute one.

In the light of these distinctions, urban society may be divided into three status groups with differing degrees of political weight. The first, which was unlikely to be found at all in the smallest towns, comprised merchants, lawyers and owners of multiple properties. It was characteristically from this group that the ruling elite of the larger towns was drawn. They rarely employed more than a dozen servants, though by 1500 some clothiers had many more dependent workers. The second rank of town-dwellers were self-employed traders and craftsmen, usually householders, usually employing only one or two apprentices and servants. In a chartered borough such people needed to be freemen in order to trade freely without having to pay tolls, and they constituted the majority of the burgesses. They had subordinate political rights and duties, such as rights of election, and they would be expected to approve publicly the acts of the council from time to time. They would also serve as minor officers of the borough in the market and in the courts. In an unchartered town men of this class had trading privileges as householders and would be prominent in the town court as jurors and pledges. Below their ranks were those who were not freemen or householders, and who were characteristically sub-tenants or lived in with an employer. They had no political or trading rights, and constituted the wage-earning class and the destitute. Their proportion of the urban population varied considerably, but was largest in London and the bigger provincial towns. Their conditions improved after 1349 because of shortages of labour, which reduced the problem of unemployment and pushed up real wages.

In larger English towns with an advanced level of autonomous administration, there were two main types of elective office in the late middle ages. There were executive officers such as those of the mayor or bailiff, who were directly responsible to the crown for the good rule of the city. There were also consultative officers, notably common councillors and aldermen. Aldermen constituted an inner group of councillors who were especially concerned with financial decision making and auditing the annual accounts. Towns differed greatly in the number of elective positions, particularly in the number of aldermen and councillors. One of the smaller English councils was established by the burgesses of Colchester in 1372, when their new constitutions provided for eight aldermen and sixteen others to make up a council of twenty-four. The biggest establishment was that of Norwich from 1417, with twenty-four aldermen and sixty additional councillors.³¹ Such differences

reflected to some extent differences in the size of towns and the number of citizens available.

It was universally expected that responsible office, whether executive or consultative, was held by the wealthier townsmen. This became more explicit from the later fourteenth century, when the constitutions of chartered towns were codified more tightly than previously. Executive officers were to be drawn from a narrow group, usually from amongst the aldermen, and greater security of tenure was given to those who reached high status, so that it was difficult for electors to remove them. One explanation for the increasingly oligarchic formulae by which town governments were constituted is that fifteenth-century townsmen saw office as a public service rather than as a route to personal aggrandizement, particularly in towns whose collective income was adversely affected by the urban crisis of the late middle ages. There were few private pickings to be made from high office in a decaying borough, and security of tenure was a means of enhancing the dignity of office-holders in such a way as to increase the non-material rewards for taking on responsibilities.

Historians now see less significance than some of their predecessors did in the contrast between self-governing boroughs and those supposedly administered by their lords. The procedures of urban justice involved townsmen in similar ways in towns of all degrees of autonomy. The courts depended on the willing involvement of urban elites just as much in seigniorial boroughs as in self-governing ones. Policing depended upon the panelling of jurors to report those who used false weights and measures, who disregarded regulations, who obstructed the highway, and so on. In seigniorial boroughs the lord's officers needed to know when property had changed hands, or tenants had died, and such business required cooperation from the wealthier inhabitants. For most people it made little difference whether the president of the court was nominated by an overlord or elected by burgesses, since the set-up of courts and the routines they followed were much the same in both cases. In towns without chartered privileges, resident elites were sometimes able to secure some further control through the religious fraternities that became a common feature of late medieval society. At Westminster, for example, the fifteenth-century fraternity of the Assumption of the Virgin Mary assumed many of the functions of a town council, reducing friction between inhabitants, organizing social events and acting as trustee for the bequests of deceased members.³²

Nor was conflict between town-dwellers and landlords a phenomenon peculiar to seigniorial boroughs. It is true that in towns dominated by powerful landlords living in close proximity, the relationship between lord and borough was often difficult. There were many grounds for conflict, though the incidence of overt antagonism was governed as much by the willingness of the parties to resolve disputes as by the seriousness of the real issues at stake. There is no easy explanation why there was repeated aggression between the inhabitants of Bury St Edmunds and St Albans and their landlords, though the fact that the landlord was monastic was a significant contributory cause. The monks had no choice but to live beside the towns they had created, and intended to retain control of their assets and their environment. But, for similar reasons, conflicts between townspeople and landlords were common in larger boroughs of all sorts, especially those with extensive lands. A growing number of monasteries, friaries and hospitals or colleges was a distinctive feature of urban growth in the eleventh and twelfth centuries, and they acquired urban property by

gift and purchase. Even the most proudly self-governing town might find itself in conflict with such neighbours. The self-governing citizens of York were more torn both by conflict amongst themselves and with landlords than the inhabitants of most seigniorial towns, since they had in their midst the dean and chapter of York, the abbot of St Mary, and the warden of St Leonard's Hospital, all of whom had lands and tenants in the city streets and fields.

Such parallels between different types of town are a corrective to simplifying schemes that categorize towns as either 'feudal' or 'free', but they do not imply that all urban government was the same. Throughout England, structures of royal law, taxation and military service imposed some external framework on urban institutions, and common problems were implied by the class structure and distribution of wealth, but even within these constraints it is difficult to predict in detail just what to expect. The most useful distinctions between different town constitutions are to be found by ranking them according to the extent of their departure from the rural norms of manorial organization. These differences correlated (imperfectly) with size, since smaller towns were mostly seigniorial, and capable of little effective resistance to their overlords. The records of a large self-governing borough, if they survive, have been preserved by a succession of town clerks appointed by the burgesses, and if they are of any bulk they record a number of different executive bodies of townsmen acting at different times for different purposes – holding court sessions, meeting in council, auditing accounts, collecting tallages and taxes, surveying borough property, holding guild meetings, and so on. They record decisions taken by these bodies without reference to any superior except, perhaps, the king. A new burgess in a free borough swore fealty to the king and the borough, and service in the ruling group often required that a man should not be retained by any local landlord. The case of a small seigniorial borough is strikingly different. The smallest sort of town usually had separate court sessions, but they were presided over by an official of the lord of the borough. Their court records were often sewn up with those of manorial courts on the same estate, and might even be written on the same membranes of parchment. Such responsibility for local government as their elites possessed, however real, was little greater than that to be found in village society. Any burghal privileges were minimal, and there were no civic institutions, no guilds, and no invitations to send members to parliament.

Urban Cultures

The commercial activity of towns prompted some of the most characteristic cultural developments of everyday experience in the later middle ages. The everyday life of markets, inns and taverns is only imperfectly perceptible, though it is clear from sources of the fourteenth century onwards that it was lively. The principal documentary fall-out from this culture consists of written rules and regulations relating to trade, industrial relations, the environment, law and order, and other matters of common concern. People in towns were even more dependent on each other than in the countryside, partly because they did not produce their own means of subsistence, partly because they lived in closer proximity, and they depended on a distinct set of shared facilities. Some of the emergent problems were tackled by statute law, but many urban communities – especially larger ones – formulated additional

by-laws. The multiplication of rules for everyday life in large and relatively complex communities is an important and interesting area of medieval cultural development, even if in practice the interpretation and implementation of these rules was much more open to negotiation and compromise than the bare texts of urban ordinances would imply.³³

The extent to which new modes of social regulation became intrinsic to urban culture is apparent from the legal records of the later middle ages, and above all from the presentment of leet courts that met two or three times a year to police minor breaches of the law. On these occasions sworn jurors, in response to a long series of questions put to them in court, reported infringements of statutes and by-laws that had occurred since the last session of the leet. By the fourteenth century a large part of the business of an urban leet court concerned commercial and industrial regulations that had come into existence since the late twelfth century, and the implementation of such rules had increasingly distinguished urban policing from the equivalent leet courts in the countryside. Behind the formal verbiage of urban court rolls lies a rich variety of interplay between law and social values. The mechanical answering of questions often implied little moral commitment by jurors to the procedures in question. The attractions of a steady income from fines encouraged urban authorities to convert some procedures to routine systems of licensing rather than of deterrence; this was notoriously the case with the assize of ale. However, individual brewers (most of whom were women) were liable to real disapproval and the imposition of genuinely penal fines for unacceptable practices, such as the use of fraudulent measures. Clerks recording the business of leet courts sometimes left no doubt that juries had expressed themselves forcibly in denouncing a breach of regulations. One of the most common occasions for such outrage among leet juries was breach of the so-called Statute of Forestallers. Forestalling was the offence of cornering goods on the way to market with the intent to sell them at a higher price, and local juries of the fourteenth and fifteenth centuries frequently presented forestallers as the prime cause of unexpected price increases that could not be attributed to anything more obvious. The adoption of this infringement of the law by jurors throughout the kingdom as a point of deeply held principle, even though it had been generally enforced as a point of law only from the later thirteenth century, implies that a new moral economy relating to matters of exchange and price formation was in the process of being created.³⁴

In larger towns the development of a distinctive culture along these lines went farther than in smaller ones. Craft guilds became more numerous from the thirteenth century onwards, and especially from the late fourteenth, though their development varied from town to town. Urban crafts were a core area for intervention in the public interest by urban governments, who insisted on approving craft rules before they could be enforced. Because craft guilds were regulating bodies they required officers to enforce discipline and to answer for any defaults, and so the ordinances of craft guilds also had to provide for the election of guild masters, usually as an annual event. Craft guilds also often assumed some of the devotional attributes of religious fraternities, which were also numerous in towns though not particularly distinctive of urban society. The development of the craft represents a rich new culture of rules, responsibilities and forms of association.³⁵ Women participated visibly in the more pious cultural developments of the later middle ages, as in the membership of religious fraternities, but the effect of craft guilds on their status as workers was probably

adverse, since crafts imposed a male hierarchy on the organization of production and mostly recognized only male participation.³⁶

Even though craft ordinances may give a misleading impression of rigidity in the structure of work, they created a framework in which relations between craftsmen, and between them and city governments, were negotiated. Their contents may be summarized under five main headings – standards of goods and services, training requirements, complaints procedures, environmental hazards and hours of work – though not all crafts were concerned with all these issues. Crafts powers could be used to inhibit fraudulent trading (such as the passing off of old meat as fresh), to prevent gross inconvenience (such as the failure to manufacture tiles to a standard size), or to maintain the reputation of a town's export goods. Standards of manufacture were maintained or altered by imposing rules about raw materials, technology or measurements. In Bristol, for example, the craft regulations specified details of the preparation of woad for dyeing, the quality of dye materials to be used, and of other aspects of dyeing technology.³⁷ Rules to control quality were generally accompanied by granting guild officers the right to search the premises of craftsmen for bad workmanship – usually in York two searchers were appointed for each craft. Sometimes this object of craft regulation was met by insisting that two crafts should be kept separate, so that checks on quality could be maintained at each stage of production. At York in the late fourteenth century the crafts of shoemaking and tanning were ordered to be kept distinct to prevent shoes being made of bad leather, and for similar reasons saddlers had to use leather prepared by specialized curriers.³⁸ Regulations often went further by restricting access to a craft to properly trained practitioners. The Coventry barbers of 1421, for example, restricted practice of their craft to those who had served an apprenticeship or could otherwise prove the adequacy of their skill to the guild masters. The standardization of training was a common feature of guild rules, usually by imposing an apprenticeship system. The Coventry barbers of 1421 provided that 'no man shall take no prentice to the said craft no less years than seven year'. Seven years was an increasingly common period of apprenticeship, though some guilds operated with fewer. The reasons for insisting on apprenticeship were more complex than a mere concern with quality would require, however, and to some extent apprenticeship was a restrictive practice. It guaranteed an employer the labour of the apprentice during the period of apprenticeship – unless the apprentice ran away – and permitted a craft guild to restrict access to a particular trade. Some craft ordinances provided that customer complaints should be brought in the first instance before the masters of the relevant guild, with appeal to the town courts if the guild masters failed to do justice. There were obvious advantages here in keeping cases of a technical nature out of the courts. A number of crafts created environmental hazards, and it was convenient for town authorities to make their members responsible for restricting the nuisance. It was the duty of the butchers' craft to ensure that the area around the meat stalls was left clean. If self-regulation failed, the masters would be reported before a leet jury and would be fined. Craft rules also often restricted hours of work; the Coventry barbers in 1421 stipulated that a barber who shaved on a Sunday without permission should be fined ten shillings.³⁹

Larger towns, because of their distinctive problem of having to negotiate between conflicting social groups, developed complex symbolic codes to express ideals of harmony.⁴⁰ The favourite image was that of the body, whose parts could be allocated

differences of status, the head necessarily being the most exalted. Since differences between eyes, ears, noses and so on are also analogous to differences of employment, corporate imagery could be used to weld status differences to occupational differences as twin aspects of a natural social harmony. This organic view of society, in which the totality was regarded as a living thing of which individuals are adjuncts, is far removed from the laissez-faire ideology of modern liberal thought. Its origins were much older, and it derived biblical authority from the epistles of St Paul.⁴¹ When combined with the imagery of Christ's body and blood, the bread and wine of the Mass, it offered a powerful symbolic legitimation of the social order. In the late middle ages it was ritually represented in some towns at the feast of Corpus Christi by processions to church that simultaneously idealized respect for differences of rank and drew attention to the need for cooperation between crafts. This latter symbolism was most explicit in the mystery plays organized in some towns – notably York, Wakefield, Chester and Coventry. 'Mystery', or 'mastery', was synonymous with 'craft', and the plays were so called because individual crafts were responsible for particular plays.⁴² Both processions and plays were a matter of public obligation; in 1461 the burgesses of Coventry introduced a fine of £5 on any craft that failed to produce its play according to custom.⁴³

Romantic conservatives have sometimes taken this ideology as a representation of the way in which medieval urban society truly was – a harmonious world of cooperation between men and women of different status and different occupational groups. Little knowledge of the historical reality is required to see that this interpretation will not do. Urban societies were frequently riven with conflicts between employers and employees and between rival crafts, and the corporatist ideology of the Corpus Christi procession was responding to a troubling reality rather than imaging public complacency. The same problems that fostered a distinctive urban culture through a multiplication of rules, increasing activity by the law courts and an increasing number of craft guilds and other regulatory bodies, is to be seen here too in the formation of a distinctive civic form of ideology with associated rituals of corporate life. If the ceremonial flourished most in larger towns, that was not simply because they could afford a bigger display. It was also because the problems of conflicting interests in urban society were there most visible.

NOTES

- 1 See below, pp. 54–7.
- 2 Britnell, *Commercialisation*, p. 96.
- 3 Burgess, 'London parishes', pp. 151–74; Rosser, 'Parochial conformity', pp. 173–89.
- 4 Swanson, *Medieval Artisans*, p. 111.
- 5 Maitland, *Township and Borough*, pp. 52–67.
- 6 E.g., Britnell, 'York', p. 186.
- 7 Britnell, 'Boroughs', pp. 46–67.
- 8 Beresford, *New Towns*, pp. 330, 366.
- 9 Clapham, 'Thirteenth-century market town', pp. 194–202.
- 10 Britnell, *Commercialisation*, pp. 49, 115; Dyer, 'How urbanised was medieval England?', pp. 172–4, 177.
- 11 Dyer, "'Urban decline" in England', pp. 266–88.

- 12 Astill, 'Archaeology', pp. 224–30; Britnell, *Commercialisation*, pp. 168–71.
- 13 Hilton, 'Low-level urbanization', p. 496.
- 14 Stenton, 'Norman London', pp. 23–47.
- 15 Keene, *Survey*, vol. 1, pp. 352–65.
- 16 Bennett, *Ale*, pp. 14–36; Goldberg, *Women*, pp. 104–18.
- 17 Swanson, *Medieval Artisans*, pp. 35, 42–3, 74; Goldberg, *Women*, pp. 118–37; Ward, 'Townswomen', p. 40.
- 18 Veale, 'Craftsmen', pp. 120–40.
- 19 Lloyd, *English Wool Trade*, pp. 50–5.
- 20 Carus-Wilson, *Medieval Merchant Venturers*, pp. 211–38.
- 21 Munro, 'Symbiosis', pp. 20–5.
- 22 Bartlett, 'Expansion and decline', pp. 17–33; Bridbury, *Medieval English Clothmaking*, pp. 66–73; Britnell, *Growth and Decline*, pp. 53–85.
- 23 Miller and Hatcher, *Medieval England*, pp. 83–4.
- 24 Carus-Wilson, 'Evidences', pp. 190–205.
- 25 Carus-Wilson, 'First half-century', pp. 49–70.
- 26 Tait, *Medieval English Borough*, pp. 162–85, 342–3.
- 27 Stacey, 'Jewish lending', pp. 78–101; Rigby, *English Society*, pp. 284–302.
- 28 Dyer, 'Ranking of towns', pp. 755–7; Glasscock, *Lay Subsidy of 1334*, pp. 69, 85, 89, 149, 155, 333.
- 29 Tait, *Medieval English Borough*, pp. 157, 178.
- 30 Tait, *Mediaeval Manchester*, pp. 60–119.
- 31 Britnell, *Growth and Decline*, pp. 117–20; Tait, *Medieval English Borough*, p. 318.
- 32 Rosser, *Medieval Westminster*, pp. 285–93.
- 33 Davies, 'Artisans', pp. 125–50; Rosser, 'Craft guilds', pp. 3–31.
- 34 E.g., Britnell, *Growth and Decline*, pp. 132–4.
- 35 Swanson, *Medieval Artisans*.
- 36 Bennett, *Ale*, p. 74.
- 37 Swanson, *Medieval Artisans*, p. 43.
- 38 *Ibid.*, pp. 43 (Bristol), 55, 58, 116 (York).
- 39 Harris, *Coventry Leet Book*, pp. 224–6.
- 40 Phythian-Adams, 'Ceremony and the citizen', pp. 238–64.
- 41 1 Corinthians 10.17 and 12.5–31; Romans 12.4–5.
- 42 Rubin, *Corpus Christi*, pp. 260–87.
- 43 James, 'Ritual', pp. 16–47.

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CHAPTER FOUR

England: Popular Politics and Social Conflict

JANE WHITTLE AND S. H. RIGBY

Approaches to Popular Politics

This chapter explores how ordinary people in later medieval England expressed their interests and values, and in effect, exercised political power. Because the bulk of the population lacked formal political rights, popular politics did not involve participation in the national government. Yet, this did not mean ordinary people were powerless: by virtue of their crucial role in the economy, and their sheer numbers, they made their interests known through a range of legal and illegal means. Marxist writers have described these activities as class conflict or class struggle. However, popular politics is a more inclusive description of disputes, conflicts and expressions of interest that were sometimes class against class, for instance peasants against manorial lords, but were often more mixed, involving factions within particular social groups, or alliances between them. These disputes were sometimes about economic matters, such as the rent and fines paid for peasant holdings, sometimes about legal and personal rights and privileges, such as serfdom, and sometimes about the nature of government. Yet all can be understood as political in the broadest meaning of the word. The outcome of these disputes determined the balance of power within society: who accumulated wealth and who did not; who was protected by the law and who was not; who elected a town council and who did not. This opening section provides an overview of the historiography of social conflict, while the following sections examine the manifestation of popular politics in three different contexts: large-scale rebellion, rural society and towns.

The study of popular politics in medieval England has been strongly influenced by Marxist ideas. What are the strengths of this approach and what are its problems? Marx bequeathed to history the idea that all societies are divided into two main conflicting classes. In modern industrial society these classes are workers and capitalist employers who are in conflict over the level of wages; in medieval society the classes were peasants and lords who came into conflict over the level of rent paid for land. Thus Marx saw class society as rising inevitably out of the organization of economy, and conflict between classes as endemic. However, the class divisions of modern

society are rather more easy to explain than those in medieval society. Capitalist employers have a monopoly of the means of production (factories, raw materials and so on), and therefore workers, who own little beyond their skills and ability to labour, have to accept employment for wages. Workers can gain power over their employers only by organizing collectively, and threatening to withdraw their labour *en masse*. In medieval society by contrast, peasants possessed land, and the stock and equipment needed to farm it. Why then did they pay rent to lords? Marx argued that peasants paid rent because they were forced to do so: they were subject to 'extra-economic coercion'. Although rent was very rarely exacted by the use of direct physical force and intimidation by lords, many peasants were subject to serfdom. In the legal theory of medieval England, serfdom denied peasants many basic rights: they could not marry or leave the place where they were born without their lord's permission; they could not own property, all their wealth and the products of their labour belonged to their lord; nor could they go to a royal court to settle disputes with their lord over these matters. In reality, serfdom and land tenure took many different forms: the idea of extra-economic coercion acts as a shorthand for the fact that peasants lacked power, they paid rent not because they had freely entered into a contract to do so, but because they could not resist lords' demands.

To what extent did medieval English peasants constitute not only a class 'in itself', a group of people sharing a common economic position; but a class 'for itself', made up of people who recognized their common position in society, and consciously organized to improve or protect it? Marx himself once described peasants as 'potatoes in a sack', sharing a common position but lacking the incentive and wherewithal to organize politically.¹ But here he was referring to the peasantry of nineteenth-century France: elsewhere he argued for the revolutionary potential of the peasantry to end medieval, feudal society by actively resisting the demands of their lords. Certainly, for medieval England, it has been argued that peasants inadvertently brought about far-reaching historical change, without accepting that they ever consciously organized with revolutionary historical change in mind. Marxist historians have discussed not only the nature and degree of class conflict within medieval society, but how this conflict helped bring about the end of the feudal economy in the late fourteenth and fifteenth centuries, and its replacement by the more capitalist economy and society that is evident in the sixteenth century. A forceful application of Marx's ideas is presented in a series of articles by Robert Brenner in which he argues that class structure, and class conflict, are the key to explaining the long-term pattern of development in England and other parts of Europe between the medieval period and the eighteenth century. For Brenner, the social outcome of demographic change, such as the fall in population levels resulting from the Black Death, and of commercial developments, such as the increased marketing of grain, were determined by the balance of class forces between lords and peasants. The power of each class was the result of relatively independent factors, such as their internal unity and ability to organize. Thus the path of development towards capitalism which was followed in England was the unintended outcome of late medieval struggles between lords and peasants, struggles which left the peasantry personally free but without full ownership rights to their land.

Whilst Brenner relies on the research of other historians to draw his conclusions, the work of another Marxist historian, Rodney Hilton, derives its influence from com-

binning Marx's ideas about class, serfdom and the nature of historical development with detailed study of primary sources and the conditions of life in medieval England. For instance, while still asserting that the class division between lord and peasant was the most fundamental, Hilton has explored the complexities of rural social structure in the late medieval period, such as the differences of wealth amongst peasant tenants and the presence of large numbers of servants, labourers and artisans in village society. Rather than simply stating that peasants were coerced into serfdom, he studied how serfdom was enforced and strengthened in practice, and the multiple forms it took. And finally, rather than simply asserting that class conflict was important, Hilton has documented such conflict in detail. His studies of popular conflicts in the period between 1200 and 1450, including rural disputes over serfdom, urban disputes over political and economic rights, and the Peasants' Revolt of 1381, have defined the field and remain extremely influential.

As well as offering a framework for understanding social tensions and long-term patterns of change, Marxist approaches have made two more general, but important, contributions to our understanding of popular political conflicts in the medieval period. First, and here Brenner's work is most significant, they remind us that structures which are sometimes taken as given, such as property and law, are social constructs, invented and managed by people. They are therefore subject to change over time, and are effected by political power rather than simply being neutral, administrative systems. This is a particularly important point to make with regard to the medieval period, when the right to hold courts and enforce law belonged to private individuals as well as to the royal government; and rights to land were extremely complex and negotiable. Second, Hilton's work in particular has drawn our attention to the power and agency of ordinary people, an approach that has been described as 'history from below'. In contrast, the traditional political history of medieval England has focused on formal politics, and thus largely ignored the contribution and experiences of ordinary people, apart from their occasional participation in large-scale open revolt.

It would be wrong to imagine that only Marxists have written about popular politics. For instance, historians such as Christopher Dyer and Rosamond Faith have stressed the inequalities and power relationships between lord and peasant, and within the village, without using an overtly Marxist framework, while E. B. and N. Fryde's important survey of 'peasant rebellion and peasant discontents' in the 150 years after the Black Death is written without any explicit reference to Marx's ideas or the concept of class. Others have challenged the approach taken by Marxist historians more directly. Four main strands of criticism illustrate alternative ways of viewing popular politics: that class (and therefore class conflict) is an inappropriate categorization of social groups in the medieval period; that urban society and the conflicts within it sit uneasily with a scheme that stresses rural economic relations; that even within rural society, the degree of exploitation and conflict between lords and peasants has been greatly overestimated; and finally, that many conflicts were between ordinary people and the state, over issues such as taxation, and not between different classes or strata within society.

Certainly, in medieval thought, society was not perceived as made up of conflicting classes, but instead as a society of orders divided into three groups: the priesthood, the knighthood and labourers, or those who pray, fight and work. Each order

was interdependent, relying on the others and performing a vital function for society as a whole. Society was both harmonious and unchanging, with each group keeping to its proper place. No historian accepts this self-portrayal of medieval society at face value: clearly there was conflict between social groups and changes in social structure over time. But many would argue that medieval society was not structured into classes defined by their economic position. Thus Patricia Crone claims that 'pre-industrial societies were not class societies by any definition' and that 'since there were no modern-style classes in the past, there was no modern-style class struggle either'.² Instead, she argues that pre-industrial societies were structured by political rather than economic relationships. Power and prestige determined one's status and thus influenced one's level of wealth, and not vice versa. As status was often hereditary and defined by law, social mobility was restricted. It is this recognition of the different origins of social difference that discourages many historians from using the term 'class' with regard to medieval society, preferring instead to talk about status groups. While this is to some extent merely a dispute about terminology – after all the Marxist concept of extra-economic coercion acknowledges the importance of political power determining economic position in medieval society – there are also real differences of understanding here. Ultimately, Marxists believe that class interests are an expression of economic interests; while historians who prefer to talk about status groups see social difference deriving from other sources: privilege, prestige and political power itself.

Both the 'functional' model of relatively static and harmonious social orders and the 'dysfunctional' Marxist model of two conflicting classes gloss over the difference between rural and urban society in the medieval period. Yet, by definition, towns differ from the countryside in their economic and political structures. This leads to some confusion, with urban historians varying not only in how they classify the main social groups within towns, but also in the degree to which they consider conflict was present. Some, such as Hilton, have seen urban political arrangements, marked by the political dominance of mercantile oligarchs, and the position of the journeymen and marginalized poor within the urban economy as inherently dysfunctional and as necessarily generating conflict. For R. B. Dobson, the attempt by the *communitas* to challenge the power of the ruling merchant oligarchy constitutes 'one of the major themes in the constitutional history of the late medieval town'.³ On the other hand, many historians argued that medieval English town life lacked movements which sought radical social or political change. For S. L. Thrupp, for instance, although urban society was profoundly unequal, urban social and political structures were buttressed by a 'central psychological prop', that of 'the individual's inescapable respect for authority' and the belief that to disobey a parent, a lord, a master or magistrate was 'to commit a sin'. This approach has been developed more recently by S. Reynolds, who, like Thrupp, sees urban political conflict in terms of protest about the *personal* corruption of individual town rulers rather than being generated by a clash of fundamental political principles or by a desire for structural change in town government. Like Thrupp, she believes that it was in the countryside rather than in the towns that radical ideas which challenged the prevailing hierarchy of wealth and power were to be found.⁴

Yet the nature of social conflict in the countryside remains subject to debate. For instance, the extent and severity of serfdom have been questioned, and the impact

of manorial lords on the lives of tenants has been judged to be anything from negative through to irrelevant or even positive. In legal theory, serfdom was undoubtedly a harsh institution. However, many peasants in medieval England were not unfree at all. The latest estimate suggests that in 1300 'more tenants held by free than by unfree tenure'.⁵ Even for the unfree, much of the potential harshness of serfdom was mitigated by the power of custom. Constant conflict would have drained the resources to both lords and tenants; 'custom' or usual practice was the compromise that was reached, and despite their superior political power it seems to have been remarkably difficult for lords to break local custom. So, although in theory servile tenants could not own property, in practice landholdings were inherited, and money lent and borrowed between tenants. Fines had to be paid for permission to marry or leave the manor, but these were set according to the ability to pay, had upper limits, and were sometimes not charged at all. And although fines varied in size, rents were fixed at customary levels. John Hatcher has shown that, as a result, by the early fourteenth century many unfree tenants paid lower rents than people who held land by free, contractual tenures which reflected the true demand for land.⁶ In some ways lords can be seen as protecting their unfree tenants: they discouraged them from splitting their landholdings into uneconomically small farms, and provided manorial courts in which disputes could be adjudicated, transactions documented and village agriculture regulated. Ambrose Raftis, founder of the Toronto School of historians, argues that lordly influence was positive, enabling unfree peasants to become increasingly market oriented and prosperous.⁷ Some historians, such as Alan Macfarlane in *The Origins of English Individualism*, largely dismiss the importance of lord-peasant relations in medieval society and instead stress relationships within the family and the village as central to people's lives. Similarly, members of the Toronto School, such as Edward Britton, place emphasis on the divisions and conflict within village society between ordinary villagers, rather than between lord and tenants.

While on the one hand the class-based approach can be criticized for neglecting divisions within households, communities and social groups, on the other, it could be argued that it underestimates forces for unity. Some complaints, particularly taxation, united the ordinary population as a whole against the central government. Resistance to taxation was an element of large-scale popular rebellions in England in 1381, 1489 and 1497. It is difficult to argue that the government was attacked simply because it represented the ruling class. The interests of the government and manorial lords were not identical; in fact, they could be in direct opposition: paying tax impoverished the peasantry, reducing their ability to pay rent to landlords. It was not only taxation that led ordinary people to criticize the state: the royal legal system came in for attack during the Peasants' Revolt, as well as the private courts of manorial lords, with the rebels directing their actions against royal laws, courts and lawyers. Rebels complained about misgovernment, favouritism and corruption in 1381 and Cade's Rebellion of 1450, while in the thirteenth century peasants became involved in the baronial movement that challenged the royal government between 1258 and 1267, sometimes out of loyalty to their lords, sometimes out of self-interest, and sometimes perhaps out of principle.

Mindful of these problems, in the last decade historians of popular politics and conflict have increasingly turned away from Marxist interpretations, preferring instead

to take useful concepts from a range of approaches, and placing greater emphasis on popular culture, including ordinary people's understanding of religious ideas and national politics, as well as their economic position. Previously, writers from both ends of the political spectrum had rejected the idea that peasants showed independence of thought or adopted a radical outlook. Despite arguing for the radical impact of peasant rebellion and resistance, Hilton has seen peasant ideology as essentially conservative, writing that 'the ruling ideas of medieval peasants seem to have been the ideas of the rulers of society as transmitted to them in innumerable sermons about the duties and the characteristic sins of the various orders of society'.⁸ Crone is even more dismissive, suggesting that 'peasants did not easily develop common aims above the local level, let alone political organisation'.⁹ Yet more recent work, not specifically concerned with the context of medieval England, often looks at the issues differently, providing an impetus for new assessments of popular politics in England. Paul Freedman in *Images of the Medieval Peasant* illustrates how serfdom was criticized by medieval intellectuals across Europe, and explores how peasants used ideas of reciprocity taken from the society of the orders, and of equality before God taken from Christianity, to justify their own popular movements. Rather than assuming that a lack of overt social conflict indicates contentment with the existing order, meek submission or lack of a political consciousness, James Scott in *Domination and the Arts of Resistance* uses cross-cultural comparisons to illuminate and reveal the ideological world of subordinate social groups. Similar approaches have begun to filter into the study of the English Peasants' Revolt of 1381 in particular, with Steven Justice analysing the remnants of rebel literature, and Andrew Prescott arguing that legal records contain important traces of the rebel agenda. The Peasants' Revolt is the best-documented popular revolt in medieval Europe, and within England was unprecedented as a forceful and widespread statement of popular discontent. It is with an examination of the events of 1381 that our survey of popular conflict in medieval England begins.

The Peasants' Revolt of 1381

Open rebellion was the most obvious manifestation of popular political action in late medieval England. Large numbers of ordinary people, who felt they had no other way of making their grievances and opinions known, organized themselves as if for war, and either took action against those people and things they saw as responsible for their discontent, or presented their grievances to the king. Rebellions of this type took place in various parts of England in 1381, 1450, 1489, 1497, 1536–7 and twice in 1549. The rebels rarely achieved the aims they set out to fight for: Dobson argued that the Peasants' Revolt of 1381 was 'a historically unnecessary catastrophe' which had little measurable effect on social and economic conditions.¹⁰ But rebellions did have an underlying achievement of a different kind: they reminded those in power, the king, great lords, gentry, wealthy churchmen, lawyers and government officials, that their power was not limitless. The parliament held after the revolt in 1381 recognized that ordinary people had genuine grievances, and that there would be even 'greater mischief' from the populace if something was not done.¹¹ The revolt of 1381 was the largest and most significant rebellion in the period under consideration. Narratives of the events of the revolt are readily available and need not detain us. Of

more interest here are the demands and grievances of the rebels, the social make-up and organization of those who took part in the rebellion, and its causes, all of which offer insight into popular political feeling and power in late medieval England.

Unlike later rebellions, no petition of rebel demands survives from 1381, which means we are reliant on the accounts of hostile chroniclers. The author of the *Anonimale Chronicle* records four occasions when the rebels put their grievances to Richard II. Each time the list became longer and more radical. On 11 June in reply to a message from the king 'asking why they were acting in this way and for what reason they had risen in his land', a group of rebels answered that 'they had risen to save him and to destroy traitors to him and the kingdom'. On 13 June they declared not only their intention to capture traitors but also to obtain 'charters to free them from all manner of serfdom, and certain other points'. The next day, when the king met with rebels at Mile End outside London, all these points were repeated, and in addition that no one should serve or make homage to any lord, apart from paying 4d. per acre for land; and 'no one should serve any man except of his own will and by means of regular covenant'. This last demand is probably a reference to the provision in the Statute of Labourers of 1351, which allowed people without land or a craft to be placed in compulsory employment as servants. Finally, at Smithfield on 15 June, the rebels presented the king with a list of demands that required nothing less than a radical transformation of society. They demanded not only the end of serfdom, but also a complete restructuring of the legal system, the abolition of lordship except for that of the king, and a similar restructuring of the church, with church land, goods and rights of lordship 'divided among the commons'.¹² A number of enigmatic letters written by rebels to encourage others to join and remain loyal to the rebellion survive, which also hint at a radical agenda. Legal records suggest the rebel demands were widely disseminated. An indictment records Essex men swearing 'to destroy divers lieges of the king and his common laws and all lordship' very early in the revolt on 2 June,¹³ whilst a list similar to that presented at Mile End, but with added details, was found in the hands of a Suffolk man in late June by commissioners restoring order in the aftermath of the revolt.¹⁴

The rebels' grievances can be seen in their actions as well as their words. It is a misconception to imagine rebels running amok, killing and burning indiscriminately. We learn as much from observing what rebels did not do as what they did, and it is clear that their actions were carefully directed against the people and things they saw as responsible for their problems. Although taxation is not mentioned in the demands, the first outbreak of revolt emerged from the refusal of a number of Essex villagers to pay the third poll tax being collected that year. The burning of tax records, the killing of tax collectors and the beheading of Sir Robert Hales, the treasurer of England, demonstrate that taxation remained a live issue throughout the rebellion. The 'traitors' whom the rebels asked the king's permission to punish included a number of other prominent royal advisers, but not all of the aristocracy were targeted in this way: according to the *Anonimale Chronicle*, the rebels from Kent had a list of sixteen prominent men whose heads they wanted. These men were killed whenever they fell into rebel hands, and their property was systematically ransacked wherever the rebels were in control. Flemings, immigrants from the Low Countries, were singled out for attack as a social group. The chronicles suggest over a hundred were killed, but offer no coherent explanation as to why these people, who were

mostly textile workers, were so hated. Hilton argues that competition for jobs was a motivation, as well as sheer xenophobia. Even these attacks, however, suggest conscious selection of victims on the basis of nationality.

The legal system was also a source of grievances. Lawyers were attacked and killed and inmates released from prisons. Legal records, both from royal courts and local manorial courts, were burnt. Manorial court rolls recorded who was servile and listed other duties and payments owed to manorial lords, so destroying this evidence was a practical attack on serfdom and other hated customs. Some powerful ecclesiastical lords, who were large landowners, were specially targeted: most famously the abbeys of St Albans and Bury St Edmunds. Here townspeople and local villagers, who were tenants of these lords, united to settle the score in running disputes that had begun long before 1381. Despite the clear desire to end not only serfdom but other aspects of manorial lordship, lords seem rarely to have been physically attacked unless they were seen as involved in wider issues, such as corruption in government and law, or tax collection.

What do we know about the number, distribution and social make-up of the rebels? Taking into account the chroniclers' tendency to exaggerate, Dobson estimates that not more than 10,000 rebels were involved in the attack on London, while Herbert Eiden has traced 'slightly more than 3,500 persons indicted in connection with the rising or named in central administrative records as having been involved'.¹⁵ The rebellion engulfed much of south-east England and East Anglia, with isolated outbreaks of disorder in towns elsewhere in the country. It began in the countryside, in southern Essex and northern Kent, although historians disagree about whether it deserves the title 'The Peasants' Revolt' as the participants were not only small-scale farmers. Dyer, who has traced the background of known rebels, found that they 'represent a wide spectrum of rural society, with a slight bias towards the better off'.¹⁶ The south-east and East Anglia were the most commercialized regions in England, with large numbers of rural craftsmen and wage earners, as well as those who farmed for a living, and this is reflected in the composition of the rebels. A number of poor clerics (Dobson refers to them as the 'clerical proletariat') were also prominent participants, most famously John Ball and John Wrawe.¹⁷ Once up in rebellion, this cross-section of ordinary rural inhabitants received active support from those of a similar social standing in urban communities.

It is striking that while being very inclusive of the poorer sections of society, few gentry or wealthy townsmen became involved with the rebel cause, despite the rebels trying to enlist their support. A small number of Norfolk and Suffolk gentlemen did participate on the rebel side, but they stand out as exceptions. The rebels recognized this alignment, referring to themselves as 'the commons', an inclusive term for ordinary people, or 'the true commons', perhaps to delineate themselves from the parliamentary commons – the gentry.¹⁸ Thus the rebellion did divide society into two opposing camps, if not those described by Marx. The commons were not simply peasants, but also included craftsmen, townsmen and clerics. Nor was this 'the society of orders', as the clerical order was divided between the two camps rather than standing as a separate group. But in some ways it was a political division rather than an economic one: a division between those who officially held power in government, in lordship, in urban oligarchies, in the legal system, and those who did not. The rebels justified their actions in terms of the misgovernment that had occurred in all these

spheres of power, and argued that instead power should be devolved to them, the common people of England.

The rebels proved themselves to be capable of organizing coordinated and disciplined action against those in authority, without gentry leadership. The suggestion by some early historians on the basis of court roll evidence that there was a shadowy organization known as 'the Great Society' behind the rebellion has now been dismissed as a mistake of translation.¹⁹ Nevertheless, Nicholas Brooks has argued that there was careful planning behind rebel actions, particularly in the synchronizing of actions in Kent and Essex and the convergence on London. Historians have been less sure of what to make of the rebels' ideas and motivation. The rebels obviously had a relatively high level of political awareness, for instance they knew who did what in the government and legal system. The rebels also knew what they were against: serfdom, corruption in law and government, the poll tax, church wealth and the new labour laws. But did they have a vision of the future? Throughout the rebellion, loyalty to the monarchy, in the person of King Richard, was stressed again and again. The involvement of clerics, as rebel leaders and spokesmen, indicates the importance of religion to the rebels. The monarchy and Christian church were part of the existing order of society, but the type of monarchy and church the rebel leaders envisaged constituted a radical vision of a new order. It was a vision of a king without advisers, and without any substantial government to support him; a legal system run largely by ordinary people themselves; peasants paying a rent to landlords, but to landlords with no other personal or political powers over them. The church would be largely without property, and based on a radical, egalitarian interpretation of the Bible of the type promulgated by John Ball, who is said to have preached to the rebels:

When Adam delved and Eve span
Who was then the gentleman?²⁰

We cannot know how many rebels held these beliefs, but it is important to recognize they were present among the ordinary people of England at this time.

None of the above explains why the rebellion occurred when it did. The year 1381 was not one of unusual hardship, and the economic situation of most of the population had improved considerably in the years since the Black Death. Historians argue about the relative significance of various causes; long term or short term, economic or political. For instance, Fryde emphasizes taxation and politics, while Hilton stresses the economic situation and serfdom. Yet, popular movements are always multi-causal. The Black Death of 1348–9 and subsequent outbreaks of plague reduced the population by more than a third, destabilizing existing social and economic relationships. The economy was already commercialized in many ways, but now economic trends weakened the position of lords and employers, challenging the existing social structure. There was little immediate change, but lords found it increasingly difficult to find tenants to hold land and labourers to work for wages. With land more plentiful, serfdom was more difficult to enforce. The 1351 Statute of Labourers attempted to keep wages at pre-plague levels, but actual wages were often a great deal higher: the new laws simply added further to the discontent with the way the legal system was administered. Added to this already unstable situation was an episode of heavy taxation, based on new types of taxes. Finally, rebellions occur not only because of

discontent amongst the populace, but when those in power are perceived as weak: with a fourteen-year-old king surrounded by unpopular figures, the English government looked vulnerable.

The Peasants' Revolt was the first in a series of large-scale popular rebellions in England: there were three more serious outbreaks in the fifteenth century alone. Of these only Cade's Rebellion of 1450 came close to 1381 in terms of numbers of rebels and the threat posed to the government. Interestingly, the rebellion of 1450 also bore other similarities to 1381, drawing most of its support from Kent and east Sussex, but with some involvement from Essex and Suffolk, and the rebels again advanced on London, eventually taking the city. It occurred when the government was in political, military and financial crisis; this provided an impetus for the rebels, whose primary grievance was the level of misgovernment, while also offering an explanation of the temporary success of the rebellion. As in 1381, the rebels described themselves as 'the true commons'; although this time, the rebels' own petitions of grievances survive.²¹ However, unlike 1381 there is little evidence the rebels sought a radical restructuring of society. The main economic motivation behind the revolt seems to have been a severe downturn in the cloth industry: this explains the involvement of parts of Wiltshire in the revolt, as well as cloth-producing regions in Kent, north Essex and Suffolk. Cloth exports had been adversely affected by war and failed diplomacy, so the workforce of the industry had an active interest in the affairs of high politics.

The rebellions of 1381 and 1450 both drew support from the commercialized regions of south and east England, and threatened the seat of government in London. In contrast, the Yorkshire Rebellion of 1489 and the Cornish Rebellion of 1497 were revolts of peripheral regions against unusually heavy taxation demands from the geographically remote centre of power; although they also had political undertones of resistance to the newly established Tudor monarchy. The rebels in Yorkshire killed Henry Percy, earl of Northumberland, the most powerful supporter of Henry VII in the north of England, and also the man responsible for collecting the subsidy tax granted that year. They later took York, but dispersed when a large and well-organized royal army advanced on the city. The Cornish rebels marched as far as London, gathering support along the way, to present their case to the king. Contemporary reports suggest as many as 15,000 rebels gathered on Blackheath, but when faced with an even larger royal army many rebels fled, and the remaining 'Cornishmen, being ill-armed, ill-led and without horse or artillery, were with no great difficulty cut to pieces and put to flight'.²²

Large-scale popular rebellions are dramatic events that command our attention and offer a window onto the ideas and strength of feeling of large sections of the population. But social discontent has a longer and more continuous history than this. Indeed, historians tend to agree that, cumulatively, local disputes and individual actions were actually more effective at achieving significant long-term changes than the outbursts of popular feeling found in open revolt. Certainly, the large-scale popular rebellions described above were not the only time people protested against taxation and the legal system or sought to intervene in national politics. J. R. Maddicott notes contemporary fears that taxation would cause rebellion in 1311, and points to widespread local resistance to tax levies in the famine years of 1315–17, and attacks on tax collectors in the 1320s and 1330s. Hilton

records 'organised attacks' on the sessions held by justices to enforce the Statute of Labourers: in Middlesex in 1351, in Lincolnshire in 1352 and in Northamptonshire in 1359.²³ Carpenter describes peasant involvement in the baronial rebellion in the second half of the thirteenth century; while the Frydes note that 'between 1381 and 1405 at least five more popular revolts broke out, or were averted only at the last moment'.²⁴

Conflict in Village Society

Most popular political activity in rural society, however, revolved around local disputes between lord and tenants. To understand these it is essential to understand the nature of the late medieval manor. The manor was both a unit of landownership and a unit of jurisdiction with its own court, held by a manorial lord. It sometimes coincided with the territory of a particular village, but often did not. Each manor had its own customs or laws which determined many aspects of village life, for instance tenants' rights of inheritance to land; the level of rent, fines and labour services owed to the lord; and how different types of land and other resources (such as common pasture and woodland) could be used by the tenants. So manorial customs were not quaint records of rural practices, they were rules and restrictions that determined the population's quality of life: the distribution of wealth and rights to freedom of action. Customs were depicted as unchanging and 'ancient', but in fact they were often altered, sometimes officially by the manorial lord with the consent of the jurors of the manorial court, who represented the tenants; sometimes by the manorial lord in the face of tenant protests; sometimes by the tenants when the lord was indifferent or the manor poorly administered.

Disputes between lords and tenants over customs including the nature of serfdom, were fragmented in the same way that manorial jurisdiction was. They occurred manor by manor, making it difficult to offer a general history. English manors are well documented from the late thirteenth century onwards because of the large number of manorial court rolls that survive, and these rolls reveal much evidence of disputes between lords and tenants, as well as between tenants. Tensions arose within the structure of the manor because it was in lords' interests to maximize income drawn from land and tenants, while similarly, it was in tenants' interests to maximize their income by paying as little as possible to their lord in money, goods or labour, and using the land and resources within the manor to the greatest possible extent. But disputes were not purely economic: ordinary people appear to have hated serfdom because of the social stigma it bore as well as the economic restrictions it entailed. Nor can lords' actions always be explained by a search for profits. For instance, in 1390 when six unfree tenants from Wingham, Kent, delivered hay and straw to their lord Archbishop Courtney in Canterbury, they did so secretly and on foot to avoid revealing their servile status in public. The archbishop punished them by making them parade round Wingham church carrying sacks of hay and straw, presumably with the aim of humiliating them and publicly affirming their low personal status, even though they had carried out the work required of them.²⁵

Some of the earliest records of lord-peasant tensions, dating from the early decades of the thirteenth century, are cases from the royal courts over whether particular tenants were servile or not. Serfdom was not new in this period, but it was

becoming increasingly precisely defined in law as a result of the growth of the royal legal system, access to which was denied to the unfree in matters concerning property. The cases reveal the extent of lordly power over servile tenants: the tenants complained about their land being seized, physical attacks and theft of goods, arson and imprisonment; all carried out by their lord or his agents. For instance, in 1205 an Essex man was assaulted and robbed of £10 in cash, clothing and jewellery on his way to market, and then thrown into the abbot of Waltham's jail. His attackers were the abbot's servants and they denied robbery on the grounds that the man was the abbot's villein or serf, and thus technically there was no robbery.²⁶ If a victim in a case like this was judged to be a free man, he could have legal remedy in the royal courts, but if he was unfree the case was dismissed: no crime had been committed as he and his property belonged to his lord.

Disputes over status could involve whole manors rather than just individuals. One strategy was to claim the manor was part of the 'ancient demesne', land that had belonged to the king at some time in the past. Rents, fines and services owed by tenants on these manors could not be altered, even if the manor had subsequently passed into the hands of another lord. The usual way of attempting to prove ancient demesne status was to appeal to the Domesday Book, which recorded who owned manors just before and after the Norman Conquest. An appeal of ancient demesne required significant organization by villagers including some initial understanding of the laws in these matters and the collection of funds to pay for the case, the hiring of lawyers and travel to London. There are scattered appeals from the mid-thirteenth century onwards, for instance in 1260 by the tenants of Mickleover, Derbyshire, by the tenants of the Priory of Harmondsworth in 1278, and by the tenants of Ogbourne, Wiltshire, in 1309.²⁷ In 1377 there was a rush of cases involving at least forty manors from Wiltshire, Hampshire, Surrey, Sussex and Devon in what seems to have constituted an organized movement. Alarmed manorial lords petitioned parliament to quash it before peasant aspirations ran out of control. The trouble taken in bringing these cases seems odd considering most were unsuccessful. Yet appeals did occasionally succeed even when the case was far from strong: the tenants of Crondall, Hampshire, who had been disputing their status since at least 1280, had their ancient demesne status recognized in 1364, thus fixing the payments their lord could demand. This manor had not been in royal hands at the time of Domesday, although it had belonged to the king some time in the ninth or early tenth century.²⁸

Tenants also attacked the institution of serfdom from within. One mark of serfdom was the requirement to perform menial labour services as part of rent payments. Historians have long suspected that labour services were performed with a deliberate lack of attention. David Stone has recently proved this was so on the manor of Wisbech Barton. Comparing the labour productivity of workers hired for wages and tenants performing labour services between 1341 and 1389, he found that wage workers were consistently more productive, suggesting that the poor performance of labour services was endemic.²⁹ Poor work was one strategy; outright refusal to perform services also appears to have been surprisingly common. In twenty-one surviving court sessions from Ramsey Abbey between 1279 and 1311, Hilton found 146 'separate convictions for the deliberate non-performance of labour services, apart from cases of what may have been equally deliberate cases of bad

work'.³⁰ In the St Albans' manor of Park, groups of tenants failed to perform labour services in 1245, 1265, the 1270s, 1309 and every year between 1318 and 1327. Rather than being individual actions, Faith argues that these were coordinated labour strikes. Poor performance and tenant resistance were perhaps a reason why labour rents were increasingly commuted into money payments in the first half of the fourteenth century.

On some manors, such as Park, tenants fought their lords on a number of fronts. Tenants not only withheld labour services from the abbot of St Albans, but also poached partridges, hares, rabbits and fish in his forests, took timber from his woodland, and used handmills in opposition to his monopoly of milling. The dispute over the use of handmills stretched back as far as the abbey's surviving manorial records, which begin in 1237. Not only the rural manor of Park but the townspeople of St Albans were in conflict with the abbey over these issues, and during the rebellion of 1381 they united in action, symbolically invading woodland and returning with greenery and a live rabbit, and entering the abbey to break up and distribute the confiscated handmills that had been cemented into the floor of the abbot's parlour as a sign of his lordly rights.³¹ In Darnell, Cheshire, in the 1320s and 1330s, tenants of the Abbey of Vale Royal also disputed their lord's monopoly of milling, as well as denying their servile status and opposing restrictions placed on the leasing of land. They not only went to great lengths to present their case to the king and queen on different instances, but 'went as far afield as Rutlandshire, in arms, to seek out and attack the abbot and his entourage'.³²

The drastic fall in population levels from 1348 onwards as a result of the plague increased the availability of land for those who survived, strengthening tenants' bargaining power against their lords. There was, however, no immediate weakening of serfdom. In fact, many lords exploited their remaining tenants more heavily as they tried to retain previous levels of manorial revenue. Yet between 1381 and the mid-fifteenth century serfdom virtually disappeared from England. It was never abolished, and a few people retained hereditary servile status into the sixteenth century, but it was no longer widespread. How, then, had serfdom disappeared? There were three possible routes to freedom, all of which required deliberate action on the part of servile tenants. One was to purchase manumission, official recognition of freedom from one's lord. Manumission fines were relatively expensive, usually £10 or £20 in the fifteenth century. This route was never a common one, perhaps used most often by wealthy individuals who wanted to be sure their bond to a lord was broken. The second route was the renegotiation of land tenure, either by individuals or by groups of tenants. By the early fifteenth century many landholdings lay vacant and lords were increasingly desperate to retain their remaining tenants. Labour services were permanently commuted and servile descriptions removed from tenurial obligations, so that villagers became personally free tenants holding land by customary tenures such as copyhold, as happened for instance on the abbey of Westminster's manors.³³ This occurred quietly on many manors, with little or no comment in the records: lords did not want to make a fuss about the concessions they were offering to tenants, perhaps in the hope they could revive old practices when the economic situation improved.

The third, and most common, route was flight: simply to leave, illegally, the manor in which one was servile and take up land elsewhere on different terms as a free

tenant. Court rolls from the 1380s to the 1440s show an unusually active land market and high turnover of tenants. Certainly, the fall in population levels opened up new opportunities for the survivors, but this intensity of mobility can only be fully explained if we take into account many ordinary people's desire to obtain freedom as well as a good landholding. Freedom also brought the right to make flexible economic choices and, as the fifteenth century progressed, only those manors that offered benefits such as low rents, good quality arable land, large areas of common grazing, opportunities to work in rural industry and minimal lordly interference remained fully tenanted. The shortage of tenants placed ordinary people in a strong bargaining position. There were 'rent strikes' against particular manorial dues that tenants felt were unfair or unnecessary, such as the fine to recognize a new lord which tenants of the bishop of Worcester withheld in 1433; or money payments for commuted labour services which tenants of the nuns of Syon at Cheltenham refused to pay between 1445 and 1452.³⁴ Similarly, the power of manorial courts was diminished by tenant refusals to pay fines, perform offices or even turn up at court at all. Courts remained important for registering land transfers and regulating village agriculture, both functions which benefited tenants. Lords who refused to lighten payments or restrictions on tenants, and whose manors lay on poor land in out-of-the-way locations, sometimes found that they were left with no tenants at all. Some lords may have emptied villages deliberately to create large-scale sheep or cattle farms. Certainly instances from the 1490s of lords forcefully removing tenants 'who departed weeping and probably perished' were reported to the inquiry into rural depopulation led by Cardinal Wolsey in 1517.³⁵ However, the majority of villages deserted in the fifteenth century were vacated voluntarily by tenants or their heirs who hoped to find better opportunities elsewhere.

As the power of manorial lords within the village waned in the fifteenth century, many villages and small towns took an increasing responsibility for managing their own affairs through the creation and enforcement of by-laws which regulated not only agricultural practices but also social behaviour. An increased incidence of fines for breaking by-laws in manorial courts might indicate increased disorder, but can also be seen as a sign of changing patterns of regulation, as ordinary people took on functions of law-keeping that had previously fallen to manorial lords. The rebels of 1381 were unsuccessful in achieving their aims, but a hundred years later the common people of England had not only largely managed to abolish serfdom, but had significantly reduced lordly power, redistributed wealth towards themselves and taken control of important elements of the legal system.

Urban Social Conflict

If social conflict was inherent in the rural social relations of medieval England and played a crucial role in medieval social change, how significant was social and political conflict within the English medieval town? What were the causes of popular unrest, and how successful was it in achieving its aims? Urban social and political conflicts can be divided into two main groups: those which took place in towns that had yet to win self-government from their lords, and those where the burgesses had won such freedom and where unrest was targeted against the town rulers. In the seigniorial boroughs, the townsmen were far less likely to achieve the

administrative independence enjoyed by the burgesses of the royal towns. In particular, it was amongst boroughs with monastic overlords that the lords' manorial powers seem to have been most resented and became a source of friction and conflict. Monastic lords tended to retain control of town courts and of the urban economy via their appointment of stewards and bailiffs and to maintain an immediate financial interest in the town through the direct collection of rents and tolls rather than receiving the farm of the revenues via the townsmen's elected officials. Such rights were not so extreme as to restrict urban growth within monastic boroughs, but they remained an irritating symbol of the townsmen's lack of independence compared with the burgesses of towns that were often less impressive in terms of their population and wealth.

Bury St Edmunds is a classic instance of a town where a lack of civic freedom resulted in recurrent outbreaks of conflict with its monastic overlord. From the late twelfth century onwards the townsmen clashed with the abbey over the election of town officials and the collection of taxes, and tensions periodically erupted into violence, with assaults on the abbey and its servants. In 1327, for instance, Bury was one of a number of monastic boroughs (including St Albans, Abingdon and Dunstable) where the townsmen used the weakening of central government resulting from the deposition of Edward II as an opportunity to press their claims. At Bury the townsmen allied to the abbey's rural tenants, plundered the abbey and elected their own alderman, who was not presented to the abbot for confirmation. These events were to be repeated during the Peasants' Revolt of 1381 when the townsmen of Bury again attacked the abbey and demanded that the monks restore to them the liberties supposedly granted to them by King Cnut, the founder of the monastery. There were similar risings in 1381 against religious houses in other towns, such as St Albans, Bridgwater, Dunstable and Peterborough, although not all such risings were necessarily in alliance with local rural rebellions as they were at Bury and St Albans. However, the suppression of the Peasants' Revolt usually meant the end of the towns' ambitions to self-government. Unlike the communal movement on the continent, urban risings in England rarely received any support from the crown, which consistently defended the property rights of the monastic landlords, and were thus doomed to failure. It was the Reformation rather than the burgesses' struggles that would eventually end monastic control over these towns.

However, such dramatic conflict between townsmen and overlords was by no means the norm. Municipal institutions were usually obtained without recourse to force, as in the reigns of Richard I and John when royal boroughs such as Grimsby took advantage of the crown's financial need to buy charters of self-government. Yet such liberties could always be suspended if the town was seen as a challenge to royal authority, as even London found to its cost when it provoked the wrath of Richard II. Moreover, if a number of monastic boroughs had a long history of conflict with their overlords, in many seigniorial boroughs, particularly those with lay lords, such as Boston and Leicester, cooperation seems to have been the norm between lord and townsmen. Nor was persistent conflict the norm even within the monastic boroughs. At Durham the relationship between the townsmen and their ecclesiastical overlords seems to have been one of peaceful coexistence, whilst at Westminster the townsmen seem to have been left to order their own affairs so long as the ultimate authority of the abbot was recognized.

If townsmen could, on occasion, come into conflict with their lords, the achievement of urban self-government by no means meant an end to urban social conflict. Such conflict sometimes resulted from a clash of economic interests between merchants and master-craftsmen, as at London in 1327 where opposition between the saddlers, who imported the linen and leather needed for the craft and sold the finished product, and their dependent lorimers, joiners and painters led to fighting in the streets and the threat of a general strike. In turn, masters came into conflict with their journeymen, as in Colchester in 1418 where the master-fullers attempted to ensure that their workers did not work up materials in their own right but only as hired labour. Inevitably, wages were a key issue, as at York in the 1420s, where relations between masters and journeymen became so strained that the city council was forced to intervene to raise wages, despite the masters' opposition. Such disputes often involved the formation of separate journeymen's guilds, as in 1303 when the London journeymen-cordwainers rebelled against a wage cut, although the journeymen here were defeated and prohibited from making any further *congregaciouns* of their own, as were the journeymen-tailors and cordwainers of York in the following century.

However, whilst economic strife was to be found within towns, the potential for conflict between masters and employees may have been reduced by the fact that many of those in waged work were not permanent proletarians but rather took paid work at a particular stage of their life-cycle, in their teens and early twenties. Many such servants were related to their employers or came from the same social class. The fact that the household was the basic unit of production may have encouraged close personal ties between masters and servants, as can be seen from bequests made to servants in wills. Furthermore, unlike peasant opposition to manorial impositions, which were aimed against some particular landlord, urban economic struggles often lacked a clear target. As a result, when conflict did arise in the towns, it often focused on *political* issues such as the election of borough officials or the claim that town rulers were manipulating the taxation system for their own benefit. Urban political theories and ideals thus play a central role in any assessment of popular movements within medieval English towns.

As Thrupp and Reynolds have emphasized, the dominant political theory within towns, as within society as a whole, was based on a *descending* concept of political power, one in which town rulers owed their legitimacy to some superior political power, ultimately to God. Town mayors thus made much of the dignity arising from their position as royal officers and the duty of the townsmen to accept their authority. In social terms, this descending concept of government meant, as a royal letter to the city of Lincoln put it in 1438, that those appointed as mayor or sheriff of the city should be drawn from the 'more worthy, more powerful, more good and true, more discreet and more sufficient, and more befitting to occupy' such office, rather than from those middling persons ('*mediocres*') – let alone the *inferiores* – to whom such office would be a burden.³⁶ Yet, in practice, despite the claims of this explicit theory, much day-to-day political practice implicitly embodied an alternative concept of power, an *ascending* concept in which the basis of political authority lay in some form of popular consent (albeit not conceived of in modern egalitarian terms). Thus, mayors were not only royal agents but also municipal *representatives*, whilst the requirement that town government should be carried out according to custom

assumed a consent to such custom by the commonalty. The need for popular consent could be given explicit form through the requirement that town by-laws and ordinances be made 'with the assent of the commonalty'.³⁷ In other words, the choice facing townsmen was not that between egalitarian democracy on the one hand and unquestioning acceptance of the rule of the rich on the other. Rather, it was how to reconcile the existence of the principle of rule by the 'better sort' with that of the community's right to consultation and representation.

That these two principles could come into opposition can be seen at Leicester in 1489 when, in accordance with an act of parliament, the mayor and twenty-four, along with forty-eight of the 'wiser' inhabitants nominated by the mayor and twenty-four, elected Roger Tryng as mayor 'in the name of the whole community', whereas the commonalty of the town, who had been described in the act as men of 'little substance and no discretion', met in accordance with past custom at an assembly of burgesses and elected Thomas Toutheby as mayor.³⁸ The result of such conflict was, on occasion, a change in the structure of municipal government so as to provide a greater accountability of town rulers to the commonalty. At Lynn, conflict in the early fifteenth century between the town's *potentiores* and its *mediocres* and *inferiores* led to concessions by the town rulers, who agreed to consult the lesser inhabitants about the financial charges made on them and to allow them an involvement in the election of officers. The townsmen of Lynn did not reject the rule of the 'better sort': they accepted that mayors should be chosen from the ruling twenty-four and simply sought the right to select two of the twenty-four as candidates for the mayoralty so as to prevent the town rulers from becoming a self-perpetuating elite who tallaged without consultation. In order to obtain good government, the townsmen of Lynn did not simply call upon their rulers to repudiate sin, the means favoured by writers of the 'rhetorical' school, such as Brunetto Latini (excerpts of whose *Li Livres dou Tresor* were included in the London *Liber Custumarum*). Rather, like Marsiglio of Padua and the 'scholastic' theorists, they saw good government as not merely based on personal virtue but also in terms of efficient institutions and of elected officers whose discretionary powers were limited by a series of checks on their actions.

The desire to establish at least some popular influence on town rulers often led to the creation of new town councils, as at Norwich, where conflict between the commonalty and the ruling twenty-four over the mayoral election led, in 1415, to the creation of an additional council of sixty. In London, in 1376, constitutional change took the form of restrictions on the power of the aldermen who ran the city, and the creation of a common council based on guild representation rather than one elected on a ward basis. At Exeter such pressure from below led not to the creation of a new council but to the enlargement of the existing one, with the addition of a further twelve councillors 'for the commonalty' to the existing council of twelve. At York, popular pressure, ranging from petitions to riots, led to changes in the procedure for electing the mayor in 1464, 1473, 1489, 1504 and 1517 and to a formal recognition of the role of the craft guilds as the representatives of the commonalty and their involvement in the elections. The issues underlying political strife are particularly apparent in London disputes in the early 1440s in the conflicts around the candidature of Ralph Holland as the popular candidate for the mayoralty. Here, conflict centred on the basic principles underlying the city's government, such as the extent

of the civic franchise, popular participation in government, the social value of the artisan and equality before the law. Such conflict reveals to historians a rather different conception of town rulers from that presented in the official sources on which they are usually dependent.

Yet if movements to make town rulers more accountable had some short-term successes in late medieval England, it was the 'descending' rather than the 'ascending' concept of town government which was increasingly triumphant. Thus, in London, the reforms of John of Northampton and the craft guilds which sought to restrict the powers of the city's aldermen were reversed from 1384 until, in 1394, it was ordained that aldermen should hold office for life. Nor was the emergence of town councils always associated with the extension of popular involvement in town government. On the contrary, councils could also be used to restrict popular involvement, as at Grimsby, where a council of twelve took on some of the duties once carried out by juries in the borough court. Elsewhere, at Leicester, such councils could replace popular electoral assemblies. They tended to be associated with the introduction of aldermen appointed for life and the restriction of candidature for the mayoralty to aldermen, as at Nottingham (1448), Stamford (1462) and Grantham (1463), or at least to those nominated by the aldermen, as at Hull (1443). All of these trends culminated in those towns which adopted 'close corporations', as at Bristol (1499), Exeter (1504) and Lynn (1524), where the popular element in town government was swept away, councillors and aldermen were co-opted and served in office for life.

Why this shift from an informal plutocracy to a more formal oligarchy should have occurred precisely when the inhabitants of the English countryside were succeeding in throwing off the legal restrictions of manorialism is not clear. Less democratic forms of government may have been a response from above to a fear of popular disorder, particularly at election times, as at Colchester in 1430. The reliance of popular movements on the short-term forms of action that were typical of the pre-industrial 'crowd' often made it difficult for them to defend any gains that were made. Such protests could easily be dismissed as 'unlawful' by town rulers, who tended to be backed by the crown, whose main concern was the defence of 'order' rather than resolving the issues which gave rise to disorder. Town officials had their own sanctions against those who did not accept their rule: a day in the borough gaol was enough to end the protests of John Astyn of Grimsby, who in 1389 refused to pay his assessment for borough taxation and claimed that he would not be ruled by the mayor but only by his fellows and equals. The borough charters issued by the crown in the later middle ages, which reveal an increasing interest in the internal organization of town government, were also a force for more exclusive forms of government. Town rulers may also have emulated each other in the growth of the appointment of aldermen for life, in the increasing emphasis of the dignity of office, and on the pomp and ceremonial of town government. Finally, whilst economic trends, particularly the shortage of tenants and labourers, tended to favour the success of the peasants' struggles in the post-plague period, they may have worked *against* the success of urban popular movements. On the one hand, in those towns that were in decline in this period, a shortage of wealthier citizens may have led to a conscious attempt to attract richer townsmen to municipal office by the introduction of more exclusive forms of government. On the other, urban prosperity could also lead to the growth of oligarchy, as in the case of late fifteenth- and early sixteenth-century Exeter, where

the polarization of wealth associated with the expansion of the cloth trade saw town government becoming increasingly closed and subject to the control of the wealthy. Thus, neither the urban struggles for independence from monastic overlords nor those aimed at making town government more 'democratic' were to achieve much long-term success in late medieval England.

Conclusion

Studies of medieval society have moved away from approaches which see popular politics simply as class struggles between lords and peasants; or which minimize the impact of such struggles altogether. Instead, we now see ordinary people as political actors in their own right, actors who usually lacked formal political power, but none the less found many ways of making their interests and ideas known. Social conflicts can be seen not just as an expression of discontent and a force for bringing about change, but also as a window into popular culture and ideas. The Peasants' Revolt of 1381 was an extraordinary event, but to use the words of James Scott, it was a 'public declaration of the hidden transcript': a moment when the ideas and feelings of subordinate groups that had previously gone largely undocumented suddenly burst into the public world, and were put into action, and thus into the formal historical record.³⁹ Views of serfdom have shifted too: few would argue with Hatcher's conclusion that many villeins paid less rent per acre than some free tenants. So it was not primarily the weight of exactions that made it such a hated institution. Yet it is incontrovertible that serfdom was resisted strongly by many of those who suffered its stigma. It seems likely that serfdom was hated because it restricted action, was unpredictable even within the bounds of custom, and it denied the unfree legal redress against lords. This reminds us that people did not simply fight against poverty, but for dignity and control in their lives.

NOTES

- 1 Marx, 'The Eighteenth Brumaire of Louis Bonaparte', in Shanin, ed., *Peasants and Peasant Societies*, p. 332.
- 2 Crone, *Pre-industrial Societies*, pp. 101, 103.
- 3 Dobson, *Peasants' Revolt of 1381*, p. 284.
- 4 Thrupp, *Merchant Class of Medieval London*, pp. 14–127; Reynolds, 'Medieval urban history', pp. 14–23.
- 5 Campbell, chapter 1 (p. 6) in this volume.
- 6 Hatcher, 'English serfdom and villeinage'.
- 7 Raftis, *Peasant Economic Development*.
- 8 Hilton, *English Peasantry*, p. 16.
- 9 Crone, *Pre-industrial Societies*, p. 102.
- 10 Dobson, *Peasants' Revolt of 1381*, pp. 27–8.
- 11 *Rotuli Parliamentorum*, vol. 3, in Dobson, *Peasants' Revolt of 1381*, p. 331.
- 12 *Anonimale Chronicle*, in Dobson, *Peasants' Revolt of 1381*, pp. 128–9, 159, 161, 164–5.
- 13 Brooks, 'Organization and achievement of the peasants of Kent and Essex in 1381', p. 252.
- 14 Prescott, 'Writing about rebellion', pp. 13–14.
- 15 Dobson, *Peasants' Revolt of 1381*, p. 26; Eiden, 'Joint action against "bad" lordship', p. 10.

- 16 Dyer, 'Social and economic background of the revolt of 1381', p. 17.
- 17 Dobson, *Peasants' Revolt of 1381*, p. 15.
- 18 'The true commons' was part of the rebels' watchword: *Anonimale Chronicle*, in Dobson, *Peasants' Revolt of 1381*, p. 130.
- 19 Hilton, *Bondmen Made Free*, pp. 214–15.
- 20 Reported by Thomas Walsingham, in Dobson, *Peasants' Revolt of 1381*, p. 374.
- 21 Harvey, *Jack Cade's Rebellion of 1450*, p. 191.
- 22 Francis Bacon's account, in Fletcher and MacCulloch, *Tudor Rebellions*, p. 16.
- 23 Hilton, 'Peasant movements in England before 1381', p. 65.
- 24 Fryde and Fryde, 'Peasant rebellion and peasant discontents', p. 797.
- 25 *Ibid.*, p. 766.
- 26 Hilton, 'Freedom and villeinage in England', p. 17.
- 27 Rigby, *English Society in the Later Middle Ages*, p. 105; Hilton, 'Peasant movements in England before 1381', pp. 56, 59.
- 28 Faith, "'Great Rumour" of 1377', p. 56.
- 29 Stone, 'Productivity of hired and customary labour'.
- 30 Hilton, 'Peasant movements in England before 1381', pp. 57–8.
- 31 Faith, 'Class struggle in fourteenth-century England' and "'Great Rumour" of 1377', pp. 63–8.
- 32 Hilton, 'Peasant movements in England before 1381', p. 59.
- 33 Harvey, *Westminster Abbey and its Estates*, pp. 268–77.
- 34 Dyer, 'A redistribution of incomes', p. 200; Fryde and Fryde, 'Peasant rebellion and peasant discontents', p. 786.
- 35 Fryde and Fryde, 'Peasant rebellion and peasant discontents', p. 810.
- 36 Hill, *Medieval Lincoln*, p. 279.
- 37 Hudson and Tingey, *The Records of the City of Norwich*, vol. 1, pp. 30, 64–70.
- 38 *Rotuli Parliamentorum*, vol. 6, p. 432; Bateson, *Records of the Borough of Leicester*, vol. 2, pp. 319, 324–7.
- 39 Scott, *Domination and the Arts of Resistance*.

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CHAPTER FIVE

England: Women and Gender

JUDITH M. BENNETT

In the late fourteenth century, a young woman named Eleanor Rykener worked briefly as a prostitute in London and then travelled up the Thames to Oxford. There, she found employment as an embroideress, but she probably also continued to profit from prostitution (as she reported later, she had frequent sex there with three students named William, John and Walter). After five weeks in Oxford, she moved to Burford, where she worked as a tapster, and had sex with three friars and six other men, earning as much as two shillings for a single encounter. After a brief stop in Beaconsfield, she returned to London where, on the night of 6 December 1394, she was caught prostituting herself with a Yorkshireman in a stall in Soper's Lane. She was then brought before the mayor and aldermen of the City and found to be not Eleanor at all, but instead a man named John.

Although dressed in women's clothing, John Rykener told the mayor and aldermen of having 'had sex as a man' with too many women to recall, including many nuns and married women. But Rykener had also developed, thanks to the aid and advice of women, an active sexual, social and working life as a woman. Rykener had first learned to practise what the court called the 'detestable vice in the manner of a woman' from a prostitute identified only as Anna, afterwards learning to cross-dress from a woman named Elizabeth Brouderer (who had used Rykener in a complex prostitution scheme that also involved her own daughter). The men who had sex with Rykener 'as with a woman' were also too numerous to recall, but Rykener testified that these male partners included many priests, especially because they paid better than other clients. As the modern editors of this interrogation have observed, Rykener's main transgression – for which, as best we know, no punishment was ever levied – was neither prostitution nor sodomy. What most transfixed the court was Rykener's gender transgression; although morphologically a man, Rykener had dressed as a woman, worked as a woman and taken a woman's passive position in sexual intercourse.¹

Rykener's report before the mayor and aldermen of London alerts us to the possibility that gender was no more ordered in the middle ages than it is in the twenty-first century. For Rykener and many others at the time, gender was not absolutely fixed into two discrete categories of female and male. Anna, Elizabeth Brouderer and possibly many of the other women with whom Rykener worked as a prostitute, embroideress and tapster knew that 'she' was, in fact, 'he' – a man who not only cross-dressed but also accepted a 'female' (that is, 'passive') position in sexual intercourse. Although some of the men whom Rykener serviced as a prostitute might have thought they were having sex with a woman (this must have entailed anal or, possibly, oral intercourse rather than vaginal penetration), other men might have found it pleasurable to have sex with a man they knew to be cross-dressed as a woman.

Although we can only surmise the reactions of the specific women and men who knew Rykener, we do know that others in late medieval England recognized gender ambiguity and usually saw it as operating in a space between two set poles of 'male' and 'female'. In the mid-thirteenth century, Henry Bracton matter-of-factly classified people in his *Laws and Customs of England* according to three genders: male, female and hermaphrodite.² At about the same time, the *Roman de Silence*, written in French by Heldris of Cornwall and set in England, told of a contest between Nurture and Nature over the fate of a girl-raised-as-a-boy who excelled all men at manliness before she settled down to wifely happiness. In the next century, Richard Rolle expressed his contemplative turn by creating special clothing for himself – made from two old dresses of his sisters. And from the fourteenth century, everyone who enjoyed mystery plays saw male performers taking on female roles so that, as would still be the case in Shakespeare's time, they watched men performing femaleness. If we rely solely on sermons, courtesy books or other prescriptive literatures, late medieval England might seem a supremely ordered place of manly men and womanly women. But Rykener's repeated forays into the space between 'male' and 'female' might have been as unremarkable in the streets of late fourteenth-century London as they would be in Soho today. Unusual enough to transfix civic officers (now as well as then), but not monstrous, not unprecedented and not even particularly worrisome.

This is not to say that nothing has changed about gender between 1400 and 2000. In Rykener's world, full manhood came with marriage, status as a householder and authority over dependants; it required an active, penetrating role in sexual encounters; it involved skills – such as fighting from horseback or manoeuvring a plough – that have almost disappeared today; and it entailed sexual self-control more than sexual prowess. In rejecting these roles, Rykener took on a female persona shaped by then current ideas about the natural dependency, proper subservience, sexual passivity and inherent inadequacies of women. Rykener's world was certainly not ours. Yet gender in late medieval England was as fraught with contradiction, complication and controversy as are modern ideas about what makes a woman womanly or a man manly.

Studying Women and Gender in Late Medieval England

The vitality of the study of women and gender in late medieval England is immediately clear from its diverse sub-fields, for what began as women's history has expanded

to feminist history, gender history and now also men's history. Although it is neither possible nor desirable to separate these sub-fields into exclusive categories, each is somewhat distinctive. *Women's history* is straightforwardly defined by its primary subject: women. *Men's history* is also subject-defined: the study of men as a gender and especially, therefore, the study of masculinity. *Feminist history* is marked more by approach than subject; feminist historians work in a variety of historical fields, but they characteristically seek answers to feminist questions about such matters as gender formation, male privilege and female subordination. *Gender history* has loosely developed into a new term for women's history, preferred by some as it implies an even-handed attention to both men and women. But gender history also describes a specific approach associated with the historical theories of Joan Scott, an approach that questions the biological foundations of gender by studying its ideological constructions and powers.³

These sub-fields overlap in various productive ways, so that, for example, some work in women's history also addresses gender ideologies or feminist questions.⁴ Men's history is the newest sub-field, and, as will be obvious in the comments that follow, we as yet know much more about the gender of women than we do about the gender of men. Yet all these approaches are contributing to the creation of a new history of late medieval England, a history in which both women and gender rebels have as full a place as men. In so doing, the study of women and gender is growing in two distinct but complementary directions.

First, some historians are using the new attentiveness to women and gender as a prism through which to examine old questions in new ways. In legal history, Richard Smith has used women's property rights to trace how customary law and common law interacted in variable but complementary ways. The symbiotic relation of these two legal systems can certainly be traced with regard to other legal questions, but it is particularly clear with a vexed issue – such as claims of wives and widows to property – to which officials were always seeking new solutions.⁵ In political history, Eleanor Searle and J. C. Holt have shown how the exchange of women in marriage was a critical factor in the consolidation of Norman power in the late eleventh and twelfth centuries. By marrying native women, Norman knights strengthened their hold on conquered lands, and by introducing a new practice whereby *all* daughters inherited in default of any male heir, they multiplied marriages, wardships and reliefs.⁶ In demographic history, P. J. P. Goldberg has suggested that the population slump of the late fourteenth and fifteenth centuries was rooted in women's behaviour. Because, as he argues, women could get better wages *c.*1400 than they had earlier (or would later), they delayed marriage or even avoided it altogether; hence, in his view, the demographic stagnation of the later middle ages.⁷ In constitutional history, Scott Waugh has studied the changing rights of heiresses to show how the creation of more stable kingship in the twelfth and thirteenth centuries came through the cooperation of kings and magnates, not through their competition.⁸ In these strikingly useful ways and many others too, the study of women and gender is speaking to the concerns of established fields, offering new insights into old questions about the history of late medieval England.

At the same time, however, some historians are also building a distinctive field devoted to the study of women and gender in late medieval England, a field that is defined by its own internal sets of debates and questions. Did gender matter as much as class in late medieval England? Was there a change in women's status over these

centuries? How did gender ideologies frame and constrain late medieval women and men? Like any other historical endeavour, in other words, the study of women and gender is certainly connecting with other historical fields, but it is also creating historiographic traditions of its own. Out of this second process has emerged a thriving series of new historical issues – about the nature of difference in English society, about change over time and about ideological constructions of gender – that we will now examine in turn.

Gender and Difference

In 1926, when Eileen Power wrote an overview on ‘The position of women’, she focused on class as *the* critical marker of differences among medieval women. Overlooking the religious diversity of medieval Europe and devoting only a few paragraphs to widows, singlewomen and nuns, Power implicitly equated ‘medieval women’ with ‘Christian wives’, and she examined them within three social classes: feudal ladies, bourgeois and countrywomen. Today, feminist medievalists have considerably amplified the many differences that fracture the broad category of ‘medieval women’. *Marital status* critically shaped the history of medieval women, with singleness, married life and widowhood each offering distinct challenges and opportunities. Many women passed slowly through all three stages, but others spent their entire lives as singlewomen or lived virtually all their adult years as wives or widows. *Religion* was another essential divide among Englishwomen, and it cut several ways: between Christian and Jew until 1290, but also between orthodox Christians as opposed to Lollards, and laywomen, as compared to professed nuns, anchoresses, vowesses or even pious ‘independents’ such as Margery Kempe. *Legal status* also created an important divide, differentiating free from bond and imposing liabilities on bondwomen that their fathers and brothers often escaped (such as *merchet*, a fine to marry, and *leyrwite*, levied for sexual relations outside of marriage). *Ethnicity* and *migration* were similarly important; in London and other cities, for example, immigrant women generally married later and worked in the most humble occupations. *Sexual status* also mattered, for medieval communities regularly sought to segregate prostitutes by prescribing special dress, housing or behaviours.

Region similarly shaped women’s lives. Late medieval Europe was broadly divided into two distinct marriage regimes, each of which offered different opportunities to women. In the south and east, women married young to husbands often twice their age, and except for women who took monastic vows, marriage was virtually universal. In the north-west (including England), women tended to marry later to husbands roughly their own ages and a considerable number of laywomen never married at all. As a result, an eighteen-year-old woman in fifteenth-century Italy was likely to be married and perhaps already a mother; her counterpart in England was most likely to be a servant, with marriage and motherhood several years in the future (if at all). Yet even within these two broad European regions, local circumstances mattered a great deal, creating different opportunities for Englishwomen who lived in towns (as opposed to the countryside) and in pastoral regions (as opposed to regions of arable farming). Simply put, *where* a woman lived made a difference in *how* she lived. Some of these differentiating factors mattered to men as much as women. For example, men’s experiences were also profoundly shaped by religious differences and by vari-

ations in regional and local economies. But other differences affected each gender in distinct ways. For example, widowhood was a rare state for men (since most remarried quickly), and it had different implications for men (since the death of a wife usually did not result in property dispersal).

Although historians have only recently begun to explore factors such as these, this attention to difference is already changing the field. For example, widows once served as archetypal women, so that historians, observing *widows* in poll-tax lists, rentals and guild rolls, argued that *women* were taxpayers, landholders and members of guilds. This created an overly optimistic assessment of women's status, since, although few women were enriched by widowhood (most received only one-half or one-third of the conjugal property), widows controlled more resources than did most single-women or wives. Widowhood, quite simply, was the main occasion on which women could acquire feudal lands, hold local offices, become members of guilds, hold tenancies of houses and otherwise attain some independent stature. Yet, as we now recognize, marital status so sharply defined women's lives that widows such as these cannot stand in for *all* medieval women.⁹ Moreover, we now also see widows themselves as a more diverse group, recognizing that widowhood could involve pathetic poverty as well as unprecedented power. Elite widows often struggled for years to secure dower properties rightfully theirs; urban officers witnessed sufficient poverty among widows to provide almshouses for their relief; and in most rural areas, widows and orphans were the particular concern, at least in theory, of parochial beneficence. By attending to difference, historians no longer understand a few powerful widows as representing either all women or even all widows.

In such ways, difference has emerged as an exciting part of the history of medieval women, and an area in which medievalists are productively expanding on the modern trinity of 'race, class and gender'. Yet its study remains haunted by old ideological practices rooted in a nineteenth-century measure of civilization, a measure that combined difference with women's status to assert that the superior civilization could be known by the higher status of its women. Even today, some discussions of difference in the middle ages seek, almost as a matter of course, to identify women in one group as better off than women in another group, thereby valorizing the former over the latter. For example, the study of heretical women has been long dominated by the Protestant-affirming assumption that women flocked to medieval heresy because it offered something lacking in the medieval church. Yet as Shannon McSheffrey has shown in her *Gender and Heresy*, there is little historical basis for such a rosy assessment. Women were no more numerous among Lollards than among the general population; Lollards tended to reproduce mainstream gender hierarchies; and Lollardy did not offer women liberation from traditional Christian teachings. For another example, the rich and as yet understudied subject of Jewish women in medieval England has been a sort of ideological battlefield for historians since, as Barrie Dobson has recently put it, 'one of the hazards facing the historian of the medieval Jewess may be the temptation to idealize her just because she is a Jewess'.¹⁰

It is at the intersection of women and class that the history of Englishwomen has been most shaped by this litmus test of civilization. Some historians have argued for the comparatively higher status of feudal women; others have suggested the same for townswomen; and still others have asserted that peasant women were, in fact, the

most advantaged of all medieval women. Comparative assessments have usually sprung from studies of a single class, so that, although the subject has stimulated a great deal of useful research into gender in specific classes, it has not proven a successful exercise in comparative history.¹¹ In other words, although it is certainly possible that women of one class were relatively less oppressed by patriarchal institutions than women of other classes, such comparisons have been more asserted than investigated.

The argument for women of royal or noble birth rests on their ability to command lesser men. Yet, although queens, countesses and ladies could be imperious and powerful, men of their own rank often found it hard to stomach the authority of a woman; hence, among other examples, the resistance of some Anglo-Norman nobles to the rule of the Empress Matilda in the twelfth century.¹² The argument for townswomen emphasizes that, in towns more than elsewhere, daughters might expect to inherit equally with sons, married women might obtain a special dispensation to trade as *femmes soles*, and widows might succeed their husbands in various public roles (by, for example, becoming members of guilds). But urban households, like feudal and peasant households, advantaged men over women. Sons were more likely than daughters to be placed in apprenticeships; husbands, not wives, determined the main occupation of households; and even dead men exercised, through their widows, a lingering influence on family businesses.¹³ The argument for peasant women dates to the fifteenth century, when Christine de Pizan, writing from the comfort of the French court, imagined that the lives of peasant women were 'more secure and better nourished than the lives of those seated in high places'.¹⁴ Although some historians have since agreed, especially by stressing the 'classic partnership' of peasant marriage and its 'complementarity of economic roles', considerable evidence suggests that peasant households and villages promoted male privilege, not a rough sexual egalitarianism.¹⁵ In legal, political, economic and social terms, a peasant woman took second place to her brothers and, if she married, her husband as well.¹⁶ All in all, there is much more yet to learn about how class shaped the lives of medieval women, but no comparative arguments have yet proven that some classes in late medieval England adhered to more relaxed gender rules than others.

Out of the impasse created by contradictory conclusions about class, gender and women's status is emerging a new interest in studying similarities among women as well as the differences that divided them. For example, there are some striking cross-class similarities – political, legal, social and economic – in the lives of medieval women. First, formal politics was usually closed to women: feudal ladies did not attend parliament; townswomen never served as aldermen or mayors; and peasant women were never reeves or bailiffs. Second, legal systems – whether feudal, royal, urban or manorial – limited the options of married women, offered more opportunity to widows and singlewomen, and generally buttressed male privilege. Third, wives of all classes were expected to be helpmeets of their husbands, always ready to assist or even replace them, if necessary. This involved different things for different women – say, assisting at harvest for a peasant wife or cultivating royal connections for a noblewoman – but all wives were expected to be their husbands' understudies. Fourth, women of all classes shared the fundamental work of housewifery. A feudal lord could not guide a plough and a ploughman could not fight from horseback, but feudal ladies, urban goodwives and poor countrywomen could spin, wield a needle

and care for children. Peasant women spun from need and noble ladies for leisure, but each regarded the distaff and spindle with a familiarity that would have eluded a knight confronted with a plough or a ploughman with a warhorse. In at least some respects, then, actual practice seems to have been behind the common medieval notion that men were distinguished by role into three estates (those who work, pray and fight) and women, undifferentiated by role or class, constituted a separate and coherent fourth estate.

Change Over Time

The many sweeping historical changes in England after 1100 – such changes as the ongoing incorporation of Norman traditions, the growth of a commercial economy and the demographic shock of 1348–9 – offer excellent opportunities for tracing how the status of women might or might not also have changed. This is a difficult topic, for ‘the status of women’ is a slippery concept, easily evoked but hard to measure, especially over time. In general, ‘the status of women’ involves relativity (comparing the life opportunities of women and men), complexity (assessing social, legal, political, economic, religious and ideological factors) and a level of generalization (emphasizing the commonalties of the category ‘women’) that is almost the antithesis of attention to differences among women. It is also a much debated topic, with some arguing that women’s status has improved over time, others arguing the opposite, and still others suggesting that women’s status over the centuries might have seen more continuity than transformation. Within these three broad interpretations there is, of course, room for common ground; for example, there might have been small and temporary improvements within an overall trend of continuity.

‘Change for the better’ is perhaps the most common interpretation, embraced almost automatically by many students and modern historians. Buttressed by popular myths about chastity belts and *droit de seigneur*, this notion of the middle ages as an oppressive time for women neatly complements Whiggish histories of ever-improving human circumstances. If one assumes that medieval England was necessarily a less developed civilization than industrial England, medieval women *must* have been oppressed in egregious ways. Most medievalists reject these assumptions, but some have traced ‘change for the better’ on a more modest and less Whiggish scale – that is, within the middle ages itself. Jeremy Goldberg and Caroline Barron have argued that the labour crisis of the late fourteenth century allowed women to gain better employment, earn higher wages and even, if they chose, avoid marriage. Based on evidence drawn particularly from the cities of York and London, their arguments have been accepted by some and greeted with scepticism by others. In any case, the changes they posit were short-lived, since both agree that when the labour market contracted later in the fifteenth century, economic opportunities for women waned and rates of marriage increased.¹⁷

An interpretation that stresses ‘change for the worse’ is perhaps the most favoured among medievalists, and it operates on two different timescales. The first traces change between the middle ages and the modern era. Ever since Eileen Power argued for the rough-and-ready equality of medieval women in 1926, some medievalists have invoked ideas of a medieval golden age for women and its necessary analogue: a decline in women’s status with the advent of modernity. Although no medievalist

would argue that women's lives were glorious in the middle ages, many assert that medieval women were nevertheless less subordinated to men than women have been since. This interpretation appeals to many medievalists, for whom it serves to valorize the middle ages as a superior civilization, as well as to many feminists, for whom women's higher status in the past implies the possibility of higher status in the future.

The second scale of 'change for the worse' works within the middle ages itself. Negative trends have been found in almost every medieval century, but the eleventh and twelfth centuries have been especially highlighted as a time of gender crisis – when an old ideology of gender similarity was, it is argued, usurped by a new ideology of gender difference. In Jo Ann McNamara's view, a male identity crisis emerged around 1100, born of the relative pacification of European society and the strict imposition of clerical celibacy. Susan Mosher Stuard roughly agrees, arguing that a new gender rigidity then emerged from such factors as the Gregorian reform, the development of new customs of marriage and the recovery of classical texts. Yet these arguments have difficulty linking ideology with practice (as in Stuard's attempt to suggest that people 'sought answers from authorities'), and although gender ideologies have certainly changed over time, they may not have changed as quickly and as thoroughly as McNamara and Stuard suggest.¹⁸ Within English history specifically, the Norman Conquest has been seen as imposing a yoke of male privilege when, as Doris Mary Stenton described it in 1957, the 'rough equality' of Anglo-Saxon times fell away with the 'masculine world' of Norman feudalism. Yet, as Pauline Stafford has recently shown so well, this understanding of the Norman Conquest has been built more on assumption than hard evidence. All told, it is not at all clear that ideas of gender separation and polarity were strikingly new in eleventh- and twelfth-century Europe (including England), nor is it clear that new practices then oppressed women in strikingly harsh ways.¹⁹

Yet a third interpretation stresses 'change without transformation', arguing that the changes traced by such scholars as Barron, Goldberg, McNamara, Stuard and Stenton altered the specific experiences of women without transforming their overall status *vis-à-vis* men. Hence, for example, female wage workers in late fourteenth-century England earned higher wages than before the Black Death (a change in experience), but they were still paid about 70 per cent of the wages paid to men (a continuity in status).²⁰ Studies of working women in the later middle ages have traced considerable change in the specifics of women's work. Women left some occupations and took up others; their wages rose slightly in some decades and fell in others; they worked more in the home at some times than others. Yet these studies have also traced impressive continuities in the basic structures of women's work. In 1300, 1500 and 1700, women's work varied in time-specific ways, but compared to men's work, women's work remained characteristically low-skilled, low-status and poorly remunerated (as it still is today).²¹

This interpretive emphasis on continuity also suggests that *if* shifts in status did occur, they were so restricted and short-lived as to pale beside overall continuities. Its proponents argue, for example, that if some women in the early fifteenth century were able to improve their status (as Goldberg and Barron have suggested), the overall trend was nevertheless one of continuity, since this shift in status affected only a minority of women in York and London, and since it lasted, even for this minor-

ity, only into the mid-fifteenth century. Moreover, positive changes in one sector (for example, wages) might often have been offset by negative changes in another sector (for example, ideology). As a result, the concept of a 'patriarchal equilibrium' – an ever-fluid but self-adjusting system of male dominance – might best describe the history of women in medieval England. If so, it might be most useful to understand medieval women's history as simultaneously dynamic and static, with the many changes in women's experiences seldom accompanied by transformations – either for better or worse – in women's status *vis-à-vis* men.²²

Gender Ideologies

Defamed and defended, attacked and praised, caricatured as Eve and venerated as the Virgin, women in late medieval England (and Europe more generally) were both fully human and profoundly other. Not surprisingly, the gender ideologies that sought to account for them abounded with contradictions and ambiguities. Yet, in one respect there was no contradiction or ambiguity in Europe's long-standing traditions of misogyny and misogamy: women were assumed to be inherently inferior to men and properly guided by men. As Bracton baldly put it, 'Women differ from men in many respects, for their position is inferior to men'.²³ It was within this never-questioned framework that the gender rules of late medieval England took hold.

As Alcuin Blamires has shown, the literary expression of medieval misogyny drew on a remarkably small number of biblical, ancient and patristic authorities. It was so predictable in content and form that it constituted, in Blamires's view, an intellectual game in which authors could 'show off their literary paces'.²⁴ Yet misogyny was more than just a literary pastime, for, as has been shown for medieval brewsters and prostitutes, Englishwomen directly suffered from misogynous ideas. Because women were perceived as naturally greedy, oversexed and untrustworthy, male brewers came to be preferred to brewsters, and in part because of this preference, commercial brewing changed from a trade of women to a trade of men. Similarly, because all women were thought to use sex for personal gain, the prostitute was understood, in the words of Ruth Karras, as 'simply the market-oriented version of a more general phenomenon'.²⁵

Late medieval English culture was not devoid of defences and even praise of women: the perfect (albeit dead) maiden of the *Pearl* poet; Chaucer's *The Legend of Good Women*; and the many ways in which the Virgin was venerated in both religious and popular venues. Yet the full meanings of these representations are difficult to assess. The Virgin embodied human fallibility as well as saintly perfection, challenge as well as conformity, active power as well as passive receptivity. Courtly love was so ambivalent in its treatment of women that some scholars today understand it as praising women but others consider it a particularly virulent form of misogyny. Even the intentions of individual authors remain much debated. Some scholars see Chaucer's creation of such characters as the Wife of Bath as indicating his enormous sympathy for women, but others argue that he harboured a deep anti-feminism.

For women, misogyny and misogamy combined with uncertain praise to create slippery ideals of femininity. Even virginity was not wholly positive, since a virgin's 'masculine' self-control distanced her from the female gender. She was admired as a

virago but still viewed as a woman. As a result, monks and priests approached their holy sisters with 'a sense of unease', seeing them more as threats to their chastity than inspiration for their souls. In the twelfth and thirteenth centuries, many new orders refused or failed to accommodate women religious, and by the fourteenth and fifteenth centuries, many female monasteries were more marked by what Eileen Power has called the 'three D's (dances, dresses, dogs)' than by devotional attentiveness. But as Marilyn Oliva has shown, even then some English nuns managed to construct lives of religious and personal vitality within their convent walls.²⁶

In any case, by the later middle ages virginity had lost its unquestioned pre-eminence as the ideal for women, and married women grew more able to stake claims to holiness. Margery Kempe, proud daughter of a mayor of Lynn and author of the first autobiography written in English, often strikes modern readers as more egotistic than mystical, but her style of piety – extensive learning acquired through sermons and conversations, chaste marriage, frequent confession, multiple pilgrimages, ascetic discipline and unending meditation – was not hers alone. In pursuing piety while neither virgin nor nun, she was joined, among others, by vowesses, by beguines and other quasi-nuns, and by other women who sought holiness through mingling contemplation and action.²⁷ Virginity remained an important ideal in late medieval England (Kempe herself worried that she was not a virgin), but it was supplemented by other viable and vital paths to holiness.

Not all women devoted themselves to piety, whether through virginity or the mixed life, and ordinary laywomen also confronted ambivalent ideas about how they should behave. Uncertainty began early. As Kim Phillips has shown, clerical writers thought that a man most nearly achieved perfection in his middle age, but that the period between puberty and marriage – that is, maidenhood – was a woman's perfect age. If so, this perfection was fraught with mixed messages. Although singlewomen's chastity was valued, their marriage was actively encouraged (in, for example, the charitable provision of dowries for the poor). Although singlewomen were expected to admire men, they were also to beware of them – so that they were to desire heterosexual pleasure, but to delay it until marriage. Although singlewomen were often encouraged and sometimes forced to leave their parents' homes, they were expected to maintain childlike dependence by living under the authority of a master or mistress. Finally, although singleness was associated with youth, a significant minority of people never married – probably about 10 per cent in the fifteenth century. Discouraged from active sexuality, oriented towards marriage as a final destination, and aware that some would never reach that goal, young women negotiated a very difficult ideological terrain.²⁸

Marriage did not clear the field, since wives – expected to be highly competent but properly dependent – were also given a difficult brief. On the one hand, passivity was not an option: all wives worked, whether they were gentlewomen managing estates or countrywomen weeding fields. This productive work was always coordinated with reproductive labour (raising children, maintaining the home and preparing meals), but the latter did not necessarily dictate the former. Griselda, whose characterizations by Boccaccio and Chaucer emphasized a cultural ideal of wifely passivity and obedience, was simply a not very practical option in a world where husbands needed competent and active partners. On the other hand, however, wifely assertion was to be tempered with deference; the ideal wife stood behind her

husband, helping him with her labour but never intimidating him with her competence and seldom working independently of him. (The customs of some towns allowed wives, acting as *femmes soles*, to run businesses separate from those of their husbands, but such provisions did more to protect the assets of husbands than to encourage wifely independence.) Ready to step into her husband's shoes if necessary but never threatening to do so, an ideal wife had to follow a narrow and difficult path. The failure of real women to measure up to this ideal was a strong theme in late medieval culture, as seen in such media as marginalia of wives beating husbands, poems about complaining wives and songs of marital disharmony.

In a similar way, wives had to balance carefully their influence over their husbands – moving men towards wise decisions, while not making decisions themselves. Wifely influence was legitimized by stories of how the Virgin interceded for sinners and how queens softened their husbands' anger (of the last, particularly notable were Philippa of Hainault's intervention on behalf of the burghers of Calais and Anne of Bohemia's pleas for the citizenry of London). The influence of wives offered women avenues of power, however indirect, and it could also serve the interests of their husbands (for whom wifely influence usefully complemented manly authority). But it was a highly contested arena of female power. Was a wife's influence helpful or overbearing? Was a husband's attentiveness to his wife's opinions a sign of wisdom or weakness? In a world that both celebrated and feared the 'persuasive voices' of wives, only one thing was clear: an ideal wife spoke publicly through her husband or spoke not at all.²⁹

The cultural patronage of wives – and widows too – was a somewhat less fraught role, at least for those few women wealthy enough to offer encouragement to authors, artists, clerics and educators. Anne of Bohemia transported books, Bohemian illustrators and vernacular translations of the gospels to England when she married Richard II in 1382. She also brought her own ideas, inspiring Chaucer to write *The Legend of Good Women*, which he dedicated to her. Through such patronage, elite laywomen advanced political agendas, satisfied personal interests, expressed religious piety, educated their children and entertained their courts. Female patrons were sometimes judged by contemporaries to be more prodigal than generous, but patronage was a generally acceptable form of public influence for women.³⁰

Patronage was particularly accessible to elite widows, who were more likely than other women to have disposable assets which they directly controlled. Margaret Beaufort, mother of Henry VII, was a great benefactor of Cambridge University, but it was only after the death of her third husband that she was able to fund her greatest gift, the foundation of Christ's College. Yet for most women their proper role in widowhood was as uncertain as their proper roles before and during marriage. Widows were more substitutes for their dead husbands than independent businesswomen or landowners. They could be valued by their children or disliked for the delayed inheritances their dower rights could cause. They were encouraged by church and custom to remain chaste, but they were often pressured by lords or friends to remarry. Like singlewomen and wives, widows had to pick their way through an ideological maze of contradictory pressures and expectations.

Medieval gender ideologies, then, offered women a confusing prospect. The same was true for men who also themselves faced a multitude of ideas about how a man should behave. Although a relatively new field of study, research on ideals of

masculinity has already begun to delineate the many different masculinities of medieval Europe, with variations by age, marital status, region, occupation and religion. It has also shown that there were many men – real as well as fictional – who fell short of masculine ideals. Prominent among these were late medieval clerics who, in the opinion of R. N. Swanson, might have constituted a third gender of ‘emasculine’ men. Yet despite these diverse masculinities, the primary attribute of masculinity – control over self and others – might have been, compared to gender rules for women, relatively clear and unconflicted. If so, the challenge of achieving masculinity was more striking than the uncertainties of its objective. Or, to put it another way, medieval gender ideologies might have offered men a more fearsome task and women a more confusing one.³¹

Women, Gender and the History of Late Medieval England

The study of women and gender, then, not only has offered many new insights into old problems in the history of late medieval England but has also raised new debates about such matters as differences among women, changes in the status of women across time, the social power of gender ideologies and the cultural influence of women. By thus introducing new approaches, questions and subjects, the history of women and gender is changing the ways in which we think about English history in the later middle ages. Yet, despite its complementary relationship with the broader field of late medieval English history, the study of women and gender also stands somewhat apart from it.

In contrast to the dominance of the scholarly monograph in many other historical fields, a great deal of women’s history appears in articles published in journals or essay collections.³² This speeds up publication, enhances scholarly collaboration and immensely complicates bibliographic searching. Medieval women’s history also blends popular history and scholarly history more easily than do many other historical fields (military history being one notable exception). Historians such as Margaret Wade Labarge, whose 1986 book *Women in Medieval Life* was aimed at both students and general readers, write within a century-long tradition that includes, among others, Georgiana Hill and Eileen Power. Moreover, in the last decade, the commercial viability of the field has virtually exploded, with teachers, students and ordinary readers creating an ever-expanding market for books on medieval women. Numerous textbooks and sourcebooks have now been published, including those by Henrietta Leyser, Helen Jewell, Jeremy Goldberg, Jennifer Ward, Mavis Mate and myself. The subject is also generating a growing number of coffee-table books, stories for children, calendars and other media aimed at popular markets.³³

Perhaps the most striking professional characteristic of the field, however, is its worldwide basis. The study of medieval Englishwomen flourishes as much outside of Britain as within it, in part because historians of women and gender are relatively more numerous and better supported in the United States, Canada, Australia and New Zealand. These venues are far from the archives of England, but they are rich in monographs, edited collections, journals, conferences and other media that foster the study of medieval Englishwomen. They also sometimes foster what Miri Rubin has called ‘divergent styles and preoccupations’. Rubin has especially noted that ‘American’ work tends ‘to identify themes, to reach conclusions’, whereas British

work is more 'aimed at intensive archival research'.³⁴ Scholars working outside of Britain also often seem to be more comfortable with feminist approaches to the subject, and they are sometimes less bound by the nationalistic imperatives that still haunt the historical profession.³⁵ Thus enhanced by the different academic cultures of different world regions, the study of women and gender in late medieval England is an unusually rich collaborative effort.

Unfortunately, marginalization is also part of the past history and present state of the relationship between the history of women and gender, on the one hand, and the history of late medieval England, on the other. When A. H. Thomas, one of the modern editors of the *Calendar of Select Pleas and Memoranda of the City of London*, came across the interrogation of Eleanor/John Rykener, he noted merely 'Examination of two men charged with immorality, of whom one implicated several persons, male and female, in religious orders'.³⁶ Given the painstaking thoroughness of the rest of Thomas's *Calendar*, this bald summary effectively suppressed the gender trouble at the heart of Rykener's case. Thomas's editorial decision was perhaps proper for his time and is perhaps still deemed proper by some historians today. For more than a century now, excellent historians have produced top-notch work on women and gender in the later middle ages. Yet it is still possible today, as it was when Georgiana Hill, Lina Eckenstein and Florence Buckstaff were writing in the 1890s, to produce 'good' history that treats late medieval England as if it were a world without women.

This failure of incorporation need not be laid at the door of medieval English history alone; as Elisabeth Van Houts has noted of a recent volume of the *New Cambridge Medieval History*, far too much medieval history 'is almost exclusively about men'. Nor is it a flaw found only in traditional histories; as Janet Nelson has recently observed, even in studies of medieval families and women, 'the concept of gender, with its theoretical load and its connotations of socially constructed difference, has failed to penetrate the vocabulary of most historians'.³⁷ Moreover, progress certainly is being made. Peter Coss, for example, has now supplemented his 1991 study of the gentry, which focused almost exclusively on men, with a study of elite women. But more progress is needed, especially because there is so much to be gained. To continue this particular example: Kate Mertes has shown how elite households could be 'actively hostile to the presence of women'; Jennifer Ward has examined how elite women wielded influence through hospitality, patronage and charity; Barbara Harris has redefined 'politics' to account for the many informal ways in which noblewomen influenced court, council and country; and Mathew Bennett has begun to investigate the internal and external perfection basic to the masculinity of knights.³⁸ In these ways and many others, studies of women and gender are sharply redefining how we think about gentility and nobility in late medieval England – and, by extension of this single example, how we think about late medieval England in general.

Living with Patriarchy

In both theory and practice, women came after men in late medieval England. Men had to cope with the challenges of being manly, of manifesting their superiority over women and governing self and others well. Women had to cope with the hard realities of patriarchal privilege, and in so doing, they forged a path somewhere between

pitiable victimhood and assertive agency. Most struck what Deniz Kandiyoti has called 'patriarchal bargains', redefining and contesting gender rules in small ways, but also finding modest ways to benefit from them.³⁹ Hence, in a medieval village, a young woman forfeited important legal rights when she married – thereafter, her husband could speak for her in court and control her lands or earnings – but she also gained a great deal in return: greater economic security; enhanced social status; a more secure venue for sexual expression; and, if she was lucky, the pleasures of a loving husband and family. Her choices were different from those of her husband and certainly more constrained, but she did make choices.

Whether she had solidarity with other women is another matter. As Ralph Houlbrooke and others have noted, there seems to have been almost no 'feminist sentiment' among medieval women. Since extant documents are unlikely to record complaints that women might have muttered among themselves or the ways in which they might have tried to undermine male privilege, this absence of feminist consciousness might be more a matter of archival record than historical experience. It also rests partly in the eyes of the modern beholders, since some historians find feminism in medieval texts in which others see no feminism at all (as, for example, in the writings of Christine de Pizan). Yet, when compared to other medieval groupings – such as apprentices, townsmen, monastics, Jews or knights – women seem to have had a much less developed common identity.⁴⁰

Nevertheless, women spent much time in the company of other women. In some parishes, women formed their own parish guilds, working separately from men to raise funds, organize activities and encourage certain forms of worship. In anchorholds, monasteries and private homes, some women built shared lives of religious devotion and study. In customs of childbirth and churching, women found solidarity in experiences and rituals connected to motherhood. In townshouses and castles, privileged women cultivated common bonds by reading aloud to one another. And in the ordinary round of daily life, women simply worked together and talked together.⁴¹ This shared work and talk was often informal, but it could nevertheless be powerful. Its power was manifest to Alice Ridyng of Eton who, in 1517, managed to hide her pregnancy, childbirth and infanticide from her parents but not from the 'women and honest wives' of the town (who took her, inspected her and extracted a confession from her). It was similarly manifest a few years later in Norwich when the town endured an 'insurrection of women' over the sale of corn.⁴² It was also regularly manifest around the deathbeds of medieval widows and singlewomen (but seldom wives, who were not allowed testamentary powers), whose bequests to female relatives and friends testify to a well-developed female world of sociability.

One part of this world welcomed John Rykener, offered lessons on how to become Eleanor and collaborated with her/him to profit from the sex trade. Rykener seems to have been content as a man, or at least content enough to have had 'sex as a man' with innumerable women. But the world of women held its allure, so much so that Rykener kept a female persona even when it restricted her/his legitimate employments to embroidery and tipping. Like the mayor and aldermen of late fourteenth-century London, we might be surprised that Rykener would *choose* social dependence, poorly paid work and sexual passivity. But perhaps Rykener knew something about women's worlds that the historical record still obscures. In bouncing back and forth between two genders, Rykener struck his own patriarchal bargain, and, even more

than Teiresias, he experienced life as both a man and a woman. When Rykener told her/his story, standing as a man in woman's dress before the mayor and aldermen of London, s/he revealed not only the fragility of a simple gender dichotomy of 'male' and 'female' but also its enormous social power. In late medieval England, gender distinctions were more imagined than real, but they were very compelling indeed.

NOTES

- 1 Karras and Boyd, 'Ut cum muliere', quotes from pp. 111–12.
- 2 Bracton, *Laws*, vol. 2, p. 31.
- 3 Scott, 'Gender'.
- 4 See, for example, Karras, *Common Women*.
- 5 Smith, 'Some thoughts', 'Property rights' and 'Coping'.
- 6 Searle, 'Women'; Holt, 'Feudal society IV'.
- 7 Goldberg, *Women, Work*. But see Bardsley, 'Women's work' and Bailey, 'Demographic decline'.
- 8 Waugh, 'Women's inheritance'.
- 9 Walker, *Wife and Widow*; Mirror, *Upon My Husband's Death*; Barron and Sutton, *Medieval London Widows*; Cavallo and Warner, *Widowhood*; J. Bennett and Froide, *Singlewomen*; Lewis et al., *Young Medieval Women*.
- 10 Dobson, 'Jewish women', p. 146.
- 11 For example, see J. Bennett, *Women in the Countryside*. For one study that encompasses all classes, see Mate, *Daughters*.
- 12 Chibnall, *Empress Matilda*. See also Ward, *Noblewomen and Women of Nobility*; Jones and Underwood, *King's Mother*; Parsons, *Queenship*.
- 13 See especially Goldberg, *Women, Work*; Kowaleski, 'Women's work'; Kowaleski and J. Bennett, 'Crafts'; Hutton, 'Women'; J. Bennett, *Ale*; Keene, 'Tanners' widows'.
- 14 Christine de Pizan, *Treasure*, Book 3, ch. 12.
- 15 Hanawalt, 'Women's contribution', pp. 16–17. See also Jewell, 'Women at Wakefield'.
- 16 See especially J. Bennett, *Women in the Countryside* and *A Medieval Life*; Middleton, 'Sexual division' and 'Peasants, patriarchy'.
- 17 Goldberg, *Women, Work*; Barron, 'Golden Age'. But see J. Bennett, 'Medieval women'; Bardsley, 'Women's work'; Bailey, 'Demographic decline'.
- 18 McNamara, 'Herrenfrage'; Stuard, 'Dominion', p. 147.
- 19 Stenton, *English Woman*, pp. 28–9; see also Fell, *Women in Anglo-Saxon England*; Stafford, 'Women and Norman Conquest'.
- 20 Bardsley, 'Women's work'.
- 21 J. Bennett, 'Medieval women'.
- 22 J. Bennett, 'Confronting continuity' and *Ale*. See also Whittle, 'Inheritance' and Rigby, *English Society*, pp. 269–70. For critiques, see commentaries following 'Confronting continuity'.
- 23 Bracton, *Laws*, vol. 2, p. 31.
- 24 Blamires, *Woman Defamed*, p. 12.
- 25 J. Bennett, *Ale*; Karras, *Common Women*, quote from p. 141.
- 26 Burton, *Monastic Orders*, p. 108; Power, *Medieval Women*, p. 98; Oliva, *Convent*. See also Thompson, *Women Religious* and Elkins, *Holy Women*.
- 27 Atkinson, 'Precious balsam' and *Mystic and Pilgrim*; Cullum, 'Vowesses'; Erler, 'Vowed women'; Tanner, *Church in Norwich*, pp. 57–67.

- 28 Phillips, 'Maidenhood'; Lewis et al., *Young Medieval Women*; J. Bennett and Froide, *Singlewomen*.
- 29 Strohm, 'Queens as intercessors'; Parsons, 'Queen's intercession'; Farmer, 'Persuasive voices'.
- 30 McCash, *Patronage*.
- 31 Lees, *Medieval Masculinities*; Cohen and Wheeler, *Becoming Male*; D. M. Hadley, ed., *Masculinity* (see especially Swanson, 'Angels incarnate'); Murray, *Conflicted Identities*.
- 32 Schaus and Stuard, 'Citizens'.
- 33 Adams, *From Workshop*; Swabey, *Medieval Gentlewoman*; León, *Uppity Women*.
- 34 Rubin, 'A decade', p. 230.
- 35 For example, Jewell, *Women*, p. vii. In a curious twist, the field's most radical interpretation has been proffered by an Englishman and widely accepted by English scholars, but without any acknowledgement of its feminist implications: Goldberg's analysis in *Women, Work* assumes that women are compelled to marry by economic need, a point long central to both socialist and radical feminism. See Rich, 'Compulsory heterosexuality'.
- 36 Thomas, *Calendar*, p. 228.
- 37 Van Houts, 'For men only', p. 31; Nelson, 'Family, gender', p. 168.
- 38 Coss, *Lordship and Lady*; Mertes, *Household*, p. 57; Ward, *Noblewomen*; Harris, 'Politics'; M. Bennett, 'Military masculinity' (Ruth Karras is also investigating knightly masculinity).
- 39 Kandiyoti, 'Bargaining'.
- 40 Houllbrooke, 'Women's social life'.
- 41 French, 'To free them' and 'Maidens' lights'; Gibson, 'Blessing'; Riddy, 'Women talking'.
- 42 Goldberg, *Women in England*, p. 119; Hudson and Tingey, *Norwich*, vol. 2, pp. 163–5.

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- Internet Medieval Sourcebook* (www.fordham.edu/halsall/sbook/html). An invaluable resource for out-of-copyright sources for teaching medieval history, including materials specifically on 'sex and gender', as well as a link to the *Internet Women's History Sourcebook*.
- Labyrinth: Resources for Medieval Studies* (www.georgetown.edu/labyrinth/). This excellent site also leads to other useful resources on the web.
- McSheffrey, S., ed., *Love and Marriage in Late Medieval London* (Kalamazoo, Mich., 1995). A collection of testimonies given in marriage cases brought before church courts.
- Matrix: Resources for the Study of Women's Religious Communities* (<http://matrix.bc.edu/MatrixWebData/matrix.html>). A long-standing collaborative project, *Matrix* offers a variety of resources for scholars interested in medieval nuns.
- Medieval Feminist Index* (www.haverford.edu/library/reference/mschaus/mfi/mfi.html). An invaluable resource for its up-to-date bibliography on women and gender, this site also links to the web page for the Society for Medieval Feminist Scholarship.
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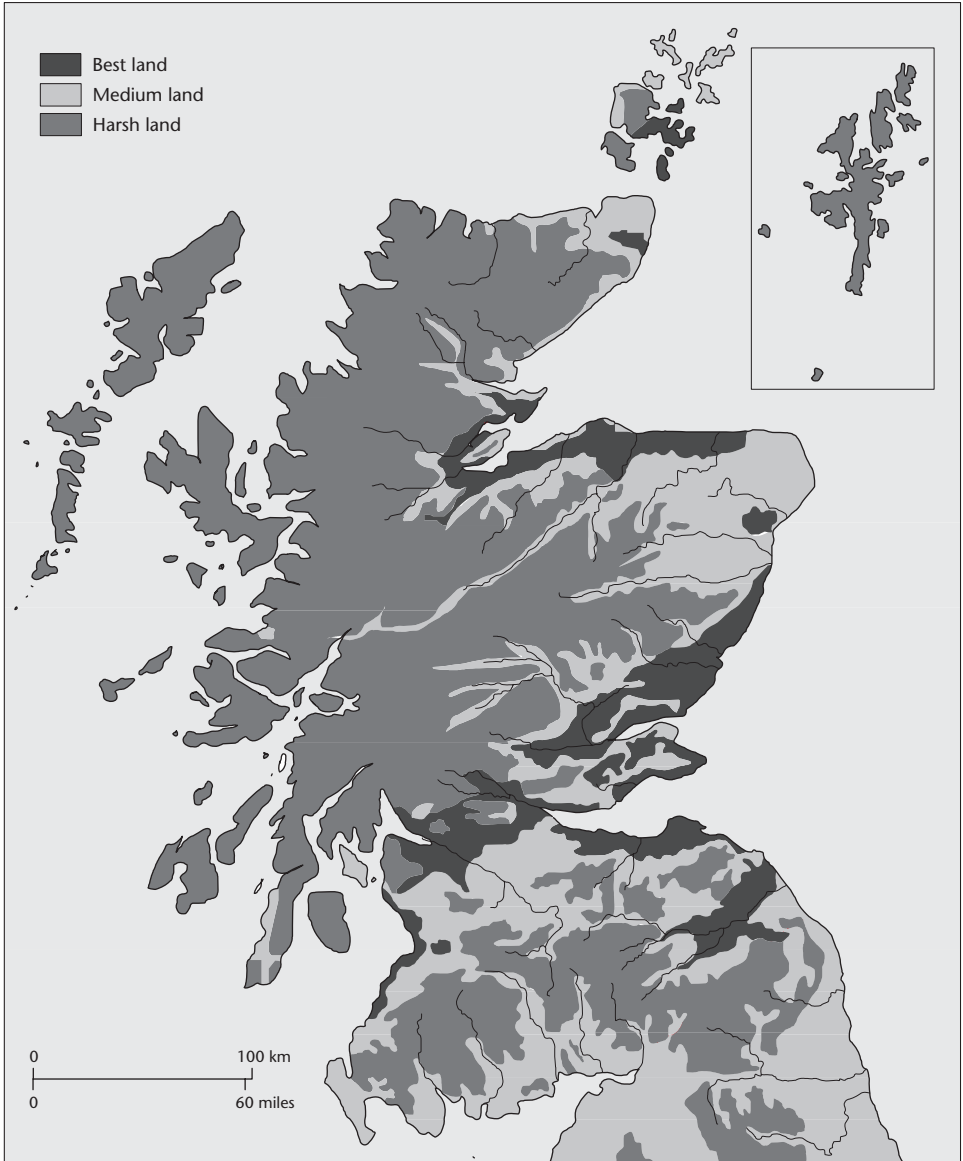
CHAPTER SIX

Scotland: Economy and Society

NICHOLAS J. MAYHEW

The central difficulty of Scottish medieval history is the scarcity of evidence. That scarcity is all the more serious since the available evidence has to be stretched thinly over the contrasting experience of town and country, highland and lowland, Scots and Gaelic. Consequently the historian of Scotland usually has to extrapolate from a few shreds of evidence to suggest a more widely applicable picture. Despite these difficulties, a number of good economic survey chapters have appeared in general studies of Scotland in the later middle ages by Duncan, Nicholson, Lythe and Grant.¹ At greater length, monetary and price history have been addressed by Gemmill and Mayhew,² and Ewan has written impressive studies on town life and women in Scotland.³ Towns have also benefited from collaborative ventures led by Lynch.⁴ Nevertheless, more could be made of the published and unpublished evidence that does survive. The largely unpublished records of the medieval burgh of Aberdeen are a treasure trove of detail, and many of the most important sources for the study of Scottish medieval economic and social history, though published in the nineteenth or early twentieth centuries, remain underexploited. One thinks above all of the *Exchequer Rolls*, the *Treasurers' Accounts* and the *Acts of the Parliaments of Scotland*, and of the *Lords Auditors* and *Lords of Council*, together with useful volumes of miscellaneous documents collected by Stevenson and Bain.⁵ Although these monuments have been so long in print, they contain a huge amount of rich and colourful material which is all too rarely cited. An awareness of the scarcity of the Scottish evidence, especially when compared with England, should not prevent the exploitation of what we have. This point is forcibly made by the *Atlas of Scottish History to 1707*, which most usefully abstracts most of the quantifiable, and mappable, data from the *Exchequer Rolls*, to show what can be done.⁶

Moreover, written Scottish sources may be augmented by archaeological evidence. Important excavations in Perth and Aberdeen, together with almost two decades of coin-find evidence, contribute significantly to our knowledge, as does an appreciation of the implications of the nature of the Scottish landscape and climate.⁷ For example, the scarcity of good arable land relative to the plentiful supply of rough grazing and the short growing season help to explain why corn was so much dearer



Map 6.1 Scotland: land quality.

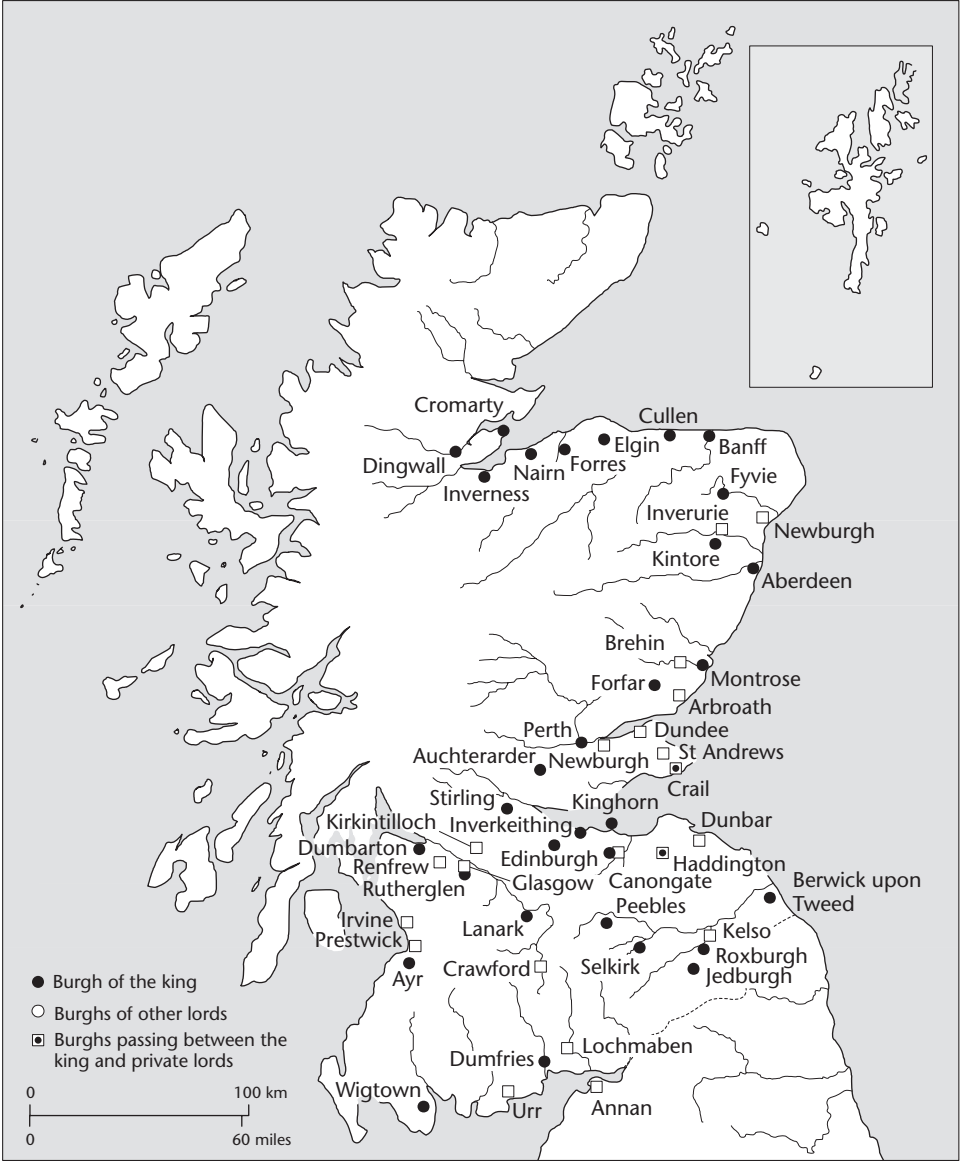
in Scotland than in England, though meat could be cheaper. And much surmise can be founded on comparison with the more plentiful English and continental evidence, for even as early as the later middle ages Scotland emerges as a thoroughly European state.

Population

It is important to remain optimistic about the possibilities, because the hard evidence for one of the most fundamental of economic topics, population, is frankly discouraging. Almost nothing is known about Scottish medieval demography. While many economic historians elsewhere in Europe regard demographic change as perhaps the dominant driving force in the medieval economy, the lack of evidence about Scottish population has reduced Scottish medieval demography to little more than guesswork. Unsurprisingly, the guesses have been rather varied, with figures ranging from a million to half a million *c.*1300 being hazarded with little supporting evidence. Broadly speaking, since Scotland possessed about one-sixth the area of reasonable agricultural land found in England and Wales, a similar ratio may have applied to population levels.⁸ If the high point of English medieval population stood at some 5 or 6 million (and there is of course much debate about this), Scottish population may have peaked at about a million. It may also be reasonable to assume that about 10 per cent of the Scottish population lived in towns by around 1300. (A figure as high as 20 per cent for urban population in England by this time has been authoritatively suggested by Dyer.⁹) With a Scottish urban population of about 100,000 we might be looking at about fifty burghs each averaging about 2,000 people, though most would have been much smaller. Perhaps the top ten Scottish burghs *c.*1300 may have ranged from around 10,000 down to about 5,000, when London may have reached 80,000, Norwich 25,000, Dublin 11,000 and Winchester 10,000.¹⁰

Important advances in the archaeology of Scottish towns have been made in the last decade, which have contributed to our knowledge of population. Major excavations have been carried out in Aberdeen and Perth, but the interpretation of this work reveals a complex and varied picture. In Perth evidence of the subdivision of plots has been found which may confirm an impression of overcrowding and of population pressure, but little evidence of crowding has been found in Aberdeen.¹¹ Clearly the particular circumstances of each site have to be taken into account. The recent Scottish Burgh Survey collects what is known of the basic documentary and archaeological evidence for individual Scottish towns, as a starting point for further research, but as yet the demographic implications of this work remain inconclusive.¹²

The interpretation of research into settlement patterns and the archaeology of habitation and cultivation in the countryside is also complex. The distinctive pattern of Scottish agriculture was based on touns, *i.e.*, clusters of farmsteads with associated outbuildings accommodating around two to six tenant families. These families may have exploited either open-fields (*runrigg*) or consolidated holdings in combinations of infield and outfield cultivation.¹³ However, medieval documentary evidence (*e.g.* Auchencrow, Berwickshire) is scarce, and the archaeology of rural sites (*e.g.* Lix, Perthshire) has yet to build up into a significant body of knowledge.¹⁴ This type of research is not yet sufficiently developed to contribute much to our ideas about population. Even such apparently clear-cut indications of population pressure as the cultivation of arable crops at high altitudes, for example Kelso Abbey's arable fields at over 1,000 feet, may be more indicative of climatic change than of overpopulation.



Map 6.2 Scotland: burghs in existence by 1300.

Certainly there is evidence that Scotland, like the rest of northern Europe, enjoyed favourable climatic conditions allowing arable cultivation at higher altitudes in the period from *c.*970 to about the end of the thirteenth century.¹⁵

Towards the end of our period, around 1500, English population stood as low as 2.5 million or less, perhaps suggesting that at its low point Scotland's population was about half a million. In the sixteenth century we meet the first securely based figures

for Scottish towns. Edinburgh had some 12,500 inhabitants *c.*1560, rising to over 20,000 by 1635.¹⁶ Normally this might be thought to give a guide for early fourteenth-century town populations, which usually exceed sixteenth-century totals by a large margin, but Edinburgh grew in the later middle ages, while most town populations fell.

Such guesstimates of course assume huge loss of life due to plague. There is a good deal of evidence for the ravages of plague in later medieval Scotland, but by a curious quirk of the evidence the surviving sources say very little about the first devastating outbreak of 1349.¹⁷ The first surviving set of Exchequer Roll post-plague Sheriffs' accounts, which were not rendered till 1358/9, make no explicit mention of plague, but they describe an impoverished landscape. They are full of references to land no longer yielding income to the crown because it was *vasta*. Some of this waste land had no doubt suffered through warfare. But the impact of medieval war was not generally so long-lasting; Aberdeen was sacked by the English in 1336 but was back in business, apparently unaffected, in the early 1340s. Froissart observed that Scottish homes were so basic that they could be very quickly rebuilt. Moreover, the areas of waste recorded in the Exchequer Rolls extended far beyond the contended regions. From Forfar, Kincardine, Ayr, Kinross, Stirling, Clackmannan, Roxburgh, Peebles, Kinghorn, Fife, Perth and Banff, there is evidence of fishings, ferries, lands and brewhouses without tenants, or let only on temporary leases at low rents, because better tenants could not be found. The Coldingham priory accounts do mention plague in 1362–3, when a large number of mortuary beasts escaped into corn fields, but the falling demesne acreage and the mounting arrears totals caused by unpaid rents give further indication of the economic impact of plague mortality.¹⁸ There seems little doubt that Scotland suffered severely. Grant, who thought Scotland may have been less severely hit than some other countries, still regarded the plague as 'the worst disaster suffered by the people of Scotland in recorded history'.¹⁹ Crawford concurs, basing her argument on the impact of plague in Scandinavia which suggests that altitude and northern latitude were no protection from the disease.²⁰ Fitch has even argued that the colder, damper climate may have increased the incidence of the more deadly pneumonic plague.²¹ Thus despite the absence of direct and quantifiable evidence of the type readily available in England, there can be little doubt about the seriousness of the impact of plague in medieval Scotland. This demographic catastrophe was, in Scotland as in the rest of Europe, unquestionably the single most important determining factor of the later middle ages.

Monetary Change and Taxation

Historians of the medieval English economy have tended to espouse either demographic or monetary explanations, although the two are by no means incompatible. Despite the fundamental importance of population levels, monetary factors played a major role from the introduction of a Scottish coinage in the twelfth century. The coinage of Scotland was begun by David I (1124–53) as one of a number of modernizing innovations, which included the foundation of the burghs and the establishment of the parochial structure as well as the introduction of a Scottish coinage. The whole package essentially amounted to the Normanization of the lowlands, though it is important to realize that this process extended beyond the reign of King

David I, was accompanied by the settlement of significant numbers of Flemings as well, and in neither case involved the wholesale replacement of the native aristocracy who generally remained in place.²² The developments begun by David were generally gradual and took most of the rest of the century to become established.

The introduction of a Scottish coinage was probably prompted by the acquisition of silver mines in Northumberland and Cumberland. However, Blanchard, who drew attention to the importance of these mines, seems inclined to regard the coinage innovation as something of a false start.²³ Certainly before the very end of the twelfth century Scottish coins were struck only in very limited numbers, and it is difficult to regard this tentative beginning as a significant monetary take-off. However, English coin was also used in Scotland, for English and Scottish sterling were of equal value, and several grants from early in David's reign allot a money income from his English possessions for the support of religious foundations in Scotland. Thus Glasgow cathedral received 100 shillings a year from estates near Northampton, and monks in Selkirk and the church in Dunfermline received similar grants. The use of money in Scotland was not therefore exclusively dependent on the output of Scottish mints. Equally there is no reason to think that David's grants to Holyrood Abbey, which included a cash income from royal rents, tolls and customs in Edinburgh, Perth and Stirling, eschewed English coin. The foundation charter is, however, clear evidence of a well-established, and at last partially monetized, trading economy, speaking of royal grants to Holyrood of 'forty shillings from my burgh of Edinburgh yearly; and a rent of a hundred shillings yearly for the clothing of the canons, from my cain [rent] of Perth, and this from the first ships that come to Perth for the sake of trade; and if it happens that they do not come, I grant to the aforesaid Church, from my rent of Edinburgh forty shillings, and from Stirling twenty shillings, and from Perth forty shillings'. The canons of Holyrood were also to be free of all tolls and customs 'on all things that they buy or sell'.²⁴

Thus however tentative the beginnings of the Scottish coinage may have been, it is clear that the use of money in trade, rents and taxes was already well established in some locations by the mid-twelfth century. This does not of course mean that alternative methods of exchange had been entirely supplanted. Customary rents in kind survived in the remoter districts of Scotland until at least the sixteenth century. But it does show that during the reign of David I parts of Scotland began to use money in very much the way it was already being used in England and on the continent in the previous century. Of course, money changes everything. It permits the accumulation of wealth on a far greater scale than is possible through the storage of goods, and it hugely facilitates exchange, for cash transactions are infinitely more flexible than barter. Just as Adam Smith celebrated the huge eighteenth-century economic advances made possible by the replacement of an inadequate money supply with a more adequate one, so a similar economic breakthrough occurred with the introduction of coin. However gradual or halting David I's innovation may have been, and it is not till the thirteenth century that one can talk convincingly of a significantly monetized economy in medieval Scotland, the introduction of minting there does mark a profoundly important moment. Thereafter the growth of the Scottish money supply can be charted through the development of Scottish minting. Periodic recoinages in Scotland have permitted estimates to be made of the quantities of coin called in for reminting, suggesting a growth of Scots mint output from around £4,000 late in the twelfth century to around £20,000 in the first half of the

thirteenth century and £150,000+ by the end of it.²⁵ Each reminting captured not only the existing Scots coin in Scotland, but also large quantities of English coin which circulated there, so that mint output at the time of the recoinages provides a good indication of the amount of coin there at the time.

The single finds of medieval coins in Scotland published over the last couple of decades confirm this picture of modest monetary beginnings in the twelfth century, followed by a very dramatic increase in the numbers of thirteenth-century finds. Ten finds from the period 1100–80 compare with 111 finds lost between 1180 and c.1247. The next issue struck between 1247 and 1279 accounts for fifty-nine finds, and the 1279–1344 issues provide a further 229 finds.²⁶ The figures from this sample break down to a rate of loss per year of 0.33, 1.66, 1.84 and 3.5, in each of the four periods. Of course the true relationship between coin use, coin loss and coin finds is by no means straightforward. Moreover, future finds may alter these proportions. Nevertheless, the suggestion of steadily increasing coin use in the two hundred years up to the outbreak of the Black Death accords well with other Scottish evidence.

Analysis of Scottish documentary evidence by W. W. Scott also found a notable thirteenth-century rise in monetary payments recorded in the charters.²⁷ Moreover, English medieval coin finds provide a broadly similar picture to that suggested by the Scottish evidence.²⁸ Thus it appears that the trend towards monetization and commercialism, which has been documented for much of the rest of the continent,²⁹ can also be discerned in Scotland. All over Europe, including Scotland, the use of markets and money was growing through the thirteenth century. Thus David I's monetary reform paved the way for Scotland to join the mainstream of European economic life.

David I's other innovations also mark highly significant changes that pointed the way for the future, even though it took a century or more for the twelfth-century seeds to bear fruit. The foundation of the royal burghs concentrated international and regional trade in a handful of locations, most notably Berwick, Edinburgh, Perth, Stirling and Aberdeen, for the convenience and profit of both the merchant community and the crown. And the parochial organization of the Scottish church and the introduction of modified feudal land tenure at least in the lowlands converted a clannish society into a medieval kingdom.³⁰ From the twelfth century later medieval Scotland was firmly tied into the structure of western Christendom, and the most characteristic features of the European economy and society can also be recognized between the Tweed and the Moray Firth. Notably, in Scotland, as in the rest of Europe, prices rose through the commercial revolution of the thirteenth century. Although the price evidence is scarce and patchy, beginning only in the 1260s, the trend is clear.³¹ Equally war and pestilence took their toll in fourteenth-century Scotland as across Europe, and in the fifteenth century both the Scottish and European economies are but shadows of earlier times.

Much of the evidence for this decline has been very effectively summarized in the *Atlas of Scottish History to 1707*. For example, the *Atlas* provides an excellent introduction to the available taxation and customs data, much of it provided by Alexander Stevenson, whose important Ph.D. thesis made him the acknowledged master of these topics.³² The essential sources for Scottish medieval tax assessment relate to the *Antiqua Taxatio* of uncertain thirteenth-century date (1201 × 1254), Bagimond's roll of the 1270s, Halton's taxation of the 1290s, and finally the *Verus Valor* of 1366. The *Antiqua Taxatio* or Old Extent assessed the value of benefices,

that is, parish revenues, also known as spiritualities. Since these revenues were dominated by teinds (Scottish tithes) they provide a valuable indication of agricultural productivity. Bagimond's roll assessed both spiritualities and temporalities, which included the value of ecclesiastical estates. Halton's taxation provided an assessment of all ecclesiastical revenues and saleable goods, but a detailed account of the archdeaconry of Lothian survives which permits a breakdown of spiritualities and temporalities, providing in Stevenson's words 'the one point of reference with the Old Extent of benefices'.³³ The *Verus Valor* provides both the Old and the New Assessments of lay and ecclesiastical lands and revenues. Together these surviving assessments permit a very approximate sketch of increasing national wealth over the course of the thirteenth century, followed by a dramatic collapse in the fourteenth. As in England, thirteenth-century economic growth consisted chiefly in feeding a larger population. After the plague national totals fall, though individual living standards may not have done.

Inevitably the interpretation of these tax assessments is extremely difficult. The first problem concerns the date of the earliest assessment, the *Antiqua Taxatio*. Since this provides the baseline for comparison with all subsequent assessments, it is obviously of fundamental importance and its dating will affect the rates of growth calculated from it. Stevenson associates it with some confidence to 1201 on the grounds that the assessment was drawn up for a tax of one-fortieth (4d. in the mark), and the only recorded fortieth was that of Innocent III (1199) actually levied in Scotland in 1201. Donnelly has questioned whether the early thirteenth-century money supply could have borne a fortieth, which would have withdrawn about 10 per cent of the entire currency from circulation.³⁴ In fact the much better-documented levels of English taxation and money supply under Edward I especially in the 1290s suggest that a tax take of 10 per cent of the money supply is not at all out of the question. On the other hand, Donnelly offers a last possible date for the *Antiqua Taxatio* of 1254, while Stevenson notes that it must be before 1267.

Although the comparability of the different national assessments, and the accuracy of particular individual assessments, is always open to question, the overall picture both nationally and diocese by diocese is broadly in line with the sort of rise in values over the course of the thirteenth century that we might have expected on the basis of English and continental trends. A comparison of the figures parish by parish for the archdeaconry of Lothian has been drawn up for the *Antiqua Taxatio*, Bagimond's roll for the 1270s and Halton's assessment of 1291/2 for the Nicholas IV tithe.³⁵ This comparison contains some anomalies, but taken as a whole the logic of the figures supports the belief that most of the assessments are compatible with one another and provide a broadly credible picture of thirteenth-century growth. The figures arranged by diocese are shown in table 6.1.

Overall the values more than doubled over the thirteenth century, though in the richest diocese, St Andrews, the increase was much more modest, perhaps because this part of the country was already the most developed at the time of the first assessment. Within this diocese the archdeaconry of Lothian benefices rose only 56 per cent from the Old Extent to the Halton assessment.³⁶ All the indications are that Scotland took part in the rise in prices, population and economic activity which Spufford described for Europe as a whole as a 'commercial revolution'. If this is so, it seems likely that these taxation assessments of the Scottish church, if anything, underestimate the growth of this period.

Table 6.1

<i>Diocese</i>	<i>Antiqua Taxatio 1201?</i>	<i>Bishop Halton 1292</i>
St Andrews	£8,018	£11,723
Glasgow	£4,080	£11,143
Aberdeen	£1,610	£3,439
Moray	£1,418	£2,496
Dunkeld	£1,206	£2,525
Dunblane	£606	£1,376
Caithness	£386	£464
Whithorn	£358	£1,322
Ross	£351	£681
Brechin	£341	£1,008
Argyll	£281	£661
Sodor and Man	—	£536

In contrast with this buoyant thirteenth-century picture, the *Verus Valor* of 1366 indicates a fall in values so severe that historians would have hesitated to compare it with the earlier figures if contemporaries had not themselves done so as soon as the 1366 figures became available. The average income from lay and ecclesiastical estates fell by 49 per cent compared with the reign of Alexander III (1249–86) and incomes from benefices in 1366 were apparently some 37 per cent below the value indicated by the Old Extent of 1201. A number of explanations for the collapse in landed values that this comparison reveals have been suggested. Nicholson argued that the monetary values may have fallen as a result of a severe monetary shortage.³⁷ In fact the Scottish money supply was enjoying a period of relative plenty in the 1360s, and the behaviour of prices at this time does not support the notion of severe deflation.³⁸ Some element of taxpayer resistance seems possible, for the customs on wool, hides and fells were quadrupled between 1357 and 1368 to fund David II's ransom, and this may have contributed to the low level of the assessments. The ravages of war would certainly have contributed to reductions in some regions. But the most obvious and most important factor must have been an appalling fall in population caused by the plague.³⁹ As we have seen above, careful reading of the Coldingham and Exchequer Roll accounts confirm the picture revealed by the *Verus Valor*, and the whole accords well with the English and continental experience at this time.

Commerce and Towns

Plague and the fall in population was no doubt a major factor leading to the sharp decline in customs revenues noticeable in the late fourteenth and fifteenth centuries. The Great Customs on wool, fells and hides were introduced in Scotland at some time after their introduction in England in 1275, although the earliest surviving Scottish customs accounts date from 1327 to 1333. An almost unbroken series of accounts runs from 1361. Once again the Exchequer Roll data are most conveniently accessed via Stevenson's analysis of the customs accounts in the *Atlas*.⁴⁰ As in

England, for about twenty years after the first outbreak of plague the economy boomed, perhaps assisted by the dramatically increased amounts of coin per head of the surviving population. Prices were buoyant, and total crown income from the customs peaked in the 1370s with the introduction of sharply increased rates of duty. Although justified as a contribution to the ransom of David II, this increase parallels the similar increases imposed by Edward III south of the border to finance the wars in France. As a consequence of these sharply increased duties on wool in both England and Scotland the volume of wool exports fell, but cloth production in both countries was stimulated, and cloth exports grew. Overall, however, the shift from wool to cloth in Scotland did not adequately compensate for the reduction in the size of the international post-plague market. In the fifteenth century, total Scottish customs receipts fell to about half their fourteenth-century peak, despite the introduction of new duties on cloth, fish, salt and skins. In the sixteenth century the trend was reversed, total customs income rising almost back to fourteenth-century levels by the 1590s. However, this achievement appears much less impressive when inflation and debasement are taken into account.

The Scottish coinage was equal in weight and fineness to the English sterling until 1367, but from this date the Scottish coinage was repeatedly reduced in metal content so that by the reign of James V the English pound had a value 4.5 to 5 times that of the Scots. This debasement naturally caused serious inflation, so the value of the Scottish sixteenth-century customs was also inflated. However, Scottish later medieval debasement may not always have been economically disadvantageous. Measured reductions in the intrinsic content of the currency may have been an appropriate response to the shortage of coinage metals in later medieval Europe in general, and to the specific shortages of bullion in Scotland in particular.⁴¹ In so far as shortage of money depressed prices and inhibited economic activity, debasement could increase the money supply and generate economic growth, albeit at the cost of some inflation. Moreover, the debasement of the Scottish currency was usually fairly moderate and broadly in step with similar measures in Flanders and France. Of course debasement was not always measured. In France the pressure on wartime finances often resulted in periods of very severe and highly damaging debasement. Scotland experienced similar difficulties, most noticeably as a result of the issue of black (i.e., base) money in the 1480s, which severely damaged confidence in the currency and in the crown. But just as money could be too weak, England's money was usually too strong and too heavily dependent on gold, and this may have contributed significantly to the flat prices characteristic of England's later medieval recession. Scottish debasement, on the other hand, may have operated like a modern devaluation to promote exports and inhibit imports. (Blanchard has certainly argued that similar debasement in the Baltic benefited the cloth industry of that region, and the same may well have been true for Scotland.⁴²)

However, even if this is true, the effects of debasement certainly distort long-term comparison of the Scottish customs income totals, suggesting that the fifteenth-century decline was more severe than appears at first, and that the sixteenth-century recovery was much less impressive. These monetary effects can be excluded if the volume of exported goods is studied rather than the value of customs paid.⁴³ Since fourteenth-century figures are only available for wool, woolfells and hides, the only items then customed, these are the only commodities that provide a run of comparable figures from the 1320s to the sixteenth century. Customed wool exports fall pro-

gressively over the whole period, reflecting a reduction in the size of the late medieval market and the impact of the very heavy customs levies on wool. Some wool was of course diverted to the domestic cloth industry, but the customed cloth exports for which we have figures from the mid-fifteenth century indicate that even the combined cloth and wool exports failed to match the fourteenth-century levels of wool exports alone.⁴⁴ It is, however, possible that Scottish-made cloth claimed a growing share of the domestic market, for it enjoyed a marked price advantage, and some Scots cloth is known to have been exported without paying custom.⁴⁵ Nevertheless, it seems clear that the overall size of the Scottish wool and cloth trades certainly fell from the late fourteenth century, reflecting the shrinking of the European market.

Interestingly, however, the export of hides held up much better. It may be that in a shrinking market only the best Scots wool found buyers abroad, but that Scottish hides matched the competition more successfully. For salmon too the Scottish product was of unrivalled quality, but custom returns only survive from the 1420s, and Aberdeen burghesses were exempt from the custom on salmon until the late 1530s, so these records give no real idea of the size of this trade. The Aberdeen records, however, leave no doubt about its importance. From the fifteenth century salmon were usually sold salted and cleaned, and packed in barrels. This process prolonged the 'shelf-life' of the fish, permitting Scottish salmon to be shipped to France, the Low Countries, Germany and the Baltic. Merchants were so confident of a ready sale for salmon that this fish became an important part of the credit system in Scotland.⁴⁶ However, despite such buoyant demand for salmon, and the steady performance of hides over the whole period, there can be little doubt that exports generally contracted from the last quarter of the fourteenth century in step with what appears to have been a European recession.

While the volume of trade was declining, our knowledge of it improves at this time as a result of the survival of more Scottish sources from the fifteenth and sixteenth centuries. The most important unpublished Scottish medieval source is surely the Aberdeen Council Registers 1398–1414 and 1434–1541, which, together with the Aberdeen Dean of Guild Accounts, cry out for a full electronically searchable edition. Dickinson's sample publication of a few of the earliest years amply demonstrates the richness of this source, which has been fully exploited for the medieval price data it contains, but otherwise still lies fallow. Elizabeth Gemmill has provided a taste of this material, and shown how vividly it can illustrate the world of the international merchant in late medieval Scotland. Consider for example the extract from the Aberdeen Council Register vol. 16, pp. 64–5, referring to the case brought by William Baudy to the bailies' court on 18 November 1538 against John Reaucht, burghess.⁴⁷ Baudy claimed that Reaucht sold him 'twa barrellis of salmond full reid and sweit sufficient merchand gude of the rychtous bynd of Abirdene' in January which his wife Elspet Malisone went to inspect. Reaucht opened one barrel for her inspection which was fine, and guaranteed the other was as good. However when Alexander Murray, Baudy's factor in France, came to sell the salmon, one barrel was found to contain grilse and lax (younger salmon), rather than fully grown fish, making it worth some four francs less. Baudy also claimed that Reaucht owed him a further 40s. Scots for woad sold to him in 1537.

Cases of this sort are full of interest for they illustrate a number of features characteristic of Scottish trade at the time. The role of Baudy's wife in the business is relevant to the history of women, as is her use of her maiden name, which was normal

practice in medieval Scotland.⁴⁸ The sale of barrelled Aberdeen salmon in France illustrates themes already discussed above, and reference to the standard required size of barrel illustrates the careful regulation of the trade. The outstanding debt on a sale made fifteen months earlier was typical of many medieval credit sales. It seems likely the debt would have run on even longer but for the dispute over salmon.

The Aberdeen records are full of much vivid material of this sort, but the published sources also supply similar insights into the life of the medieval merchant. For example, consider a case brought before the Lords in Council. In 1476, Lowick Lars Porter of Bruges sued James of Duchir for wrongfully withholding £5 12s. *grete* (as the usual money of Flanders was customarily described). James appeared before the Lords in Council himself, but Lowick was represented by his procurator, who produced in evidence a written obligation for this sum, signed by James and sealed with his signet. James was ordered to pay and the usual order was sent to distraint his goods, but James had further alienated the court by denying 'fraudfully and in the presence of the Lords' his own hand and signet, despite witnesses who testified against him. It was this lie which infuriated the Lords, who ordered the aldermen and bailies of Dundee to take James to the market cross on the next market day at the busiest time, and have an officer strike him through the hand that had written the obligation as an example to others.

This is an interesting tale, since it combines much that is typical and illustrative of the business of international trade in fifteenth-century Scotland with an additional element that raises it out of the ordinary. Flemish and Scottish merchants were regularly involved together in trade, and credit was extended from one party to another almost as a matter of course. The written obligation, which was signed and sealed, testifies to the literacy of the parties; the sum involved was not a large one, and the use of written documents for such modest sums suggests their use was commonplace and widespread. International merchants were completely familiar with the business of foreign exchange, one pound sterling or Flemish being equivalent to about three pounds Scots at this time. It is significant that Lowick felt confident enough to sue in a Scottish court, and through a proxy. But it is the sense of indignation and moral outrage which the court felt that lifts this case out of the ordinary, while the public administration of corporal punishment in the Dundee market square not only humiliated the merchant and set an example to others, but puts us in touch with a rather more robust and violent age.

Yet perhaps the most famous body of evidence for the international trade of Scottish merchants is supplied by Andrew Halyburton's ledger.⁴⁹ Halyburton worked as a merchant and factor in the Scottish staple at Middleburg in the 1490s. The ledger supplies a wealth of detail about his activities, including lists of individual transactions with other named merchants, written obligations recording outstanding debts which Halyburton collected on behalf of his principals, and detailed accounts of cash in hand in silver and gold including ducats, French crowns, Rhine guilders, Andrews, Utrechts, Hungarian florins, louis, rose nobles, Harry nobles, Flemish nobles, angels, riders and saluts. Moreover, the ledger also provides early evidence of the use of double-entry book-keeping and Indo-Arabic numerals, which both testify that the Scots were fully up to date with mainstream developments in European merchant practice.

Nevertheless, although the medieval Scots were thoroughly integrated into the mainstream of European commerce, historians of medieval Scotland have difficulty

joining the major historical debates of the day because of lack of data. Where the primary evidence is so tenuous, it seems unwise to build prescriptive theories, so Scotland has largely escaped exclusively monetarist or demographic explanations of its economic history.

Similarly, whilst the question of urban decline has generated much controversy for England, it has not been much discussed in Scotland for want of adequate quantitative data. However, the *Atlas* does essay an outline of provincial decline on the basis of the customs returns, which suggests that Edinburgh emerged as pre-eminent in the later middle ages, possibly at the expense of other burghs, just as London became dominant at the same time in the English economy. In Scotland this process was intensified by the loss of Berwick, which had been Scotland's pre-eminent trading burgh, and was also Robert I's preferred capital. However, the places where royal charters were issued show that Edinburgh was well established as an administrative capital throughout the twelfth and thirteenth centuries, so it was well placed to take advantage of the opportunities created by the loss of Berwick.⁵⁰ From the later fourteenth century Perth and Stirling enjoyed spells of royal favour, but Edinburgh was firmly established as the administrative capital and continued to grow as a trading centre. In the harsher economic climate ushered in from the end of the fourteenth century, when money and markets became increasingly difficult to find, the remoter and smaller centres seem to have suffered more, while the capital benefited from its concentration of wealth, credit and political influence. Edinburgh may even have begun to erode Aberdeen's dominance of the salmon trade, because her pre-eminence in the control of cloth, dye-stuffs, credit and the carrying-trade created a critical mass of business which overshadowed her competitors.⁵¹ In contrast Perth's trading position was eroded by the growth of Dundee. Aberdeen remained important as a centre of international and local trade throughout the later middle ages, but could not match the evidence of growth in the fifteenth century.

Nevertheless, much attention has focused on other aspects of Scottish towns. Early work on this topic concentrated on the apparent clash between the rival interests of merchants on the one hand and craftsmen on the other. It even appeared as if the relative strengths of these conflicting groups might have varied from town to town. More recently, however, it has been convincingly suggested that the apparent prominence of one group or another may have reflected the accidental and partial survival of the sources. Craft and merchant influence varied from time to time and place to place, and local legislation that was put in place to deal with a particular problem cannot be read as a general and universally applicable law. In any case, the distinction between craftsman and merchant may often have been a difficult one to make in practice; dyers, for example, required extensive trading contacts and capital.⁵²

Sources relating to Scottish towns have also in recent years begun to yield a body of previously neglected evidence for the role of women. Although some have followed the trail of the better-documented lives of individual aristocrats,⁵³ among ordinary Scots women it is above all the traders who figure in the documents.⁵⁴ Whether as the trading wives of merchant husbands (see above), as much poorer cake-bakers, or above all as brewsters, women have emerged from the history of the medieval Scottish town as soon as scholars began to look for them.

The growing interest in women's history also helps to draw attention to the importance of domestic consumption. Scottish economic historians have shown a tendency

to concentrate on exports, customs and tax returns, but it needs to be recognized that it was domestic consumption that dominated any medieval GDP. Even when Britain played its nineteenth-century role as the workshop of the world, its exports still only accounted for about 20 per cent of GDP, and in the middle ages it was likely to have been much less. By far the larger part of Scotland's economic life in the middle ages was concerned with the mundane but crucial business of feeding its population, and here the role of women was central. It has, for example, been calculated that the humble business of brewing, which women dominated, may have generated some 8,000 gallons of ale a week in Aberdeen around 1500, worth about £300 Scots. The Edinburgh trade may have been three times as large.⁵⁵ The manufacture of bread in urban Scotland seems to have been controlled by men, but the more lowly role of oatcake-making was a female pursuit, and women were sometimes granted a significant part in the administration of the fair price in the market for victuals, which probably recognizes their importance as purchasers there.⁵⁶

The importance of small-scale production is closely related to the role of women in the household, but also to a renewed awareness of the peasant contribution to the medieval Scottish economy. Here again, the development is paralleled by similar shifts of opinion among English scholars. Current work in England increasingly suggests that peasant levels of productivity matched and often exceeded those achieved by demesne production, and it seems very likely that the same was true in Scotland. Bridbury has reminded us of Eileen Power's observation that the known volume of English wool exports, compared with the likely level of total demesne wool production, implied a very large amount of peasant wool production for export.⁵⁷ Stevenson and Lynch, writing in the *Atlas*, came to the same conclusion by comparing the known production of the monastic flock at Melrose – the largest in the country – with customed exports, suggesting that 'the vast bulk of Scottish wool exports came from the flocks of peasant farmers'.⁵⁸ Grant has also pointed out that marked fluctuations in the levels of fourteenth-century Scottish wool exports imply a very significant amount of domestic clothweaving when the wool was not sold abroad.⁵⁹ Once again it is evident that the silence of the sources does not indicate an absence of activity. In the fifteenth century it is clear that Scottish cloth was very significantly cheaper than the better-quality output of England and Flanders, allowing it not only to assume a larger share of the Scots market, but even to begin to export significantly especially through Edinburgh, Dundee and Kirkcudbright. Largely domestic production is also apparent in Aberdeen.⁶⁰ The cumulative output of thousands of unknown men and women contributed far more to the Scottish economy than the surviving documents reveal.

NOTES

- 1 Duncan, *Scotland*; Nicholson, *Scotland*, especially ch. 10; Lythe, 'Economic life'; Grant, *Independence*, especially ch. 3.
- 2 Gemmill and Mayhew, *Changing Values*.
- 3 Ewan and Meikle, *Women in Scotland*.
- 4 Lynch et al., *Scottish Medieval Town*.
- 5 Stuart et al., *Exchequer Rolls*; Dickson and Paul, *Treasurer*; Thomson and Innes, *Acts of the Parliaments of Scotland*; Thomson, *Acts of the Lords Auditors and Lords of Council*; Stevenson, *Documents*; Bain, *Documents relating to Scotland*.

- 6 McNeill and MacQueen, *Atlas*.
- 7 Murray, *Aberdeen*; Holdsworth, *Perth*; Bateson, 'Coins'; Bateson and Holmes, 'Coins'.
- 8 Grant, *Independence*, p. 73.
- 9 Dyer, 'Hidden trade'.
- 10 Gemmill and Mayhew, *Changing Values*, pp. 8–10, and the references there. Also Campbell et al., *A Medieval Capital*, pp. 10–11.
- 11 See Murray, *Aberdeen*; Holdsworth, *Perth*.
- 12 Dennison and Simpson, 'Scotland'. See also Ditchburn, 'Port towns'.
- 13 Dodgshon, 'Settlement and colonisation'.
- 14 Donnelly, 'Auchencrow' argues for a longer continuity of field-systems than Dodgshon, 'Medieval rural settlement'.
- 15 McNeill and MacQueen, *Atlas*, p. 21.
- 16 Lynch, 'Structure of larger towns', p. 279.
- 17 Nicholson, *Scotland*, p. 149, cites Fordun, Wyntoun and Bower.
- 18 Gemmill and Mayhew, *Changing Values*, pp. 369–70.
- 19 Grant, *Independence*, p. 75.
- 20 Crawford, *Dunbeath*, p. 6.
- 21 Fitch, 'Plague', pp. 30–40.
- 22 See especially Duncan, *Scotland*, pp. 135–42.
- 23 Blanchard, 'Lothian' and *Middle Ages*, p. 14.
- 24 Metcalf, 'Evidence', p. 8.
- 25 Mayhew, 'Alexander III', p. 61.
- 26 Bateson, 'Coins'; Bateson and Holmes, 'Coins'.
- 27 Scott, 'Money in Scotland', pp. 105–31.
- 28 Dyer, 'Peasants and coins'.
- 29 Spufford, *Money*, Part II, pp. 109–266.
- 30 For the limitations and modifications to this process, see Duncan, *Scotland*, p. 142.
- 31 Gemmill and Mayhew, *Changing Values*.
- 32 McNeill and MacQueen, *Atlas*, pp. 298–305.
- 33 *Ibid.*, p. 300.
- 34 Donnelly, 'Taxations', pp. 3–7.
- 35 Gemmill and Mayhew, *Changing Values*, pp. 365–8.
- 36 McNeill and MacQueen, *Atlas*, p. 300.
- 37 Nicholson, *Scotland*, p. 175, and 'Scottish monetary problems', pp. 103–14.
- 38 Mayhew, 'Alexander III', pp. 63–4; Gemmill and Mayhew, *Changing Values*, p. 18.
- 39 McNeill and MacQueen, *Atlas*, p. 303.
- 40 *Ibid.*, pp. 237–47.
- 41 Gemmill and Mayhew, *Changing Values*, pp. 373–81.
- 42 Ian Blanchard, 'Northern wools'.
- 43 McNeill and MacQueen, *Atlas*, p. 241.
- 44 Gemmill and Mayhew, *Changing Values*, p. 373.
- 45 *Ibid.*, p. 352, n. 322, citing Ditchburn, 'Trade with northern Europe', p. 167.
- 46 Gemmill and Mayhew, *Changing Values*, p. 308.
- 47 *Ibid.*, pp. 65–77; extract at pp. 79–80.
- 48 Mayhew, 'Women in Aberdeen', p. 144.
- 49 Innes, *Halyburton*.
- 50 McNeill and MacQueen, *Atlas*, pp. 158–69.
- 51 Gemmill and Mayhew, *Changing Values*, p. 307.
- 52 Lynch, 'Larger towns', pp. 264–8 summarizes and illuminates the Scottish merchant–craftsman debate.
- 53 Downie, 'Medieval queenship and marriage'.
- 54 Ewan and Meikle, *Women in Scotland*; Mayhew, 'Women in Aberdeen'.

- 55 Mayhew, 'Ale'.
 56 Mayhew, 'Women in Aberdeen', p. 146.
 57 Bridbury, 'Before the Black Death', p. 398; Power, *Wool Trade*, p. 24.
 58 McNeill and MacQueen, *Atlas*, p. 251.
 59 Grant, *Independence*, p. 75.
 60 Gemmill and Mayhew, *Changing Values*, p. 352.

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FURTHER READING

The *Atlas of Scottish History to 1707*, edited by P. G. B. McNeill and H. L. MacQueen (Edinburgh, 1996), has established itself as the essential starting point for Scottish medieval economic history. In addition the works cited by Ditchburn, Ewan, Gemmill, Lynch and

Mayhew cover most of what is available. A *New History of Aberdeen* is in preparation. However, the fundamental sources (above all the *Exchequer Rolls*) were mostly published in the nineteenth century and still repay reading, for the treasures there are by no means exhausted. General histories by Duncan, Nicholson and Grant contain much valuable work on economic matters.

CHAPTER SEVEN

Wales: Economy and Society

A. D. CARR

The Historians

Much of the work done on the medieval Welsh economy and the society it sustained has concentrated on native Wales before the Edwardian conquest of 1282 and on the subsequent impact of conquest, crisis and plague as forces making for change. Investigation of the first topic is bedevilled by the lack of contemporary sources but historians have been able to extrapolate evidence from late medieval and even early modern cadastral material. In 1895 Frederic Seebohm used archive sources, especially the 1334 survey of Denbigh, in seeking to interpret the medieval Welsh social structure; Seebohm's work has long been superseded, but T. Jones Pierce later identified the changes that were coming about in thirteenth-century Gwynedd. Perhaps his most significant article was 'The growth of commutation in Gwynedd in the thirteenth century' (1941); here he showed how the process of commutation had already begun before the Edwardian conquest, driven by the need of Llywelyn ap Gruffudd in particular for ready money to sustain his new principality. Jones Pierce also discussed settlement patterns, estate-building and Welsh law; his contribution may be described as revolutionary in that it transformed our understanding of pre-conquest Wales and of what the princes of Gwynedd were trying to do. His work was carried on by his pupil Glanville Jones, a historical geographer who was able to shed light on the changing nature of native society and especially its connection with settlement and land tenure. Keith Williams-Jones's introduction to his edition of the Merioneth lay subsidy roll of 1292-3 (1976) used a post-conquest taxation record as a springboard for a major study of the social and economic background of Llywelyn's principality.

The sources used by these scholars were themselves testimony to the changes generated by a conquest that brought native Wales within the archival ambit of the English royal administration. In 1902-3 E. A. Lewis published a seminal article, 'The decay of tribalism in north Wales', where he drew on the accounts of principality officials in the Public Record Office to examine the decline of the traditional Welsh social pattern in the fourteenth century and the impact of the Black Death on north Wales.

His *Mediaeval Boroughs of Snowdonia* (1912) was the first study of Welsh urban history, and two substantial articles on trade and industry in late medieval Wales, published in 1903 and 1913, added to what was, by any standard, an original and trail-blazing contribution. His mantle was inherited by William Rees, the first substantial fruit of whose research was an article on the Black Death in Wales which appeared in 1920. Four years later came *South Wales and the March 1284-1415*, an immensely detailed examination of social and economic structures there; this book broke so much new ground that it was not as well received as it deserved, but it remains essential reading. Rees published much more in this field and in 1968, as he entered his ninth decade, he produced his two-volume work *Industry before the Industrial Revolution*, which concentrated on Wales and the border counties. R. R. Davies produced a detailed study of government and society in the march between 1282 and 1415 and also analysed the leaders of the Welsh native community in his examination of the Glyn Dŵr revolt. The medieval Welsh agrarian economy was discussed by R. Ian Jack and Huw Owen in the relevant volumes of the *Agrarian History of England and Wales*; several detailed regional studies have also appeared and the American scholar James B. Given used Gwynedd as one of his models in a comparative study of the absorption of two local societies into larger polities. But much basic research has still to be done before any work of synthesis is possible.

The Land

Wales has often been seen as a single region of Britain, but it is itself a land of regions, its political geography being defined by internal natural frontiers. The regions range from the bleak upland pastures of much of mid-Wales or the grandeur of Snowdonia to the fertile lands of the Vale of Glamorgan or Anglesey. Some 60 per cent of the land surface is above the 200-metre contour line and the lie of the land has done much to mould Welsh society and economy. There were two agrarian worlds, the arable lowlands and the pastoral uplands; Sir Cyril Fox's definition of the personality of Britain puts Wales firmly into the highland zone, but the country has both highland and lowland zones of its own and this has created a complex geographical and social environment.

The primary cause of economic change in Wales was the rise in population, the result of a period of favourable climate between about 1050 and 1300. The statistical bases for estimates of population range from the extremely tenuous to the non-existent. Keith Williams-Jones proposed a very tentative figure of about 300,000 in 1300 when the medieval population was probably at its peak, and he went on to suggest that it was almost certainly greater at that time than it was in 1536.¹ There is some evidence to suggest a substantial increase between 1100 and 1300; settlement expanded from fertile lands around the coast and in river valleys to inland areas where the soil had previously been less attractive and this meant the establishment of new communities. It is possible that this colonization was encouraged by offering more favourable conditions of tenure to unfree families to persuade them to move.² More land was cleared for cultivation; Anglesey in particular seems to have been denuded of much of its indigenous forest by the twelfth century and some place-names reflect new settlement.³ The available evidence indicates growing pres-

sure on a limited stock of arable land; by the end of the thirteenth century townships on marginal land in upland Merioneth had a high population density and the 1306 extent of the bishop of Bangor's lands suggests the same thing.⁴ At Nanhwrfa in Anglesey fourteen heirs shared sixteen acres of arable, and this was only an extreme example.⁵

The basic structure of early medieval society was described in Welsh legal texts as 'There are three kinds of person: a king, a *breyr* (a freeborn Welsh landed proprietor) and a bondman'.⁶ The fundamental division was that between free and unfree. In 1100 the unfree element formed the majority of the population in a world of itinerant kingship maintained by the food renders and labour services of the bondmen. The prevailing pattern of social organization over much of the country was the federal or multiple estate (*W. maenor* in south Wales, *maenol* in the north), made up of a number of villis or communities dependent on a court which could be that of a king or, on a smaller scale, of a *breyr* (in north Wales an *uchelwr*); relics of this pattern can still be seen in some of the extents drawn up in the fourteenth century and it is also evident in some of the Welsh entries in Domesday Book.⁷ In those parts of Wales where there was sufficient arable land, particularly in the south-east, earlier evidence suggests a pattern of large landed estates, probably worked by unfree labour.⁸

The coming of the Normans to Wales after 1066 had social and economic implications as well as political ones. The Norman invaders were adventurers, seeking to carve out lordships and lands for themselves, and it was these conquests which brought about the creation of the march, best defined as Welsh lordships in Wales ruled by Anglo-Norman lords. These new rulers had little impact on native Welsh society in the upland areas, known as the Welshry, where there was little or no change and where the Welsh population continued to provide food renders and perform labour services as it had always done. But the new rulers may have seen existing large estates as resembling the manors they already knew and these often came to be known as the Englishry where the custom of the manor rather than native law prevailed.⁹ Despite its name, the Englishry was not necessarily a region of English settlement; some settlers may have been brought in, but the greater part of the population usually continued to be Welsh and immigrants were often absorbed by the native community within a generation or two. There was only one instance of large-scale colonization; in 1108 Henry I permitted a substantial community of Flemings, driven from their homeland by the incursion of the sea, to settle in the southern part of what was later to be the county of Pembroke. This was a settlement of farmers and traders rather than a military conquest and it had significant cultural effects; the Welsh language disappeared from this region, never to return, and later documents show that even the field names became English.¹⁰

The People

Native Wales learned from the Normans. Military lessons were rapidly put into practice and the princes of Gwynedd began to reward faithful servants with lands to be held by military service. Such grants often carried with them the delegation of the prince's authority over the resident bondmen and the right to hold a court. Following conquest, however, first in the march and then in the principality, native society

was decapitated; no longer were there native rulers or royal courts. Welsh society was henceforth dominated by the free proprietors or *uchelwyr* (gentry); some of these had been rewarded for their service to the princes with lands and privileges, but all of them exercised social and political leadership within their own communities and usually monopolized office at local level, as well as serving from time to time as sheriffs in the principality and as stewards and receivers in the march.¹¹ They were the leaders and the effective rulers of the native Welsh community; the authorities negotiated with them over such matters as subsidies and taxation, and they drew attention to the community's problems and grievances. Some were men of considerable wealth; although it was blood and descent that originally gave such men their status, economic power played an increasingly important part as the later middle ages progressed. Each *uchelwr* controlled a network of kinsmen, tenants and dependants and by the end of the fourteenth century each one had his *plaid* or retinue made up of such people. Brokerage and patronage were among their most important functions in their communities and they expected and received due respect. Not all their kinsmen were prosperous; many might well have been poorer than some unfree tenants, but they were intensely proud of and aware of their descent.

Land was the real basis of wealth. Free land, however, was vested in the lineage and not in the individual, who had no right to dispose of it. From about 1200 onwards the pattern of free tenure was an institution called the *gwely* or resting-place (the term was applied both to the lineage group and to its land). Individuals only enjoyed what amounted to a life interest and rights were shared equally among sons. The size of individual shares varied immensely, depending on the number of sons in each generation. In theory the existence of the *gwely* would have meant the prohibition of any property market, but some land did lie outside the kindred system and even before 1282 a legal device called the conveyance in *tir prid*, which made the alienation and the acquisition of hereditary land possible, had evolved.¹²

Below the free came the unfree, the bondmen or *tacogion*. The bondman was tied to the soil; he could not leave it, nor could he do anything else without the consent of his lord. Many late medieval deeds record the buying and selling of bondmen, but what was sold was authority over him and his issue and the right to his labour and services rather than the bondman himself and, like so many of his counterparts elsewhere, he would not be slow to protest about oppression or extortion. In 1305 the bond demesne community of Penrhosllugwy in Anglesey complained to the prince, Edward of Caernarfon, that they were being assessed for renders and services based on an unjust extent and, after prolonged agitation for more than twenty years, eventually won their case.¹³

There had been English settlement since the first coming of the Normans, but the Edwardian conquest brought in more immigrants. English settlers were introduced to the northern marcher lordships created by Edward I. In Denbigh Welsh tenants were moved to lands elsewhere, equal in acreage but not in fertility, an act which caused lasting resentment; the population of the town of Denbigh was almost entirely English but in Ruthin, on the other hand, Welsh and English burgesses lived side by side. The boroughs founded by Edward I around his new castles were intended as English colonies and secure supply bases. Names of early burgesses suggest that they came from many parts of England, some from as far afield as Lewes or Faversham; the generous terms of the foundation charters were intended to attract them. Their

privileges often caused ill-feeling, but it is simplistic to think in terms of English towns and Welsh hinterland in a state of permanent mutual hostility. There was no lack of mutual suspicion; the two peoples often lived under different laws and customs, always a recipe for resentment and friction, but they had to live together and trade with each other. Prosperous burgesses and settlers very soon began to intermarry with Welsh gentry families and to join the ranks of the *uchelwyr*, even to the extent of becoming patrons of the poets or, in the early fifteenth century, of joining the revolt of Owain Glyn Dŵr. Some of the most eminent gentry families, like the Salusburies, Hammers and Pulestons in the north-east or the Bulkeleys in Anglesey, came originally from England and the same pattern can be seen in the south.

The legal position of a woman was dictated by the status of her father if unmarried and by that of her husband if she were married. According to Welsh law she could not inherit land, nor could it be transmitted through her; in parts of Wales, particularly the north-east, this prohibition survived into the later middle ages, but the Statute of Wales of 1284 permitted women in the post-conquest principality to inherit land and to be assigned dower.¹⁴ Deeds, extents and judicial records reveal women there as sellers and purchasers and as tenants in their own right; most of these were unmarried women or widows, but there is at least one example from the fourteenth century of an heiress taking steps to protect her inheritance from her estranged husband.¹⁵ Marriages to heiresses also contributed to the rise of several landed estates; that of Ieuan Fychan ab Ieuan ab Adda of Pengwern to Angharad, the daughter and heiress of Hywel ap Tudur ab Ithel Fychan of Mostyn, in the early years of the fifteenth century is a case in point.¹⁶ Marriages such as this were generally arranged and many were within the same lineage group; the marriage of first cousins was entirely acceptable, although this was already being condemned by religious reformers in the twelfth century. Some families appear to have had clear marriage strategies and marriage was one of the factors that made the *uchelwyr* such a close-knit group; an awareness of the networks created by marriage is central to an understanding of the dynamics of late medieval society and of the nature of support for the Glyn Dŵr revolt.¹⁷ It was not only marriage within the forbidden degrees that caused Welsh sexual morality to be regarded with suspicion by reform-minded churchmen like Gerald of Wales and Archbishop Pecham. Native law had always provided for the dissolution of a marriage; it was seen as a civil contract rather than a sacrament and, like any other contract, it could be terminated.¹⁸ Nor did the concept of legitimacy as such exist in Wales; acceptance and recognition by the father, rather than birth in wedlock, determined the right of a son to a share in the inheritance. The later middle ages did see an increasing tendency to conform to the demands of the church, but the old ways were far from dying out; in the fifteenth century William Griffith I of Penrhyn in Caernarfonshire was busily building up two estates, one for his first-born legitimate son and another for the eldest of his illegitimate offspring.¹⁹

There is no lack of evidence of women's role in economic life. According to the Merioneth lay subsidy roll of 1292–3, some 10 per cent of those who contributed to the subsidy and who therefore had taxable goods valued at more than fifteen shillings were women. In a very different part of Wales, the marcher lordship of Monmouth, the figure was almost 11 per cent.²⁰ In the same subsidy the matriarch Angharad ferch Adda and her sons in Llŷn had forty-two oxen and forty-eight cows, along with large quantities of corn; this was substantial wealth.²¹ Angharad is unlikely

to have worked her own land but other women undoubtedly did. As in England, many probably worked on the land alongside their menfolk, performing the same tasks. Some agricultural activities like weeding and winnowing were regarded as women's work and the dairy was their territory. Spinning and carding were also exclusively female tasks, but weaving was done by both sexes. In the towns baking seems to have been a largely female function and women both brewed ale and sold it in taverns, as in Caernarfon in the second half of the fourteenth century.²² Surviving evidence suggests that much market trade was in their hands and the number of pleas of debt brought by women contained in court rolls is a further indicator of independent economic activity. From Anglesey in the 1320s come two cases of women amerced for usury; moneylending was always important in rural communities and the fact that some women were in a position to lend money is yet another indicator of independent means.²³ Domestic service was a significant employer of women and some were involved in the building trade; early in the fourteenth century four women appear as hod and mortar carriers at Caernarfon castle. There were less respectable occupations as well, as witness the three prostitutes at Wrexham in 1336.²⁴ At the other end of the scale, Agnes de Beillard, widow of the previous constable, acted as constable of Harlech castle for nearly three years in the 1280s.²⁵

The Economy

The most pressing need of Llywelyn ap Gruffudd after the Treaty of Montgomery in 1267 was for ready cash to maintain his new principality and to pay its military and political costs, above all the payments promised for the treaty. The nature of the principality, based as it was on homage by bilateral agreements, was such that he could not tax the lands of the other Welsh rulers who were now his tenants-in-chief and consequently most of the costs had to be paid for from his own patrimony of Gwynedd, which was not the richest part of Wales. There was already money in circulation and some urban settlements had developed, following the pattern set by the towns that had grown up in the march around Norman castles; examples in Gwynedd were Pwllheli and Nefyn in Llŷn, Caernarfon and Dolgellau. Llan-faes in Anglesey on the Menai Straits was Gwynedd's principal commercial centre with a market, fairs, a ferry across the Straits and a flourishing port; a large part of Gwynedd's external trade went through it.²⁶ Nor was it only in Gwynedd that towns began to develop; other examples were Welshpool, Llanidloes and Machynlleth in Powys and Lampeter in Ceredigion. The prince was able to take his share of the profits of trade in the form of tolls, but he also had another source of income. The years before the conquest saw a rapid growth in the commutation of food renders and services due from both free and unfree tenants to cash payments; only in the demesne townships around the courts themselves did the renders and services, essential to the maintenance of an itinerant court, survive. Commutation was one of the only ways by which Llywelyn could raise cash and post-conquest evidence indicates that the prince went beyond what was customarily due to him in the last desperate years of independence; occasional renders and impositions became annual ones and even weights and measures were adapted to the prince's advantage. There can be no doubt that the rule of Llywelyn ap Gruffudd in Gwynedd in his last years was harsh and heavy-handed

and that his fall might not have been entirely unwelcome to many of his leading subjects.

The medieval Welsh economy was predominantly agricultural, based on mixed farming with some cereals being grown even on the poorest-quality soils. Individual holdings were made up of scattered strips in open-fields, although infield-outfield cultivation may have been common in upland areas. Before 1300 there seems to have been a considerable amount of forest clearance and assarting, with marginal land being brought under the plough to meet a rising demand for food. Ploughing and harrowing were among the labour services due from the prince's bondmen before the conquest. Crops included wheat, barley, oats and legumes; wheat could only be grown on the most fertile soils and was usually produced for the market, while oats, which flourished on poorer soils, was the most common crop, forming a substantial part of the diet of much of the population. On the demesne lands of some marcher lordships direct exploitation continued until the middle of the fourteenth century; since most lords were absentees, most production must have been for the market. Crop yields in the south-east seem to have resembled those in contemporary England, but in other parts of Wales they were a good deal lower. On the manor of Troy in the lordship of Monmouth, for example, the yield of wheat in 1308–9 was 5.2 bushels for every bushel of seed; in 1329 it was 7.5, and in 1339 it was 4. In Gwynedd at the end of the thirteenth century, on the other hand, it was the very low figure of 1.5.²⁷ The extent of arable farming is shown by the number of mills mentioned in contemporary sources; many tenants owed suit of mill to the prince or to the lord who was entitled to multure or a share of the corn ground (the rate of multure seems to have been far lower in Wales than in England), but many lineages had their own mills. Most of them were watermills but there were a few windmills, such as that built at Newborough in Anglesey in 1305.²⁸

The pastoral economy, apart from the Cistercian lands, had depended mainly on cattle until the second half of the fourteenth century; for some marcher lords Wales was a source of food for their households in England. Sheep became generally more common after about 1350 and pigs and goats were universal; there were few, however poor, who did not have at least one cow. Other resources included the forest and contemporary evidence suggests that it was carefully managed with sustainability always in mind. The forest was a source of building timber and firewood; it also yielded charcoal for smelting metal, bark for tanning and honey from wild bees. Tenants could turn their pigs loose to forage on payment of pannage and there were various small wood-based industries, among them the manufacture of treen or wooden utensils. The sea was another resource; the Irish Sea herring fishery sustained ports like Nefyn and Aberystwyth and the offshore islands also provided seals, hunted for skins, meat and blubber for making oil. Ramsey Island off the Pembrokeshire coast produced large numbers of rabbits, an annual cull of which brought the bishop of St David's a supply of meat, along with skins that could be sold to provide cheap fur.²⁹ Fish, both fresh and dried or salted, was an important part of the contemporary diet; there were fisheries in most rivers, lords and free tenants had weirs and fish traps, and most monasteries had fishponds.

Mineral resources were extensively exploited. In the north-east there were several coal mines on Deeside, one being mentioned at Mostyn in 1294. There were other

coal workings around Kilgetty and Saundersfoot in the lordship of Pembroke, at Kilvey in Gower and, in the fifteenth century, in Anglesey. Flintshire coal would have found a ready market as domestic fuel in Chester. The lead miners at Holywell and at Minera near Wrexham lived in self-contained and self-regulating communities under their own laws and customs, based on those of the Peak District. There were other lead mines in northern Ceredigion and in Flintshire, where copper was also mined, while iron was worked all over Wales.³⁰

One of the most significant contributions to the medieval Welsh economy was made by the Cistercians.³¹ The first Cistercian abbey to be founded in Wales was Tintern in Gwent in 1131, and others followed. The austerity of these monks was a reminder of an earlier monastic tradition and they received generous grants of land. Much of this was rough upland pasture, but by their unremitting labour they were able to improve it. They introduced sheep-farming to Wales; with their vast pastures they were able to undertake large-scale wool production. Most of the clip was sold to Italian merchants; the wool of some houses, especially Tintern, was equal in quality to that of the great Yorkshire abbeys like Rievaulx and Fountains. By 1291 Neath and Margam each had about 5,000 sheep, and some of the other abbeys ran them close. But Cistercian economic activity was not limited to sheep-farming; the monks exploited every available resource. The first reference to coal-mining in Glamorgan is by Margam abbey in 1249, and Neath was also working coal, probably for use as domestic fuel. Basingwerk on Deeside and Strata Florida in Ceredigion were both involved in lead-mining and in the production of silver from the ore. Several houses, among them Cymer in Merioneth and Tintern, mined and smelted iron. Corn was grown, much of it on the granges or outlying estates, mainly worked by lay brothers; much of this was to feed the monks themselves, but any surplus would have gone to market. Every abbey had several mills, mainly driven by water power, and fishing and horse-breeding also made an important contribution to the monastic economy. The main commercial activity was the sale of wool, but there was other trade; some had their own harbours and their own ships, among them Neath, Margam and Tintern. Trade was fostered and the monks' income augmented by markets and fairs.

Norman advances into Wales had been marked by the building of castles; around many of them small towns developed as trading centres. Most of the historic towns of south Wales owe their origins to Norman castles; examples include Cardiff, Swansea, Brecon, Tenby and the oldest royal foundation in Wales, Carmarthen, founded by Henry I. Although many of the original burgesses were English, the ethnic balance could vary substantially and many towns came to have a strong Welsh element in their population. They were service and market centres and sometimes ports, as were the new castle boroughs like Caernarfon, Conwy and Beaumaris founded by Edward I after 1282; manufacturing industry was usually limited to tanning, brewing and the production of cloth. There may have been some early native Welsh urban development; local administrative and religious centres might well have attracted some traders, while Rhuddlan, the earliest recorded medieval Welsh town (it appears in Domesday Book), probably existed before the Normans arrived.

It was far easier to move goods by water than over land. The larger ports like Carmarthen, Tenby, Haverfordwest and Beaumaris had ships that were involved in

foreign trade, importing wine from France or Spain and exporting wool, and later cloth, to England, Ireland and France. At these ports goods were transhipped for onward despatch to smaller centres; wine for Caernarfon castle, for example, was transferred to smaller vessels at Beaumaris. Goods were also moved by river; boats plied between Holt on the Dee and Chester and timber was floated down the Conwy to Trefriw, the limit for seagoing craft. Poets mention the delicacies that graced the tables of their patrons, among them oranges, spices and sugar; this evidence underlines the complexity and sophistication of medieval trade. The border markets like Chester, Shrewsbury and Hereford were significant here, as was the port of Bristol; Chester and Bristol merchants played an important part in the Welsh economy. Some markets and fairs, like those of Wrexham, Oswestry and Carmarthen, served a regional catchment area; others were on a far smaller scale and at the local level much of the retail trade in small items was in the hands of pedlars.

Crisis, Plague and Change

All over Europe the climate, particularly favourable since the middle of the eleventh century, began to deteriorate towards the end of the thirteenth. Population had been rising steadily and the limit of arable land available for new cultivation had been reached. Postan maintained that one of the causes of subsequent problems was the fact that more and more marginal land was ploughed up, leading to a loss of pasture and consequently a loss of manure to revitalize the land, and this thesis, although controversial, could well be applied to Wales. Some Welsh evidence does suggest extreme pressure on the land in the early fourteenth century. The deteriorating climate was bound to affect harvest yields, and consequently the food supply. Harvest failures became more frequent and between 1315 and 1317 the harvest failed in three successive years all over western Europe. Wales was affected as much as anywhere else and famine was followed in subsequent years by livestock epidemics and natural disasters such as the great storm of 6 December 1330, which saw much of the land of the borough of Newborough in Anglesey lost for ever to the encroaching sand.³²

All this must have weakened the resistance of the population and its decline may have begun as a result of climatic change and famine. But in the middle of the fourteenth century came the greatest disaster to affect medieval Europe. The Black Death seems to have come into Wales from south-west England by way of the Severn estuary in the spring of 1349; around the same time it may also have arrived at the port of Carmarthen and spread from there through south-west Wales. Contemporary accounts show it moving through Gwent and then northwards along the border before swinging east through Flintshire and the lordships of Dyffryn Clwyd and Denbigh, coming eventually to Caernarfonshire and Anglesey.³³ Surviving sources do not permit detailed analysis of its impact over the whole country. In some areas, for example Dyffryn Clwyd and Anglesey, the evidence is reasonably plentiful by Welsh standards, if not in comparison with the evidence available in England; in others, like Merioneth, there is no evidence at all. The 1349 outbreak was only the first and worst; the plague returned to south Wales in 1361–2 and 1369, affecting areas that had previously escaped virtually unscathed, and there were many subsequent local visitations.

The immediate consequence of the plague was a slump in population; the English chronicler Geoffrey le Baker suggested a mortality of one-third in Wales. This led in turn to a shortage of labour and to the lands of deceased tenants coming into the hands of the authorities, both in the principality and the march. The fall in population meant less demand for food, and this led in turn to arable land being let for grazing and the abandonment of many mills. There was also an immediate drop in revenue all over Wales, made worse by the fact that more bondmen than freemen seem to have died. The shortage of labour following the plague meant competition for the workers who survived. They were able to demand higher wages, which lords and employers were prepared to pay. But, as in England, the authorities stepped in to bring wages under control. The Statute of Labourers of 1351 seems to have been extended to Wales; later judicial records reveal many cases of craftsmen being fined for overcharging and workers for demanding excessive wages and there were other attempts to impose labour discipline.³⁴ Individual marcher lordships made agreements with one another for the return of runaway bondmen.

Another effect of the labour shortage was a substantial increase in migration; after 1349 many more immigrants or avowry tenants moved into the principality and the march from elsewhere. There had always been migrant labour in Wales, especially at harvest time when itinerant gangs from the uplands travelled around the lowlands to undertake the harvest; in 1326–7 at Kingswood in the lordship of Pembroke a gang of 363 men completed the whole job in one day.³⁵ But avowry, which involved incomers placing themselves under the protection of the lord or the prince, meant permanent migration. Society was in a state of flux and the authorities were desperate to dispose of the land that was in their hands. This was bringing in little or no income; the former tenants were dead and the best that could be hoped for, even from prime arable land, was to lease it at low rents for grazing. All this meant that land and work were available for the enterprising, while the authorities, anxious to find new tenants, would not ask too many questions, with the result that many bondmen were able to begin new lives.

Even before the plague some marcher lords had abandoned demesne farming and direct exploitation of the resources of lordship because they no longer paid. Most of the others followed their example in the second half of the fourteenth century; demesnes were rented out to tenants, creating what were in effect family farms where labour was provided by the tenant and his sons. Lords no longer had a direct stake in the land; no longer did the produce of the demesne go to feed them and their households or go to market, and lordship became a mechanism for collecting rent. This had been the position of the crown in the principality since 1282. After the conquest there was no longer a resident prince and therefore no direct exploitation; the Welsh of the principality no longer had any direct dealings with their lord. Mills, local offices and anything else that might yield revenue were farmed or leased out in return for cash, and the same thing was happening in the march. A further development was the rapid growth of a market in land. Land had always changed hands and the conveyance in *tir prid*, best described as a kind of unredeemed pledge, had evolved to facilitate the alienation of Welsh hereditary land. Conveyance in fee or by English law had been even more common, although there was some doubt about its legality. But after the plague the land market took off. One of the effects of the Black Death was the acceleration of the breakdown of the traditional Welsh pattern of

tenure based on kindred and hereditary rights. The breakdown had already begun; partible succession over several generations had meant that many free tenants had shares that were no longer economic. The result was that these small tenants were selling out to richer and more enterprising neighbours; the corollary was the appearance of a class of landless labourers. These same enterprising free tenants were buying or taking up leases of those escheat lands that had come on to the market following the plague. This rapid expansion of the land market, which had begun before the pestilence, was one of the causes of the emergence of new landed estates that were being built up by some families of *uchelwyr*; one fourteenth-century example was the Mostyn estate in Flintshire, which was being accumulated by Tudur ab Ithel Fychan.³⁶ We know little about the management of these estates, but large parts of them were probably let to tenants.

The decline in population meant that much land, especially in upland areas, went out of cultivation for good and was converted to pasture. In the lordships of the middle march this meant that some followed the example of the Cistercians and went over to sheep-farming; where magnates led, lesser men (and women) followed, and by the end of the century increasing numbers of sheep are found in inventories. With the spread of sheep-farming came another change, from the export of raw wool to the manufacture of cloth. This can be seen from the growth in the number of fulling mills, first in the south-east and then in the marcher lordships of the north-east, where only the lords could afford the capital outlay involved. Ruthin became the main centre of cloth manufacture in medieval Wales.

Villeinage was in decline in Wales even before the conquest. In the march, as in Gwynedd, there had been a substantial amount of commutation in the thirteenth century; in lordships in northern Gwent in 1256–7 most of the work at the harvest and at other busy times was done by hired labour, with very large numbers sometimes employed.³⁷ Labour services in Wales had tended to be much lighter than they were in England, and with the abandonment of direct exploitation of the demesne in the fourteenth century services in the march became superfluous, as they had long been in native Wales. Bond status only remained because it was a source of profit for both prince and marcher lord. The restrictions that affected the bondman remained, but he could now be released from them if he paid for the necessary licence; he could also purchase his freedom. The only burden left was financial. This decline was bound to affect the bond communities that had contributed so much to the income of both prince and lord, but bond status was now completely irrelevant and the authorities were fighting a losing battle when they attempted to recover lost income. Free tenants were moving into vacant bond lands and ignoring the obligations attached to them. Some bondmen, too, went up in the world; one from Anglesey in 1481–2 had goods worth £26 18s. 4d. and had married his daughters to freemen.³⁸ The income once drawn from unfree townships had now to be replaced by subsidies negotiated with the leaders of the native community.

The sources available and the absence of the manor from much of Wales mean that it is not easy to assess the extent of recovery after the plague; the Bridbury thesis of the pestilence being ‘more purgative than toxic’, for instance, cannot easily be tested.³⁹ There seems to have been some temporary recovery, but the loss of revenue in many parts of the country was permanent. Rural depopulation was to continue through the fifteenth century with whole townships being let for grazing; many

communities, both free and bond, disappeared for ever, often being replaced by a single consolidated farm bearing the same name and an isolated church. The towns of Wales seem generally to have been going through a difficult time in the half-century following the plague. The northern castle boroughs like Conwy and Beaumaris certainly had problems, while at Pembroke in the 1390s 25.5 burgages were unoccupied; on the other hand Wrexham, the largest town in north Wales, seems to have been flourishing.⁴⁰ Some towns had never been very successful, while others never recovered after the plague. The blame for economic problems in late medieval Wales has usually been laid at the door either of the Glyn Dŵr revolt or the plague; the latter probably bears more responsibility than the former, but the whole fourteenth century was a period of crisis, often verging on the apocalyptic. The plague only exacerbated problems that had begun to appear at the beginning of the century. But the fourteenth century also sees the beginning of the transition to a new social and economic pattern in Wales, the expanding landed estate on the one hand, and wage labour, based in part on a class of landless labourers, on the other.

How did people react to these changes? Between the middle of the fourteenth century and the middle of the fifteenth most European countries saw at least one popular revolt. This was an age of protest, often driven by the crises of the century. Wales's revolt, that of Owain Glyn Dŵr in the first decade of the fifteenth century, cannot be described as the same kind of popular protest as the Jacquerie in France or the Peasants' Revolt in England, but there was social protest in medieval Wales. The revolts in 1287 and 1294–5 that followed the conquests were neither popular nor national; the former was a protest by a disappointed Welsh nobleman, and the latter may have been a warning to Edward I by the leaders of the native community that his financial demands were excessive. A revolt in Glamorgan in 1315 may have included some elements of popular protest; it was precipitated by the oppressive rule of the custodian of the lordship following the death of the earl of Gloucester at Bannockburn, and the beginning of a series of harvest failures may also have been a contributory factor.

Surviving records point to extortion and oppression on the part of local officials – who were usually Welsh. In Flintshire there were widespread complaints about the activities of officials at all levels from the sheriff down during the middle years of the fourteenth century, and they reveal a culture of extortion managed by some of the local Welsh leaders.⁴¹ In 1345 the Black Prince's attorney in north Wales was assassinated by a band of Welshmen led by the head of the senior branch of the Ednyfed Fychan lineage.⁴² This was a time of rising tension and resentment at the top of native society, even before the plague, and the problems that were already there may have contributed to this climate of restlessness, especially, perhaps, the scarcity of available land at a time when the evidence of deeds suggests that a market in land was already developing. There was certainly a good deal of buying and selling of land, much of it illegally; in 1358 the community of the cantref of Englefield in Flintshire paid a fine of £800 for retrospective recognition of all its members' illegal acquisitions of land since the conquest.⁴³

The plague was followed by a definite decline in standards of public order; much of the evidence comes from Flintshire, but had judicial records from other parts of Wales survived the picture might have been similar. The deputy justiciar of south Wales was murdered in 1385 by a local *uchelwr* on the road between

Carmarthen and Cardigan, and as early as 1338 the Hospitallers of Slebech were paying annual retainers to two local Welsh squires to defend the successors of the knights who had once protected pilgrims in the Holy Land.⁴⁴ The cause of law and order was not helped by the presence in Wales of substantial numbers of former soldiers, many with years of experience in the wars in France, who found it difficult to settle down to civilian life and who were often recruited to the retinues of leading *uchelwyr*. All this was allied in the late fourteenth century to a general disillusion on the part of the leaders of the native community who had accepted and had cooperated with the new order after 1282. This was the background against which some were planning the return of the last heir of the royal house of Gwynedd, Owain ap Thomas ap Rhodri.

Protest

There is some evidence of popular grievances but none of popular outbreaks where the motivation was social or economic. The motives behind the Glyn Dŵr revolt in 1400 were essentially political, but it did have other dimensions. As a protest by the leaders of native Welsh society it subsumed the social and economic grievances that would have been present at all levels of that society by the end of the fourteenth century; Wales, after all, was not exempt from the problems that beset the rest of contemporary Europe. But whereas in England in 1381 a popular revolt, not of those at the bottom of the pile but of those who were beginning to rise in the world and were finding the obligations of villeinage increasingly irksome, was aimed at the landowning class, in Wales it was this class which planned and led the revolt. There were differences; Wales did not have the rich and powerful monastic communities that were to be found across the border and at which much of the protest was directed. Furthermore, unfreedom and the burdens associated with it had almost died out in Wales by 1400; it survived, as we have seen, only as a means of raising revenue. There is nothing to suggest that the English revolt of 1381 had any resonance at all in Wales, although the last two decades of the fourteenth century do appear to have been a time of hardship. There is no evidence either of any of the religious or millenarian ferment so common over much of Europe in the years after the plague; the native Welsh millenarian tradition did not manifest itself in this way. There was undoubtedly a degree of popular protest involved in the Glyn Dŵr revolt; given the circumstances of the previous half-century there could hardly fail to be. But it was controlled and channelled by those who had planned the revolt in the first place, the leaders of the native Welsh community.

One of the most interesting things about the Glyn Dŵr revolt is that recovery was so rapid. The short-term economic results of the revolt were little short of disastrous; hardly any revenue was collected for the crown as long as it lasted and there was extensive destruction, although many of the contemporary problems had their origins in the plague or even earlier rather than in the rebellion. As the century progressed, however, there were signs of recovery and even of some prosperity. Estates were continuing to be built up and the land market was expanding. Work on churches is always an index of prosperity; the finest churches of north-east Wales, possibly the most prosperous part of the country, like Wrexham, Mold and Gresford, were the fruits of the generosity of the Stanleys and Margaret Beaufort, but others, like

the double-naved churches of the Vale of Clwyd and town churches like Cardiff and Tenby, suggest some local recovery. There was certainly disorder; the situation in Eifionydd was graphically described by Sir John Wynn of Gwydir in his family history, but it was no worse than it was in many parts of contemporary England.⁴⁵ The accession of Henry VII saw a concerted attempt to reorganize the revenue of the crown in Wales. The finances had suffered as a result of the crises of the fourteenth century followed by plague and revolt and the collapse of income from bond communities as a result of the virtual disappearance of bondmen. In 1490 came a crackdown in north Wales with the dismissal of the chamberlain, Sir William Griffith of Penrhyn, and his replacement by royal officials. One of the consequences of this attempt to tighten up a slack financial administration and the resultant pressure on the community was a revolt in Merioneth in 1498 which had to be put down by military force.⁴⁶ In the lordship of Brecon in 1496 arrears of £2,000 had to be written off by the lord, the duke of Buckingham. Surviving bondmen were demanding their freedom and in the early years of the sixteenth century a series of charters was granted to the principality and to the various marcher lordships of north Wales to that end.

NOTES

- 1 Williams-Jones, *Merioneth Lay Subsidy Roll*, pp. xxxv–lix.
- 2 Jones, 'Distribution', p. 62.
- 3 Carr, *Medieval Anglesey*, pp. 19–22; R. Davies, *Conquest*, pp. 147–8.
- 4 R. Davies, *Conquest*, p. 147.
- 5 Carr, *Medieval Anglesey*, p. 168.
- 6 Richards, *Laws*, p. 26.
- 7 Jones, 'Post-Roman Wales', pp. 298–308.
- 8 W. Davies, *Wales in the Early Middle Ages*, pp. 41–3.
- 9 Rees, *South Wales and the March*, pp. 28–31.
- 10 R. Davies, *Conquest*, pp. 98–9.
- 11 Davies, *Revolt of Owain Glyn Dŵr*, pp. 49–57.
- 12 Ll. Smith, 'The gage and the land market'.
- 13 Carr, 'Bondmen'.
- 14 R. Davies, 'Status of women', pp. 100–2.
- 15 UWB Penrhyn FA, 3 May 1388.
- 16 Carr, 'Making of the Mostyns', pp. 139–41.
- 17 R. Davies, 'Squirearchy', pp. 162–5.
- 18 R. Davies, 'Status of women', pp. 112–13.
- 19 Carr, *Medieval Anglesey*, pp. 209–10.
- 20 Hopkins, 'Lay subsidy of 1292', pp. 190–3.
- 21 Jones Pierce, 'Lleyn lay subsidy account', p. 58.
- 22 Jones and Owen, *Caernarvon Court Rolls*, pp. 83, 91, 103, 113, 165.
- 23 Carr, *Medieval Anglesey*, p. 186.
- 24 Pratt, 'Medieval people', p. 19.
- 25 Taylor, 'John Pennardd', pp. 223–4.
- 26 Jones Pierce, 'Commutation', pp. 120–3.
- 27 Jack, 'Wales and the Marches', pp. 412–96.
- 28 *Ibid.*, p. 120.
- 29 Willis-Bund, *Black Book of St David's*, pp. 15–16.

- 30 Carr, 'Welsh worker', pp. 8–9.
- 31 Williams, *Welsh Cistercians*, pp. 197–331.
- 32 Carr, *Medieval Anglesey*, p. 302.
- 33 Rees, 'Black Death', pp. 181–7.
- 34 Carr, 'Welsh worker', p. 11.
- 35 Owen, *Pembrokeshire Public Records*, vol. 3, p. 118.
- 36 Carr, 'Making of the Mostyns', pp. 152–6.
- 37 Carr, 'Welsh worker', p. 7.
- 38 Carr, *Medieval Anglesey*, pp. 146–7.
- 39 Bridbury, 'Black Death', p. 591.
- 40 Owen, *Pembrokeshire Public Records*, vol. 3, p. 142.
- 41 Carr, 'Chamberlain's account', pp. lxx–lxxii.
- 42 Roberts, 'Wyrion Eden', pp. 194–7.
- 43 Carr, 'Chamberlain's account', pp. lxxv–lxxvi.
- 44 Rees, *Order of St John*, p. 33.
- 45 Wynn, *Gwydir Family*, pp. 28–47.
- 46 J. Smith, 'Crown and community', pp. 159–67.

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CHAPTER EIGHT

Ireland: Economy and Society

BRIAN GRAHAM

Introduction

It was long held that the defining processes in the history of Irish economy and society between 1100 and 1500 resulted from the invasion of the Anglo-Normans in 1169 and their subsequent colonization of much of the island. For G. H. Orpen, whose four-volume *Ireland Under the Normans* was completed in 1920, the colonization transformed an anarchic pre-Norman Gaelic Ireland into a thirteenth-century *Pax Normannica*, only for it to be shattered by the Gaelic Revival of the fourteenth century. Although Orpen's narrative was driven by his belief in the civilizing qualities of the Anglo-Normans, its discussion of political, economic and social issues largely sets medieval Ireland apart from any broader consideration of contemporary events and processes in Britain and Europe. This is but one reflection of a more general trend, in some measure attributable to the publication between 1875 and 1886 of H. D. Sweetman's *Calendar of Documents relating to Ireland, 1171–1307*, which separated and abstracted the Irish archival material from its original context of political, social and economic change in Britain. Moreover, such archival sources only recorded the activities of the Anglo-Normans in Ireland. Thus they also helped create a virtually absolute separation between the study of medieval Gaelic and Anglo-Norman societies, a schism reflected, for example, in A. J. Otway-Ruthven's *A History of Medieval Ireland* (1968), which concentrates almost entirely on the Anglo-Norman realm. Again, it is an account that does not locate Ireland in any wider context of the political, social and economic interconnections between the island, Britain and Europe.

If Orpen's reading of medieval Ireland reflected both his unionism and a Whiggish belief in modernist progression, early narratives of Gaelic medieval society were equally partisan in their interpretation. Most famously, Eoin MacNeill in *Phases of Irish History* (1919) refused to be impressed by the whole panoply of Norman power, which Orpen saw as evidence for the invaders' superiority over the Gaelic Irish. Crucially, however, MacNeill did challenge the idea of an ancient and unchanging order of things in Celtic Ireland. James Lydon argues that the earliest

historiographical exception to this separation of Gael and Norman is to be found in Edmund Curtis's *A History of Medieval Ireland*, first published in 1923. Curtis began his account in the eleventh century so that the English impact could be understood in the context of Gaelic Ireland and continued down to 1513. While Curtis's ambition, at least in part, was to establish respectable medieval credentials for the recently established Irish Free State, his vision of medieval Ireland as an amalgam of both Gaelic and Norman has immediate resonances for many contemporary interpretations of medieval Irish economy and society.

The rapidly expanding historiography of medieval Ireland in recent years depicts a dynamic era of social and economic transformation, in which the Anglo-Norman colonization played an important role but cannot be regarded as *the* overriding causative process in these changes. Although the revisionist debate on Irish history, which seeks to question the simple dichotomy between colonizer and colonized, oppressor and oppressed, has had less overt impact on the historiography of the medieval period than the modern era, recent research acknowledges the social construction of contested knowledges and the importance of narratives of the past in legitimizing and validating contemporary constructs of power and identity. Thus the idea of 'two traditions', of Anglo and Gaelic, is now widely regarded as an outcome of the reinterpretation of the Irish past that accompanied the evolution of nineteenth-century nationalism.

Nevertheless, despite this recognition of a more complex and heterogeneous medieval society, it is the archival matter of Anglo-Norman Ireland that still shapes research agendas and frameworks of interpretation. The sources are predominantly political and legal rather than economic, which helps explain the emphasis on lordship in this present account. Even more constraining, we are often dependent on calendared summaries as much of the original medieval Irish archives were destroyed in 1922 during the Irish Civil War. Key lacunae in our understanding of medieval Irish economy and society include its demography, the detailed organization and transformation of the agricultural economy, the role of innovation in agriculture, and a singular lack of information on the role of women in medieval Irish society. Even the reconstruction of rural settlement forms and patterns presents major difficulties, being largely dependent on combining thirteenth- or fourteenth-century manorial extents with landscape archaeology.

Nevertheless, within these constraints, the holistic revisionist impulse is reflected in three key themes, which both inform the debate on economic and social change in medieval Ireland and are central to more pluralist and less exclusive interpretations of the Irish past. These themes are: continuity and change; regionalism and social diversity; and the interconnections between places and processes of social change. In the remainder of the chapter, each theme is first discussed separately and then used to explore two key issues, namely, the geography of medieval Irish economy and society, and the processes of urbanization and commercialization which so clearly define the period.

The Key Themes

Continuity and change refers here to the surprisingly complex interrelationships between the Gaelic and Anglo-Norman worlds and the ways in which both societies

were transformed through their mutual interaction. Continuity can mean no more than the relatively simple idea of permanence of settlement and site within the limitations of the physical environment, or the constraints placed upon Anglo-Norman activities in Ireland by existing political and social institutions and geographical boundaries. Continuity, however, is also a politically sensitive concept in that it can imply connotations of assimilation rather than change, whereby Irish society absorbed the Anglo-Normans as it had the Vikings before them. Again, because assumptions of continuity can minimize the changes wrought within the indigenous medieval Irish world by invasion and colonization, they possess obvious ideological resonances for Irish nationalist historiography. Viewed in this way, a theory of continuity can create a misleading impression of stasis, as did the unchanging order of things assumed in some traditional histories of Celtic Ireland.

When the Anglo-Normans began their invasion in 1169, the geography of Ireland and the nature of its economy and society were scarcely unknown to them. Long-established trading linkages existed between England, Wales and the port towns such as Dublin, Waterford and Wexford, which had been founded by the Vikings in the tenth century. By the twelfth century, these *entrepôts* had fallen under the control of Irish kings, who controlled a settled, bounded, if politically very fragmented, society. The reform of the Irish church in the first half of the twelfth century established the beginnings of a diocesan system and introduced continental religious orders, both processes that reflected the indigenous geography of local and regional secular power. Thus it is unsurprising that the Anglo-Normans used or modified existing Celtic and Norse land divisions and settlements and adopted the geography of the reformed Roman church. Orpen's revolutionary interpretation of the Anglo-Norman invasion has now been modified to a distinctly more evolutionary model in which the Anglo-Normans are seen to have simultaneously built upon, but were also constrained by, existing political, social and settlement structures. Consequently it is now generally argued that the idea of a clear divide before and after 1169 is a product of scholarship, which concentrated upon either the documentary and archaeological sources for early medieval Irish history, or those for the Anglo-Norman colony.

Nevertheless, revising the impact of the Anglo-Norman colonization should not detract from its role as one of the most significant forces for social change in medieval Ireland. The political transformation of the Gaelic-Irish ruling classes, albeit connected to wider developments then taking place in Europe, owed much to the Anglo-Norman presence in Ireland. In turn, although never overwhelmed by the Gaelic-Irish world, Anglo-Norman society in Ireland was altered irrevocably by its dealings with it, leading to the 'degeneracy' of the colony much bemoaned of in fourteenth-century government sources. This more complex interaction is summed up in the semantic transition from 'Anglo-Norman' to 'Anglo-Irish', the dating of which, it can be argued, varies according to the individual, institution or part of the country being described. As a generalization, 'Anglo-Irish' seems a more accurate descriptor after c.1220, although it is highly debatable if the people so described would themselves have regarded their political identity as such, given that the term itself does not occur until the fourteenth century. Thus traditional explanations of Anglo-Irish decline, which stressed a Gaelic-Irish resurgence during the late fourteenth and fifteenth centuries, can no longer be sustained. Instead, contemporary explanations tend to be couched in terms of a fragmentation of power from an early

date, one which produced complex and constantly shifting patterns of cultural and political interaction between Anglo-Irish and Gaelic lordships.

Our second theme, that of regionalism and diversity, also has contemporary ideological reverberations because pluralist interpretations of a culturally complex and regionally heterogeneous modern Ireland must be grounded in a diverse past characterized by what Seán Connolly terms a kaleidoscope of identities and allegiances. The regionalization of medieval Ireland has indeed long been recognized. Pre-Anglo-Norman Ireland was heavily fragmented into approximately 150 *tuatha*, tribal kingdoms, which formed the basis of the kinship system. In that system, every free man belonged to the kindred group or joint-family, the *fine*, each of which owed loyalty to the small rural community of the *tuath*. As F. J. Byrne contends, this was geographically too limited an area to evolve into a state or lordship, while its king lacked military resources. Gradually, however, during the tenth and eleventh centuries, power became concentrated in the hands of over-kings who welded *tuatha* together and were able to mobilize armies, a process that must have been related to the growth of trade and to the Viking incursions and settlement that began in the ninth century. John Bradley, for example, maintains that the extent of Viking settlement in Ireland has been seriously underestimated and compares their transformation of the Irish economy to that of the Scandinavians in Normandy during the tenth century. By the twelfth century, the *tuatha* were giving way to much larger, embryonic feudal kingdoms administered by kings on the continental model.

The basic geographical principles of the Anglo-Norman colonization established by Orpen still largely hold. As Robin Frame has long contended, Anglo-Norman Ireland has to be seen less as a single polity than as a patchwork of lordships, the boundaries of which were often identical to those of the pre-existing Gaelic-Irish kingdoms. The irony, he argues, is that although this fragmented geography is widely recognized, the history of medieval Ireland has often been written from the perspective of the royal archives, which record the attempts to impose centralized government across the island. While there are thirteenth- and fourteenth-century regional sources and also a considerable array of manorial extents, the bulk of the archives are 'Dublinocentric', as well as being ethnically skewed. The regionalization of Anglo-Norman Ireland was also a function of the island's complicated distribution of mountains, hills and boglands. The colonizers sought the good agricultural soils and avoided the wet, continuity being more than merely a matter of expediency or politics but evidence that the Anglo-Normans understood the interconnections between the distribution of arable cultivation and the monastic and secular centres of early medieval Ireland. But the rich all-purpose grassland soils, which they coveted, were also fragmented and located in different parts of the lowlands, thereby emphasizing the importance of these various nuclear zones for regional sub-cultures.

Indeed the modern idea in which a bipolar Gaelic and Anglo-Norman medieval Ireland is replaced by a hybrid society, one that became markedly more diverse as the centralizing influence of the English crown progressively waned in the fourteenth and fifteenth centuries, depends on this regionalization of the island forged through a combination of politics, processes of continuity and its physical geography. Art Cosgrove sees Ireland at the end of the middle ages as a synthesis of *Saxain*, *Gaill* and

Gáedhil, respectively the English, the English-by-blood but born and usually resident in Ireland, and the Gaelic-Irish. Descent did not define allegiance, nor did ethnicity define territory. Away from the nominal English suzerainty of the region around Dublin, power was heavily fragmented, so much so, in fact, that it has been argued that any history of Ireland in this period can only comprise a series of local histories.

Our final theme is that of interconnected places and processes. In one sense, this clearly overlaps with the idea of regional diversity in that, as Robin Frame argues, a multiplicity of interactions allowed apparently irreconcilable societies to coexist within Ireland, meanwhile permitting the crown to negotiate complex accommodations that allowed it to exercise influence far beyond the contracting regions under its direct control. More powerfully, however, the theme of interconnectedness is also defined by Ireland's role in the wider medieval world. One of the most compelling and enduring of Ireland's images is that of an identity conferred by its status as an island. This is both cause and effect of the intensely internalized and anglophobic nineteenth-century nationalism, but also a reflection of the segregation of the Irish sources from their broader provenance. If Ireland has largely been ignored by English medieval historians, its own historiography has often been marked by intellectual isolation and a readiness to accept colonial models of one national entity being conquered and either being civilized or oppressed by another (depending on one's perspective). Yet as R. R. Davies contends, the Anglo-Normans did not consciously set out to conquer Ireland, nor did national ambitions or national animus inform their actions. That they might be seen as such reflects the nationalist orientation and hindsight of much modern historiographical interpretation.

An alternative archipelago model depicts Irish history as part of a story of ever-shifting patterns of culture, economy, language, religion and rule across these islands and beyond. In the earlier medieval period, for example, the Vikings had already drawn Ireland into an extensive trading network, later exploited by the Irish kings who took over control of the Viking (by then Hiberno-Norse) ports. Again the ecclesiastical reforms of the first half of the twelfth century had drawn Ireland within the ambit of the Roman church, but not entirely at the expense of its own distinctive Christian traditions. Interconnectedness thus created a diversity of influences, which intermeshed with Ireland's own particularities in a web of spatially variable outcomes, thereby exposing the problematic of the simple binary of conquest and colonialism. Hence medieval Ireland can be interpreted as part of several overlapping worlds – the Gaelic, the British Isles, north-west European feudalism – rather than as a separate and cohesive nation or culture.

While this reading is anathema to nationalist historians, the argument that the relationships that defined the archipelago were feudal rather than colonial remains a persuasive one. Robin Frame envisages a medieval political development of the British Isles within which a feudal aristocracy helped foster institutional and cultural uniformity. His emphasis on a commonality of social structures is an important corrective too in the sense that pre-Anglo-Norman society had already evolved distinctly feudal traits, which cannot therefore simply be attributed to the Anglo-Norman invasion and colonization. Moreover, medieval Ireland's geographical interconnectivity extended beyond the archipelago. The Anglo-Norman colonization was part of a much more extensive movement of peoples throughout Europe during the twelfth

and thirteenth centuries, while the island was increasingly drawn into a north-west European, Anglo-Norman cultural ambit. Thus medieval Ireland shared in the many means – lordship, incastellation, manorial system, chartered borough and the market patent – that had evolved in France, Germany and Britain to put into practice, or articulate, feudal economic and social obligations.

The Geography of Economy and Society in Medieval Ireland

These three themes combine to inform our current understanding of medieval Ireland's economy and society. By 1100, these were in a state of quite radical transformation. Although once regarded as having had a devastating effect, the impact of the Viking incursions and subsequent settlement of the ninth and tenth centuries has now been qualified and revised into a more assimilative model in which the Hiberno-Norse contributed to, but did not cause, the profound changes already occurring in Irish society. While pre-Viking trade appears to have been primarily with Britain and north-west Europe, it does seem that Ireland became part of a northern trading network during the ninth and tenth centuries. But all the evidence of the extensive archaeological excavations of Viking Dublin points to a rapid restoration of the routes to south-west England and France, as the Vikings became assimilated into Irish society during the eleventh century. The material artefacts found in Viking Dublin were neither Viking nor Celtic nor Anglo-Saxon, but related rather to a common north-west European milieu. Thus Ireland was being integrated into that world long before the Anglo-Norman colonization of the late twelfth century.

It is now widely agreed that the key processes of change in Irish society between the ninth and the eleventh centuries concerned the emergence of a redistributive, hierarchical, rank society, which subsumed the previous system defined by reciprocity and kinship. A redistributive structure, which is based on clientship and defined by flows of goods towards dominant central places, is a prerequisite for urbanization in that it reflects the evolution of a social hierarchy based upon the power to control production. A class of peasant rentpayers probably emerged in Ireland as early as the ninth century, together with the concept of dynastic overlordship. The eleventh and twelfth centuries saw the development of lordships very similar to feudal kingdoms in Europe, essentially bounded embryonic states governed by kings who were sufficiently powerful to launch military campaigns and fortify their territories. The earliest indications of systematic incastellation in Ireland date to the very late tenth century, when Brian Boruma constructed a succession of fortresses in Munster. By the twelfth century, the Ua Briain kings of Thomond and the Ua Conchobair kings of Connacht are recorded as constructing networks of castles to consolidate their control over their respective kingdoms.

In concert with this transformation of secular society, the remarkably diverse and very secular Irish church was also being changed by twelfth-century reform, a process that began before the Anglo-Norman invasion but markedly accelerated after it (see chapter 22 in this volume). The creation of a parochial system was heavily influenced by the delimitation of the Anglo-Norman manorial structure, the boundaries of which it generally shared. Patronage by feudal lords lay at the heart of the acquisition of church lands and, by the later thirteenth century, there was little to distinguish the abbeys from the other great landowners of the age. As was the norm

elsewhere in the feudal societies of north-west Europe, magnates of the church such as archbishops of Dublin, who held a whole succession of manors around the fringes of the city, were also great secular lords.

The Anglo-Norman soldiers who came to Ireland in 1169 were not embarked on a systematic conquest but rather were mercenaries enlisted by the deposed king of Leinster, Diarmait Mac Murchada, in an attempt to regain his territories. They were led by ambitious Welsh marcher lords such as Robert fitz Stephen and Richard fitz Gilbert de Clare, far better known as Strongbow. Giraldus Cambrensis sums up their motivations when he remarks of Strongbow that his name was greater than his prospects, that name, and not possessions, being his principal inheritance. To these freebooters, Ireland, situated beyond the immediate control of the English crown, offered opportunities for power, wealth, land and prestige likely to be denied to them in their homelands by the feudal laws of primogeniture. They took their chances and thus the initial Anglo-Norman colonization of Ireland was very much a question of individual enterprise and initiative. As Ó Corráin argues, Diarmait's invitation inevitably become an invasion, while the initial Anglo-Norman colonization of Ireland, like most great changes in history, was its unforeseen and unplanned consequence.

The crown did become more systematically involved following Henry II's visit to Ireland in 1171–2, although the king's intentions have been the subject of some debate. He was concerned perhaps that some Anglo-Norman barons were becoming too independent and powerful. Conversely it has been argued that, following the murder of Thomas à Becket, Henry was motivated by a desire to ingratiate himself with the papacy, which saw its opportunity to impose full Gregorian reform on Ireland. Given the absence of any central civil power, Henry regarded the church as the only effective institution to hold sway throughout the island. What is not in dispute is that Henry had received the homage of the hierarchy of the Irish church as well as that of the Gaelic-Irish kings and Anglo-Norman barons by the time he departed from Ireland in 1172. None the less, the tensions that ultimately were to ensure the intense territorial fragmentation of later medieval Ireland were already apparent from the outset of the Anglo-Norman colonization. By granting major lordships, while lacking the resources or inclination to conquer Ireland, the crown abrogated substantial powers, which often made individual barons remote from the mechanisms of government established in Dublin. However, these magnates also required the rewards and social prestige which the crown could confer and, to some extent, most were 'royalist'. Consequently, Marie Thérèse Flanagan regards 'improvisation' as having been the defining characteristic of Anglo-Norman Ireland, Henry and his successors lacking the time, men, resources and control over the adventurer-settlers of Ireland to adopt any other strategy.

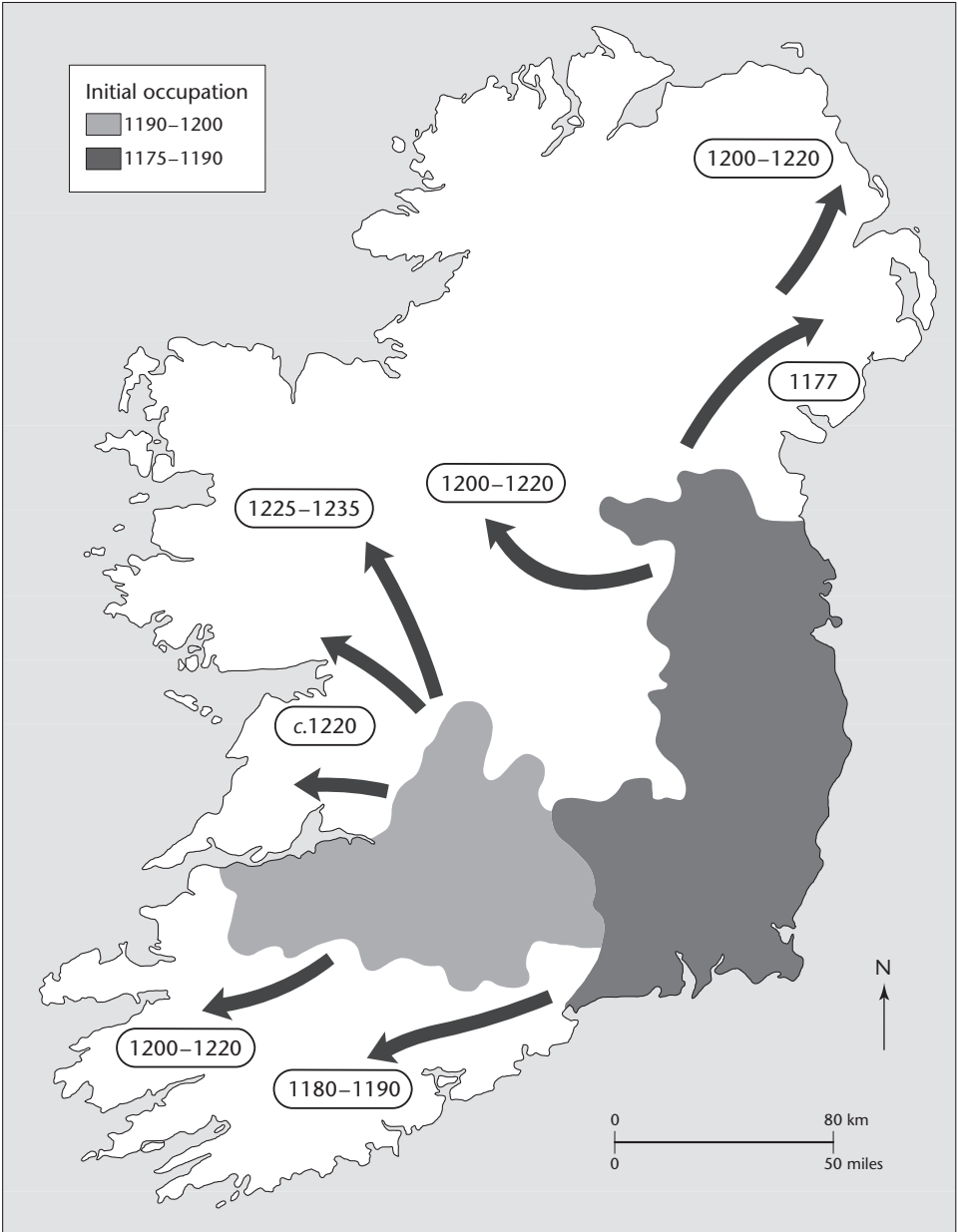
Adrian Empey regards the concept of lordship as simultaneously embracing the personal ties that mutually bound lord and vassal and the idea of a bounded territory in which the lord exercised his prerogatives. In a parallel fashion, the manor – the essential subdivision of the lordship and the focal point of the new social and economic order – was a military, economic, social and juridical institution, and a geographical unit. The boundaries of lordships and their internal subinfeudation were often identical to those of the pre-existing Gaelic-Irish kingdoms. One of the best examples is Henry II's charter of 1172 granting Meath to Hugh de Lacy to hold

as the Ua Mael Sechlainn kings of Midhe had before him. By the mid-thirteenth century, the Anglo-Normans had colonized some two-thirds of the island (map 8.1). In those areas beyond their direct imprint, including most of Ulster, much of the west coast, part of the central lowlands and almost all the uplands, a degree of Gaelic-Irish political autonomy was preserved, as was a social and economic system which, as we will see, was somewhat different to that of the colony. As Kenneth Nicholls states, however, the extant documentation of this society is so deficient and late that only a few deductions can be hazarded for the 150 years following the Anglo-Norman invasion. The spatial relationships between the two broad medieval cultures were complex, ambiguous and dynamic and never fully resolved, although the church and the economy provided powerful unifying bonds.

The initial Anglo-Norman settlements were often but not necessarily located at existing centres of power. This continuity could be no more than simple expediency, reflecting the extant distribution of resources and population and the need to redistribute land rapidly, or even an attempt to capture and replace the structures of Gaelic-Irish political power. Everywhere the Anglo-Normans embarked on a conscious process of incastellation throughout their lordships. Many early fortifications were earthwork mottes or ringworks but, from the beginning, major castles were built in stone, arguably symbolic of a commitment to the new lands and evidence of an intention to stay and transform them. Stone fortresses such as Trim and Carrickfergus were designed for defence but also to reflect the prestige of their lords and to act as the centres of administration in their respective fiefdoms.

The establishment of military hegemony over lordship and manor underpinned the subsequent development of the Anglo-Norman colonization. We know little about the demography of the Anglo-Norman colony or of the origins and numbers of migrants who settled on the Irish manors. Estimates of the medieval population of Ireland, c.1300, range from 400,000 to 800,000, although it is impossible to calculate the ratio of Anglo-Norman to Gaelic-Irish. Although the immigration of large numbers of peasants into thirteenth-century Ireland is an important factor demarcating its experience from that of England after the Norman Conquest of 1066, there is no evidence of the nobility using middlemen – the *locatores* of eastern Europe – to organize this movement. Hence, Adrian Empey regards Wales as being the best exemplar for Ireland, its Anglo-Norman colonization also being shaped by the requirements of a military aristocracy rather than the broad-based peasant movement characteristic of central and eastern Europe.

The manor was the basic unit of settlement throughout the Anglo-Norman colony. Anngret Simms and others have argued that the constraint of the pre-existing Gaelic-Irish network of townlands (the basic subdivision of land in Ireland, a townland was originally the holding of an extended family) pre-empted the formation of large villages on the Anglo-Norman manors of Ireland. This model holds that the demesne farm – the land retained by the lord of the manor – was run from the manorial centre while major free tenants held land independently in townlands of their own, thereby rendering settlement nucleation impracticable. It is possible that free tenants were also associated with the rectangular moated sites, which proliferated in the thirteenth century. The agricultural economy formed the basis of all production in Anglo-Norman Ireland, although its organization and the associated arrangement of field-



Map 8.1 The Anglo-Norman colonization of Ireland.

systems remain seriously under-researched areas. Otway-Ruthven argued that the manorial lands were laid out in open-fields, while each social group among the tenants tended to hold land in separate parts of the manor. In particular, the *betagii*, the unfree Gaelic-Irish tenants who can be equated with the English villeins, retained

specific areas of the manors, which were farmed on an indigenous infield-outfield system similar to the system known later as rundale. There is, however, little evidence to support the model of native *betagh* rundale and Norman three-field-systems, particularly as the analogy with an idealized, English midland field-system can no longer be sustained given that there was no single English regional model but, instead, innumerable variations arising from environmental differences and the vigour of social and economic change.

Whatever the organization of the manorial lands, the essential problem for feudal landholders was how to develop and maintain the rural economy. It is likely that the Anglo-Normans expanded and extended existing systems of agricultural production, not least because these were subject to the constraints of the physical environment. They colonized the fertile but fragmented grassland soils and controlled the two richest grain-growing areas in the island, which were located in the south-east along the Rivers Barrow and Nore and around the Boyne in the Lordship of Meath. Arable production seems to have been particularly significant up to 1300, although grazing was always important. Under medieval conditions arable land necessarily required some pasture for the livestock that was used in its cultivation and manuring, and meadowland to provide hay for winter fodder. Oats seem to have been the most important grain crop, followed closely by wheat with barley a poor third.

Cereal growing began to contract about 1300, partly because of changing patterns of agricultural output in Ireland, these being heavily influenced by the demands of the English market. During the thirteenth century, grain production had been bolstered by the system of *purveyance* for the royal armies. Growing resistance by merchants, resentful of the long delays that occurred in payment, combined with declining production in Irish agriculture to end *purveyance* in the 1320s. The decline in cereal production is also indicative of a succession of internal crises, which marked the first half of the fourteenth century in Ireland. Mary Lyons's detailed study of the relationship between population, famine and plague concludes that the demographic base of the Anglo-Norman colony was probably substantially eroded in the late thirteenth and early fourteenth centuries. Famine occurred with increasing frequency after *c.*1270, and later the Great North European Famine coincided with the very considerable political instability and warfare within Ireland brought about by the Bruce invasion of 1315–18. Moreover, the early part of the fourteenth century seems to have been exceptionally wet. Thus Lyons emphasizes that the economic downturn in medieval Ireland occurred long before the first visitation of the Black Death in 1348–50. It is possible that the Anglo-Irish population could have been almost halved by the end of the fourteenth century because of plague, although Lyons believes that its impacts varied regionally, being most profound in Leinster and close to the ports.

In traditional medieval historiography, this half-century of crisis was regarded as having precipitated the final decline of the Anglo-Norman colony and thus provided one key element in the explanation of economic and social change after *c.*1300. The other was the notion of a Gaelic Revival or Resurgence, a concept that embraces both cultural and territorial dimensions in that it implied a return to Gaelic values and physical reconquest. Recent historiography, however, points to a more complex set of interactions and also to the conclusion that decline has been exaggerated. There is, however, minimal research into the type of structural transformation that occurred in later fourteenth-century England, and we know little of the ways in which feudal

social and property relationships were being dissolved in Ireland or of the consequences for landholding and settlement. Rather the debate on the later fourteenth century is dominated by the revision of the Gaelic Resurgence. The idea of a static Gaelic-Irish society acting as a repository for age-old traditions is now widely regarded as the conscious creation of fourteenth-century scholars who provided the intellectual justification for the late medieval Gaelic-Irish lords. Moreover, although the reasons are not adequately researched, there was an economic revival in the later fourteenth century, a recovery best symbolized by the first appearance of rural and urban tower houses. These tall, rectilinear keep buildings were probably largely built by a new class of freeholding lesser lords, both Gaelic and Anglo-Irish. Although possessing some limited defensive merit, they are now seen as essentially domestic structures, while the availability of the financial resources sufficient to construct an estimated 7,000 tower houses in the late fourteenth and fifteenth centuries fits ill with the concept of an economic crisis or a Gaelic Revival.

Contemporary explanations portray a more complex interaction between Gaelic- and Anglo-Irish Ireland at this time and also a very marked geographical variation in those relationships. Robin Frame maintains that the dichotomy was real enough but sees it as representing two poles or limits, rather than defining the reality of life for much of the population. Large swathes of Ireland remained in the hands of the Anglo-Irish aristocracy, although not necessarily within the remit of the Dublin government. The area under its control contracted during the first half of the fifteenth century to the Pale, the fortified but still relatively permeable frontier that extended around the four counties of Louth, Meath, Dublin and Kildare. Elsewhere political fragmentation and a loss of central government control produced a mosaic of autonomous and semi-autonomous Gaelic-Irish and Anglo-Irish lordships. W. J. Smyth cogently sums up the fifteenth century as the fusion of a number of relatively powerful port-centred economic regions with the administrative-political superstructures of the great lordships. Beyond these core territories lay rural-based, less stratified and generally (though not invariably) smaller political lordships. The hybridization of this society is recorded in the finely differentiated cultural geography that can be reclaimed from the patterns of naming of places and people. Given the lack of central government records, documentation is very deficient but it is probable that a semblance of the manorial economy continued, while economic differences between Gael and Gall became less marked. Certainly, as the evidence of urbanization also attests, there is little to suggest that the political decline of the English crown in Ireland in the fifteenth century was necessarily matched by any real transformation in the socio-economic structure.

Urbanization and Commercialization

The themes of continuity and change, regionalism and social diversity, and the interconnectedness of places and processes of social change, which permeate the discussion of economy and society in medieval Ireland, also dominate the debate on urbanization and commercialization. The few Viking ports excepted, it was once assumed that the Anglo-Normans were responsible for the initial urbanization of Ireland. In marked contrast, a well-established case can now be sustained that not only were the Hiberno-Norse towns much more substantial than was previously

imagined, but also that indigenous urbanization developed in the earlier medieval period around monastic and secular cores. The extent of Hiberno-Norse urbanization in the eleventh and twelfth centuries, particularly at Dublin, Waterford, Wexford and Limerick, has been corroborated by archaeological investigation. Hiberno-Norse Dublin was an organized, planned town with property plots, houses and defences, very much part of the wider Anglo-Norman world prior to the invasion. Moreover, excavation has demonstrated the striking continuity of house plots and property boundaries from the tenth to thirteenth centuries, the Anglo-Normans not making any major effort to develop, improve or enlarge the city for at least thirty years after it fell under their control.

The dating and meaning of indigenous urbanization is, however, much more obscure. There is a significant danger of 'urbanization by assertion', while claims that substantial towns existed around Irish monasteries as early as the seventh century should be treated with circumspection. Nevertheless, as early as c.1000, several centuries before the Anglo-Norman invasion, the economic and political benefits of defended urban settlements were already apparent, while the Viking towns all fell under the suzerainty of Irish kings during the eleventh century. As the defended town accompanied the growth of centralized authority throughout medieval Europe, it is difficult to conceive that those self-same Irish leaders were not engaged in efforts to stimulate urban development around their principal seats of power. Often these were located next to monasteries, or at sites where the monastery now appears as the more readily identifiable artefact. Because of its causal implications the term 'monastic town', which occurs widely in the literature, is ambiguous and probably best avoided. Many extant ecclesiastical monuments of this period actually reflect the exercise of royal patronage rather than the centrality within early medieval Irish society of religious ceremonial centres, nor is there anything unusual in European medieval towns developing around monastic cores. In ways not yet fully understood, it seems probable that, following the example of the Hiberno-Norse towns, which were themselves influenced by the Anglo-Saxon *burhs* of England, Irish kings were increasingly involved in the development of an indigenous urbanization during the eleventh and twelfth centuries, a process that occurred around both castle and monastic cores.

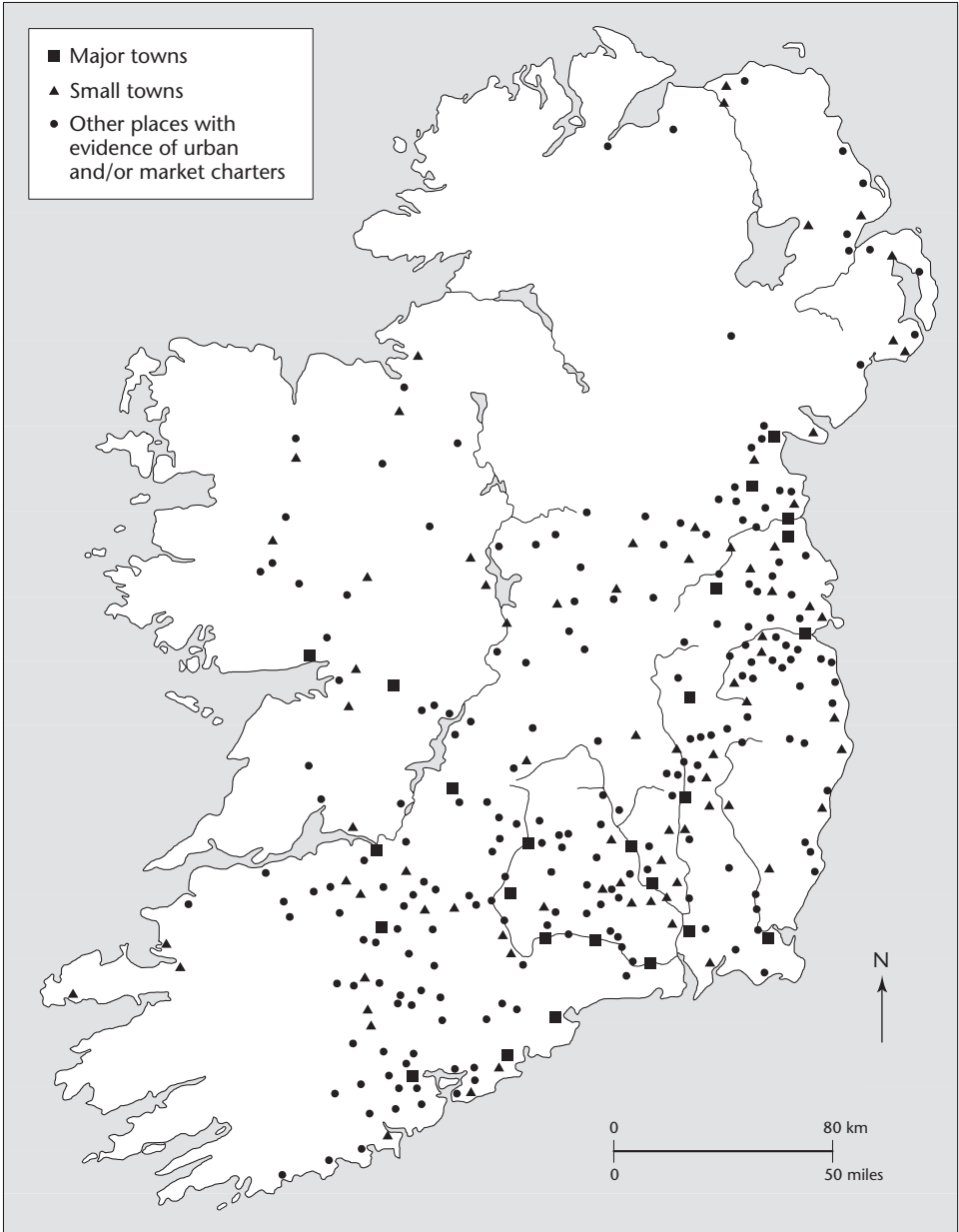
Despite the many difficulties of the evidence, it is apparent that the actual number of early medieval towns must have been very small. Further, there is nothing to suggest that the elaboration of a hierarchical urban network was anything other than an achievement of the Anglo-Normans, who, in addition to the Hiberno-Norse towns, adapted some settlements, including Kells, Kildare and Athlone, which were most probably examples of early medieval indigenous urbanization. But continuity was not inevitable, as other important early medieval sites attest. Glendalough, Clonmacnoise and Clonard, for example, largely disappear from the documentary record, apparently because they sank into decline soon after the invasion. It could be that they were poorly located with regard to the colonists' scheme of settlement or, conversely, that they were the victims of deliberate neglect as the Anglo-Normans consciously consolidated their political control by undermining existing mechanisms and centres of power. It might also be inferred that these settlements possessed only the most limited urban economic and morphological structures if they could be so readily abandoned.

The medieval urbanization of Ireland was simply part of a much more extensive development of European towns during the twelfth and thirteenth centuries. The chartered borough was one of the 'standard' methods of economic development employed throughout medieval Europe. For example, many such settlements were established in Normandy, England and Wales by feudal lords from the eleventh century onwards, the pace of foundation accelerating rapidly after 1100. The lord granted a charter which gave tenants – or burgesses – the rights to a plot of land – the burgage – within a borough on which to build a house, and usually a small acreage outside the settlement with access, for example, to woodland (for building timber and firewood), peat bog and grazing. Theoretically at least, burgesses were also granted a range of economic privileges and monopolies. The most common package of borough rights in Anglo-Norman Ireland was that modelled on the charter of the small Normandy town of Breteuil-sur-Iton.

While the borough charter held the promise of urban life, much of this potential was never translated into reality. Those boroughs that did evolve into towns generally possessed salient political and economic advantages. Inevitably, the capital manors of the most important and powerful lords were the first Anglo-Norman settlements to be granted charters in the various Irish lordships. Dominated by motte or stone castles, their sites were chosen with regard to strategic factors such as control of territories and communications, and are thus often one of the most obvious explanations of continuity. That these settlements were likely to become the largest towns replicated the experience of medieval England, where an early arrival was the most significant contribution to eventual urban prosperity.

Such towns, however, were relatively few in number – as were great lords. Colonization of the lordships and even the manors retained by the major magnates was largely the responsibility of those whom Adrian Empey calls immediate lords of the soil. Thus the majority of medieval Irish boroughs were founded by Anglo-Norman fiefholders of comparatively minor significance and functioned as the marketplaces necessary to the mutual dependence of peasantry and aristocracy. Their market tolls, fines, rents and taxes were a source of profit for feudal lords, while the peasantry could convert surplus production into cash, an increasingly important process as labour services were commuted in favour of money rents. The custom of Breteuil was granted freely, however, and, despite their legal status, most boroughs were never more than agricultural settlements.

Approximately 330 medieval Irish boroughs have been identified (map 8.2). There may well have been more, as only a very few possess extant charters, the remainder being identified from stray references to burgages and burgesses. These settlements can best be classified by their roles in the feudal economy. No more than twenty-five can be categorized as major towns, but a further eighty settlements possessed sufficient evidence of urban criteria to be classified as small towns, operating as the principal market centres within which peasant exchange occurred. Almost 70 per cent of these developed around a castle core, a proportion very similar to that found in Normandy. The remaining chartered settlements can be classified as agricultural rural-boroughs. Although manorial extents record some specialization of labour – millers, bakers, brewers and the like – their burgess populations were largely agriculturalists. It seems likely that this wholesale creation of speculative boroughs provided one means of attracting tenants to the Irish manors, burgess status and the expectation



Map 8.2 Towns and boroughs in late medieval Ireland, *c.*1300.

of freedom from all but the most minimal of labour services acting as a lure to prospective peasant migrants.

In terms of morphology, most towns seem to have had a predominantly linear layout. The houses often had their gable ends to the street with burgages behind. As

elsewhere in Europe, these long thin plots, generally held at a rent of 12d. per annum, were perhaps the diagnostic morphological features of the Irish medieval town. The marketplace, occasionally marked by a market cross, was either the main street of a linear town or sometimes a triangular extension at one end. A few town plans were more elaborate, the most common such form, as at Clonmel, Carrick-on-Suir or Drogheda, being an irregular chequer. Uniquely Kells developed on a concentric plan, presumably dictated by its pre-Anglo-Norman morphology. Around fifty medieval Irish towns were walled, the most intensive period of construction occurring between 1250 and 1320. Not all walls were of stone, a number being of suitably reinforced earth, while the larger towns had between four and six gates. The most extensive enclosed areas were at Drogheda and Kilkenny, which were both twin boroughs, while New Ross was the largest unitary walled town.

Little is known about the relationships between urbanization and the economic organization of the lordships. Within any one territory, the network of towns and boroughs presumably acted as the framework for marketing circuits of the type identified in medieval England. Here, markets were granted on different days in the various boroughs so that middlemen – who collected the tolls – and itinerant traders could travel around from place to place. Very limited evidence points to similar arrangements within individual lordships in Anglo-Norman Ireland. But nowhere can the precise hierarchical relationships of settlements be worked out. Again, there is very little information on the urban division of labour. From the evidence of manorial extents, it can be assumed that the populations of rural-boroughs were essentially agriculturalists, but even in the small market towns and larger mercantile centres the degree of non-agricultural employment is unclear. Presumably, most industry took the form of food processing. There must also have been craftsmen of various sorts in the towns, but rarely is any evidence found of them. The major towns were dominated socially and economically by a burghess class of artisans, traders and merchants, most probably organized into guilds.

Medieval Ireland's external trade was largely conducted through the twenty-five major towns, a process that is unusually well recorded because of the survival of customs returns for the period between 1276 and 1333. The southeastern ports of New Ross and Waterford, which served the fertile and densely colonized valleys of the Nore, Barrow and Suir, dominated Ireland's overseas trade with Britain and continental Europe, accounting for almost 50 per cent of the customs receipts paid during this period. Cork, Dublin and Drogheda were also significant ports, while the most important inland centre was Kilkenny, centre of one of the greatest of the private lordships. The major towns were either directly in the hands of the crown, or conversely, held by the most powerful baronial families for whom the towns were vital economic assets. Youghal, for example, provided over 60 per cent of the income of the estates of the lords of Inchiquin in the late thirteenth century.

Urban populations – and those of the rural-boroughs too – seem to have been primarily colonial. But that is not to say that the Gaelic-Irish were excluded, for people with Gaelic names were always present in towns. There must have been some form of segregation, however, because 'Irishtowns', presumably inhabited by people of Gaelic-Irish ancestry, survive in a number of medieval towns, including Ardee, Athlone, Clonmel, Drogheda, Dublin, Enniscorthy and New Ross, while those at Kilkenny and Limerick were both separately walled. Indeed, Irishtown at Kilkenny

possessed its own borough constitution. Again, there may have been separate suburbs at Dublin, Waterford, Wexford, Cork and Limerick for the descendants of the Hiberno-Norse – the Ostmen.

Direct demographic evidence is rare and we are largely dependent on urban population estimates, which have been calculated from data on burgage rent. These assume the standard rent of 12d. per burgage and a household multiplier of five, a calculation that excludes the non-burgess household in a town and overlooks the evidence that ‘burgages’, particularly in smaller settlements, may have included agricultural land. Total burgage rents must therefore often have included the latter and thus cannot always be used to calculate Burgess populations. Given these vagaries, estimates suggest that very few towns had populations in excess of 2,000, while most had fewer than 1,000 inhabitants. Although projections for Dublin range from 10,000 to 25,000, the next largest town seems to have been New Ross, which, based on evidence from burgage rents, may have had a population of between 2,500 and 3,000. There is, however, no demographic data at all for a number of important towns, including Limerick, Cork, Drogheda and Waterford. Again, we know little of the impact of the Black Death of 1348–50 on urban populations, although one contemporary account talks about the cities of Dublin and Drogheda being almost destroyed and ‘wasted of men’.

A further enigma in relation to medieval urbanization in Ireland concerns those parts of the island especially in the north and west, but also in the midlands, which lay beyond the area of Anglo-Norman colonization. It is difficult to conceive that the Gaelic leaders in these regions lacked contacts with the colonists, if only through war. There is, moreover, evidence of intermarriage, while many Anglo-Norman lords were assimilated to some extent into Gaelic society. Why then did Gaelic lords not adopt the concept of towns as a means of developing a territory when in eastern Europe, for example, Slavic princes followed the model of German settlers and became enthusiastic sponsors of towns? The problem is exacerbated by the absence of documentary evidence that might compare to the fiscal and legal records of crown administration in medieval Ireland, which provide much of the evidence of Anglo-Norman urbanization. The pastoral nature of the economy may have militated against urbanization, restricting its occurrence to a handful of ecclesiastical centres such as Armagh, Clogher and Clonfert. Another example, Rosscarbery, was described as a walled town with two gates and almost 200 houses in 1519. One interesting possibility concerns Killaloe, where the borough may have been incorporated prior to the Anglo-Norman settlement of the lower Shannon region. But the only other evidence of Gaelic lords founding chartered settlements, either immediately before or after the invasion, concerns a solitary and probably abortive attempt to establish a market. Nor, Sligo excepted, does there appear to be any record of an Anglo-Norman borough continuing to exist under a Gaelic secular lord during the fifteenth and sixteenth centuries. In contrast, ample evidence survives to show that Gaelic lords were enthusiastic builders of castles, and these may have acted as nuclei for settlement agglomerations and exchange. Nevertheless, virtually nothing is known of the organization of marketing in Gaelic Ireland, any evidence being very late. Towards the end of the fifteenth century, for example, English merchants in the ancient market towns of Meath were complaining about Irish markets at Cavan, Longford and Granard, which suggests that these may have been a recent development. But in terms

of the evidence, it is not until the sixteenth century that a 'real town' of Gaelic provenance grew up under the protection of the O'Reillys at Cavan.

Meanwhile, there seems to have been a substantial continuity of urbanization in the Anglo-Irish lordships. The fate of the several hundred rural-boroughs is obscure, not least because of gaping lacunae in the documentary record. Deserted medieval settlements can be identified in the landscape, but it is exceptionally difficult to date their abandonment. Some evidence suggests, however, that the principal period of desertion of medieval settlements did not occur until the seventeenth century. Few larger towns disappeared, and indeed there is ample evidence of urban wealth in the fifteenth century. Trade continued to flourish with England and Europe and between the various Irish lordships. Town walls were maintained, or even expanded, while urban tower houses and substantial church-building attest to the existence of wealthy urban elites. Thus the evidence of urbanization and commercialization again supports the conclusion that the political decline of the English in late medieval Ireland was not matched by a parallel downturn in the economy.

Conclusion

The transformations of Irish economy and society in the later middle ages shared many similarities with those of Britain and north-west Europe. Nevertheless, there were marked differences, not least those created by the particular circumstances of the complex and ambiguous interrelationships that surround the broad dichotomy between Anglo- and Gaelic-Irish. The Anglo-Normans adapted to, but also irrevocably altered, extant political and economic structures. In turn, they borrowed much from Gaelic-Irish culture and exploited its political fragmentation to create the system of lordships that, through time, further accentuated the intense regionalism of Ireland so readily apparent in early medieval society. By the end of the middle ages, the complex threads of continuity and change had combined to create an Ireland that was highly decentralized in political terms, culturally diverse, yet possessing some salient economic unity through the continuing importance of the mercantile economy which integrated it into the wider European realm. The inability of the crown to establish centralized English political control over Ireland was essentially predestined by the abrogation of power to individual barons in the early years of the Anglo-Norman colonization. Yet this political failure cannot conceal the enduring strength of the urban and commercial economy, particularly after the upturn of the later fourteenth century, the factor which above all others demonstrates the oversimplification inherent in the concept of a Gaelic Revival. Fourteenth- and fifteenth-century Ireland maintained its trading links with Britain and Europe, some of the more distant ports such as Galway, with its rich Iberian trade, effectively functioning as 'city-states'. Changes did take place and there was some attenuation of Anglo-Irish settlement in the more exposed marches. But the well-established communities of the more intensely settled arable regions survived, and indeed prospered, despite the more militant and effective system of Gaelic-Irish opposition already apparent in the fourteenth century. In sum, while fragmentation defines the condition of Ireland throughout the middle ages, it had become a remarkably more diverse society by 1500, testimony to the myriad interactions between Anglo- and Gaelic-Irish and the innumerable permutations thereof.

FURTHER READING

Key papers on the revisionist debate in Irish historiography are reprinted in C. Brady, ed., *Interpreting Their History: The Debate on Historical Revisionism* (Dublin, 1994). The medieval period is dealt with in several recent discussions, the most useful being J. Lydon, 'Historical revisit: Edmund Curtis, *A History of Medieval Ireland* (1923, 1938)', *Irish Historical Studies*, 31 (November 1999), pp. 535–48; R. Frame, *Ireland and Britain, 1170–1450* (London, 1998), in which the introductory chapter is particularly useful for historiographical issues. F. J. Byrne provides a perceptive account in 'MacNeill the historian', in F. X. Martin and F. J. Byrne, eds, *The Scholar Revolutionary: Eoin MacNeill, 1867–1945, and the Making of the New Ireland* (Shannon, 1973), pp. 15–36.

The earlier histories of medieval Ireland remain valuable, although care must be taken in that their ethnic perspectives and conclusions have often been superseded by more recent research, which tends to have a holistic perspective on Irish economy and society. Although D. Ó Cróinín, *Early Medieval Ireland, 400–1200* (Harlow, 1995) has some limited perspectives on the twelfth century, D. Ó Corráin, *Ireland before the Normans* (Dublin, 1972) is still a more useful summary. F. J. Byrne, *Irish Kings and High-kings* (London, 1973) remains a classic text on the political changes occurring in pre-Anglo-Norman Ireland, issues pursued into the later medieval period by K. Simms, *From Kings to Warlords* (Woodbridge, 1987). A useful summary of the more recent literature and debates on the twelfth century can be found in K. McCone and K. Simms, eds, *Progress in Medieval Irish Studies* (Maynooth, 1996), but see the vitriolic review by D. Dumville, *Peritia*, 11 (1997), pp. 451–68.

G. H. Orpen, *Ireland Under the Normans* (Oxford, 1911–20; reprinted 1968) is still an essential guide to the Anglo-Norman subinfeudation. E. MacNeill, *Phases of Irish History* (Dublin, 1919) presents an alternative nationalist perspective, also apparent in E. Curtis, *A History of Medieval Ireland* (Dublin, 1923; London, 1938). Although heavily criticized, A. J. Otway-Ruthven's *A History of Medieval Ireland* (London, 1968) stimulated much of the subsequent research which has demurred from her insular and Anglo-Norman perspective on medieval Ireland. R. Frame, *Colonial Ireland, 1169–1369* (Dublin, 1989) and J. Lydon, *The Lordship of Ireland in the Middle Ages* (Dublin, 1972) both remain useful if inevitably now dated. A. Cosgove, ed., *A New History of Ireland*, vol. 2, *Medieval Ireland, 1169–1534* (Oxford, 1987) is invaluable, while a more recent if general account can be found in S. Duffy, *Ireland in the Middle Ages* (Dublin, 1997).

Continuity and change is discussed in B. J. Graham, 'The High Middle Ages: c.1100 to c.1350'; T. B. Barry, 'Late medieval Ireland: the debate on social and economic transformation, 1350–1550'; W. J. Smyth, 'The meaning of Ireland: agendas and perspectives in cultural geography', in B. J. Graham and L. J. Proudfoot, eds, *An Historical Geography of Ireland* (London, 1993), respectively pp. 58–98, 99–122 and 399–438. Also useful in this regard are M. T. Flanagan, *Irish Society, Anglo-Norman Settlers, Angevin Kingship* (Oxford, 1989); F. J. Byrne, 'The trembling sod: Ireland in 1169', in A. Cosgrove, ed., *A New History of Ireland*, vol. 2, *Medieval Ireland, 1169–1534* (Oxford, 1987), pp. 1–42. The chapters by F. X. Martin in the same book provide the standard account of the first fifty years of the Anglo-Norman colony. The definitive version of Giraldus Cambrensis's contemporary account of the conquest of Ireland, *Expugnatio Hibernica*, is edited by A. B. Scott and F. X. Martin (Dublin, 1988).

The importance of regional diversity and cultural heterogeneity is pursued in W. J. Smyth, 'A plurality of Irelands: regions, societies and mentalities'; and S. J. Connolly, 'Culture, identity and tradition: changing definitions of Irishness', in B. Graham, ed., *In Search of Ireland: A Cultural Geography* (London, 1997), respectively pp. 19–42 and 43–63. A particularly interesting analysis of Viking settlement in Ireland is provided by J. Bradley, 'The interpretation of

Scandinavian settlement in Ireland', in J. Bradley, ed., *Settlement and Society in Medieval Ireland* (Kilkenny, 1988), pp. 49–78 (a book of essays in honour of F. X. Martin, which contains a wealth of material dealing with medieval Irish economy and society). Numerous detailed articles on the regional ramifications of medieval economy and society are to be found in the succession of county histories published by Geography Publications, Dublin (various editors).

Medieval Ireland's interconnectedness is explored in two books by R. Frame, *The Political Development of the British Isles, 1100–1400* (Oxford, 1990) and *Ireland and Britain, 1170–1450* (London, 1998), and also in R. R. Davies, *Domination and Conquest: The Experience of Ireland, Scotland and Wales, 1100–1300* (Cambridge, 1990). S. Howe, *Ireland and Empire: Colonial Legacies in Irish History and Culture* (Oxford, 2000) places these issues in a wider conceptual context. The idea of interconnectedness is usefully extended in A. Simms, 'Core and periphery in medieval Europe: the Irish experience in a wider context', in W. J. Smyth and K. Whelan, eds, *The Common Ground: Essays on the Historical Geography of Ireland* (Cork, 1988), pp. 22–40.

B. J. Graham and L. J. Proudfoot, eds, *An Historical Geography of Ireland* (London, 1993) contains detailed summaries and bibliographies concerning the geography of economy and society in medieval Ireland. A particularly useful paper on lordship and manorialization is C. A. Empey, 'Conquest and settlement patterns of Anglo-Norman settlement in North Munster and South Leinster', *Irish Economic and Social History*, 13 (1986), pp. 5–31. K. Down, 'Colonial economy and society in the high middle ages', in A. Cosgrove, ed., *A New History of Ireland*, vol. 2, *Medieval Ireland, 1169–1534* (Oxford, 1987), pp. 439–91, still provides the best survey of the medieval rural economy. Research on manorial settlement and agriculture has often been a response to pioneering work by A. J. Otway-Ruthven, most notably 'The character of Norman settlement in Ireland', *Historical Studies*, 5 (1965), pp. 75–84. Annngret Simms summarizes her ideas on manorial settlement in 'The geography of Irish manors: the example of the Llanthony cells of Duleek and Colp, Co. Meath', in J. Bradley, ed., *Settlement and Society in Medieval Ireland* (Kilkenny, 1988), pp. 291–326. A detailed analysis of thirteenth- and fourteenth-century population, famine and plague is contained in M. Lyons, 'Weather, famine, pestilence and plague in Ireland, 900–1500', in E. M. Crawford, ed., *Famine: The Irish Experience* (Edinburgh, 1989), pp. 31–74. There has been little recent work on population, the only detailed estimates being included in T. H. Hollingsworth, *Historical Demography* (London, 1969) and J. C. Russell, 'Late thirteenth-century Ireland as a region', *Demography*, 3 (1966), pp. 500–12. The revision of the late fourteenth and fifteenth centuries is discussed by A. Cosgrove, in four successive chapters in A. Cosgrove, ed., *A New History of Ireland*, vol. 2, *Medieval Ireland, 1169–1534* (Oxford, 1987), pp. 525–90, while, in the same volume, a key discussion of the Gaelic-Irish world remains K. W. Nicholls, 'Gaelic society and economy in the high middle ages', pp. 397–448.

The archaeology of the period is dealt with in N. Edwards, *The Archaeology of Early Medieval Ireland* (London, 1990) (which continues up to c.1200); T. B. Barry, *The Archaeology of Medieval Ireland* (London, 1987); and T. O'Keeffe, *Medieval Ireland: An Archaeology* (Stroud, 2000). Two recent detailed studies of medieval castles (including the debate on tower houses) are T. McNeill, *Castles in Ireland: Feudal Power in a Gaelic World* (London, 1997); and D. Sweetman, *The Medieval Castles of Ireland* (Cork, 1999). T. B. Barry provides a useful summary: 'Rural settlement in medieval Ireland', in T. B. Barry, ed., *A History of Settlement in Ireland* (London, 2000), pp. 110–23.

M. Volante, 'Reassessing the Irish "monastic town"', *Irish Historical Studies*, 31 (May 1998), pp. 1–18, provides a perceptive counterbalance to some of the wilder claims on the extent of twelfth-century urbanization in Ireland, while a brief paper by J. Bradley, 'Killaloe: a pre-Norman borough?', *Peritia*, 8 (1994), pp. 171–9, raises issues that have yet to be fully debated. P. Wallace, *The Viking Age Buildings of Dublin* (Dublin, 1992) is the definitive

account of the excavations of the Viking town. The debate on medieval urbanization is summarized in B. J. Graham and L. J. Proudfoot, eds, *An Historical Geography of Ireland* (London, 1993); B. Graham, 'Urbanisation in Ireland in the high middle ages, c.1100 to c.1300', in T. B. Barry, ed., *A History of Settlement in Ireland* (London, 2000), pp. 124–39; A. Thomas, *The Walled Towns of Ireland* (Dublin, 1992). A particularly noteworthy regional account of urbanization is provided by A. F. O'Brien, 'Politics, economy and society: the development of Cork and the Irish south-coast region c.1170 to c.1583', in P. O'Flanagan and C. G. Buttimer, eds, *Cork: History and Society* (Dublin, 1994), pp. 83–156. Exceptionally detailed studies of individual medieval towns are to be found in the separate fascicles of A. Simms and H. B. Clarke, eds, *Irish Historic Towns Atlas* (Dublin, various dates).

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PART II

Politics, Government and Law

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CHAPTER NINE

The British Perspective

SEÁN DUFFY

Of the eighteen kings who ruled England from the Norman Conquest to the Tudor accession, five died following a gruelling civil war or family rebellion, two while fighting the French, three were deposed or disposed of, and a couple met their Maker in rather suspicious-looking accidents or as prisoners in the Tower. Only a half-dozen could be said to have died a natural death, and even these usually left behind a country at war with its neighbours insular or continental, or both. Of course, violent death might be said to be an occupational hazard for medieval kings everywhere, but still, by any standards, England's incumbents ran a testing gauntlet: Scotland, for instance, also had eighteen rulers in this period but statistically they enjoyed about twice as good a chance of dying peacefully in their bed. And yet one of the most familiar images of the British Isles, so-called, in the later middle ages is of English stability and civility set antonymously against the instability, backwardness, even barbarity, of the Celtic 'fringe'.

When the latter phrase was coined in the nineteenth century, evidently by the great English legal historian F. W. Maitland as a shorthand for Ireland, Scotland and Wales combined, it did not seem inappropriate, despite the rather obvious fact that the fringe was larger than the fringed; and it did not do so precisely *because* Maitland wrote when he did: in the Victorian era, who doubted that England was the core and the 'Celtic' countries the periphery? But it is a phrase that has endured, and, more importantly, even where the phrase itself has been eschewed, the mentality prevails. At least until comparatively recently, historians of medieval England have not felt the need to dip much more than a toe into Scottish or Welsh, let alone Irish, historical waters. When they did, the result was sometimes disastrous, or unintentionally hilarious, and occasionally offensive. Such experiences may, of course, partly explain the reluctance to tackle the subject, but one suspects that it has had more to do with an inherent assumption that, except for those moments when it intersected decisively with English affairs, the story of the latter could be written without reference to the 'fringe'. There was no conviction, even among those who professed to believe that part of the purpose of history is to explain how we got where we are, that the medieval roots of the modern 'United

Kingdom of Great Britain and Northern Ireland' lie as much in the 'Celtic' lands as in England.

There have been, needless to say, some remarkable exceptions to this. One thinks for instance of Sir Maurice Powicke's masterly study *The Thirteenth Century 1216-1307* (1953), which, though part of the 'Oxford History of England', has splendid chapters on Scotland, Ireland and Wales. Yet, it seems likely that such attention was paid in this instance only because it could not be avoided: this was, after all, the century in which English medieval authority in Ireland reached its apogee, when Wales was conquered, and when Scotland looked set to follow. Its strengths notwithstanding, therefore, Powicke's volume remained as his publisher had requested, English, not British, history. It is perhaps no accident that it took a young historian of medieval Scotland, Geoffrey Barrow, in his *Feudal Britain* (1956), to attempt a revamp. As he stated in his preface: 'It should be emphasised that this book is not a history of England, with a few chapters on the Celtic fringe thrown in for completeness' sake. It is a serious attempt to trace the medieval ancestry of modern Britain . . . in as full a manner as possible and in relative proportion'.¹ Barrow's was a fine pioneering effort which has stood well the test of time, but, in treating the constituent national units within Britain separately, it does in fact rather resemble what its author sought to avoid, a history of England 'with a few chapters on the Celtic fringe thrown in': of its twenty-one chapters, England gets fifteen, Scotland four and Wales two (the latter largely confined to Anglo-Welsh relations), while Ireland, admittedly not part of 'feudal Britain' as such, surely deserved more than two out of its 410 pages.

Medieval 'British history' is therefore a subject which, in the 1950s, had not yet 'arrived'. In fact, two decades passed before J. G. A. Pocock (a scholar so removed from the mode of thought that produced Maitland's 'Celtic fringe' that he coined the term 'Atlantic archipelago' in deference to Irish irritation at inclusion under the 'British Isles' umbrella) wrote his influential essay entitled 'British history: a plea for a new subject'. But the plea went unanswered for several more years, discrete investigation of the distinct national histories continuing unabated. Admittedly, the shelves were also laden with studies of Anglo-Welsh and Anglo-Scottish relations, but all roads led to Westminster. Ireland fared even worse. Of all the regions in these islands, the writing of Ireland's history has always been the most isolationist, the country's insular status making the fault understandable if not excusable. With very rare exceptions, study of Ireland's external relations in the later middle ages has until recently been confined to the effects of the establishment of the constitutional link with England in the late twelfth century. As with Scotland and Wales, there are many reasons for this, ranging from the perhaps justifiable perception of this relationship's priority over the others to the fact that it is, quite frankly, easier to relate the course of the relations of each with England than to attempt to reconstruct their relationship with one another: thanks to the record-keeping efficiency of the English government, our anglocentric documentary sources all the time work at cross purposes to the task. One should mention too that, until 1266, there also existed a quasi-independent kingdom in the Isle of Man and the Western Isles, yet its history also remained neglected (largely because, one suspects, its failure to survive into modern times as a 'nation-state' allowed it to fall into a historiographical void) despite the

fact that it had acted at times as a crucial linchpin between the various regions of Britain and Ireland.²

Nevertheless, the passage of the years did begin to prick consciences. It came to be seen as an indictment of the writing of medieval history within national constraints that the supranational story of this insular world went largely untold. What may have begun as solitary thoughts became compelling calls for a comparative, transnational approach to the investigation of at least some historical themes. Here again Geoffrey Barrow was ahead of the pack in publishing in 1981 a brief comparative paper entitled 'Wales and Scotland in the middle ages', a study which, remarkable as it may seem, was virtually without precedent. But the most inspiring of voices in this as yet quiet chorus undoubtedly was (and remains) R. R. Davies, who organized a colloquium in 1986 the proceedings of which he edited for publication under the title *The British Isles 1100–1500: Comparisons, Contrasts and Connections* (1988). His own essay in this collection was entitled simply 'In praise of British history', and its publication was shortly followed by a full collection of lectures practising what he preached and entitled *Domination and Conquest: The Experience of Ireland, Scotland and Wales 1100–1300* (1990). In that same year the project stepped up another gear with the appearance, under the title *The Political Development of the British Isles 1100–1400*, of a full-length narrative on the transnational model, by Robin Frame, a minor masterpiece which immediately established itself as the standard introduction.

Once admitted, Cinderella has stubbornly refused to leave the ball, which has been immeasurably illuminated by her presence. A profusion of cross-border and trans-marine essays and monographs has appeared and many unhelpful barriers have been removed. The story, however, lacks the perfect fairytale ending, for a variety of reasons. Some of the work that has been published as part of the new interest in a holistic approach to British history has seemed to reduce the separate and complex experiences of Scotland, Ireland and Wales to a 'Celtic' reaction against Anglo-Norman and English aggrandizement. This can be hazardous since, for one thing, although there are undoubted similarities in their development, we are not always comparing like with like in the Celtic world. A cultural homogeneity prevailed in both early medieval Ireland and Wales, whereas even before the ripple-effect of 1066 Scotland was a very heterogeneous society. Perhaps partly as a result, the subsequent experience of Scotland, at least until the late thirteenth century, was generally at odds with that of Ireland and Wales: the latter were the enforced recipients of Anglo-Norman domination, whereas Scotland's kings voluntarily embraced the latter world and developed a system of government substantially modelled on that of England. Furthermore, the precocious vigour of Scottish kingship contrasts with the fragmented nature of power in native Ireland and Wales. With both of the latter, one must be careful not to impose a false unity of purpose on the actions of individuals: in medieval Ireland and Wales, truly 'national' impulses rarely if ever shaped men's actions, and indeed the differences in the actions and reactions of individuals *within* these countries are often as marked as those *between* them.

There are other reasons for caution regarding this 'new' British history. If the impulse behind the new historiography is release from the benign tyranny of the nation-centred construct, it is important not to swap known devils for unknown.

The study in isolation of any one nation in these islands is, of course, inadequate since they have never existed in isolation; but, equally, the study of the history of medieval Britain will be defective if removed from its full geopolitical hinterland. Robert Bartlett has shown us the folly of treating medieval Britain as if it were a hermetically sealed special case. In *The Making of Europe: Conquest, Colonization and Cultural Change 950–1350* (1993), he has eloquently demonstrated how the process of settlement which the British Isles experienced in the aftermath of the Conquest was part of a much wider movement of colonization that affected many of the peripheral regions of Europe in this age. Prior to and concomitant with the insular Norman expansion we see immigrants from Germany crossing the Elbe to colonize eastern Europe, Christian Spain expanding its boundaries at the expense of Islam, and crusaders and colonists trying their fortunes in the eastern Mediterranean and the Holy Land. The later middle ages, especially in the period from c.1000 to c.1300 AD, were an age of rapid economic growth, territorial aggrandizement and profound social and cultural change throughout Europe. There was a great vitality in western European society, a rising population, improved methods of agricultural production and an increase in the area of land under cultivation, as well as a growth in commercial activity and a rapid urbanization. As Bartlett so expressively paints it: ‘Everywhere in Europe in the twelfth and thirteenth centuries trees were being felled, roots laboriously grubbed out, ditches delved to drain waterlogged land. Recruiting agents travelled in the overpopulated parts of Europe collecting emigrants; wagons full of anxious new settlers creaked their way across the continent; busy ports sent off ships full of colonists to alien and distant destinations; bands of knights hacked out new lordships’.³ As much as anywhere else on the European periphery this was to be the experience of Britain and Ireland from the mid-eleventh century onwards.

Let us look at the same period in another way. In the early eleventh century, King Cnut established an Anglo-Danish ‘empire’ of which England was a part, its king spending most of his time away from England but using its taxes to maintain a permanent North Sea fleet linking both land masses. And the experiment might well have lasted but for the biological accident of Cnut’s death by the time he was forty followed by the early deaths of all his children, including the two who succeeded him as kings of England. The Norse then strove to rebuild King Cnut’s empire and only Harold Hardrada’s unexpected defeat and death at Stamford Bridge turned on its axis the future course of British history, to say nothing of northwestern Europe in general. England’s subsequent conquest by William of Normandy has seemed so predestined that there has been little scope for contemplating contemporary events that might have produced a very different outcome, including successive Danish and Norse invasions culminating in those of King Magnus Barelegs; last of the great Viking warlords, he led two expeditions to the west, one in 1098 in which he seized the Hebrides, Man and possibly Galloway and skirmished with the Normans in Anglesey, and a second in 1102–3 which ended in his death in Ulster, though not before he had taken Dublin. This close link between Ireland and the Norse world continued until the latter part of the twelfth century. Another century passed before Norway abandoned its claim to overlordship of Man and the Isles; and it was almost exactly two centuries later again when Scotland reached its fullest extent with the acquisition of Shetland. Yet Scandinavia rarely appears above the horizon in even the

best recent studies of later medieval Britain. One must ask whether it is right to construct a version of British history in which events and possibilities such as those outlined above are ignored or forced to the margins.

These sins of omission may be deemed venial, but it is assuredly a mortal error to remove Britain from the continental orbit in which it revolved, especially after the Norman Conquest: one would have thought the publication in 1976 of John le Patourel's magisterial investigation of *The Norman Empire* had put paid to such a prospect. The story thereafter is one of almost unbroken continental engagement and preoccupation. This was not peripheral to English history in the later middle ages, and one could even argue that it was what made England tick. It was true of the Conqueror himself: within five years of victory at Hastings, the conquest now fairly secure, William I was back spending most of his time in his homeland, and his attention was being given over to continental wars and diplomacy. After a temporary rupture, kingdom and duchy were reunited in 1106 under William's youngest son, Henry I, who thereafter continuously criss-crossed the Channel, dividing his time almost equally between the two until his death in 1135. Henry I's reign is properly viewed as a milestone in English constitutional and institutional development, historians seeing it as a period of major growth in English government and of great administrative advances. But it is debatable whether these innovations would have been put in place were it not necessary to cater for a country whose king was a habitual continental absentee. Because he died without a legitimate son Henry was succeeded by his sister's son, Stephen. Again the European pivot is the key: this king of England was a son of the count of Blois and Champagne and was himself count of Boulogne and of Mortain in western Normandy. The latter was superseded after a dreary civil war fought on both sides of the Channel, by Henry II, a grandson of Henry I, but son of Geoffrey Plantagenet, the count of Anjou. At his accession in 1154 the Anglo-Norman realm was therefore replaced by the Angevin 'empire', and at its height it included, in addition to England – and a claim to overlordship over all of Britain and Ireland – Normandy, Brittany, Maine, Anjou, Touraine and (as a result of Henry's marriage to Eleanor of Aquitaine) Poitou, Limousin, Angoulême, Gascony and eventually the county of Toulouse. While the Angevin empire lasted the lands of the king of England thus stretched to the Pyrenees, and he had more territory in what is now France than had the king of France himself. Nobody has done more to capture the reality of political life in this epoch than John Gillingham in his brief but eye-opening study of *The Angevin Empire* (1984, 2000). The fact is that Henry II and his sons and successors, Richard Cœur de Lion and King John, were, in the words of Gillingham, 'French princes who numbered England amongst their possessions'.⁴ And this French connection was not confined to England's kings. Those who had helped William conquer England were not landless before 1066 and they retained their estates in Normandy (not to mention Brittany, Flanders and Lorraine) after the bonus of further lands in England had been added. England and Normandy in consequence shared a ruling aristocracy as much as a dynasty, a state of affairs that continued, though on a lesser scale as there were fewer dividends to be divided, under the Angevins. It was a single cross-Channel political and cultural community and England was in some senses, certainly the cultural, a French colony. This is reflected in the art and architecture of Anglo-Norman and Angevin England, and in its language and way of life. French was the language of the civilized man and of cosmopolitan society,

and it was brought across the Channel by England's Norman conquerors and their Angevin successors. It is true that in time the descendants of these men and women embraced the English language as their mother tongue, but French remained essential for long afterwards as the language of the *chanson* and the *geste*, and also of laws, public and private letters, and manorial accounts.

Of course England was in many respects the most important part of this empire, especially since it was this that provided a royal crown. But there was one major complication that continually thrust England back into a transmarine orbit. The English king was a vassal of the king of France for his continental lands and obliged to perform homage to him for them. He might therefore have been a king in his own right, but he was a king subject to a king. The result was that the affairs and careers of the king of England and of his French overlord were inextricable. Henry and Richard testified to this in both life and death. Although king for thirty-four years Henry II spent no more than thirteen of them in England. More at home in the rich and cultured valleys of the Seine and the Loire (where he was buried, in the abbey of Fontevraud), this is where his real ambitions lay and this is where he died, in the great Angevin fortress of Chinon. As for Richard, English historians have sometimes depicted him as a fine warrior but an irresponsible king, who ruled England for a decade but spent no more than six months there, neglecting it in all respects except the exaction of taxes to fund what are thought of as his 'adventures' in France and elsewhere. But this is unfair. As was true of his father, France is where Richard's heart lay, literally, since he bequeathed it to Rouen cathedral, and he too was buried in Fontevraud abbey in the duchy of his mother, Eleanor of Aquitaine. To fault him for not concentrating his efforts on England is to fault him for defending his great Angevin inheritance. King John would have wished to follow in their footsteps but managed to lose most of his continental estate to the Capetian king of France, Philip Augustus, and ended his days in England combating a baronial rebellion that erupted, crucially, in large part because of his failure to keep the cross-Channel empire intact. In fact, when his opponents sought a new lord, they looked to France for a replacement, offering the throne to King Philip's son Louis. Hence, for a brief period in 1216–17 it looked as if the Norman and Angevin conquests of England would be followed by a Capetian one. What 'saved' England from this was simply King John's death in October 1216, whereupon the rebels switched allegiance to his young son whom they hurriedly crowned as King Henry III. In September 1217 Louis withdrew from England and the French invasion collapsed. With him went the prospect of an Anglo-French kingdom and yet another monumental shift in England's fortunes.

Henry III was no more successful than his father at reassembling the Angevin empire, and in spite of campaigning in France in person in 1230, 1242 and 1254, almost all the Angevin lands stayed in French hands. By the Treaty of Paris, agreed in 1259, Louis IX accepted Henry's homage for the duchy of Aquitaine (essentially Gascony from Bordeaux to Bayonne), which he was allowed to retain as a peer of France, but Henry in return relinquished his ancestral claim to Normandy, Anjou and Poitou. The consequence of this was that the Plantagenets did at last begin to resemble the image in which they are often portrayed: they were now in effect an English dynasty. And yet they would not, perhaps could not, forget France, from which they had sprung, and hence the two countries went to war in 1294, 1324 and

1337. In the latter instance, because the Capetian royal house had died out in the main line, Edward III claimed the succession (by descent on his mother's side) and adopted the title 'king of England and France', and a long series of hostilities now known as the Hundred Years' War followed. During this period, England's control sometimes extended over much of France, and military victories culminated in 1420 in the recognition of Henry V as heir to the French throne. His hapless son, Henry VI, even managed, in 1431 while still a boy of ten, to become the only English king ever to be crowned king of France, but then turned his back on the French war when he came of age. By 1453 even Gascony, 'English' since the twelfth century, had been lost to a resurgent France. The solitary English toehold on the continent thereafter was Calais, which was not finally lost until 1558, while the Channel Islands remain the sole remnant of the duchy of Normandy still a British appendage, and the pretence of being kings of France was not finally dropped until 1802!

Of course there were other driving forces, there were other abstractions, and there were other concerns. And of course the kings of England were also busy trying to extend their domination over their insular neighbours and seeking to shape what Davies has called a 'high kingship of the British Isles'.⁵ The wider perspective provided by the new emphasis on British history does indeed have the advantage, in the words of Frame, that 'it refreshes those parts of the past that "national" history does not reach'.⁶ But while historians rightly expand the lens so that more of the archipelago than England comes into focus, we must continue too to peer across the Channel. And, for that matter, for all the insight that the supranational approach provides, it is essential that British history complement rather than demolish the national model. This is not simply because, by some accident, these insular nations still exist and must be 'provided' with a history to appease or enhance national pride and awareness. It is because, despite all they have in common, there is a distinct story that is the history of England or of Scotland or of Ireland or of Wales. One can enrich one's study of these separate histories by comparing them with developments elsewhere, but they do not all march to the beat of the same drum, and must not therefore be forced to keep in step. Each retains sufficient distinctiveness to qualify as a valid unit for the purposes of historical investigation.

This is not to deny that by the end of the middle ages the domination obtained by the Anglo-Normans and their successors had had a profound impact on the structures of government, the legal systems and the modalities of political life throughout the British Isles. But the experience varied from place to place, and as we note the convergence, so too must we be sensitive to the divergence; as we record the many changes, we must not underestimate the continuity. To take this latter point first: before the Anglo-Norman hegemony took root, there were very real similarities in the ways, for example, in which insular rulers displayed patronage, interfered in landholding, secured military service and raised taxes. In many parts of the British Isles, kings exercised their power by itinerating from stronghold to stronghold, holding court, dispensing patronage and displaying hospitality. There, surrounded by officers and guests, freemen would render their tributes in livestock or cereals and the unfree in more basic foodstuffs or labour-dues. The nomenclature may have differed from place to place, but they shared an essentially equivalent form of social organization. The Normans adapted this and gave some new words to old practices, but the pervasiveness of this new terminology does not dictate the conclusion that

all similar conventions later in evidence were Norman-inspired: disguised in the language of what is generally called 'feudalism' may be customs that are 'non-feudal' or 'pre-feudal'. Let us take another example. In England's lowland core at the time of the Conquest, the Anglo-Saxon apparatus of government was considerably more sophisticated than anything found elsewhere in Britain or Ireland, and extended into the shires, hundreds and vills, royal justice being meted out through the king's representatives, the sheriffs. It was this system that fell into the hands of the Normans, and which they refined, intensified and enlarged upon. When we see what appear to be traces of it elsewhere we tend again to suspect Norman influence, but it is not necessarily so. Lothian was part of the earlier kingdom of Northumbria, had a population of Germanic origin and shared the Anglo-Saxon pattern of villages and lordship. Hence, at the time of the Norman Conquest the term given to its constituent administrative units was the shire, the officer who exercised power in the latter on behalf of the Scots king was a thane, performing a role corresponding to an English sheriff, while the latter term is itself in use in Scotland by the early twelfth century (and if we had better written records earlier examples would surely be found). This is not therefore evidence of the Normanization of southern Scotland, it is the continuance of a shared system of lordship and social organization which had probably existed since the collapse of the Roman occupation.

Turning from continuity to change, the Normanization of Scotland did, of course, occur, but with significant modifications to the English experience which can easily be neglected. For example, in the aftermath of the Norman Conquest, Old English influence was, if anything, stronger at the Scottish court than Norman, especially following the marriage of King Máel Coluim Cennmór (Malcolm Canmore) to Margaret, sister of the Atheling. It was when he surrendered his son Donnchad (Duncan) as a hostage to William the Conqueror in 1072 that a seepage of Norman influence began. The latter, knighted by the Conqueror's son in 1087, attained the kingship of the Scots briefly in 1094, while his half-brother, notably bearing the English name Edgar, ruled Scotland from 1097 to 1107 as an implicit vassal kingdom under the Anglo-Normans. Military service in Norman and Angevin England was calculated in terms of the number of knights' fees held of the king, and it was Edgar's brother and successor Alexander I (1107–24) who began the process of granting extensive lands in Scotland as knights' fees (or feus) to men of foreign birth who settled permanently there, in return for performing military service to him. David I (1124–53) had been educated in England and he intensified the feudalization or, alternatively, the Europeanization of his kingdom: he introduced more and more knights of direct but more often indirect Norman, Breton and Flemish background to infeudate Scotland further and to man the royal household as hereditary stewards, constables and butlers, the makings of (albeit rather less bureaucratic) departments of state similar to those developing in contemporary England. He also introduced a justiciarship modelled on the chief administrative judicial office in Anglo-Norman England. By marriage to an Anglo-Norman heiress he held the honour of Huntingdon and other estates in Bedfordshire and Northamptonshire, for which he was of course a vassal of the king of England, as were indeed many of the nobles whom he and his brothers before him had enriched north of the border. In this respect, the Scots king forged in the aftermath of the Conquest a feudal relationship with the king of England analogous to that of the latter with the French king.

Here, however, the experiences of the English and Scottish kings begin to diverge. The latter, in Europeanizing their kingdom, had to deal with the matter of its internal heterogeneity. To the west of Lothian, the people were the remnants of the kingdom of Cumbria or Strathclyde, Brittonic in speech, and organized along lines familiar in Wales: the land-division was equivalent to the Welsh 'cantref' (a district composed of 100 homesteads), while communities were formed on the basis of kin-groups, with a 'kindred-head' as leader rather like the *pencenedl* found in Wales. True, England's kings faced this phenomenon when they sought to press their authority in the north-west ('English' Cumbria) or in the march of Wales, but they did not have to cut an umbilical cord linking Anglo-Saxon England with its mother: Scotland's Normanizing kings did. North of the Forth and Clyde, and south of Caithness, the language, culture and social organization of twelfth-century Scotland was Gaelic (having subsumed a Pictish stratum) and its inhabitants, although established there since the early centuries AD, looked to Ireland as their homeland. As far as the Irish were concerned, and, from what we can tell, the Scots too, they were one nation, the *Goídil* (or *Scoti* in Latin), sharing a common language, *Goídelg* or Gaelic: the homeland of the Goídil was the island of Ireland, and the Goídil of Scotland were something akin to exiles. This circumstance is surely one of the most remarkable, not to say bewildering, aspects of medieval Scottish society but one that its historians, in their understandable fascination with the country's feudalization, have tended to underplay; thankfully, it is now being fully explored in the work of Dauvit Broun in particular.⁷ On the western and northern fringes of this region lay little sea-borne empires enjoying an ease of communication with Ireland and also with the Scandinavian world that their isolation (and seafaring skills) facilitated rather than hindered, as was true too of Galloway, where Gaelic and Scandinavian influences gave rise to a most complex racial and linguistic melting-pot.

Thus, the Europeanizing of Scotland involved its Gaelic kings turning their backs on their own past and embracing a new and quite different world. They chose to do so, but one should not underestimate the momentous nature of the shift that this triggered in Scotland's centre of gravity. In some respects, its heterogeneity, because it made for quite an open and receptive society, may have eased the path of feudalism in Scotland: Scottishness was never an exclusive club, so that the assimilation of people of Anglo-Norman and continental background seems to have been a quick and relatively easy process, as was the acceptance of their mores and way of life. From the late twelfth century we see change afoot even in the peripheral zones of Scotland, changes now being set in context in the studies of Keith Stringer, Andrew McDonald and others.⁸ Its sea-lords, notably the sons and grandsons of Somerled of Argyll and of Fergus of Galloway, ceased the Irish practice of calling themselves kings and sought instead comital and baronial titles and royal charters confirming them in hereditary possession of their estates, some, in fact, becoming feudal tenants of the English crown for lands in Ulster. We find the west coast lords pursuing the honour of knighthood and constructing what remain to this day hugely impressive stone castles; like David I, they married heiresses of Anglo-Norman extraction, adopted non-Gaelic Christian names for their children, increasingly seemed to prefer primogeniture to the looser Gaelic traditions of succession to lordship, and they, like the kings of Scots, patronized reform-minded clerics and religious orders despite the restrictions the latter imposed on their previously lax marital and sexual relations.

Scotland's kings were also issuing ever-increasing numbers of charters in the Anglo-Norman fashion, and by the thirteenth century had followed their English counterparts in expanding informal meetings with their ministers to include nobles and higher clergy and others to produce what became the formal institution of parliament. Likewise, the lords of the western seaboard produced their own charters authenticated with their official seals, and gradually became regular visitors to court and participants in the emerging Scottish parliament. If this was the extent to which the lords of Scotland's outer regions were conforming to the new dispensation, it goes without saying that the 'community of the realm' within the inner zone was even more answerable to Scottish royal fiat. The end result was that in the twelfth century Scotland's kings successfully converted themselves from Gaelic dynasts looking for endorsement and inspiration to the west and north into monarchs in the continental European mode, admittedly perhaps in the second rank, but engaged in diplomatic activity with princes and prelates throughout western Christendom, including royal marriage-alliances, formal treaties and the expansion of North Sea trading and commercial networks.

The contrast with contemporary Ireland and Wales could hardly be greater. In the middle ages the Irish and the Welsh (and here we are, of course, talking about the elite and the powerful in society, the only ones who have left a written trace of their worldview) had nothing of their modern 'Celtic' consciousness and little idea that they had a shared origin, but retained some knowledge of early medieval political and certainly ecclesiastical links, and probably also an appreciation of each other's literary and other cultural achievements. What they had most in common, though, was the very thing that distinguished them from the Scots from the late eleventh century onwards; and that was an opposition to the Normanization of the British Isles. This had nothing to do with atavistic or ostrich-like conservatism, as is sometimes suggested. Power-hungry Irish and Welsh princes knew well the mouthwatering advantages that could be gained by inducing foreigners with more technically advanced martial expertise to settle in their midst, holding land in return for defined military service, and so giving them a competitive edge over their enemies within and without their own dynasty. They knew the benefit for themselves of weakening kindred control of landownership and regnal succession, bringing to their own immediate family unit the authority to dispose of land and choose a successor. And they knew that, for all their pride in their perhaps imagined ancestral glories, there was something about the power and style and confidence of this new Anglo-French world that was too alluring to abstain from for long. Hence, they did embrace aspects of it, albeit sometimes reluctantly and at the point of a sword. The accommodation made by the Irish is brilliantly anatomized in Katharine Simms's study of Gaelic society, *From Kings to Warlords* (1987), while the title of Rees Davies's superb narrative, *Conquest, Coexistence, and Change: Wales 1063–1415*, which appeared in the same year, gives an idea of the impact on the latter country.

'Conquest' is, in fact, the key to explaining why the Irish and Welsh experiences so mirrored each other and served to distance them from their Scottish cousins. A process of internal conquest did get under way within Scotland in the twelfth century: we hear little about it partly because Scottish historians until recently have seemed reluctant to admit that there must have been losers in the Normanization of the period, but also because there is a genuine paucity of written evidence. Contemporary

critics were few, no doubt, since the king of Scots himself spearheaded this process of conquest, rooting out dynastic opponents and implanting more loyal and more 'progressive' subordinates. The experience of the Welsh and Irish was not unlike these (usually anonymous) losers in Scotland. William the Conqueror may have established the three marcher earldoms based on Chester, Shrewsbury and Hereford as a protective measure, but defence quickly gave way to offence with the setting up of bridgeheads respectively at Rhuddlan, Montgomery and Chepstow. Rhys ap Tewdwr, the king of all Deheubarth or south Wales, was slain by the Normans in 1093, opening up his entire kingdom for Norman conquest and settlement. Pembroke was captured and was never recovered by the Welsh; Glamorgan followed, while Brycheiniog, Buellt, eastern Powys and parts of the northern kingdom of Gwynedd went likewise. Under Henry I the peninsular lordships of Gower and Kidwelly were established in the south, a royal castle was built at Carmarthen, and a little but long-lasting Flemish colony was planted in Dyfed. Thereafter, the fortunes of the natives and colonists ebbed and flowed, until the final conquest by Edward I in 1282–3. It is an oversimplification of course (since the Welsh had their own share of internal friction), but the story is essentially one of ethnic conflict, of enterprising Norman efforts to make a profitable future for themselves amidst a hostile environment and of native Welsh resistance to foreigners perceived as being intent on their very destruction.

It is a story that will resonate with students of medieval Ireland. Indeed, the first 'Anglo-Normans' to invade the latter in 1167 were in fact members of the Flemish colony in Dyfed; the leaders of the larger expeditionary force to arrive in 1169 were sons or close relatives of the first constable of Pembroke Castle, Gerald of Windsor, who gave his name to the powerful Geraldine aristocratic dynasties of later medieval Ireland; while the driving force behind the invasion thereafter was Richard 'Strongbow' de Clare, lord of Pembroke and of Chepstow. In some respects these men were simply seeking to continue in Ireland what they had been doing in Wales, hoping to add greener pastures to their existing holdings, and the reigning prince of Deheubarth, Rhys ap Gruffudd, certainly saw the opening up of Ireland as a way of relieving pressure on his own position.

Perhaps the cardinal difference at this point in the experience of Wales and Ireland lies in the attitude of the king of England, Henry II. Because Wales shared a land frontier with England, it was a long-standing English royal policy to keep that frontier secure. Its kings led occasional campaigns into Wales, the purpose of which was to assert dominance over or punish the Welsh, though more often than not they themselves returned with a bloody nose: conquest was not on the agenda, not even when Edward I began his first Welsh war in 1277. This is where English policy towards Ireland seems to have differed. One frequently reads that Henry II had no interest in conquering Ireland and only intervened there in 1171 to prevent the Cambro-Normans getting beyond his control, but this makes little sense. Contemporaries were well aware that even the Romans had not conquered Ireland and Henry II's obituarists in particular liked to boast of his achievement in outdoing them. Henry had contemplated conquering Ireland almost as soon as he ascended the English throne, discussing the prospect at a council held at Winchester in September 1155, and obtaining a papal privilege to do so under the guise of promoting church reform. But the distractions of managing the Angevin cross-Channel

empire kept him busy until a dispossessed king of Leinster tracked him down in Aquitaine in the winter of 1166–7. Henry had the latter swear fealty and possibly perform homage to him in return for his assistance, and thus became the suzerain overlord of one of Ireland's provinces: four years later he was in Ireland himself, the first English king ever to visit it, seeking the submission of the other province-kings. It was a major development, not merely in terms of the later history of Britain and Ireland: Henry himself regarded it as such, changing his royal style from 'King of England, Duke of Normandy . . . [etc.]' to insert 'Lord of Ireland' between the two, thus symbolically ranking it even higher among his possessions than the Normans' patrimonial duchy. Six years later he did indeed give it to his fourth and favourite son John, and intended that the latter be crowned king of Ireland. The result would have meant a cadet branch of the Angevin line ruling Ireland under the king of England, but John's unforeseen succession to the latter position brought Ireland back under direct royal supervision. Thus, Ireland, the part of the British Isles which, at the time of the Norman Conquest, must have appeared least likely to fall into their hands, was in fact the first; and the intention from quite early on, certainly by the time of John's first Irish expedition in 1185, was to turn his titular claim to lordship into a complete conquest.

It was almost exactly another one hundred years before similar thoughts were harboured with regard to Wales, and it can only have been the euphoria unleashed by the seemingly effortless success of the latter that brought Edward I to contemplate replicating it in Scotland. But Scotland proved to be a harder nut to crack. It is probably safe to conclude that England's medieval kings failed to conquer Scotland because they lacked the right combination, at the right time, of resources and commitment. One would have thought too that the fact that Scotland had a monarch made it less vulnerable, especially when the latter enjoyed the allegiance of his own people, an alliance with one or more of England's enemies and a worthy heir. Yet ironically, it was precisely because in the thirteenth century almost all Wales became subject to one prince, the ruler of Gwynedd, that it developed a vulnerability to conquest: a lot was riding on the political skills and procreative fortunes of one man. The near monarchical status of Llywelyn ap Gruffudd, who lacked both, meant that he was the focal point of national opposition to Edward I when he demanded an acknowledgement of his overlordship. When this was refused England's king had for the first time a single Welsh target to aim at, and, when the prince met his untimely end some time later, little legitimacy attached to the claim of any other, including his errant brother, to rule in his stead.

It may be the case, therefore, that the polyarchic nature of power in Irish society hindered its conquest. The country, at the time of the Anglo-Norman invasion, did have a single high-king, but he was little more than *primus inter pares*, any one of five or six of whom could shunt into the vacancy if the incumbent was deposed or otherwise removed. But perhaps more important than the question of why Ireland was not fully conquered in the medieval period is why the Anglo-Norman colony that took root there in the late twelfth century failed to achieve a *modus vivendi* with the native population. After all, the sons and grandsons of men who settled in Scotland at the same time rapidly came to see themselves, and to be seen, as Scots. But no similar process of absorption occurred in Ireland, so that society in later medieval Ireland became structured around two peoples regarding themselves

as distinct nations, whose relationship was dogged by ethnic antagonism and mutual fear. Why the difference? It must partly be to do with Ireland's geographical insularity and very homogeneous society, which gave its inhabitants, for all their internal wrangling and bloodletting, a precocious sense of national and ethnic identity: they were, as noted above, the *Góidil* and all others were *Gaill*, 'foreigners', who could never be embraced as part of the Irish nation. This was true of the Vikings who had subjected the island to sustained assault in and after the ninth century and subsequently established several urban bases there, but who were never fully integrated into Irish society; and it was true too of the Anglo-Norman settlers who were to become the new *Gaill*.

Geography, however, played a much smaller part in the matter than ethnicity. True, being an island meant that few people in the twelfth century lacked an answer to the question, 'What is Ireland?', whereas the answer was not quite so simple in the case of contemporary England, Scotland and Wales. Only in the thirteenth century did the Latin name *Scotia* come approximately to equate (the Northern Isles excepted) with what is now 'Scotland'. The fact that William the Conqueror, in 1080, chose to build a frontier post at 'New Castle' on the Tyne, sixty miles south of the later border at the Tweed, suggests that the area to the north was under Scots control, while Máel Coluim Cennmór died raiding Northumberland in 1093, seeking to push the border a further thirty miles south as far as Teesside. David I did in fact gain control of Northumberland and of Cumbria during the 'anarchy' of King Stephen's reign, but they were lost to the imperious Henry II in 1157. Only when the latter was in difficulty in 1173–4 could William the Lion set about their recovery (a humiliating failure), while William's son Alexander II tried the same during King John's baronial war in 1215–16, but again in vain. After this point, Scottish thoughts of shifting the border south were mere flights of fancy.

The Anglo-Scottish border was, therefore, something established by the vicissitudes of war and military superiority: it failed to take account of the ethnic origins of the peoples trapped on either side; earlier geopolitical entities which had respected ethnic distinctions were simply disregarded. The Anglo-Welsh border was somewhat different. Although the great eighth-century linear earthwork known as Offa's Dyke still did tolerable justice to the task of marking the frontier several centuries later, the border was fluid, depending again on the fortunes of war and the movements of people, and even contemporaries were far from clear as to where it lay from area to area. Still, while a twelfth-century commentator would have had a tough task in actually perambulating the border, he would perhaps not have had quite the same difficulty in answering the question, 'What is Wales?' Wales, he would have said, was the land of the *Cymry*, and the land of the *Cymry* was wherever their language, *Cymraeg*, was spoken. He would have been wrong, of course, since there were speakers and non-speakers of Welsh on either side of the border, grey areas some of which eventually crystallized into semi-autonomous marcher lordships, the border itself only becoming frozen after the Edwardian conquest. But he would have been close to the truth, since he would have grasped the essential correspondence between the Welsh and the Irish, and the distinction between them and the Scots. In both Ireland and Wales language acted as a critical emblem of national identity. Through the language, expression was given to belief in a common descent, a common mythology was constructed by which the past was interpreted for present and future purposes, a uniform

literary tradition was nurtured through which, among other things, love of country was articulated, and laws were transmitted which displayed shared concepts and procedures, a jurisprudence in which the legal unit was the country: the latter feature was fundamental in the development of an ideology of national unity notwithstanding the absence of institutions of centralized governance. Conversely, the development of a strong central government in Scotland and England meant that ethnic differences were far less relevant, and they could persist without begetting political division.

But there was another contributory cause of the divisions in medieval Irish and Welsh society which was not the product of native antagonism towards external intrusion. At precisely the point at which Anglo-Norman pressure was beginning to bear down upon Wales and Ireland, there emerged a phenomenon that Davies has used in the title of his most recent book, *The First English Empire* (2000), adapting a phrase first bravely aired by John Gillingham in the title of an article published in 1992, 'The beginnings of English imperialism'.⁹ Here, and in a paper that appeared in the following year provocatively entitled 'The *English* invasion of Ireland', in defiance of the long-standing fudge that has given us such concoctions as Anglo-Norman, Anglo-French and Cambro-Norman, Gillingham identified what he called 'one of the most fundamental ideological shifts in the history of the British Isles'.¹⁰ This shift, first in evidence in, say, the 1130s in the writings of men like William of Malmesbury and Henry of Huntingdon, involved the children of the Conquest, now resident in England for two-thirds of a century, identifying themselves with their adopted homeland and its past, embracing Englishness in all its forms, and espousing an ideology that depicted the Celtic-speaking peoples of the British Isles as uncivilized barbarians. Of course this shift did not occur overnight and was a muddled and slightly absurd development (for example, its greatest exponent, Giraldus Cambrensis, was a Celtic speaker himself, being Welsh on his mother's side) based on an ill-digested feast of fact and fabrication. But it was powerful enough to convince those seeking military defeat of the Welsh and Irish that they were justified in doing so, and in seizing and settling their lands, because by this means they would bring civilization in their wake. They would transform the primitive and pastoral lifestyle of the indolent natives, root out their vices, and cause them to adopt a civilized exterior in matters of dress and personal etiquette and to cast aside their more repugnant customs and practices.

It is the familiar justification theory of conquerors the world over and in every age. It explains why, though many of the colonists who crossed the Irish Sea from the late twelfth century onwards put down permanent roots and became partly assimilated into Irish life, they never, in the medieval period, came to see themselves as Irish. They persisted in calling themselves 'the English of the land of Ireland' even after they had become, in the eyes of outsiders, barely distinguishable from the indigenous community. To ring-fence their sense of Englishness they instituted a form of social and legal apartheid, just as, in the colonial settlement imposed on Wales in the aftermath of its conquest, the inhabitants of the 'plantation boroughs' liked to emphasize that they were 'the English burgesses of the English boroughs of Wales' and excluded 'mere Welshmen' from availing of their commercial privileges. Wales and Ireland shared the same ethnic cleavage between the English and the native,

between the would-be conqueror and those whom the latter liked to think of as conquered. It was a fundamental of the governance of both. Wales was divided into Englishries and Welshries, the equivalent of which in Ireland was what the government called, respectively, the 'land of peace' and the 'land of war'; different rules applied in each, and the two races were treated discretely for administrative, legal and landholding purposes.

In Scotland and England, as we have seen, things took a markedly different course. During the fourteenth century, following the conclusion of the first Scottish 'war of independence' (1296–1328) and the failure of Edward III's attempt in the 1330s to overturn the Bruce–Stewart hegemony with a revived Balliol challenge, the boundaries of the kingdoms of England and Scotland began to stabilize, and the continued existence of both came to be seen as increasingly secure. England's Hundred Years' War with France and the even longer if occasionally merely 'cold' war with the Scots helped to forge from diversity a national unity in both Scotland and England, a corporate identity that rose above dynastic and magnatial factions and found its focus in the personage of the king. Patriotic sentiment and a sharpened national consciousness were products of such wars. This fed into the composition, increasingly in the vernacular, of historical and literary works in both countries tracing the story of each from earliest times and showing in a self-conscious way the continuity from past to present. In the case of the Scots, it was their success in withstanding English aggression that swelled hearts. For the English, victory in France under Edward III or Henry V gave self-confidence, pride and, in truth, a sense of superiority. An Italian visitor to England about the year 1500 reported that 'the English are great lovers of themselves and of everything belonging to them; they think that there are no other men than themselves, and no other world but England'. Others also had strong feelings about the English, the consequence of centuries of domination and attempted conquest. In fact, by the year 1500, it is arguable that of all the attributes shared by the peoples of Scotland, Wales and Ireland, none was more pronounced than their mutual anglophobia.

NOTES

- 1 Barrow, *Feudal Britain*, p. 6.
- 2 The growth of Manx consciousness in recent years has, no doubt, partly provided the impetus for Liverpool University Press's forthcoming five-volume *New History of the Isle of Man*, of which one has already appeared: vol. 5, *The Modern Period 1830–1999*, ed. J. Belchem (Liverpool, 2000).
- 3 Bartlett, *Making of Europe*, p. 2.
- 4 Gillingham, *Angevin Empire*, p. 1.
- 5 Davies, *First English Empire*; the phrase appears as the title to ch. 1.
- 6 Frame, 'Aristocracies', p. 150.
- 7 For example, Broun, 'Scottish identity' and *Irish Identity*.
- 8 Stringer, 'Periphery and core'; and, for example, McDonald, *Kingdom of the Isles*.
- 9 In *Journal of Historical Sociology*, 5 (1992), pp. 392–409.
- 10 In B. Bradshaw, A. Hadfield and W. Maley, eds, *Representing Ireland: Literature and the Origins of Conflict, 1534–1660* (Cambridge, 1993), pp. 24–42; p. 24.

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FURTHER READING

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1100–1500 (1988), his own Wiles Lectures published as *Domination and Conquest* (1990), his series of presidential addresses to the Royal Historical Society on ‘The peoples of Britain and Ireland, 1100–1400’ (1994–7), and his Ford Lectures now available in *The First English Empire* (2000). Another native of the ‘Celtic fringe’, Robin Frame, has been a long-time advocate of a similar broad historiographical approach: his survey of the *Political Development of the British Isles 1100–1400* (1990) would be difficult to surpass, and his collected essays, *Ireland and Britain 1170–1450* (London, 1998), have some very sparkling observations on the Anglo-Irish world, especially chapters 2–5 and 8–10. W. L. Warren’s *Henry II* (1973) has in chapter 4 (‘The lordship of the British Isles’) a splendid overview of the twelfth-century political nexus, and there are some important case studies of transnational contacts in B. Smith, ed., *Britain and Ireland 900–1300: Insular Responses to Medieval European Change* (Cambridge, 1999). Continental and English colonization in Scotland is subjected to piercing analysis by G. Barrow in *The Anglo-Norman Era in Scottish History* (1980), while the rather modest title of K. Stringer’s *Earl David of Huntingdon, 1152–1219: A Study in Anglo-Scottish History* (Edinburgh, 1985) belies its brilliant scholarship. The papers in J. Lydon, ed., *The English in Medieval Ireland* (Dublin, 1984) are the starting point for the native–newcomer interface in the latter country, now advanced in some important essays in T. Barry, R. Frame and K. Simms, eds, *Colony and Frontier in Medieval Ireland* (London, 1995), and Davies’s discussion of the Welsh experience, *Conquest, Coexistence and Change: Wales 1063–1415* (1987), is little short of dazzling. The European context of this colonization is set by Bartlett in *The Making of Europe* (1993), while J. Gillingham’s many stimulating evaluations of the ethos underlining English expansionism are brought together in *The English in the Twelfth Century* (2000). Le Patourel’s *The Norman Empire* (1976) established with forensic detail the necessity of viewing the period in a cross-Channel context, as Gillingham has done, using larger brush-strokes, for its successor in *The Angevin Empire* (2000); the later period is best approached through M. Vale’s *The Angevin Legacy* (1990).

CHAPTER TEN

England: Kingship and the Political Community, c.1100–1272

RALPH V. TURNER

This chapter's title seems to point towards an approach to England's medieval history popularized in the Victorian age by William Stubbs's *Constitutional History*, 'whose guiding theme was the history of liberty in England, treated with a sense of providential destiny'.¹ In Stubbs's view, as various communities within the kingdom reached political maturity, the monarch was farsighted enough to admit their spokesmen into his counsels, a process towards parliamentary government that climaxed in Edward I's 1295 Model Parliament, representing the three estates. Historians today are less likely to depict historical change as purposeful progress, and they find more tangible matters of royal finances, court factions or patronage more significant in twelfth- and thirteenth-century England's politics than did Stubbs with his optimistic and complacent outlook.

Modern scholars depict medieval kingdoms as networks of autonomous communities of various ranks from peasant villages to aristocratic 'honours' (a noble's complex of lands, rights and privileges). Social and political theorists in the middle ages envisioned society as three divinely ordained and hierarchically ranked orders or estates, each of which had special duties towards the whole community: clergy, warriors or nobility, and peasantry. In fact, heaviest burdens bore down on the bottom of society, villeins or unfree peasants owing their lords 'servile' dues and labour services. Despite the value of the peasantry's labour in fields, the upper classes unanimously held them in contempt; and art and literature portrayed them as filthy and physically repugnant, barely human.

Late twentieth-century scholars find more continuity in medieval political patterns with the late Roman and Carolingian past and less significance for the Germanic invaders' tribal culture than did the Victorians. Because of surviving traditions of strong monarchy in England, the shift from informal government by multi-purpose servants of the royal household just after the Norman Conquest to a proto-bureaucracy dedicated to enhancing the monarch's power in the twelfth century seems less sudden. Scholars today also acknowledge the continuous influence of the classics and Roman law; for example, revival of the term *respublica* (or commonwealth) by such writers as John of Salisbury contributed to an awareness of the

political community. Thoughtful people could observe that the interests of the king (*rex*) and the kingdom (*regnum*) were not always identical and that the people's common good could conflict with royal dynastic or personal desires. Recent scholarship questions the benefits of royal governance for the king's subjects, aware that its predatory nature inspired their fear and hatred. Reaction against the coercive and extortionate rule of Henry II and his successors enabled a political community with interests that conflicted with the king's will to find its voice.

Historians at the end of the twentieth century, whether Marxists or not, see change occurring through competition between power blocs or special interests. First to become aware of themselves as an interest group or community within the English kingdom were the landed aristocrats or barons. By the end of the twelfth century, they were insisting on a place for themselves among the king's counsellors, as they watched professional royal officials and mercenary military captains usurping what they saw as their proper places at his side. These magnates assumed that they could speak for all classes within the kingdom, and only slowly did other communities gain enough political consciousness or clout to realize that their interests could conflict with those of the monarch or magnates. By the mid-thirteenth century, the knightly class, earlier defined by its military *métier*, had evolved into a rural gentry busy with local government, and their enhanced status gave them greater political awareness. Also by the thirteenth century, the bourgeoisie or burgesses in England's towns had gained experience in governing municipalities and felt entitled to a place alongside the knights. While peasants had always participated in decision making at the village level, they continued to lack power in the political sphere, despite the importance of their agricultural labour. Stubbs's view of English history as leading inevitably towards representative democracy does contain a kernel of truth, for the political community emerged as baronage or aristocracy, knights and citizens of cities became conscious of themselves as groups capable of defining their own political interests. The 'community of the realm' took shape through movements of resistance, reform and rebellion late in King John's reign, 1212–16, and during Henry III's personal rule, 1230–65.

Kingship

The fundamental fact of political life in twelfth- and thirteenth-century England was that government was in the hands of a monarch, crowned in a religious ceremony that set him apart from all others, conferring on him an aura of sanctity that derived from the anointing of Old Testament kings. Although the eleventh-century reform movement of the church had dented the king's sacred character, some English royal clerks continued to promote proto-absolutist ideas of kingship. The coronation ceremony stressed both the king's authority over his subjects as God's agent and his responsibility as a Christian to give them good government, a view of kingship tracing back to St Augustine that stressed his responsibility to God for his subjects' care as if he were their parent or guardian. Roman and canon law, studied by numbers of royal clerks, encouraged such a view of public authority; clerics in the king's service recognized his responsibility for his subjects' general welfare and concluded that the king could override the law in emergencies, imposing extraordinary levies on his subjects. The late twelfth-century *Dialogus de Scaccario*, authored by a long-time exche-

quer official, states that God entrusts the king with ‘the general care of his subjects’; it admitted that rulers sometimes act arbitrarily, but denied that their subjects had a right ‘to question or condemn their actions’.² Although some royal servants promoted teachings of the monarch’s responsibility for his subjects, most found more persuasive the opportunities for enrichment presented to them and their families by his expanded power.

The diverse sources of medieval ideas about kingship sent mixed messages about the nature of royal power. The late twelfth-century lawbook *Glanvill* illustrates this; on one hand, its author cites the Roman law maxim, ‘What pleases the prince has the force of law’; yet on the other, he follows folk and feudal tradition in asserting that England’s laws were made ‘on the advice of the magnates’.³ Collections of old English laws and Anglo-Norman coronation charters circulating in the early thirteenth century nourished notions of the ruler’s subjection to law, and contemporaries could condemn their rulers as tyrants who ruled by their own will, not in accordance with the law. Although the doctrine of the law’s supremacy acknowledged that a king could do wrong, it provided no machinery for righting a tyrannical ruler’s wrongs against his subjects or for enforcing his submission to law. The lawbook *Bracton*, authored by a royal judge active in the 1220s and 1230s, noted a solution, proposing that the baronage curb a law-breaking monarch. A frequently cited passage states, ‘The king has a superior, namely God. Also the law by which he is made king. Also his *curia*, namely the earls and barons, because if he is without law, they ought to put the bridle on him’.⁴ The author had memories of both the baronial rebellion against King John and the first crisis of Henry III’s personal rule, 1232–4, two attempts to put the bridle of law on the monarch.

Contributing to notions of kingship among the English were ties of mutual rights and responsibilities between lord and vassal. England’s ‘feudal’ institutions were unique in Europe, however; for the kingdom had never experienced the so-called ‘feudal transformation’, when eleventh-century successors of Carolingian rulers in mainland Europe failed to enforce obligations of homage and fealty owed by local castellans, allowing them to defy central authority and seize control of the countryside. In contrast, England proved precocious in expanding royal power; the Anglo-Norman kings (1066–1154) and their Plantagenet successors preserved their Anglo-Saxon predecessors’ authority as public officials as well as late Roman and Frankish concepts of state power inherited from Norman dukes and Angevin counts. In both the late Anglo-Saxon and Anglo-Norman periods, England was the sole European kingdom where public tribunals rendering conclusive and impartial judgements survived and where the king exercised effective coercive power to enforce the judgements of public courts. The post-Conquest English kings also expanded their magnates’ ties of homage and fealty into tenurial relationships, ‘territorializing’ obligations owed by them and imposing ever heavier military and financial burdens as ‘feudal’ conditions by which they held their baronies or fiefs. Paradoxically, it was their public authority that garnered the Norman and Angevin monarchs the resources required to enforce personal ‘feudal’ obligations on their baronage.

England’s precocious professionalization and bureaucratization of government were impelled by the king’s need to raise enormous sums of money for almost continuous warfare on the continent. War was a medieval monarch’s vocation, his route to fame; and the Anglo-Norman kings spent treasure from England on protecting

the frontiers of their Norman duchy. Henry II (1154–89), once he attained the English crown, moved quickly to curb the power of earls and barons who had taken advantage of the confusion in his predecessor Stephen's disputed reign (1135–54) to defy royal agents and consolidate control over their territories. Once firmly in power in England, Henry viewed it as a vast treasure trove to supply funds for his French conflicts. He and his sons Richard I (1189–99) and John (1199–1216) needed ever more resources to pay mercenaries defending the Norman borders against the Capetian kings and crushing rebellious nobles in Poitou and Gascony. Warfare in France did not end with John's decisive defeats at the hands of Philip Augustus in 1214, for Henry III (1216–72) tried to recover the lost cross-Channel possessions. Although he deployed expeditions to Poitou in 1230 and 1242, military success eluded him. Because the English baronage failed to share his enthusiasm for such a struggle, it proved impossible for Henry III to raise amounts approaching the huge sums amassed by his father and uncle. Despite his failure to recover Normandy and Anjou or to counter Capetian penetration into Poitou, Henry remained lord of lands on the continent, for the English continued to hold Gascony for over two centuries.

Overseas conflicts proved expensive, and the king was obliged to lay heavy burdens on his subjects. Eventually, competition with Philip Augustus of France forced Richard and John to organize England as a 'war economy', imposing burdensome 'feudal' payments and services on the baronage, collected by zealous royal servants, giving their rule a 'strong military colour'.⁵ As a result, they drew little distinction between their subjects and their enemies, demanding hostages from friends as well as from foes; and all in the kingdom, even great aristocrats, lived in fear of the royal wrath. Monarchs engaged in a gigantic shakedown of great landholders, arbitrarily seizing their barons' land without judgement as disciplinary measures for failure to make payments or perform services. For victims of the king's ill-will, the only recourse was to offer him a large 'fine' (in effect, a bribe) in the hope of regaining his goodwill.

The process of strengthening central authority had begun with Henry I (1100–35), if not earlier, and his reign marks the beginnings of 'administrative kingship', as specialized offices such as the exchequer, staffed with literate and numerate servants, separated from the royal household and from the king's direct supervision.⁶ The great office of justiciar, manager of the king's finances and royal justice, owes its origins to this period, although the title itself first appears in the reign of Henry II. When the Angevins were spending their time fighting in France, the justiciar combined the role of head of the administration with that of regent, formerly exercised by a member of the royal family during the king's absences from England. Authority was divided, with the justiciar at home overseeing the exchequer, law courts, sheriffs and constables and the itinerant royal household abroad preoccupied with war and diplomacy. By Henry II's reign, 1154–89, growth of administrative agencies binding the shires to the royal court, chancery clerks busy issuing royal writs and charters, an exchequer auditing sheriffs' accounts and itinerant justices taking royal justice to the people constituted a true revolution in government. Henry II's legal innovations were even threatening magnates' traditional control over tenants on their honours. The shire courts became temporary royal tribunals when itinerant justices, sent from the *curia regis* (king's court), visited them; and wider access to

royal justice marked a strengthened ruler–subject relationship, exemplified by the common law’s protection of freemen’s property. Such strong governmental structures enabled the Angevin kings to rule in an authoritarian, if not absolutist, manner even when absent for long periods; this set twelfth-century England apart from other western European kingdoms, where monarchs lacked resources for controlling outlying provinces.

Although some barons became courtiers, currying favour with the king, many more barons remained in the counties and resented the patronage flowing to their colleagues frequenting the royal court. They resented even more courtiers whom the barons considered as baseborn or alien, winning royal reward at their expense, rising above their proper station and robbing them of their right to advise the king. Henry I, his grandson Henry II and their successors hired specialist administrators who had acquired the literacy and numeracy needed for their government’s effective functioning. They realized that obscure knights’ and clerks’ complete dependence on royal favour made them more reliable than great nobles whose castles and bands of knights allowed armed resistance, and royal officials saw advantage in helping to expand royal authority in order to keep favours flowing to themselves and their families. Also in the twelfth century, changes in warfare meant that traditional cavalry, an aristocratic monopoly, no longer dominated warfare, and paid infantrymen and siege engineers increasingly were needed. Infantry companies hired from the Low Countries and from Wales constituted the bulk of forces employed by the English kings to counter threats to their territories in France. As a result, alien mercenary captains sometimes replaced native-born aristocrats’ place at the king’s side. The monarch’s power, coupled with his demand for capable lieutenants regardless of origin, meant that politics in England was largely court politics, as scions of aristocratic families competed for royal patronage with newcomers to court. In one historian’s words, ‘The royal patronage machine was the single most important instrument for making or breaking individual fortunes in the medieval period’.⁷

The Aristocracy or Baronage

The first body within the kingdom after the monarch and the royal family to visualize itself as a distinct order or political community was the aristocracy. Although England’s aristocracy had no formal legal standing until two centuries later, descendants of William the Conqueror’s companions quickly came to view themselves as a hereditary caste. Second- and third-generation Anglo-Norman barons adopted patronymics derived from ancestral lands in Normandy; and they came to expect royal patronage because of their superior status and distinguished ancestry rather than as a reward for services rendered. Before the twelfth century, *nobilitas* was not a term designating a social or economic class, and the medieval English aristocracy was never a completely closed class. It was a fluid group composed of dynasties often lasting no more than three or four generations and constantly replaced by newcomers rising through royal favour or marriage. Indeed, England’s nobility had no precise definition until the fourteenth century, when individual summonses to parliament became heritable, creating a hereditary peerage.

The term ‘baronage’, tenants-in-chief of the king holding substantial numbers of knights’ fees (at least thirty knights’ fees and an annual income of £200), is

commonly accepted as a synonym for the medieval English nobility; and it is useful, although the connection is not complete. Among the aristocracy, the highest rank was 'earl' (Latin *comes*); and earls were often the king's kinsmen, although the title was largely honorific after Henry II's accession. Their number ranged from about a half-dozen during the Anglo-Norman era to more than a dozen under the Angevins, but the number rose excessively during Stephen's weak rule. Standing alongside earls and barons in status were bishops and abbots. Despite the church's definition of all clergy as separate from and superior to all laity, the higher clergy had dual status as both spiritual leaders and lay lords, holding lands of the king and owing him quotas of knight service. They often came from baronial families, they shared a similar pre-occupation with protecting their property, they frequented the king's court and sat alongside other great men at great councils.

In the years following the Norman Conquest, the new monarch and his aristocracy were united in a common interest in protecting the kingdom from foreign threats, keeping a subject population under control, and generally preserving and expanding their possessions. Since the barons were bound to the king by individual ties of homage and fealty, as well as by shared interests, they had little sense of themselves as a corporate body or estate with concerns that conflicted with the king's goals. Although king and baronage were bound together, a certain tension always marked their relations. On one hand, William I and his sons relied on their aristocratic subjects' castles, knights and other armed retainers to crush rebellions and to defend their territories, both in England and in France. On the other hand, nobles' military strength could tempt them to challenge their ruler with rebellion if his demands pressed on them too hard; and their means for violence could obstruct his enforcement of royal authority over the entire kingdom. Both the king and his magnates had an appetite for continued conquests along the Welsh borders and in Ireland, and barons continued throughout the twelfth century to carve out large liberties or franchises beyond the reach of sheriffs or itinerant justices. Since a number of magnates were cross-Channel landholders with estates in both England and Normandy, several powerful barons shared with their king- duke a determination to hold on to the Norman duchy. Most English barons did not have enough land across the sea to care about Normandy's fate, however; and by the end of the twelfth century, they resented the king's increasing demands for money and military service in defence of his duchy.

The monarch saw his task as preventing his great men from forming factions capable of overwhelming him with armed force. The seriousness of a baronial threat would determine his response; he could subdue his barons by instilling fear, threatening force and confiscating their lands; or he could keep them contented by flattery and by patronage. Historians have accused Henry I of controlling the baronage by terror; but he moderated his predecessors' severity in mutilating, imprisoning or exiling vanquished rebels, and his quarrels with great men more often ended in mutual accommodation than in harsh punishment. Monarchs were hesitant to dispossess their nobles of their family's lands permanently, for custom insisted on hereditary right to one's patrimony. In fact, Henry I generally placated his magnates with judicious distribution of patronage, recruiting a band of royalist barons or courtiers who frequently appeared at his side. Henry II also proved to be forgiving towards the defeated rebels who had joined his sons' great revolt in 1173-4, few of whom

lost their property, much less life or limb. When the king rewarded his faithful nobles, he had to take care not to create overmighty magnates, greedy for more patronage and capable of contesting royal power. It is little wonder that as early as William II (1089–1100) kings were choosing counsellors and officials satisfied with more modest rewards: new men, lowborn servants, military retainers or clerics of undistinguished ancestry.

Some great men always accompanied the king on his travels about the kingdom or fought at his side on campaign in France, counselling him on matters of warfare and diplomacy, and adding to their family's power and prestige, for example William Marshal, earl of Pembroke, companion of three Angevin kings. Other barons remained on their manors, seldom attending the royal court, and these country nobles became envious of courtiers who were winning patronage through their proximity to the king. They saw their own power diminishing as knights and clerks of the royal household won favours in the form of disputed inheritances, custody of manors in the king's hand, marriages to wealthy heiresses or widows, and remission of debts and tax obligations. Country barons' growing national consciousness complicated the patronage picture under John and Henry III. Many of King John's favourites were alien mercenaries who had fled Normandy in 1204, men whom the native baronage considered unworthy companions for the king. Opposition to foreigners increased when Henry III showered favours on his Savoyard in-laws and his Poitevin half-brothers; and fears of so-called secret or household government spread.

Noble rebellions were not infrequent in twelfth- and thirteenth-century England, and they fell into three categories. First were isolated outbursts by individual barons defying the king, provoked by real or imagined personal grievances, often resulting from failure to secure royal patronage. Custom sanctioned an individual vassal's renunciation of his homage to a lord who treated him cruelly or unjustly, but it did not approve compacts or conspiracies by bands of vassals. Second were larger-scale movements among the baronage seeking to replace the king with a rival claimant, frequently a disgruntled member of the royal family, although the warring barons rarely presented an enduring or unified front. Characteristic are the rising in support of Robert Curthose's attempt to wrest the throne from Henry I in 1101, the revolt by Henry II's sons in 1173–4, or an extended version of this type, the 1139–53 civil war between King Stephen and Henry I's daughter, the Empress Matilda. Third are the large-scale baronial rebellions with agendas of limiting royal power appearing in the thirteenth century, first against King John in 1215–16, and then against his son Henry III from 1258 to 1265.

The collective action by the baronage against King John took the form of a *conjuratio* or sworn band of barons, bound together not simply by private complaints but by broad opposition to his rule based on principle. Late in the first decade of the thirteenth century the baronage began to think of itself as a corporate body with collective rights and responsibilities. The twelfth-century revolution in government had caused a faltering in the aristocrats' position within the kingdom. An indication is the Angevin kings' abandonment of the aristocratic assemblies summoned by the Anglo-Norman monarchs on great festivals of the ecclesiastical calendar, although great councils resurfaced temporarily during Richard Lionheart's absence on crusade and in captivity (1190–4). Tendencies towards royal

centralization threatened aristocrats' autonomy within their honours, and they were feeling financial pressures from the English monarch's efficient exchequer that exploited their tenurial relationship with him. The king loaded down his barons with payments due from their fiefs, assessed arbitrarily, leaving them in debt; and he exercised control over baronial inheritances, threatening noble lineages. Some nobles, hoping to swell their fortunes, made bids for custodies or other privileges; and such crown debtors became dependent on the king for deferment of payments or remission of debts.

Opinions on the nature of government diverged, as the new corps of professional royal servants not only challenged the magnates' social and economic superiority, but also proposed theoretical justifications of royal absolutism. The barons condemned innovations under Henry II and his sons as departures from ancient custom, and they looked back with nostalgia to an idealized picture of Anglo-Norman England, where the king ruled with the counsel of his tenants-in-chief and safeguarded their honour courts' integrity. By King John's reign, two notions were taking root among the baronage; they sought to replace arbitrary rule by the king's will with 'due process of law' and demanded a role for themselves in policy through frequent great councils: governance *per judicium* (by judgement) and *per consilium* (by counsel).

With Magna Carta (1215), the barons succeeded in gaining grudging royal assent to these principles of the rule of law, yet its guarantees of 'due process' did not settle the issue of royal prerogative versus the law of the land. Henry III, influenced by alien advisers with autocratic ideas, continued to violate that Charter's spirit, tipping justice towards his favourites and threatening his subjects' secure possession of property. Henry's magnates periodically demanded his reaffirmation of the Charter's principles; also great councils or parliament once more became common, and they claimed the right to give or withhold assent to new levies of general taxes, acting on behalf of 'the community of the realm'. Barons complained that both John and his son took counsel with career royal servants, or worse, Poitevin military captains and other alien adventurers, refusing to restrict their choices to a hereditary elite who saw themselves as voicing the 'common counsel of the realm'. Henry's magnates had less reason than aristocrats in the twelfth century to complain of aggressive royal agents threatening their domination over the countryside, however; since he tended to neglect enforcement of royal authority in the counties, leaving much local peace-keeping and dispute settlement to nobles' private courts.

The Knights or Gentry and Burgesses or Townspeople

Before c.1180, the knights did not constitute a class categorized by their wealth or social standing. Instead, they were defined by their function as warriors for hire, and their violence seemed symptomatic of the eleventh-century breakdown of law and order. Although free, many knights in post-Conquest England held relatively low social status, clearly inferior to their lords; and their military service could consist of castle guard or service in a lightly armed cavalry force as well as fighting in heavy armour on a warhorse. Often they held plots little larger than peasant holdings, and a number were entirely landless, serving in aristocrats' armed retinues for a stipend. Throughout the twelfth century, lords continued to retain warriors with whom they

had no tenurial connection, and such bands of armed retainers without ties of land to their lord differ little from the noble retinues associated with so-called ‘bastard feudalism’ of the fourteenth and fifteenth centuries.

The definition of knights shifted in the course of the twelfth century, and their military function no longer defined them. Their social or economic status as landed proprietors with holdings smaller than those of barons but greater than those of ordinary freeholders (at least an entire manor) came to designate them as a class similar to the late medieval ‘gentry’. Also by the last quarter of the century, the knightly code of conduct, the chivalric ethos of mounted warriors, elevated them to higher social rank. Knighthood and nobility merged in people’s minds, and the aristocrats embraced chivalry; by the third decade of the thirteenth century, they had adopted the honorific title *miles* (soldier or knight) for themselves. The imitation moved in the other direction as well, for prosperous knights were picking up aristocratic trappings, using seals, painting heraldic devices on their shields and building stone houses.

Paradoxically, this emphasis on martial tradition was taking hold just as English knights’ actual military functions were declining and they were gaining status as landed gentry. Henry II’s new judicial procedures enhanced their status, protecting their landholdings against their lords and recruiting them as unpaid administrators in the shires. The legal term ‘knights of the county’ was applied to a class that was increasingly dominant as semi-professionals in local government, as the pattern of assizes or juries required them to play an important part in royal justice. In the course of the thirteenth century, many sons of knights refused to undergo the costly ceremony of knighting; and by the next century, they contented themselves with the title of *armiger* or esquire. The reduced number of eligible men willing to foot the bill for knighting formed a prestigious and powerful country elite below the baronage, around sixty knights in an average-sized shire, or a total of only 1,250 by the late thirteenth century.

Some scholars stress that thirteenth-century knights and gentry formed county communities that encouraged political consciousness, as their participation in shire courts united them by loyalties that transcended their ties of fealty to lords. Other authorities argue that the county courts no longer demanded their regular attendance, with legal professionals and estate managers in the pay of barons dominating the courts’ work. It must be acknowledged, however, that these noble agents came largely from knightly families, and little distinguished them from other ‘country gentlemen with a talent for business’.⁸ More likely to bind together knights, lesser freemen and elites in nearby towns than some sense of county identity were closer ties of kinship and neighbourhood. Political engagement in the 1258–65 movement against Henry III’s personal rule by some knights, gentry and lesser freemen in all probability resulted more from individual choices than from collective activity of county communities.

Knights began to show signs of collective political consciousness during King John’s reign, when men of some shires joined in petitioning to replace curial sheriffs sent from the royal household with local residents. In 1212 and 1213, with his troubles mounting, John summoned representatives of the knights of the counties to ‘speak with us about the affairs of our kingdom’. Yet he failed to win them to his cause, and many knights followed their rebel lords into revolt in 1215–16 or, if their

own lords were royalists, refused to follow them in battle. Half-hearted attempts to draw the knights into political life revived early in Henry III's time. When a great council granted the king a general tax in 1225, the list of those supposedly giving approval included 'knights and freemen who are not merchants', although none actually attended the meeting. When parliament approved another tax in 1232, listed along with knights were 'freemen and villeins', who certainly had played no part in its authorization; and in 1237 another fraudulent assertion of the knights' and freemen's consent was made.⁹ None the less, such gestures signify that lesser ranks of society were coming to be considered members of the political community, though secondary to magnates.

Social classes in medieval England were never immutable castes, and barriers between knights or gentry, lesser 'law-worthy men' and urban elites or burgesses were not impenetrable. Even prosperous peasants occasionally climbed to the lower rungs of gentry, or at least, fled to towns and prospered in trade. At the bottom rungs of the knightly class, unfortunate sons of the gentry slid down the social ladder from gentle status to the level of village freemen; if luckier, they competed for posts as estate stewards or settled in towns in commercial careers. Although tradesmen and town-dwellers had an uncertain status in a largely agrarian society, they developed ties to the knights of their counties, for urban elites served alongside them on government commissions, did business with them, even married into knightly families. Ambitious knights invested in urban rental property, and prosperous businessmen bought land in the country. Contacts between townspeople and knights were not always harmonious, however; for some rich traders became moneylenders, taking mortgages on the manors of impecunious knights. Despite shared experiences, however, knights and townspeople or burgesses did not merge into a single 'middling' group. The knights continued to consider themselves a distinct order, their chivalric tradition raising them higher than burgesses in status.

By 1300, many English towns had some measure of self-government, having bargained with the king for status as royal boroughs or purchased charters from intermediate lords. Patterns of urban government were complex with leading citizens active on councils, gaining practice in government comparable to that of the knights in shire courts, strengthening their solidarity and confirming their self-confidence. Citizens of boroughs, especially of London, were 'natural advocates of chartered liberties'; and some took part in rebellions and reform movements alongside knights and barons. Since London, along with nearby Westminster, was the centre of royal government, 'the metropolis and queen of the whole country', the Londoners proved especially eager and aggressive in seeking rights of self-government.¹⁰ The city's citizens played an occasionally crucial part in disputed successions and civil wars, for example London's prompt recognition of Stephen's claim strengthened him in capturing England's disputed crown in 1135. Great London merchants supplied luxury goods to the royal household, where they mingled with courtiers and noble visitors. Eventually, they invested in country lands and entered the class of manorial lords, blending into the rural gentry. A rich mercantile family such as the Cornhills started as suppliers to the royal household, moved into the king's service, obtained landed estates, married into the knightly class and eventually climbed into the baronage.



Map 10.1 Counties of England.

Growth of the Political Community in the Reigns of John and Henry III

Rebellion by bands of nobles united in opposition to their king by general charges of misgovernment rather than by personal grievances arose in the second decade of the thirteenth century. In Stephen's reign, the barons had taken advantage of his weakness to win concessions for themselves in individual charters, but in 1215 they cooperated to force King John to grant a general charter of liberties. Many of the barons in Henry II's and his sons' reigns looked longingly to the years before 1154, when they imagined England to have been a 'truly feudal' society.¹¹ In their view, the Angevins' expansion of central government into all corners of the kingdom and all classes of freemen amounted to unlawful innovations little short of tyranny, taking away noble control over the countryside. Others among the baronage, however, proved capable of looking beyond class or personal interest to seek wider public good and to preserve the positive aspects of the Angevin revolution in government.

The popularity of Richard Lionheart only postponed a reaction against the authoritarian nature of Angevin rule, for John's policies, 1199–1216, essentially differed only in degree from those of his predecessors; but he aroused greater hostility from his subjects because of his mean-spiritedness and poor military reputation, appearing to them as 'a suspicious ruler, keeping his subjects in hand through fear'.¹² His continuous presence in England after the loss of Normandy and his personal involvement in administration prevented his shifting blame for unpopular measures onto 'evil counsellors'. The root cause of John's great crisis lay in his military defeat, for his 1204 loss of Normandy to the Capetian king and his failure to recover his French territorial legacy in 1214 were blows to his standing with his English subjects. Also increasing costs of military campaigns caused a continuing financial crisis for both Richard and John, as they scoured England for money for campaigns on the continent. Intensifying the financial crisis in England was rapid inflation, c.1180–1220, that raised costs of warfare faster than the royal government could increase its income. The exchequer's rolls from Richard's last years give 'the impression of a country taxed to the limit',¹³ and John's accumulation of treasure for a giant campaign of reconquest of Normandy by 1208 and 1209 meant that his financial demands surpassed even those of his brother. Throughout John's last years baronial unrest was rising, and when the king returned from Poitou in October 1214 after the collapse of his great campaign to recover lost continental lands, it appeared inevitable that moves towards a baronial rising would soon erupt.

A king who was at the same time above the law and bound by it posed a problem for subjects seeking legal remedies for his arbitrary acts. The barons faced a dilemma, for they were not only the king's subjects, but also his vassals. Although suits between ordinary freeholders proceeded without royal intervention, the *curia regis* was John's own honour court, settling disputes with royal tenants-in-chief. Neither the legal safeguards that the common law provided to the barons' own tenants nor their honour courts' procedure of judgement by peers applied to the barons; instead, they saw the king arbitrarily denying them possessions and privileges or coercing them into exorbitant payments for what they felt was already rightly theirs. For those dis-seized by the king's will, their only hope was to win his goodwill with gifts; they

could not purchase a writ of novel disseizin summoning a jury to declare that the king had taken their property ‘unjustly and without judgement’. Once in debt to the king, the law of the exchequer sanctioned authoritarian steps to hound crown debtors, and John tightened or loosened pressure on them as he wished. Barons enjoying his favour were not pressured to pay their debts, but his ill-will brought demands for payment that could cause loss of lands or imprisonment. To quote J. C. Holt, the revolt of many of the ‘Northerners’, rebel barons in 1215, ‘was a rebellion of the king’s debtors’.¹⁴

In addition to holding crown debts over the barons’ heads, John used his courts as instruments for frustrating his foes and favouring his friends, threatening enemies with loss of their patrimony. Although royal judges were working out rules of seniority for succession to most free landholdings, barons actually had less secure possession of their tenures than ordinary freemen. Any succession to a barony that did not pass directly from father to son occasioned the offering of large sums to the king, as contending claimants tried to outbid each other. Still worse for barons with shaky claims, John, if offended by them, could recruit some royal favourite to bring a lawsuit challenging their possession. Not surprisingly, defendants in such suits felt that the king was trampling on their legitimate rights of inheritance, and among the rebel leaders in 1215 were a number who felt persecuted by his manipulation of the law’s uncertainty.

Lord–vassal relations taught the great men their right to advise the king, for medieval tradition gave vassals both the duty and the right to give their lord counsel. Henry I had promised in his coronation charter not to change the laws of Edward the Confessor without his barons’ counsel. This noble obligation only bound the king to consult his great men, not to secure their consent, *consensus* or *assensus*; none the less, the barons assumed that a process of consultation could resolve disputes between monarch and magnates harmoniously. The two principles of governance, judgement and counsel, tended to merge in their minds, for custom called for lords to give judgement through deliberations among their vassals assembled together in honour courts, often after extended negotiations. Their own traditions as lords over honour and manor courts, reinforced by churchmen’s writings, taught them that no one should be dispossessed of goods or lands by the king’s will, but only by legal judgement. From their experience in the law courts, they learned that all freemen had at least one privilege denied the unfree, protection from arbitrary punishments by their lord; and lords’ prosecution of free tenants must follow regular legal process with fellow tenants – their peers – sitting in judgement. The rebel barons, then, conflated judgement and counsel into trial by peers, seeking for themselves a role in judging their fellows’ cases before the *curia regis*.

By January 1215, the disaffected barons had formed themselves into a sworn association or *conjuratio*, joined together by oath to seek redress from the king. Familiarity with such corporations as English chartered boroughs or French communes meant that it was not a long step from this subversive sworn association to a concept of the baronage as a corporate body or the kingdom of England as a *communa* or body comprising all the king’s subjects and possessing certain liberties. The barons believed that their association could represent not only their own interests but also those of all the king’s subjects or, in a phrase to be employed in Magna Carta, ‘the commune of the whole land’.

The association of dissident barons organized to oppose King John produced several documents that led to Magna Carta. A reform programme took shape through a series of meetings possibly beginning as early as August 1213. Some barons proved capable of grasping views of clerical colleagues, such as Stephen Langton or an antiquarian circle of canons at St Paul's Cathedral, who circulated copies of early law-books and Henry I's coronation charter. Possibly as early as October 1213, a group of barons set forth their demands in the 'Unknown Charter of Liberties', actually a copy of Henry I's charter together with notes that probably represent baronial proposals or promises of royal concessions. Stephen Langton traditionally receives credit for suggesting reforms based on Henry I's coronation charter, supposedly proposing it as a model for recovering long-lost liberties. When final talks began at Runnymede meadow by 10 June 1215, a preliminary agreement, the 'Articles of the Barons', provided a basis for final discussions. The Articles were the product of previous negotiations between rebel leaders and royal agents, actually drafted by clerks of the royal chancery, and more moderate than the Unknown Charter. The document that resulted is little more than the Articles of the Barons, 'carefully worked over by highly intelligent men with a thorough knowledge of English government';¹⁵ and it owes much to reasonable royalists.

On 15 June, John set his seal to the document that has come to be known as Magna Carta; and on 19 June, the rebel barons and the king made a 'firm peace', symbolized by exchanges of the kiss of peace and the barons' renewal of their homage. With Magna Carta, John granted liberties 'to all the freemen of our realm for ourselves and our heirs forever', unlike earlier coronation charters that had covered only barons and free tenants.¹⁶ Obviously, much myth surrounds such a hallowed document, and later meanings must be stripped away in order to grasp its early thirteenth-century significance. The Stubbsian view is that the Charter stands as the cornerstone of the English constitution, but reaction against nineteenth-century liberal versions of history led to a reinterpretation of it early in the twentieth century as a reactionary document, the work of supposedly selfish 'feudal' barons opposed to strong royal government that hindered their oppression of humble folk. The important point is that somehow a document was crafted that moved beyond merely remedying baronial grievances to encompass a broad reform programme, benefiting the English church, knights, burgesses and lesser-ranking freemen. Drafted hastily to correct specific complaints, the Charter did not pronounce general political principles. With contributions by Stephen Langton, neutral barons and bishops, and royal administrators, however, it incorporated important constitutional concepts. The barons had fashioned their conviction that the English king must govern his subjects *per judicium* (by judgement) and *per consilium* (by counsel) into a reform programme.

Magna Carta's sixty-three chapters cover four chief topics, beginning with one guaranteeing the English church's rights and liberties. Second come fifteen clauses regulating custom concerning John's relations with his vassals, the baronage; they limited his demands for aids and scutages, set reliefs (succession fees) at £100 for baronies and 100 shillings for knights' fees, and remedied abuses of royal rights of wardship and marriage. A third group of chapters treat administrative topics, ten covering such financial problems as collection of crown debts and debts to Jews, and three centring on royal forests. Several aimed at ending John's concentration of all

justice in his own hands, mandating more frequent circuits of the counties by itinerant justices and easier access to common pleas by holding them in some fixed place. Only one clause (34) reveals baronial resentment of the common law courts' usurpation of suits from their honour courts, and in fact it did little to restrict royal jurisdiction. Most important is a fourth category of clauses that created machinery to enforce John's promises. Article 61 called for a committee of twenty-five barons to share power with John; it had the right to 'distrain and distress' the king or to use force if he failed in his commitments. Although cloaked in legal language, in fact, this was a threat to renew warfare against the king by the twenty-five. A final clause (63) forced John to swear that he would not seek release from his promises, anticipating his prompt petition for papal annulment of the agreement.

Within Magna Carta's clauses can be uncovered political concepts that still shape modern views on government. First, the mere fact of King John's submitting to a set of written promises to his subjects in a charter, although couched in the language of a grant freely given, hints at the contract theory of government, elaborated in writings of seventeenth- and eighteenth-century thinkers in England and the American colonies. Furthermore, the Charter's guarantees, unlike those in similar charters of liberties, extended to knights and lesser free tenants, not only to those with some legally defined noble status; and one clause (20) included villeins in its protection against crippling amercements (i.e., fines). Most important is clause 39 guaranteeing that the king would not arrest, imprison, dispossess, outlaw or exile any freeman, 'except by the lawful judgement of his peers or by the law of the land'. Although the final phrase of this chapter (echoed in articles 52 and 55) has inspired sharp scholarly debate, there is no doubt that it calls on the king to govern *per judicium*, meaning 'due process of law'. This was a privilege still denied in the early thirteenth century to the unfree, who were subject to manorial lords' arbitrary authority. Following this clause is a closely related one (40) that restates the king's subjection to due process: 'To no one will we sell, to no one will we deny or delay right or justice.' Two clauses of the Charter (12 and 14) recall baronial demands for government *per consilium*, the king's obligation to take counsel with his great men. Both exact a royal promise to levy no aid or scutage without 'the common counsel of the realm', and chapter 14 sets out the means for implementing this with earls and major barons, bishops and abbots to be summoned by individual writs, and all other royal tenants-in-chief by general writs. No summonses were specified for knights or freeholders; none the less, these chapters of the Charter are 'the first definition in northern Europe of a large secular assembly intended to set limits on royal power'.¹⁷ The clause creating a supervisory committee of twenty-five barons (61) calls to mind the revolutionary associations formed in continental cities. Perhaps the barons' most original contribution is their employment of the phrase 'the commune of the whole land', rendered by some historians as 'the community of the realm', implying that the whole kingdom formed a commune, a term then signifying chaos and violence to conservative nobles and churchmen. Clearly, the barons considered themselves capable of acting on behalf of all categories of the king's subjects.

King John had hardly negotiated in good faith, and he only grudgingly agreed to the Great Charter; in Holt's words, 'Throughout, even when he sealed Magna Carta, John had not the slightest intention of giving in or permanently abandoning the powers which the Angevin kings had come to enjoy'.¹⁸ Even his mildest supporters

saw the baronial committee of twenty-five's power as an unacceptable limitation on monarchical governance, and John expected the pope to annul any concessions seriously threatening monarchical authority. The rebels suspected the king of duplicity, and his reluctant implementation of the Charter's provisions as well as his appeal for papal release from his promises strengthened their distrust. Not surprisingly, a civil war was under way by the end of summer 1215, and John spent the rest of his reign scurrying about the country in a confused contest of royalist forces and foreign mercenaries against rebel barons and their French ally, Prince Louis.

The Great Charter may have been a failure in the spring and summer of 1215, but it took root during Henry's III minority. By the time that John's young heir fully came of age in 1227, the royal government had recovered control of the country, although Magna Carta's limitations on the king continued in force. Some royalists working to secure the crown and country for the young king, such as the regent William Marshal and the justiciar Hubert de Burgh, had figured in the 1215 negotiations with the barons, and they stood for compromise and conciliation. Ignoring both John's and Pope Innocent III's repudiation of the Charter, barons loyal to the young king, royal officials and the papal legate reissued it in November 1216, reconciling less rabid rebels. The Charter was reissued in 1217 along with a Charter of the Forest, and future confirmations would be plural ones, reissuing both charters. In 1225 the young king's counsellors issued new versions of both charters that became definitive. Unlike the original version, the 1225 charters lacked enforcement clauses, omitting the provision for a baronial committee that could make war on the monarch. In later generations, those discontented with royal misgovernment always looked to Magna Carta, and their reform programmes included demands for reconfirmation of the 1225 charters.

The minority of Henry III presented an opportunity for the governing classes in England, former rebel leaders, royalist barons and the late king's ministers to establish a consensus. Just as during Richard Lionheart's absence from the kingdom, the authority of those governing in the young Henry's name depended on the support of great councils, known as parliaments by the 1230s. Indeed, William Marshal's regency and Ralph de Neville's nomination as chancellor were confirmed 'by the common counsel of the kingdom'.¹⁹ The magnates grew accustomed to such participation in governance, and they wished it to continue after the king came of age; their prominent role was curtailed, however, once Henry III took control of the government for himself in the early 1230s.

Any royal minority meant weak central authority with centrifugal forces in the provinces, and the magnates were stronger in this period than at any time since Stephen's feeble reign. Some of John's stalwarts at the centre as well as lesser royal agents in the localities took advantage of this weakness to win lands and other sources of profit for themselves, and it seemed possible that power would be permanently dispersed among local potentates. Control in the counties was divided with John's nominees as sheriffs and castellans still dominating in some areas, and royalist magnates who were influential in the ruling councils taking control of other shires, while elsewhere former rebels held castles that gave them control over wide swaths of land. The kingdom's collapse was a possibility, and restoration of royal supremacy was essential for peace and prosperity, as numbers of magnates realized.

In 1220 the justiciar, Hubert de Burgh, earl of Kent, with support from key earls, Stephen Langton and the episcopate, moved to reassert control over royal castles, keys to command of the kingdom. This resumption policy set in motion the chief crisis of the minority, for some magnates resisted surrendering their control of castles, while removing John's foreign mercenaries from custody of fortresses heightened tensions between natives and aliens. Successful resumption of castles by 1223 achieved the return of the counties to the central administration's supervision, but it brought into the open factionalism within the regency government that had been concealed since the end of the civil war. Two factions representing different approaches to governance contended for domination of the young king as he was coming of age (1223 to 1227). Hubert de Burgh and the moderate royalists constituted the dominant group. Opposing de Burgh was the spokesman for the aliens, Peter des Roches, bishop of Winchester, whose authoritarian view of monarchy reminded all that he was 'the one man most closely associated with the person and practices of King John'.²⁰ Once the king reached his majority, conflict with his justiciar was almost inevitable, for a reconstituted royal household now competed with professional administrators at Westminster for control of the government.

By 1232 Peter des Roches's views on royal government had triumphed, and a short-lived experiment in 'household government' followed. At the same time that des Roches was urging on Henry an expensive expedition for recovery of lost Plantagenet lands and encouraging the king to revive his father's authoritarian rule, he was undoing much of Hubert de Burgh's restoration of central control of the country. He assumed the role of protector of King John's former alien mercenaries, and this precipitated the great crisis of 1232–4. Zealous for rehabilitation of his fellow aliens, the bishop urged Henry to restore their possessions redistributed during the 1221–3 resumption of royal lands and castles. Henry III obliged the foreigners and revoked his grants of their lands to others by royal charter, undermining baronial security of tenure and threatening 'the very basis of property-holding throughout the realm'. These revocations caused upheavals that led to the disgrace of the bishop of Winchester by 1234, a 'lesson in kingship' for Henry, teaching him that the Great Charter was the standard by which good government was to be measured.²¹

Once Henry III assumed full control of the government in January 1227, his personality and his political ideas took on new importance. In David Carpenter's words, he was 'pious, chaste, trusting and rather lazy'. Carpenter argues that Henry's 'simplicity' that so rankled his magnates was a 'naïveté' resulting from his minority when his guardians had shielded him from unpleasant realities; this left him incapable of judging the practicality of schemes proposed to him by his favourites.²² Henry's piety inspired him to make Edward the Confessor his model as king, a saint on the throne but hardly an engaged ruler. Henry held exalted ideas about the sacramental character of kingship, comparing his authority over England to the pope's power over the church, and he 'created the impressive theatricality of the monarchy which has lasted until the present day'.²³ Despite Henry's 'simplicity', he held a paternalistic notion of royal office that meant that appointments of officials, patronage and policy decisions were matters for him alone, an attitude that was incompatible with his magnates' claim to a share in the kingdom's governance.

In the 1950s F. M. Powicke argued that Henry III's reign was a time of harmony with king and baronage united in the 'community of the realm'. Now, however, a new generation of scholars is revising Powicke's optimistic picture, depicting Henry's reign as far from harmonious, a time when nobles resented a royal government that benefited only the king's favourites, many of them aliens, and left native aristocrats outside the law's protection. As the king bypassed the great offices of state, exchequer and chancery, in favour of his household offices of chamber and wardrobe that were more malleable to his will, his government appeared remote from barons who were not continually at court. Suspicions of household or secret government had some basis, for after Hubert de Burgh's fall in 1232 the justiciarship remained vacant, and the chancellor no longer had charge of the king's seal after 1238. With royal government largely in the hands of lesser-ranking officials, it was easier for insiders at court to manipulate its machinery and more difficult for country barons and knights to comprehend its workings or fix responsibility for its excesses. In the countryside, Henry proved ineffective in imposing order, and his government surrendered local peace-keeping and dispute settlement to the magnates' private courts. His failings as ruler aroused cries for reform and reconfirmation of the Great Charter that led ultimately to baronial rebellion. In contrast to Powicke's placid picture, then, recent scholarship depicts Henry III's England as a time of lawlessness, violence and civil war.

It now seems clear that Henry III had not learned the Great Charter's lesson of due process during the crisis of 1232–4 and that the barons still had reason to fear arbitrary royal acts. Magna Carta had not brought major improvements in justice for the magnates, despite their new access to common-law procedures that their tenants previously had employed against them. Litigation by royal tenants-in-chief could never be routine, for politics and patronage considerations inevitably led to the king's interference. During Henry III's personal rule after 1234, complaints about administration of justice centred not so much on disregard of Magna Carta's prohibition of arbitrary seizure of person or property as on its condemnation of the sale, denial and delay of justice. Denial of justice was due less to Henry III personally than to the influence of powerful friends and relatives in the royal household who were corrupting the entire judicial system. Influential courtiers, especially the king's alien relatives, the Provençal and Savoyard uncles of his wife Eleanor of Provence and his own Lusignan half-brothers from Poitou, enjoyed royal privileges and protection that appeared to place them above the law. Indeed, the immediate spur to baronial reformers' threat of force against Henry in 1258 was a plea for justice by a high-ranking royal official who charged the king with denying him justice against one of the Lusignans, whose men had assaulted his own retainers. Henry was too weak to resist such pressure from kinsmen and courtiers; he was an 'under-mighty king' who was no match for his overmighty subjects.²⁴

If royal justice proved threatening to the magnates, it was they, in turn, who threatened justice for lesser men, for the tight control over the judiciary by Henry III's predecessors and their justiciars had weakened. The barons were already learning to manipulate the common law courts by methods familiar from the fourteenth or fifteenth centuries: retaining judges, maintaining dependants, tampering with juries and intimidating local royal agents. The royal courts could no longer protect lesser people from the king's favourites, and Henry was denying justice to those who brought suits

against his powerful friends, in violation of Magna Carta's promises. Knights of the counties who served on local assize commissions, whether or not they were the retainers of great men, feared challenging their privileges, for they had learned that the king would not back them. In the countryside, power was flowing away from the centre and the office of sheriff weakened. Minor royal agents or local gentry replaced the powerful sheriffs of the Angevin kings, who had enjoyed close ties to the monarch; and these lesser appointees depended on the patronage of local lords. In addition, the decay of the general eyres that had linked the shires to the central administration left the localities open to control by the magnates and knights, whose estate managers or stewards dominated the county courts. As David Carpenter notes, Henry's personal rule marks 'the emergence of a pattern of magnate rule in the shires similar to that which was to dominate England in the later Middle Ages'.²⁵

Continuing under Henry III was a need to increase royal revenues, for he could not give up his Angevin ancestors' ambitions for a continental empire despite his subjects' waning support for wars to recover lost lands in France. He had no success in his overseas expeditions of 1230, 1242 or 1253, and they exhibited his incompetence as a military commander. Throughout his reign, Henry suffered from chronic poverty, in part because control over the counties was passing from the central administration to the magnates, and partly because his great men, meeting in parliament, refused to grant new general levies. Indeed, they refused all requests for new taxes after 1237. Several parliaments moved beyond punishing the king by denying requests for taxes, and they made attempts to capture control over royal government that presage the 1258 reform movement. The price for a tax on movables in 1225 was a confirmation of the charters, and for the general levy of 1237 it was another reconfirmation, revocation of the most intolerable fiscal innovations and nomination of three baronial spokesmen to the royal council. As a result of Henry's failure to manage parliaments, the government sought to increase royal revenues by exploiting the common law courts, primarily the general eyres; exploiting the Jews with heavy tallages that 'broke the financial backbone of the English Jewish community, and permanently reduced its financial value to the Crown';²⁶ and other revenue-raising devices, such as resuming lands alienated from the royal demesne, exploiting royal forests and reviving long-neglected customary payments. All these fiscal expedients proved inadequate, only adding to the aggravation of Henry's subjects, who regarded them as arbitrary, oppressive, and as violations of Magna Carta.

A crisis in Henry III's personal rule came soon after 1250, as his ineptness inspired a reform movement among the aristocracy. Their resentment rose against his distribution of patronage, for native barons felt that patronage was flowing to aliens in the royal household, not to them or their sons. In 1254 Henry's grandiose dreams of dominating southern Europe from Aquitaine to Sicily combined with his submissiveness to the pope to entangle him in the papal vendetta against the German imperial family, the Hohenstaufens, when he accepted a papal offer of the throne of Sicily for his second son. This 'Sicilian business' brought dissatisfaction in England to a boiling point, for it afforded no advantage to the kingdom. It exemplified Henry's 'incompetence and insolvency';²⁷ and it summarized his failings as ruler: failure to consult the magnates; placing family interests above those of the kingdom; lack of judgement in taking on commitments without considering long-range consequences.

Current research on the thirteenth-century political scene tends to see the reform movement of 1258 growing out of divisions within the ranks of the magnates, a result of rivalry for access to Henry III and influence over him, along with competition for royal patronage. In any age, some barons became courtiers and ranked among the king's counsellors; they were not necessarily spokesmen for general baronial interests, but aligned with court factions to promote their personal projects. Among the most influential courtiers were Henry's Savoyard in-laws and his four Lusignan half-brothers, although they were rivals for access to the king. Court factions seeking to preserve royal prerogatives centred on Queen Eleanor and Henry's brother, Earl Richard of Cornwall, greatest of the magnates; the Lord Edward who, like other royal heirs, chafed at his lack of independent resources, had his own faction. Barons lacking or losing influence at court distrusted the king's choice of advisers; in their view, they and not foreign favourites were his natural counsellors. The most prominent opponents of the king were Richard de Clare, earl of Gloucester, and Simon de Montfort, the French-born earl of Leicester. Further opposition to Henry III came from lesser ecclesiastics, minor barons, knights and simple freemen in the shires, those victimized by local officials but far from court and unable to approach the king with their complaints. Like some magnates, they feared government under the household's sway that isolated the king, operated in the personal interest of the royal family or powerful courtiers and permitted insiders to exploit their offices for personal advantage.

Constitutional questions played a part as well in the civil strife of 1258–65. In the reforming barons' view, Henry's minority had demonstrated the merits of ministers responsible to great councils; and they wished to convert the great officers of state from personal servants of the king to public servants, accountable to the political community as a whole. They sought to place the king firmly under the rule of law and to provide for frequent parliaments as a means of presenting their views and imposing accountability on the king. The period of reform was 'a time when the assumptions on which royal government rested were challenged root and branch, and when attempts were made to check the king's powers with an astonishing radicalism unparalleled before the days of the [seventeenth-century] parliamentarians'.²⁸ The movement soon took on characteristics of a moral crusade, for preachers of the new mendicant orders and scholars at Oxford University condemned 'modern princes who oppress poor country folk', and bishops were prominent in debates of the 1258 Oxford Parliament.²⁹ They supplied the baronial reformers with doctrines that justified demands for changes to benefit all classes. Simon de Montfort was a pious layman whose political principles sprang from his religion; and his understanding of the gospel's message gave him the sympathy to look beyond selfish aristocratic interests. The earl of Leicester brought into his political crusade classes that had seldom participated in English politics previously; even peasants saw themselves as part of 'the community of the realm' and fought on the Montfortian side in 1263–5.

The reforming barons faced a dilemma, for they could hardly compel a crowned and anointed monarch to accept their demands without threatening force, running the risk of treason. Almost any limitation on royal power was unacceptable to Henry and his courtiers, and the experience of the rebels against King John had shown the difficulty of devising any workable mechanism for restricting the king's authority. The definitive 1225 version of Magna Carta had dropped the committee of twenty-five

barons empowered in 1215 to ‘distrain’ the king by resort to arms. As early as 1244 and 1248, great councils had sought to revive the power they had exercised during Henry’s minority, asking that the long-vacant posts of chancellor and justiciar be filled, subject to their approval. A never-implemented draft for radical reform, the ‘paper constitution of 1244’, called for election of ‘four men of rank and power’ to the king’s council who would ‘handle the affairs of the king and the kingdom and do justice to all’.³⁰

By 1258 the Sicilian imbroglio prompted a small group of magnates to organize a sworn confederation or commune committed to opposing jointly Henry’s war in Italy. They sought to avoid accusations of treason by treating Henry as a simpleton, a mental incompetent who had been led astray by ‘evil counsellors’ in his household, and they sought to remove them and to restore the king to the great men’s wardship, as in his minority before 1227. Soon the small band of rebel barons expanded into a body calling itself *le commun de Engleterre*, usually translated by English historians as ‘the community of the realm’, that is, a society or corporation capable of speaking for the whole kingdom.³¹ For many in the middle ages, the word ‘commune’ recalled revolutionary associations in continental towns. This sworn band dictated that a committee of twenty-four be appointed to reform the government, with the king and the commune each nominating twelve members.

In June 1258 the committee crafted the Provisions of Oxford, initiating a period of political experimentation that searched for machinery to limit royal power and to broaden the base of England’s government until 1265. The Provisions proposed two councils sharing power with the king and the royal household. A council of fifteen appointed jointly by the king and the barons would meet regularly to advise him and to redress grievances; and a second body of twelve appointed by the barons alone would sit three times a year with the council of fifteen and with parliament, ‘to treat of the common business of the kingdom and of the king likewise’.³² The reforming barons again demanded restoration of the great offices of justiciar and chancellor and their separation from the royal household; in acknowledgement of their ‘public’ nature, they would be subject to the new council of fifteen, which would share in their selection and supervision. Reform of the exchequer followed in an attempt to prevent the king’s expenditure of funds diverted from the exchequer to the household offices, wardrobe and chamber. If implemented, this scheme for conciliar control of policy and supervision of great offices would have given England a pattern of governance similar to that of the Italian city-states of the time, changing it from a monarchical model to rule by aristocratic councils.

Once the Provisions of Oxford had reformed the central administration, men of ‘middle rank’ and lesser freemen pressed for reform of local government. The ‘community of the bachelors of England’ spoke for the rural gentry in the shires, and it protested to parliament that the reforming barons had done nothing ‘for the utility of the republic’, remedying only matters concerning themselves. In October 1259 the knights secured passage of the Provisions of Westminster, which textbooks often conflate with the Provisions of Oxford. Its enactments limited the office of sheriff to knights of the county, who were to be elected annually and paid a stipend. More important, the Provisions of Westminster placed restrictions on lords’ authority over their honorial and manorial courts, extending Magna Carta’s guarantees of ‘due process’ to freemen subject to their jurisdiction. The knights’ pressure for extension

of reform to their lords' estates, successful with the Provisions of Westminster, prompted Richard de Clare, earl of Gloucester, one of the baronial reform party's leaders, to break with it; and his defection enabled the Lord Edward to recruit a royalist party among the baronage.

The new system struggled on for two years, but cooperation between king and councils proved impossible and the new constitution crumbled by April 1261, when Henry III repudiated his promise to abide by the Provisions of Oxford, for he regarded the new pattern of government as an unlawful limitation of his God-given authority. Arbitration by Louis IX of France failed to prevent civil war, for the French ruler's exalted view of kingship ensured that he would find the Provisions of Oxford in conflict with the English kings' sacred and ancient rights. Once news of the French king's ratification of Henry III's position in the Mise of Amiens arrived in January 1264, war was inevitable; and the leader of militant opposition by 1264 was Simon de Montfort, earl of Leicester, who stood steadily for the Provisions of Oxford. His resounding victory over the royalist army at the battle of Lewes in the spring of 1264 brought another quest for a pattern for limiting royal power. Three electors, the earls of Leicester and Gloucester and the bishop of Chichester, were to name a council of nine to revive the reform process.

Soon after Lewes, Montfort made a bid to broaden his base of support. He ordered four knights elected from each county to come to a parliament; and the next year he summoned knights to another parliament, this time adding representatives of boroughs. Earlier, knights had sometimes received summonses, but only to give information or to hear instructions. In 1227 'knights and honest men' of each county were commanded to elect four knights to come before the king to present grievances against the sheriffs 'on behalf of all the county', and this seems to be the first time that knights clearly acted as official spokesmen for their counties. Then in 1254 two knights were elected from each shire to come to the king's council and state 'on behalf of everyone in the county' the level of taxation acceptable to their shire. Montfort's precedent was not followed in Henry's parliaments meeting after the reform movement's defeat; none the less, inclusion of representatives of the county knights and the boroughs encouraged a wider definition of the community of the realm. These assemblies do not denote formulation of a new principle of representation based on three separate estates or two houses of parliament, for knights and burgesses played a subordinate part even in fourteenth-century parliaments, and the magnates still spoke for the entire kingdom.

Although Montfort had stalwartly supported the Provisions of Oxford with its pattern of baronial councils, after his victory at Lewes he was the overmightiest of subjects, wielding dictatorial power over England. Since it was politically impossible to depose an anointed king, he had no means of legitimizing his authority, however; and he and the council of nine acted in the captive king's name. This experiment in governance did not last long, for Simon de Montfort could not keep his following united, and some reformers came to see him as an obstacle to reconciliation with the king. A royalist army defeated the reformers' force, leaving the earl of Leicester dead on the battlefield at Evesham in August 1265; and within days all Montfortian acts were nullified and the king restored to full power. The strife of 1258–65 failed to create an effective mechanism for limiting royal power, and no means of putting a bridle on the king was devised. The related question of finding a voice for the political community or 'the community of the realm' that truly spoke for the whole realm

also remained unsettled, merging with the problem of defining and structuring parliament under Edward I and his successors.

NOTES

- 1 Campbell, 'William Stubbs', in *Medieval Scholarship*, p. 78.
- 2 *Dialogus de Scaccario*, pp. 3, 101.
- 3 *Glanvill*, Prologue.
- 4 *Bracton*, vol. 2, p. 110.
- 5 J. Prestwich, 'War and finance', p. 20; Jolliffe, 'Chamber and castle treasuries', p. 118.
- 6 Phrase from Baldwin and Hollister, 'Rise of administrative kingship'.
- 7 Bartlett, *England under the Norman and Angevin Kings*, p. 32.
- 8 M. Prestwich, *English Politics*, p. 54.
- 9 Stubbs, *Select Charters*, pp. 282, 351, 356, 358.
- 10 Harding, *England in Thirteenth Century*, p. 144; Bartlett, *England under the Norman and Angevin Kings*, p. 342.
- 11 Phrase from Milsom, *Legal Framework*, pp. 46, 52, 60.
- 12 Stenton, 'King John and courts of justice', p. 101.
- 13 *Pipe Roll 9 Richard I*, p. xiii.
- 14 Holt, *Northerners*, p. 34.
- 15 Painter, *Reign of King John*, p. 316.
- 16 Holt, *Magna Carta*, App. 6, pp. 448-73.
- 17 Cam, 'Event or document?', p. 112.
- 18 Holt, *Magna Carta*, p. 141.
- 19 For Marshal, *Walter of Coventry*, p. 233; for Neville, Matthew Paris, *Chronica Majora* (Rolls Series), vol. 3, pp. 74, 364, 491, 49; cited by Carpenter, *Minority of Henry III*, pp. 17, 94-5.
- 20 Vincent, *Peter des Roches*, p. 292.
- 21 *Ibid.*, pp. 298-9, 336; Powicke, *Henry III*, title of ch. 4.
- 22 Carpenter, 'Plantagenet kings', p. 330.
- 23 Clanchy, *England and its Rulers*, p. 282; Clanchy, 'Did Henry III have a policy?' pp. 203-16.
- 24 Coss, 'Bastard feudalism revised', p. 28, quoting K. B. McFarlane.
- 25 Carpenter, 'King, magnates, and society', pp. 39-70.
- 26 Stacey, *Politics, Policy, and Finance*, p. 154.
- 27 Carpenter, 'What happened in 1258?', p. 190.
- 28 Maddicott, *Simon de Montfort*, p. xiii.
- 29 Carpenter, 'Plantagenet kings', p. 339; Maddicott, *Simon de Montfort*, pp. 353-5.
- 30 *English Historical Documents*, vol. 3, pp. 359-60.
- 31 Clanchy, *England and its Rulers*, pp. 264-70.
- 32 *English Historical Documents*, vol. 3, p. 366.

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CHAPTER ELEVEN

England: Kingship and the Political Community, 1272–1377

SCOTT L. WAUGH

Overview

The century between 1272 and 1377 witnessed profound changes in English politics and institutions. Under the three Edwards – Edward I (1272–1307), his son Edward II (1307–27) and his grandson Edward III (1327–77) – royal government expanded and reached deeper into local communities than it ever had, as a result of both the king’s ambitions and the needs of the communities themselves. In turn, groups that had just begun to have a voice in national affairs in the middle of the thirteenth century gained greater prominence and, through the Commons in parliament and the justices of the peace in the counties, an increased role in government and politics. This broadening of the political community did not, however, displace the lay and ecclesiastical lords as the chief counsellors of the king. Their relations with the king remained the focal point of politics throughout the century.

The reconstruction of political history under the three Edwards has changed significantly over the past century. The period was first viewed through a constitutional lens created by nineteenth-century historians, most notably William Stubbs and T. F. Tout. For Stubbs, the archetypal Whig historian, the period marked one stage in the inexorable development of parliament as a democratic institution and he assessed political actors according to their role in the design of the English constitution. Tout’s focus was slightly different. He saw the period as an epic struggle between kings who used their household offices, notably the wardrobe and chamber, as instruments of their untrammelled prerogative and the barons who regarded chancery, exchequer and council as great state offices acting to check the king’s will. For both, medieval politics was fundamentally about the nature of the English constitution. Accordingly, they focused their attention on the reigns of Edward I and Edward II, where the elements of constitutionalism and baronial opposition appeared to be most pronounced.

The work of Stubbs and Tout has engendered a rich tradition of constitutional and administrative history, though modern historians have tried to explain administrative changes during the century not as the unfolding of a grand constitutional

drama, but as a response to the immediate pressures of war, finance and politics. The tradition is visible in constitutional histories, in J. F. Willard's enormous collaborative effort to show how the medieval government actually performed in one decade in the three volumes of *The English Government at Work 1327–1330* (1940–50), and in studies of particular institutions such as Chris Given-Wilson's *The Royal Household and the King's Affinity* (1986). A flourishing subset of this tradition is the history of parliament, where the Whig view of a linear march towards democracy has been replaced by debates over the development of parliamentary institutions, the function of parliament and the political importance of the Commons. An important offshoot of administrative history has been war itself: how the king recruited and paid his armies, how the country was organized for war, and how the crown financed its wars. Exploiting the abundant exchequer and household records, Michael Prestwich, G. L. Harriss, E. B. Fryde, W. M. Ormrod and others have established with greater accuracy the costs of war, the returns from taxation, the mechanisms of royal finance and the effects of currency manipulation.

Recent approaches to political history, flowing out of a tradition of social history largely identified with K. B. McFarlane, have aimed at deconstructing the constitutional vision of the nineteenth century by studying the social context of relations between the king and magnates. Biographical studies of political figures such as Edward I, Edward III, Thomas of Lancaster, Aymer de Valence and others have seriously eroded assumptions that the magnates were inherently opposed to the king or that they acted in conformity to a fixed set of constitutional ideals. Their emphasis has been on the qualities of individuals and the problems of reaching political consensus, raising the important question of whether politics was based merely on personality and contingency or whether there was a broad, underlying pattern to events.

As institutions, personalities and finances have become better understood, historical debate has been centred on an assessment of how government and politics under the three Edwards impinged upon different segments of the population and affected the development of the English state. On the one hand, some argue that the growth of what has been called a 'war state' imposed a heavy burden on the population and concentrated authority in the hands of powerful elites both nationally and in the counties who used royal institutions to advance their personal interests, while others see institutional changes as reasonable efforts to meet the government's responsibilities and develop a consensual basis of governing.

The Expansion of the Royal Government

English political history between 1272 and 1377 can be organized around three broad themes: the growth of government; the expansion of political participation; and relations between the king and nobles. It is important to start with the royal government itself. Although the three Edwards did not initiate any bold institutional innovations comparable to those of the preceding centuries, they wrung all that they could out of existing institutions in pursuit of their goals. Government was more intrusive because the crown was more ambitious and activist than it had been since the Angevins. War was the primary expression of this ambition. Beginning in the 1280s under Edward I and continuing under his grandson Edward III, England

undertook a series of military conquests in Wales, Scotland and France that had far-reaching political consequences. Rather than simply defending their territory, kings sought actively to expand their holdings at their neighbours' expense. As a result, the crown needed vast resources in the form of funding, men and materials to wage war and had to construct mechanisms capable of raising and organizing those resources.

War arose out of England's historic, diplomatic and geographic setting. Though England was only one of several kingdoms and principalities in the British Isles, kings of England aspired to lordship or sovereignty over Scotland, Ireland and Wales. English nobles, moreover, carved lordships of their own out of neighbouring territories. As a result, kings were enmeshed in a complex network of relations and expectations that produced both benefits and liabilities. Despite occasional skirmishes, Henry III for the most part had managed these relations peacefully through alliances with neighbouring princes and kings. Edward I radically changed that policy and aggressively asserted what he considered his rights and authority over Wales and Scotland. Edward's Welsh wars in the 1280s were initially successful, but his interference in the succession to the Scottish throne after it was thrown into question in 1290 and his goal of forcing the Scots to recognize English political superiority led to a series of inconclusive campaigns at the end of his reign. The Scots staunchly refused to be subdued, vigorously asserting their independence into the reign of Edward III and beyond. Because some marcher lords had a vested interest in protecting or extending their lordships, war within the British Isles had some measure of domestic support from the beginning. Repeated campaigns, propaganda and Scottish incursions, moreover, transformed the Scots into England's bitter enemies and generated further support for war.

If relations with the Welsh, Irish and Scots were to some extent deemed to be of national importance at the beginning of the century, the king's lordships in France were not then directly significant to most of the English population. The defence of their French patrimony, which by 1272 had been reduced mainly to Gascony, had embroiled English kings in French politics and wars since 1066. They were in the awkward position of being at once sovereigns and suzerains in England and vassals of the king of France for their French territories. The relationship between the king and his Gascon tenants was another source of instability because the Gascons could take disputes with their lord to the king of France for resolution, a situation that English kings found intolerable. Much as he did within England and the British Isles, Edward I worked hard to shore up his lordship in Gascony in the 1280s, but that did not prevent conflict with France from breaking out in 1294 and again in 1324.

Edward III changed tack in 1340 when he claimed the throne of France for himself by right of inheritance through his mother, Queen Isabella. While his motives have been much debated – whether his intent was simply to improve his bargaining position in Gascony or actually to become king of France – their practical effect was to draw England into a generation of warfare in France between 1338 and 1377. In pursuit of his objectives, Edward worked hard to persuade his subjects that France was not just the king's rival but, along with the Scots with whom France was allied, England's arch-enemy, threatening, according to his propaganda, England and even the English language. Under Edward's leadership, war with France shifted dramati-

cally in scale and purpose. What had formerly been a defensive conflict arising out of the king's position in France as a feudal lord became a national enterprise, in the sense that Edward fashioned it as a contest for the right to rule the French kingdom and in consequence began recruiting and fielding armies of unprecedented size.

The king's military policies bore heavily on local communities because the increasing scale of royal ambitions required a heightened mobilization for war. In the early middle ages, wars were fought largely by men owing military service and by mercenaries. Beginning in the 1290s, the crown experimented with different systems of recruitment and mobilization, so that under Edward III English armies included sizeable ranks of infantry, archers and others drawn from local communities, paid by the crown and led by noble commanders who contracted with the king for their service. English armies were composed of a broad cross-section of the English and Welsh population, were funded by taxes on local communities, and were provisioned by goods purveyed or purchased from those communities. In the sixty years between 1290 and 1350, the crown levied direct taxes in twenty-eight years with a total yield of over £1,000,000. Beginning in 1275, moreover, it levied taxes indirectly through customs on wool exports, and whenever it fell into financial difficulty tried to levy additional imposts on wool that came to be known as the 'maltote'. Finally, the king also experimented with loans and various taxes in kind, especially in wool but also, in 1339, in a variety of products. Throughout the century, therefore, but particularly in the decades 1290–1315 and 1330–60, war put a constant financial strain on the crown, which in turn squeezed all that it could out of its subjects. In addition, the government kept communities informed of its military and diplomatic enterprises through a barrage of propaganda intended to persuade the country of the threat posed to the realm by the Scots and the French and of the valiant efforts of the king and nobility not merely in staving off their enemies but in triumphing over them. By the end of Edward III's reign, every community in England had been woven into the fabric of wartime governmental support, held together by officials charged with extracting logistical support for war.

War with Scotland and France had other, less obvious but no less profound, political consequences. The military and political ambitions of warlike kings such as Edward I, Edward III and, later, Henry V outstripped the capacity of the government and nation to realize their goals. Edward I and Edward III scored stunning victories at Berwick (1296), Falkirk (1298), Halidon Hill (1330), Neville's Cross (1346), Crécy and Calais (1346–7) and Poitiers (1356). Despite these triumphs English armies could not completely overcome their foes, and England could not fully meet the costs of trying to do so. Yet, repeated campaigns over many years made war the status quo for generations of nobles, knights and many others, who profited from the king's policies, whether through patronage, payments or battlefield rewards, and who therefore had a vested interest in seeing war continue. In addition, through military service, purveyance and taxes most of the country experienced war first- or second-hand. War had generated a momentum that was hard to brake. It created expectations that successors to bellicose kings had difficulty meeting, and military failure helped to sap confidence in leaders who failed to achieve success on the battlefield. Edward II's defeat at Bannockburn in 1314 and his repeated failure to marshal a successful campaign against the Scots, who did as they pleased along the borders, undermined confidence in him as king. Similarly, the humiliating debacle at

Stanhope Park in 1327, in which Edward III and his army were outwitted by the Scots, and the disastrous Treaty of Northampton of the following year, which was seen as conceding far too much to the Scots, helped to erode support for the regime that replaced Edward II.

War was not the only force driving governmental expansion. On the one hand, from above the king was determined to pursue his rights as sovereign and overlord *vis-à-vis* his subjects and tenants. After his return in 1274 from crusade, Edward I launched searching inquests to see how his kingdom had been governed, how officials had conducted themselves, and how well his rights and authority were being upheld. The eyres periodically pursued similar inquiries, along with a broad investigation of legal issues, while inquests by local officials later took over from the eyre much of the work of investigating and safeguarding the king's prerogatives. On the other hand, from below the king's subjects clamoured for order, redress and remedies, prompting the king to dispatch hundreds of teams of justices, officials and local notables to investigate problems brought to his attention by individuals or communities. For a half-century beginning in the 1290s, moreover, parliamentary petitions, debate in the Commons and popular songs and poetry consistently expressed anxiety about crime, corruption and lawlessness. One of the prime duties of a Christian king was to provide law, justice and order for his subjects, and English kings responded to these popular concerns by designing special legal commissions to address disorder, such as oyer and terminer, gaol delivery and trailbaston. The same spirit of judicial experimentation led to the gradual development of the office of the justices of the peace. The first steps were hesitant, as the crown sometimes commissioned panels of justices to investigate crimes and indict criminals while at other times giving them the power to judge cases. Furthermore, Edward often associated nobles and royal judges with the early commissions of the peace, so that they did not act independently of the royal government. It was only after 1348, and the subsequent enactment of the labour legislation in 1350–1, that the crown consistently gave the justices of the peace power both to indict and judge. It was once argued that the birth of the justices of the peace was a defeat for the crown because Edward III ceded to communities and especially to the gentry of those communities broad judicial authority in return for their consent to taxation so that he could realize his military ambitions. In fact, the royal government had for over a century called on knights and wealthy freemen to staff the county offices of sheriff, escheator, coroner, bailiff or constable, as well as to sit as jurors or suitors in royal and local courts. The establishment of the keepers and justices of the peace was a logical extension of the king's reliance on local worthies to represent the king locally. Even if the delegation of royal authority enhanced the personal power and prestige of these officials within their communities, the development of the justices of the peace should properly be seen as another aspect of the expanding range of governmental authority in the fourteenth century, building on the precedents of the thirteenth century.

The increasing complexity of the government and the expanding range of its activities demanded continual attention to administrative, financial and legal details, raising the critical question of to whom the king should turn for advice in formulating and executing policy. Responsibility for overseeing the government and advising the king officially fell to the king's council, which took many forms in this period, from a core of chief ministers and officials to expanded meetings with representatives

from groups with interests in the council's business. Like all areas of government, the council's work became more formalized in response to the growing amount and scope of the business it transacted. Mobilization for war, however, tended to concentrate authority and decision making in the household offices around the king and in the hands of a few ministers constantly in the king's company. This tendency was especially marked in the critical area of finance. Because the mechanisms for the assessment and collection of taxes were cumbersome, uncertain and slow, in contrast to war's immediate and insatiable need for money, the king depended heavily on loans and creditors to keep his armies in the field and on the household to collect and disburse funds. The handful of ministers and financiers responsible for this work, men such as William de Kilsby or William de la Pole, were deeply involved in the financial operations of government and were seen by their opponents as exercising a disproportionate degree of influence over policy. Furthermore, in the confined world of the royal court, there were many opportunities to bend the king's ear and to exert influence informally, provoking worries about the proper exercise of counsel and consent.

These anxieties were not new. The nobility or 'barons' saw themselves as the king's natural counsellors and as the proper spokesmen on behalf of the 'community of the realm', or the country as a whole, a view they asserted with particular vehemence during political crises. When the king's policies were unobjectionable and government functioned properly, as was often the case under Edward I and Edward III, baronial worries and demands for counsel receded. Yet, whenever the king's policies seemed to weigh too heavily on the country or the king acted in a manner they deemed prejudicial to their interests or the interests of the community of the realm, the barons reacted by devising forms of counciliar control over the government and the king's actions. Their intention to restrict the levying of taxes, the expenditure of funds, the appointment of officials, membership on the royal council or other governmental activities raised profound questions about the degree of freedom a monarch should exercise and ultimately about the nature of monarchy. Their efforts always elicited a sharp response from the king. This kind of confrontation occurred in 1296–7, 1311, 1339–41 and again in the closing years of Edward III's reign.

Participation in Government

As the history of the justices of the peace demonstrates, a second theme of the political history of this period was a broadening of participation in government and politics. Once again war, through the crown's drive to gain political and material support for its military ambitions, was the primary engine behind this expansion, but it was not the only force working to increase public participation in administration and debate. Communities themselves sought a broader role in order to promote their own goals as well as to help them maintain local order.

England was loosely organized into a hierarchy of self-governing communities, stretching from villages through hundreds, boroughs and counties to the kingdom as a whole. Each had a rich political life of its own, and the substantial body of moralistic and protest poetry that survives from this century shows that there was a lively popular debate about topical issues such as war, taxation, law and order, wealth and

poverty, and status and privilege. The literature ranges from popular entertainment such as the Robin Hood ballads to the compositions of Langland and Gower, but all of it displays a keen awareness of politics and ideology, informed by both Christian values and secular principles growing out of the long tradition of political reform in England. Local affairs, moreover, could ignite disputes and conflicts that required the attention of royal officials or even the king. The interchange between local and national communities was therefore of deep political importance, and it increased significantly after 1272.

One of the most notable features of the political history of England under the three Edwards is the development of parliament, which became the customary site for such interchange. The baronial reformers in the mid-thirteenth century had called for meetings of parliament with representatives from the counties as a means of exercising control over the monarchy and gaining consent to critical issues such as legal change and taxation. The term 'parliament' at that time did not have a precise, institutional meaning but was used to refer to a variety of gatherings. As in other ways, Edward I acted on the baronial precedent and began summoning parliament on a regular basis in 1275, after which the term gained greater specificity.

Parliament met only when the king ordered, and the king summoned parliament first and foremost to conduct his own business. That business could be highly varied: justice, diplomacy, war, taxation or governance in general. In assembling parliament the king sought a public venue for gathering advice about difficult issues, hearing complaints, gaining compliance to pressing issues such as taxation or war, and broadly publicizing decisions. Parliament also provided an opportunity to conduct his subjects' business, especially by hearing private petitions. Beginning in 1275, the crown invited individuals and communities to present petitions in parliament, giving a wide cross-section of the population an opportunity to bring issues before the king and lords in a public forum. Petitions arose out of legal problems that could not be addressed through the routine system of writs and courts or from complaints about the conduct of royal and private officials, which may have been one of Edward I's objectives in making the invitation. Petitions brought to the crown's attention issues that could be corrected through legislation, so that the formulation and enactment of statutes became another accepted feature of parliamentary business and one of the most important accomplishments of the century.

The forms, functions and personnel of parliament gained definition slowly, under the pressure of events. In the early years petitions played a more significant part in parliament's business than taxation, which only began to take on real importance in the 1290s when war in Scotland and France forced Edward to look for extraordinary means of financing his campaigns. But not all taxes were agreed to in parliament, and not all parliaments contained representatives from boroughs and counties. During the early years of Edward III's reign, many features of parliament became institutionalized. The deposition of Edward II in 1327, though planned by a small cohort of nobles around Edward's wife and son, was carried out in parliament with the participation and consent of the lords and the Commons to ensure that the act had the support of the entire political community. Edward III, therefore, came to the throne in circumstances in which it was assumed that parliament was to be the prime occasion for debating and determining questions of national importance. Rather than seeing that situation as a liability or resisting it, Edward seized the opportunity and

worked through parliament to gain his own ends. Parliament met regularly and was routinely composed of officials, lords and Commons. A parliamentary peerage, composed of the greater lay lords whom the king summoned individually to sit in parliament, began to take shape, and the summons eventually became a hereditary right. At first, the names of those so summoned fluctuated from parliament to parliament and included a few knight bannerets along with titled nobles, but by 1377 the list had stabilized to form a political elite of some seventy families entitled to participate in parliament. Along with the peerage, the spiritual lords, comprising the archbishops, bishops and select abbots and priors, received summonses to parliament. These peers formed the core of the king's council, or House of Lords. The Commons likewise stabilized into a distinct body, composed of the knights of the shire, two members from each county, and representatives from particular boroughs. As the century wore on, they gained greater confidence at speaking out on crucial issues affecting their communities. Representatives of the parish clergy had been summoned to parliament in its early stages, but after the 1330s they ceased to attend regularly and instead sat in Convocation, a clerical assembly parallel to parliament.

Interestingly, in the later years of Edward's reign as parliament became more of an institution, it actually met less frequently and private petitions played much less of a role in its business than they had at the beginning of the century. The common petition, formulated and put forward by the Commons, became the principal vehicle for expressing local grievances and the basis for legislation. If in 1347 the Commons diffidently begged off when Edward asked their advice about how to prosecute the war in France, by the Good Parliament of 1376 it had grown bold enough to attack the corruption of the king's mistress and courtiers, impeach them and purge the government of what the Commons regarded as their baleful influence. This moment also marked the point at which the speaker of the Commons emerged out of obscurity and became an accepted figure of parliamentary proceedings.

The Commons' attack on royal courtiers and ministers in 1376 dramatized a perennial source of tension between the crown and communities and shows how the broadening of political participation affected political debate in England. Throughout the century the government came under intense criticism from individuals and communities angered by corrupt justices and officials, who could be swayed by bribes and influence to profit themselves or bend the law and administration for the benefit of their friends, lords or benefactors. The crown worried that misconduct could lead to social unrest and also distrusted its agents, blaming them for the breakdown in law and order or for its inability to raise sufficient resources to fight its wars. Accordingly, Edward I launched an investigation of his officials in 1298; Edward III ordered a sweeping inquiry into the conduct of local administrators in 1339 and asked people to bring stories of wrongdoing to his personal attention; and Richard II commissioned similar inquests following the Peasants' Revolt of 1381.

Many complaints against officials were channelled through parliament. The Commons frequently expressed dissatisfaction with the king's officials and pressed the king to reform his administration in ways that suited their self-interest. They wanted an end to corruption and maintenance. They chafed at having outsiders imposed on them and insisted that county offices be filled with men drawn from ranks of county society and therefore accountable to them. They wanted governmental functions, especially law and order, managed within the counties. This

dialogue underscores the increasing presence of the Commons in political discussions to the point that they, rather than the barons, came to be regarded as representing and voicing the interests of the 'community of the realm' as a whole. Yet, while local government could be a source of tension between the king and parliament, it was also a subject on which they shared common beliefs, such as the importance of maintaining social order and developing a corps of efficient and responsible local officials.

While political participation broadened under the three Edwards, the greater lords remained the dominant figures in society and politics, and their relationship with the king was most often the critical factor in determining the contours of the political landscape. 'The substance and nature of the Crown is principally in the person of the king as head, and in the peers of the realm as members, who hold of him by a certain homage, and especially the prelates, such that one thing cannot be severed from the Crown without dividing the kingdom.'¹ Bishop Grandisson's words of 1336 were echoed throughout the century in different forms, all of which expressed the same idea that the stability of the kingdom depended primarily on solidarity between the king and nobility. They were mutually dependent on one another: the crown on the nobility for resources and support, and the nobility on the crown for patronage, judgement and leadership. While they expected this relationship to be stable, it was subject to numerous shocks, which could create distrust and even enmity between the king and some or all of the nobles.

The politically influential segment of English society was fairly compact. At the top stood the peerage, which included titled nobles, earls and dukes and comprised about seventy families. Just below them were the larger class of what historians have called the gentry, ranging from wealthy knights and squires at the upper end down to gentlemen at the bottom, where the class merged with the peasantry. These men ran the county courts, became royal officials such as justices of the peace, and represented their communities in parliament. Many of them were also bound to greater lords through tenure, contracts or office-holding, wore their livery, and served as members of their retinues or affinities. Historians have produced various estimates of the size of this class, but there were probably 2,500 politically significant families, or about fifty to sixty per county. As Grandisson pointed out, alongside these lay families stood the clerical lords, the archbishops, bishops, abbots and priors of the greater houses, who not only exercised considerable power within the church but sat in parliament, served in royal government, and were wealthy landlords as well. They shared many of the same concerns as their lay counterparts and had the added responsibility of defending the church's liberties and independence.

The power of this small community of nobles, both lay and clerical, rested on its wealth and privileges, on the public and private authority it exercised, and on the force that it commanded through retinues. All lords of whatever stature had some kind of following, whether it consisted only of a few household servants and squires or, as in the case of great lords such as the earls and dukes of Lancaster, hundreds of servants, lawyers, officials, knights and squires. They were bound to their lord through various instruments including the traditional ties of homage and tenure, simple annuities or sophisticated contracts known as indentures that specified the terms of service and reward. This system of contractual retaining, or 'bastard feudalism' as it has been named by historians, was a fundamental feature of English society, and so too of

English politics. The retinue provided a lord with service to run his household and estate, to fight in war and to demonstrate publicly his power. Retainers represented their lords' interests in myriad ways, sometimes by overawing local officials and juries, while they in turn expected their lord to use his power and authority to support them in their own causes. In times of political tension lords assembled their affinities for a show of force against their opponents. By the end of the century, therefore, retaining was becoming a critical political issue because the Commons saw it as a primary cause of disorder in the countryside, even though many of the gentry, from whom the Commons was largely derived, themselves belonged to noble affinities.

Despite the power that these lords deployed, they depended on the crown to secure their titles and inheritance. Nobles and gentry derived their wealth from land, rents, courts and markets. Their estates varied greatly in size and could be depleted or fragmented through indebtedness, a failure of heirs, division among heiresses or forfeiture. Because few inheritances descended intact over many generations, landowners looked to the king to help them by enacting laws (e.g. *De Donis Conditionalibus*, 1285), by providing for the descent of lands and by arranging marriages, which could help consolidate landed wealth. Furthermore, royal patronage, whether in the form of titles, offices, privileges, money, wardships, marriages or other favours, was an important source of status and income, especially for newcomers or those at the lower end of the elite. Since only kings could create titled nobles or summon an individual to parliament, entry into the very highest ranks of society depended entirely on the king's favour. Furthermore, because titles passed only in the male line they were subject to the accidents of birth and death and so would have eventually died out without the creation of new nobles by royal grants. Edward I gave out few titles, and in 1307 there were eleven earls. Edward II created five new earls during his reign, but politics and death took an extraordinary toll, so that there were only eight earls in 1327. In 1337 Edward III took an unprecedented step in making six new earls. Altogether, he gave eighteen men, six of them in his own family, new titles, adding 'duke' to the repertoire. Edward rewarded men loyal to him, binding them into a tight community, and also honoured his many sons. Nevertheless, when he died in 1377 there were still only ten titled nobility.

Aristocrats also expected the king to provide strong leadership and effective governance to maintain the social order on which they depended for their wealth and pre-eminence and a stable framework within which estates, markets and trade could flourish. Like the Commons, they had a keen interest in maintaining law and order and in making sure that royal officials performed their functions properly, as long as they did not interfere with the nobles' interests and authority.

Several points in their relationship with the king and his government were highly sensitive, with the potential to create friction. The nobility did not *a priori* oppose the expansion of royal government, and often enthusiastically supported royal ambitions. They favoured war against Scotland and France when they were partners in military leadership, and so did not necessarily object to the demands made on the country to fight those wars. If the king, however, demanded too much of them, as in 1296 when Edward I ordered them to perform extraordinary military service in Flanders, they reacted swiftly and angrily. The influence of financiers and officials close to the king, resulting from the massive increase in governmental activity associated with war, made nobles uneasy because it showed how little of government

routine was subject to their control and how much power royal officials exercised on their own. Nobles also grew nervous whenever the scale of royal demands weighed so heavily on local communities and individuals that they threatened to rebel or could not meet their landlords' obligations. In 1296–7, 1301, 1311, 1339–40 and the 1360s they expressed what were probably genuine worries that the king's taxation, purveyances and other fiscal burdens were leading to impoverishment, disorder or rebellion. For the same reasons, they also took an interest in the conduct of the king's officials, whether in central or local government, and were responsive to calls for the correction of misconduct. Their uneasiness about the impact of royal demands dovetailed with their apprehensions about patronage and influence at court. The distribution of favours bore directly on their economic and social interests, so they watched closely whom the king rewarded and became restive if the king did not distribute his patronage evenhandedly. The danger was at once social, fiscal and political. From the nobles' viewpoint, unworthy men might rise in wealth and status through royal favour, the king might deplete his resources through immoderate gifts, and mere officials might displace nobles from their proper place as the king's natural counsellors and unduly influence royal policy. In other words, while the nobility and gentry ordinarily saw themselves as allies of the king and his government and willingly collaborated with his policies, they were wary of the king's power, and even a small divergence in intentions, personality or perceptions could spark opposition.

As in the past, concerns about royal policies and behaviour spurred the barons to exercise their presumed right of counsel and consent. They measured the king's policies against a set of simple but very powerful ideals about the proper functions and goals of royal government and about their place in the political and social order. Yet, while they expressed a desire to be involved in decision making, they were neither bureaucrats nor constitutional experts and had no intention of attending continually to the daily business of government. They did not always attend parliament, in fact some seldom attended, although the right of attendance was one of the few privileges that defined them as a group. Because of the potential impact of royal policies on their interests, they wanted to exert influence over decision making without having to devote all their time to it.

In keeping with other developments during the century, parliament became the primary instrument for exercising institutional influence over king, court and administration. The best example of this change is the Ordinances of 1311, the most significant expression of political reform between 1272 and the actions of the Good Parliament in 1376. The Ordainers, a group of twenty-one nobles, clerics and officials, called for far-reaching reforms to curtail the influence of financiers and courtiers, improve royal finances and limit the personal, household government that had developed as a result of Edward I's wars. They declared that parliament was to convene at least once or twice a year in order to treat difficult judicial cases and that controversial issues, such as the declaration of war, the king's leaving the country, gifts of royal land, the appointment of the king's chief officials and complaints against royal officials could be settled only by consent of the baronage and that their consent was to be given in parliament. Edward II deeply resented the limitations that the Ordinances imposed on him and drove the country into civil war resisting them. In 1340–1, parliament once again asserted control over the appointment and

supervision of the king's chief ministers and counsellors, but Edward III was able to revoke the statute without dividing the country because, unlike his father, he had the support of most of the nobility. These experiments laid the foundation for the dramatic attack by the Commons on the king's ministers and favourites in the Good Parliament of 1376 and resulted in the creation of parliamentary impeachment, by which parliament punished and removed royal officials from office. Throughout the middle ages, kings fiercely resisted baronial attempts to restrict their choice of ministers, while the barons saw such efforts as essential to maintaining their influence in policy making, limiting arbitrary governance and protecting their interests. What was new in the fourteenth century was the prominent role of parliament in these disputes.

The growth of parliament and the expansion of the political community that resulted therefore suited the interests of the lords. While the Commons in parliament gradually took over from the nobility their role as the representatives of the community of the realm, members of the landed elite were still considered the king's natural counsellors and those with the leading voice in both council and parliament. Parliament offered an opportunity to address issues of common concern to that community and to communicate among and across elites in towns, counties and kingdom. It represented, in sum, an institutional expression of the potential for collaboration among the king, the nobility and the representatives of the community of the realm, with the king and lords occupying a privileged position at the centre of deliberations. This broad representation of the political community gave parliamentary policies and enactments tremendous force and potentially buttressed the power of these elites. A good illustration of this principle was the social and economic legislation enacted by parliament in the wake of the Black Death in 1348–9. The sudden drop in population and the resulting decline in rents and rise in wages, along with a steep rise in prices, seriously compromised the wealth and authority of landlords and employers alike. The landed community reacted by enacting legislation, such as the Statute of Labourers (1351), sumptuary legislation (1363), price regulation and laws against vagrancy that aimed at turning back the clock to enforce the favourable conditions that they had enjoyed prior to the outbreak of plague. In the long term, this cohesion may have had the most striking consequences for the gentry, who, through their service as justices of the peace, significantly broadened their role as agents of the crown and became even more oriented to royal service than they had been in the past, but in the short run it served the economic interests of the nobility, who used the power of the state to bolster their faltering seigniorial authority in the face of demographic change and its economic consequences.

If the king, barons and parliament tended generally to work together towards a common interest, why did the political community fragment and become so disordered at times? The long period of unrest in the generation between 1297 and the 1330s shows how political relations could degenerate into violent confrontation. Trouble began when nobles balked at the scale of Edward I's extraordinary levels for taxation and military service to sustain his wars. In the Confirmation of the Charters (1297) and again in the *Articuli super cartas* (1300), they extracted promises from Edward to limit and obtain consent for his exactions and to reform governmental abuses, but these solutions proved to be only temporary. Edward was intransigent. In his last years he pressed futile warfare against the Scots, levied burdensome taxes and still fell deeper into debt.

By 1307, therefore, the barons had grown wary of royal policies and evasions and so compelled Edward II to swear in his coronation oath to uphold the laws agreed to by the community of the realm. The nobles were also suspicious of Edward himself. He was out of step with the noble society he was expected to lead, for although he appeared to be a handsome warrior, he had little taste for war, placed too much faith in a few favourites and was too extravagant in his gifts to courtiers, such as Piers Gaveston, whom the nobles despised. Edward's profligacy seemed to them dangerous, at a time when his finances were precarious and the threat from Scotland had not subsided. The Ordinances of 1311 summed up the critical political concerns: 'through evil and deceptive counsel our lord the king and all his subjects are dishonoured in all lands and in addition the Crown is in many respects reduced and dismembered, and his lands of Gascony, Ireland and Scotland on the point of being lost . . . , and his kingdom of England on the point of rebelling because of oppressions, prises and molestations.'²² They took practical steps to correct these problems and curtail the king's wilfulness, by remedying abuses, banishing favourites such as Gaveston and controlling the appointment of officials. But in doing so, they affronted Edward's honour and he dug in his heels.

The failure of the barons between 1297 and 1311 to secure lasting policies they deemed acceptable underscores the fundamental weaknesses of the medieval constitution. There was no institutional or legal device for vetoing a royal policy or for forcing the king to adhere to a policy the barons devised. They could threaten to use force against the king, in hopes of persuading him to accept their demands voluntarily and give them the force of law. If he refused, then they either had to abandon their programme or take up arms, as they had against John and Henry III. Furthermore, powerful emotional forces within the political community, such as personality, ambition, competition and honour, could exacerbate political differences, drive individuals apart, encourage intransigence and ignite violence. Edward II's manifest unsuitability as king, his inability to forge camaraderie with his nobles and his stubborn refusal to accept any reforms thus created a volatile political situation.

Civil war had almost erupted in 1297, and it did break out in 1321–2. The capture and execution of Gaveston in 1312, after his unauthorized return to England, destroyed relations between Edward and some of the nobility, especially his cousin Thomas of Lancaster. Edward deeply resented Gaveston's murder and waited for the opportunity to take revenge. Meetings of parliament provided occasions to display military might. Magnates appeared with armed retinues, and violence sometimes flared between rival factions. Thomas of Lancaster refused to attend parliament in 1316, claiming that he feared his enemies conspired to kill him. A vicious cycle of political instability began all over again: Edward favoured new men, the Despencers, the barons banished them, and this time, when the favourites returned, the barons waged civil war. Edward seized the opportunity to execute Lancaster and many of his adherents. Despite his triumph, Edward was not secure precisely because his personality and policies did not change. He only managed to deepen antipathy to himself and his favourites. His estranged wife Isabella and a company of exiled nobles and foreigners easily toppled the government in 1326 and executed Edward II's favourites and supporters. Edward III came to the throne in January 1327, and his father was murdered soon after. Most people, eager for peace and prosperity, welcomed the

change, but Isabella and her lover Mortimer, who controlled the young king, dashed such hopes by manipulating the government for selfish motives just as Edward and his courtiers had done. In 1328 Henry of Lancaster came to parliament at Salisbury with an armed force threatening to overthrow Mortimer and Isabella, but they survived the challenge only to fall in a palace coup in 1330.

Mortimer's execution brought the long period of factionalization and war to an end. There were periods of political disagreement between Edward III, the barons and parliament, notably in 1340–1 and in the later 1340s and 1350s when the costs of war again became pressing issues. None of these quarrels, however, matched the danger and acrimony of the crises between 1297 and 1330. Only in the 1370s, when the war in France had turned against England and a court clique controlled royal finances and policies, did the threat of political agitation loom once again. It was then that parliament stepped in and took decisive action in the Good Parliament.

The virulence of politics between 1297 and 1330 raises the question of the extent to which personality or institutions determined political outcomes in this century. There were powerful incentives to maintain a cooperative relationship between the king and nobles. A strong government, an effective legal system, a stable coinage and military security created a robust framework within which landlords could exploit their lands and tenants, trade could flourish and the crown could pursue its military ambitions. Institutions such as the court, royal council and parliament provided a common ground upon which the king and barons could meet and negotiate their interests, while lordship bound them in a common legal and social order. They shared an ideology about the nature of the political order and their respective roles within that order, and could agree that they shared responsibility for maintaining social order.

Despite these centripetal forces, relations between the king and magnates carried the potential for conflict. Nobles and gentry were acquisitive, seeking to amass property and consolidate their holdings, sometimes at the expense of their peers or neighbours. Landed society at court and in the counties could be highly competitive, producing friction and feuds. They jealously guarded whatever wealth and privileges they had and their finely tuned sense of honour could impel them to violence if they believed they had been wronged. They lived in a community organized for war and were accustomed to using force or the threat of force to get their way. Kings, too, valued their personal honour, did not want their sovereignty or prerogatives infringed upon in any way, and would use force when challenged. Thus, much depended on how the king reacted to these conditions, and how his actions were evaluated by the political community: whether he took sides in private disputes, whether he distributed his patronage in a manner that seemed equitable, or whether he asserted his royal authority properly and to the benefit of the nobles and gentry.

The three Edwards were all highly conscious and protective of their royal authority and dignity, though they expressed their regality in different ways according to their personalities. Edward I tended to be austere and imperious, Edward II indulgent and petulant, and Edward III expansive and collegial. Edward I's stubborn determination to crush the Scots at all costs worsened tensions in 1297, while Edward II's manifest incapacity caused exasperation and anger among the nobles. There was an inherent tension within this political order between the king's will and baronial

interests, which could be intensified by personal characteristics. Because the political community was so small, personal differences could get out of hand and seriously jeopardize political order. To dampen conflict and maintain peace among the powerful at court, a king had to appear to be evenhanded and open to advice so that he could adjudicate potentially disruptive contests. Edward III's largesse, his love of tournaments, celebration and war, and his disinclination to punish aristocratic wrongdoers too harshly appealed to the nobility and laid the basis for a unified court. There was, therefore, considerable interplay between historical forces and personal idiosyncrasies in determining the course of events. It is not the case that the king's personality alone can explain the extraordinary violence unleashed in the decade between 1320 and 1330, as factions clawed at one another to gain predominance at court, or the remarkable solidarity that allowed England to make dramatic military advances at the expense of the French and Scots in the 1340s and 1350s. English political and social institutions carried the potential for both profound factionalism and cohesion, and the characters of the king and nobles could be instrumental in realizing either.

NOTES

- 1 *The Register of John de Grandisson, 1327–69*, ed. F. C. Hingeston-Randolph (3 vols, London, 1894–9), vol. 2, p. 840.
- 2 *English Historical Documents 1189–1327*, vol. 3, ed. H. Rothwell (London, 1975), p. 527.

FURTHER READING

An excellent overview of the period from 1272 to 1377 can be found in M. Prestwich, *The Three Edwards: War and State in England 1372–1377* (London, 1980), while M. Prestwich, *English Politics in the Thirteenth Century* (London, 1990) and W. M. Ormrod, *Political Life in England, 1300–1450* (London, 1995) in the British History in Perspective series offer broad discussions of politics and critical political issues. G. Harriss in 'Political society and the growth of government in late medieval England', *Past and Present*, 138 (1993), pp. 28–57 evaluates some of the competing historical views of the period and provides a balanced appraisal of the forces directing politics. R. Frame, *The Political Development of the British Isles 1100–1400* (Oxford, 1990) places England within the wider political framework of the British Isles as a whole, while M. Vale in *The Angevin Legacy and the Hundred Years' War 1250–1340* (Oxford, 1990) delineates the king's continental entanglements. The standard narrative of the Hundred Years' War has now become J. Sumption, *The Hundred Years' War*, vol. 1, *Trial by Battle* (London, 1990) and vol. 2, *Trial by Fire* (London, 1999). More detailed analyses of particular aspects of the political arena are available in G. Harriss, *King, Parliament, and Public Finance in Medieval England to 1369* (Oxford, 1975); A. Musson and W. M. Ormrod, *The Evolution of English Justice: Law, Politics and Society in the Fourteenth Century* (London, 1999); R. G. Davies and J. H. Denton, *The English Parliament in the Middle Ages* (Manchester, 1981); C. Given-Wilson, *The English Nobility in the Late Middle Ages: The Fourteenth-century Political Community* (London, 1987); A. L. Brown, *The Governance of Late Medieval England 1272–1461* (Stanford, Calif., 1989); and M. Prestwich, *Armies and Warfare in the Middle Ages: The English Experience* (New Haven, Conn., 1996). Biographies of kings and nobles provide another way of approaching politics and the political community. Some of the best

among these are M. Prestwich, *Edward I* (Berkeley, Calif., 1988); W. M. Ormrod, *The Reign of Edward III: Crown and Political Society in England 1327–1377* (New Haven, Conn., 1990); J. R. Maddicott, *Thomas of Lancaster: A Study in the Reign of Edward II* (Oxford, 1970); and J. R. S. Phillips, *Aymer de Valence, Earl of Pembroke, 1307–1324: Baronial Politics in the Reign of Edward II* (Oxford, 1972).

CHAPTER TWELVE

England: Kingship and the Political Community, 1377–c.1500

ROSEMARY HORROX

Reassessing the Fifteenth Century

The view of the ‘long’ fifteenth century which held the field until the middle of the twentieth century, and was most famously embodied in Shakespeare’s two tetralogies, was of a century of dynastic struggle and civil war. The deposition of Richard II in 1399 by his cousin Henry Bolingbroke gravely wounded the body politic, and the wounds remained open until the defeat and deposition of Richard III at Bosworth in 1485 by Henry Tudor. It was the children and grandchildren of Tudor’s marriage to Elizabeth of York who ended civil dissension and ushered in a new era of harmony at home and success in the wider world. It was a short step from this to see the century as the ‘waning’ or ‘autumn’ of the middle ages: the death throes of an outmoded political culture before the arrival of the modern era.

Implicit in this view was the belief that the middle ages as a whole were profoundly different from the period that followed. This reading was already apparent in the work of late sixteenth- and seventeenth-century antiquaries, whose elaboration (one might almost say creation) of the concept of ‘feudalism’ served to emphasize that difference. And it was around feudalism that many of the later negative stereotypes of the middle ages came to cluster. The word is now notorious for meaning whatever its user wishes it to mean, but it has always carried the sense of not-modern. For many late nineteenth- and twentieth-century writers the feudal world was one where the possession of land gave the nobility independent power sufficient to pose a threat to the monarchy. Such power was seen as centrifugal, pulling away from the centre, and, given that such writers generally regarded centralization as an essential element of modern government, noble power was by definition regressive: something which had to be tamed before a modern state could form. Wise kings clipped the wings of their ‘overmighty subjects’, or, like the early Tudors, emasculated the nobility by bringing them to court and rewarding them with ceremonial duties there rather than granting them local responsibilities.

But the fifteenth century was even worse than feudal. It was ‘bastard feudal’ – a term coined in the nineteenth century by Charles Plummer.¹ Feudalism, on this

reading, did at least give a sort of political stability because political relationships were based on land tenure. Plummer argued that what characterized the late middle ages was an erosion of the significance of the lord–tenant relationship and its replacement by a contract based on a money fee. Lords now bought (retained) the service of their inferiors. The resulting relationships, it was assumed, were far more volatile – and, in Plummer’s view, less respectable. It is not hard to see a nineteenth-century privileging of land over lucre at work here. In political terms, retaining made it easier for nobles to build up private armies which they could turn against each other and against the king, and so contributed directly to the outbreak of civil war – the so-called Wars of the Roses – in the mid-fifteenth century.

It was not until the middle of the twentieth century that these views came under sustained criticism in the seminal work of K. B. McFarlane. Bastard feudalism, which Plummer and his followers had seen as divisive and corrupt, was now rehabilitated. It was seen as politically neutral, mirroring the existing power structure rather than shaping it. It was not possible just to go out and buy a retinue. To achieve a following, a man had to show himself a ‘good lord’: someone who could advance the interests of his supporters. Some writers went further and argued that bastard feudalism was a positively stabilizing force, creating a network of relationships which could minimize the consequences of conflict at both a local and national level. Both views, it may be noted, tacitly accepted Plummer’s terms of reference. The question of bastard feudalism’s morality continued to hold centre stage, with service now defended as honourable, not merely mercenary. The enduring nature of such relationships was stressed, and was accompanied by an attempt to write land back into the picture by emphasizing that lords generally retained men within the area where their estates lay.

The debate about bastard feudalism concentrated historians’ attention on the localities, encouraging the painstaking exploration of social and political networks. But the centre did not entirely drop out of view. Royal favour allowed a ‘good lord’ to advance his men more effectively and the crown was thus inevitably part of the nexus of service and reward. On the whole this was seen positively, with bastard feudalism no longer a weapon to be turned against the crown but a ready-made set of connections that the crown could utilize in ruling the counties, assuming that the king had the ability and the will to do so. The king, on this reading, was the good lord of all good lords. But there has been a growing insistence by Castor and others that this belittles the king, and that as king he was (or ought to be) more than another lord. This is one facet of recent attempts to reassert the place of ideology in the political scene. Even the most positive readings of bastard feudalism had the effect of presenting political life as the mere pursuit of self-interest, as historians totted up the rewards earned by individuals and patronage became seen as the main determinant of political action. A backlash became apparent in the late 1980s, with several historians, including Hicks and Carpenter, urging the importance of contemporary ideals as a motivation for political involvement.

The historiographical developments of the last sixty years can thus be seen as a sustained attempt to rehabilitate the fifteenth century. At times this has been slightly defensive or over-drawn, but the period has been effectively rescued from the claim that it constituted the sort of cataclysm out of which radical political change might be expected to come. Historians working on both sides of the old divide of

1485 now reject the assumption that the period saw the collapse of the medieval polity and its replacement by something not only profoundly different but (implicit in the traditional reading) better. Some literary critics do still take it as axiomatic that the sixteenth century is inherently different from what went before (so that late medieval culture can be confidently defined as other than whatever is seen as characteristic of the later period). But among historians the current emphasis is much more on continuity and on the enduring vitality of medieval political structures into the sixteenth century and perhaps beyond. The dynastic conflicts of the fifteenth century might mean that there was at times potential uncertainty about who should be king, but there was general agreement on the crown's role and importance within the realm.

Dynasticism and Deposition

This is not to deny that the long fifteenth century *was* different from the centuries that had gone before, and, indeed, those that followed, in its sheer number of depositions, and it was this, of course, which gave the traditional, negative, view its credibility. Four kings were removed from the throne by force. Another, Edward IV, was also temporarily deposed and his predecessor reinstated, giving six violent changes of ruler in all between 1399 and 1485. This clearly destabilized 'high' politics. But what modern readings of the period seek to do is to present that destabilization as strengthening rather than subverting the power of the crown. The importance attached to the king within the body politic made his removal profoundly unsettling. The extent to which subjects *could* challenge, let alone depose, the anointed king was ideologically extremely problematic and this was normally a source of great strength to the king. In the fifteenth century deposition ceased to be unthinkable but, it is now argued, this was not the consequence of an erosion of the power and importance of the crown. What had transformed the situation was that, for the first time since the twelfth century, opposition to the reigning king could be legitimated by the existence of rival claimants to the throne.

The removal of Richard II from the throne in 1399 was not the first deposition of a post-Conquest king, but it *was* the first to interrupt the undisputed line of descent. In 1327 Edward II had simply been replaced by his eldest son. In 1399 Richard II had no children. If it was accepted that the crown should descend in the male line, as we now know that Edward III believed,² then Henry IV's accession was that of the rightful heir. But if descent through the female was allowed, and there was a twelfth-century precedent in the transmission of the crown from Henry I to Henry II *via* Matilda, then Richard's heir in 1399 was his young cousin Edmund Mortimer, earl of March. Edmund was the great-grandson of Edward III's second son, Lionel, duke of Clarence, whereas Henry IV was the son of Edward's third son, John of Gaunt, duke of Lancaster. But Edmund's descent was through Lionel's daughter Philippa. The issue was not prominent in 1399, mainly because Edmund was a child and could be easily passed over, but the Mortimer claim did not go away and it introduced a new element into politics.

Given the ideological difficulty of opposing the king, the need to find some way of legitimating dissent was crucial. Earlier in the middle ages, and still in the fifteenth century, this was usually done by claiming that the critics of the crown had the king's

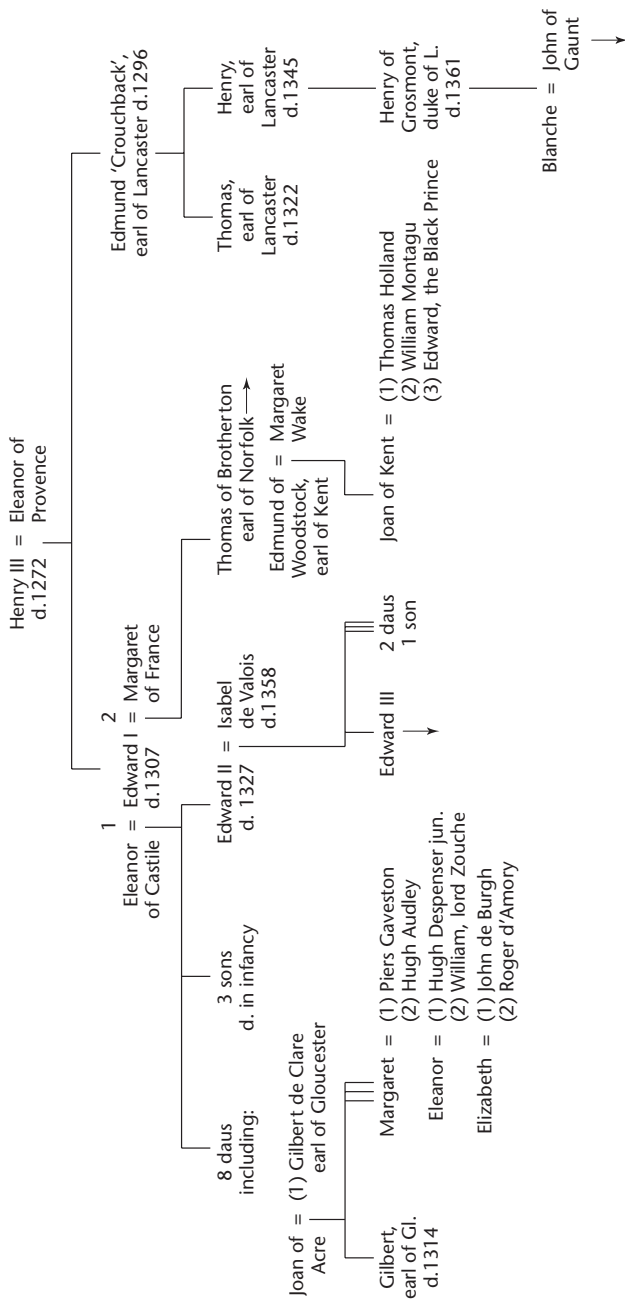


Figure 12.1 The descendants of Henry III – simplified.

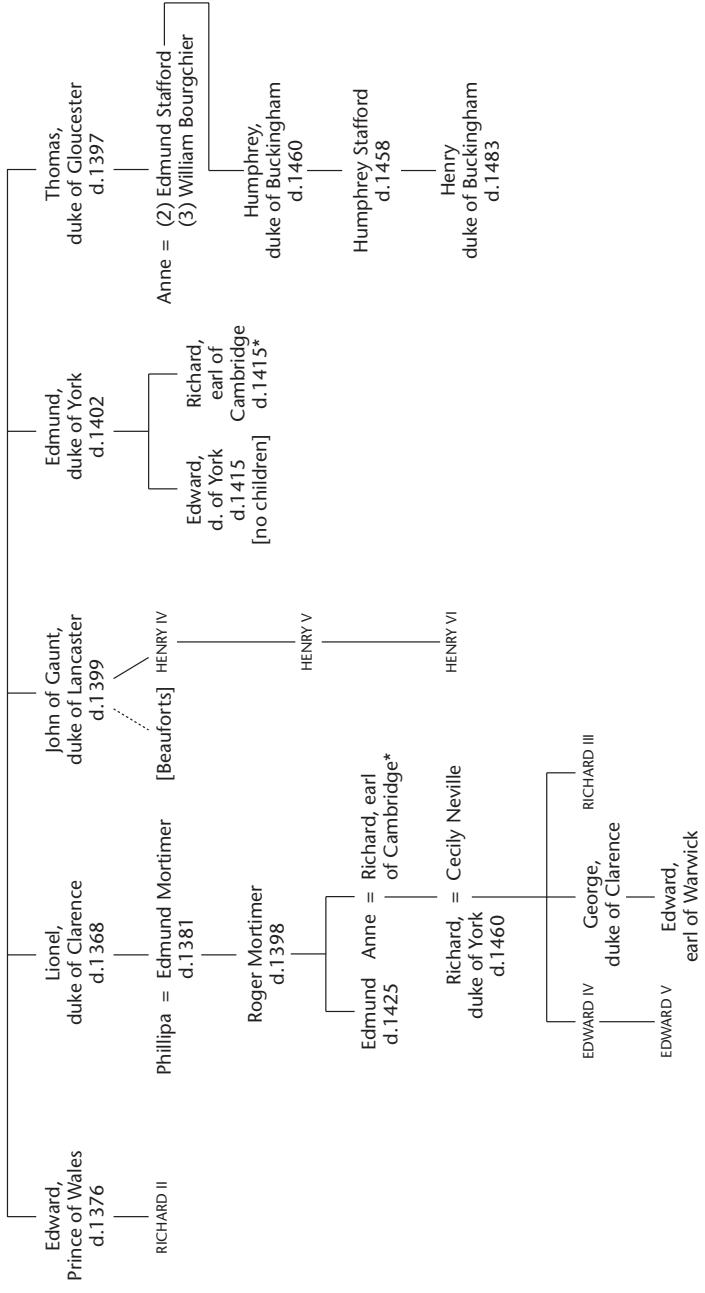


Figure 12.2 The descendants of Edward III – simplified.

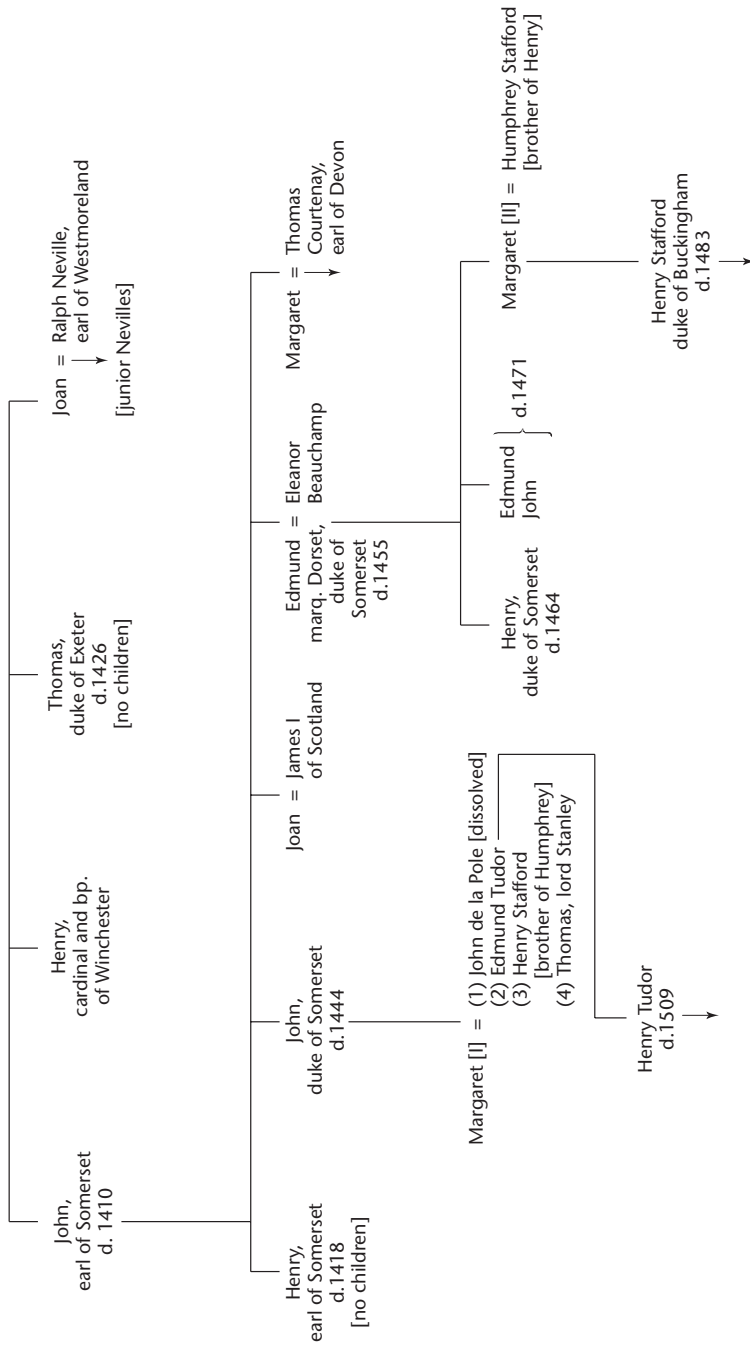


Figure 12.3 The Beauforts: illegitimate descendants of John of Gaunt.

best interests at heart and that their opposition was directed not at him but at the 'evil counsellors' who were leading him astray. This convenient fiction only worked, however, if the king went along with it and repudiated his advisers, or at least the policies associated with them. If he refused, then ultimately the only alternative was deposition. Trying to make the king behave better by placing him under some sort of restraint, which might seem the obvious solution, was not in fact an option, other than as a way of jolting the king into mending his ways voluntarily. In a very real sense a controlled king was not a king at all. The king's role required him to have the last word. Put simply, his job was to make decisions which no one else had the authority to make – and that authority could not be wielded by committee, or even by another dominant individual, without coming to seem at best negotiable and at worst partisan.

Horrifying as the thought of deposition undoubtedly was, the practical inalienability of royal authority meant that the *possibility* of deposition as a solution never quite went away. Hence the importance of some way of squaring the ideological circle, and validating that possibility. The existence of an accepted rival claimant made deposition thinkable (although still very far from easy) by allowing the disaffected to claim the moral high ground by presenting themselves as upholders of the rightful king. This is most obvious in the immediate aftermath of a deposition, when the displaced ruler was still alive and could act as a powerful focus for opposition to his supplanter. The revolt of Richard II's aristocratic allies in the Epiphany rising of 1400 or the plans to reinstate Edward V in the summer of 1483 are examples. But once the deposed ruler was dead, and such risings generally triggered his murder, this validation was lost unless there remained a successor to his title.

This was the role of the Mortimer claim under both Henry IV and Henry V, although it was deployed without encouragement from Edmund Mortimer himself. In 1460 it was his inheritance of the Mortimer claim through his mother Anne, Edmund's sister, that allowed Richard, duke of York, to challenge Henry VI's right to be king, after his attempts to lay claim to a greater share of political authority by other means had been construed as treason by the circle around the king. When York's son, Edward, became king in 1461, the act of parliament setting out his title included, as one would expect, a laborious assertion of the supremacy of the Mortimer claim over that of Lancaster. It also, revealingly, took the trouble to dismantle a claim which Henry IV himself had only hinted at in 1399 – that he was not just Richard's heir but that his title was actually superior to Richard's. The story was that Henry's great-great-grandfather (in the maternal line), Edmund of Lancaster, had been the *eldest* (not the second) son of Henry III, passed over in the succession because of a physical deformity.

Dynasticism clearly mattered. Bolingbroke's rewriting of history, or Richard III's claim in 1483 that the children of Edward IV were illegitimate because their parents' marriage had been bigamous, confirms as much. So does the way in which some usurpers found themselves contending with 'ghosts'.³ Henry IV was confronted by a pseudo-Richard II, and Henry VII famously faced a whole series of pretenders. Indeed, in a sense Henry VII (whose own title to the throne was negligible) was himself a 'ghost', standing in for the dead sons of Edward IV by his marriage to their sister Elizabeth of York. Henry's 'Yorkist' credentials clearly carried considerable weight with contemporaries, but it was not something Henry himself wished to stress,

and he underlined his own status as rightful king by dating his reign from the day before Richard III's death at Bosworth. In practice, however, Henry could not void Richard's reign. It had to be recognized that Richard had been king indeed, or, as the standard formulation had it, 'king late in deed but not in right'.

The public emphasis on rightful title explains why Shakespeare's plays can present the political conflicts of the period as being *only* about who should be king. But, except in the immediate aftermath of a deposition, dynastic concerns always signalled the existence of other tensions. No king in this period was deposed only on the basis that he should not have been king in the first place, but was always presented as having ruled unacceptably. This was even the case with Edward V, who as an uncrowned twelve-year-old had no record of government to criticize. His accession, it is true, was blocked on the grounds that he was illegitimate. But it is clear that his removal was also being justified on the grounds that, as a child dominated by his mother's family, he *would* rule badly.

Domestic Disorder

This repeated criticism can give the impression that kingship itself was in disrepute. But the criticism was invariably specific and personal: an individual ruler had failed to live up to the requirements of the office. As has often been pointed out, deposition is a tribute to the strength of the institution. If the king had been an irrelevance it would have been unnecessary to remove him. The dynastic element may have made deposition easier in the later fifteenth century, but it was never an easy option. On the contrary, the threat to domestic stability posed by deposition, or the threat of deposition, brought its own braking mechanism into play. In times of crisis, support for royal authority was recognized as the most effective bulwark against disorder. This was not, of course, a new perception. One can see it throughout the middle ages, and beyond. Within the fifteenth century it explains how the disastrous reign of Henry VI limped on for as long as it did. The period 1449–50, for instance, was arguably the nadir of the Lancastrian monarchy, with the fall of Rouen signalling the loss of Normandy, the parliamentary impeachment of the duke of Suffolk, the central figure in the political regime for the last decade, and Jack Cade's rebellion, culminating in an unresisted attack on London. But in the short term Henry VI's government rallied remarkably, and at least part of the explanation must be that the shock of the Cade rising, accompanied as it was by the lynching of a number of royal servants, had concentrated the minds of the political elite on the need to prop up the regime.

That recovery was fatally weakened by Henry's mental collapse in 1453. But even then the growing threat of civil war, as the duke of York moved into overt opposition, probably did more to encourage than to undermine the sense that the regime must be defended. Only when civil war was a reality, and the question was no longer how to avert war but how to stop it, did more members of the political community begin to reconsider their alliance. But even as late as the battle of Towton in 1461 Lancaster could still muster the larger forces, and it was only the unexpected victory of the smaller side that gave York's heir, Edward, the throne. He then shrewdly consolidated his victory by presenting himself as a king who would heal the divisions of the past ten years. But the ultimate beneficiary of this perception of the crown as

the best defence against disorder was undoubtedly Henry VII. The traditional view that Henry succeeded in establishing royal authority after 1485 *in spite* of his leading subjects is wrong. Richard III's usurpation had demonstrated the fragility of the stability restored by Edward IV and had plunged England back into factional conflict. In the short term Richard himself lacked the moral authority to reunite the realm, although had he won at Bosworth there is little doubt that most of his opponents would have regrouped around him. This, after all, is what ultimately happened to Henry IV after Shrewsbury, Edward IV after Towton or Henry VII after Stoke. In the event, Richard was killed in battle, and it was Henry Tudor who benefited from the perception that the best hope of averting another generation of war lay in shared obedience to the *de facto* ruler.

Fifteenth-century rulers were well aware of this perception, as can be seen in the way they manipulated the threat of opposition to garner support for themselves. As Paul Strohm has shown, the most dramatic examples are Henry V's presentation of Oldcastle's rising and the Southampton conspiracy early in his reign as far more threatening than was in fact the case, with the corollary that the king's escape demonstrated God's providential care for his chosen ruler. Richard, duke of Gloucester, was surely attempting the same manoeuvre in late April 1483, when his seizure of Edward V was accompanied by claims of an intended rising by the Woodvilles, the young king's maternal kin. Although contemporary observers were evidently unconvinced, Richard thought the strategy worth repeating in June, as he began to move towards taking the crown for himself, when he again claimed that he had survived a conspiracy to overthrow him.

Given this, it becomes less surprising that the threat of disaffection, let alone of civil war, could positively strengthen a regime. Such thinking constituted an intensification of, rather than a departure from, the usual reasons for obeying the king. These formed a spectrum from the divine to the worldly. At one extreme was the belief that the king was God's representative on earth, to whom obedience was required by divine law. At the other, it was recognized that obedience could be profitable, bringing favour and reward from a grateful monarch. The sense that the king should be obeyed as a means of securing order fell between these extremes in that it was both ideological and pragmatic. The furtherance of order was a moral and religious imperative, but it was also desirable for practical reasons.

In discussing the question of why kings were obeyed, recent writing has tended to emphasize either the private benefit or the public weal model. In reality, of course, both motives were always present, and present in proportions which even the individuals concerned would probably have found impossible to calculate. The middle ages lacked that clear dividing line between the personal and public which is now considered desirable in the political arena. Politics were built on personal relationships, and this was seen as a strength rather than a weakness: 'Obeisaunce doon for love is more stedefast than that the whiche is doon for lordschip or for drede'.⁴ Similarly, patronage was not just about 'buying' support. Far from being a mechanistic exercise, to be rated less highly by ideologically minded historians than the claims of the public good, gift-giving had its own powerful and widely shared ideological imperatives.

The question of securing obedience is important because medieval kings lacked a standing army or police force, and although they had a central administration it was

primarily concerned with recording and disseminating rather than enforcing the king's wishes. When a king wanted something done he turned to his subjects and ordered them to take action on his behalf. By and large, for the reasons discussed above, he was obeyed. It is true that there were limits to that obedience. Subjects were well able to distinguish between the king and his agents. A command in the king's name, from one of his councils, for instance, clearly commanded less obedience than a direct personal command, a reminder that the power of the late medieval monarchy was still personal rather than institutional. The difference can be seen in Clement Paston's warning to his brother John in 1461 that Edward IV was losing patience. 'On the xjth of October the King seide "We have sent two privy sealyes to Paston by two yeomen of our chamber, and he disobeyeth them; but we will send him a-noder tomorrowe, and by Gods mercye and if he come not then he xall dye for it. We will make all oder men beware by him how they xall disobeye our writinge".' Clement urged his brother, 'by mine advice . . . come to the Kinge wards . . . and when ye come ye must be suer of a great excuse'.⁵

King, Nobles and Gentry

This concern with why kings were obeyed is a relatively recent phenomenon. Earlier historians were generally content to talk vaguely of 'strong' kings, leaving it to be assumed that what mattered was the power of the king's personality (which may indeed have been part of the story) and his willingness to use force. Implicit in this interpretation was the belief that the king's relationship with his leading subjects was an adversarial one. Power was seen to be finite, so if one side had more the other would inevitably have less. A 'strong' king (the term was generally used with approbation) was one who would assert his own strength by limiting the power of his nobility. Conversely, the nobility would be swift to take advantage of a 'weak' king to claw back power for themselves.

The abandonment of this model has been one of the major historiographical shifts of the last fifty years. The emphasis now is on consensus and reciprocity. The king and his leading subjects needed each other. The king was the bulwark of public order, not just in the general sense discussed above but also in his role as arbiter. The king was the one man who could impose dispute resolution on the great men of the realm, not so much because he had the muscle to enforce his judgements as because his authority as king meant that submission to him entailed no loss of face. But equally the king needed the nobility. They were his chief advisers, his military commanders, his most powerful agents in the localities. It followed, therefore, that each not only needed the other, but needed the other to be powerful. Power, in other words, was not a finite resource (like a cake to be distributed between guests at a party). The conventional rhetoric of fifteenth-century peerage creations emphasized that in bestowing honour (for which one can read power) the king increased his own. As Edward IV knew, a powerful, obedient nobility would enhance, not diminish, the power of the crown. Equally, an ineffective king was not an opportunity to be gleefully exploited by the nobility but their political nightmare.

This shift of emphasis has had a profound impact on historians' interpretations of the middle ages as a whole. Within this period it has meant that Richard II, for instance, is no longer seen as hostile to 'the nobility', although he was undoubtedly

on bad terms with individual noblemen. But its most dramatic manifestation has been the reinterpretation of the reign of Henry VI, which brought the country to civil war. Henry succeeded his father in 1422 aged just nine months. During his minority he apparently showed some eagerness for power, but once he came of age his reign was marked by ineffectuality and muddle. Historians have divided on whether the problem was that the king did nothing or, on the contrary, demonstrated a capacity for maladroit and intermittent intervention which may have been harder to cope with than total inertia. But in either case he was demonstrably failing in his public duty as king. The Tudor view (wonderfully captured in Shakespeare's trilogy) was that Henry was a sort of holy fool – too innocent to cope with the machinations of his power-hungry nobility. It was not until the second half of the twentieth century that historians such as Wolffe became less tolerant of a king who was so signally failing to do his job, and began to see the nobility less as exploiters than as victims, driven to war more or less in self-defence when central authority failed to protect their interests. The most recent reading by Watts goes beyond this to argue that, as Henry's incapacity became manifest, the nobility struggled to preserve the appearance of royal authority. Ultimately they failed, both the attempt and its failure testimony to the inability of political life to function without effective royal authority.

This view of king and nobles as forming a sort of joint stock company should not be pushed too far. There were always individuals prepared to rock the political boat. It is clear, though, that such behaviour was not sympathetically regarded by contemporaries, and needed to be camouflaged with appeals to a higher good. Richard, duke of York, in the 1450s and his son Richard, duke of Gloucester, in 1483 both claimed to be motivated by the need to establish good rule at a time when it was under threat, but in neither case was their claim universally accepted. Similarly, the king's likes and dislikes, however moderated by social or political conventions, remained a force to be reckoned with. The relationship of Richard II and his uncle Thomas of Woodstock was clearly a disaster, for instance. Such prejudices on the king's part were probably regarded as inevitable. On the whole royal hostility, which only threatened an individual, was tolerated better than favouritism, which threatened to skew the whole political process. But both are a reminder that the shared interests of king and nobility did not preclude tensions within the elite.

The abandonment of the adversarial view of the relationship of king and nobility has also had consequences for historians' interpretation of the political role of the gentry, the lesser landowners. When king and nobility were seen as rivals it was assumed that they would seek allies, and the usual candidate for this role was the gentry, whose alliance with the crown, in the traditional scenario, allowed the king to bypass the nobility by offering him an alternative source of support. The attraction of the gentry, on this interpretation, was that their power, unlike that of the nobility, was dependent on royal favour, and they thus offered a more unconditional obedience than the great men of the realm. The importance of this dependence was stressed by exponents of the concept of the 'new monarchy', until recently a central element in many discussions of the later middle ages. What was 'new' was thought to be a deliberate effort by the king to draw the threads of government into his own hands. In other words, power was being centralized, and that, as mentioned above, was equated with modernization and hence with the transformation of the medieval polity. It was a reading of events that focused historians' attention not only on the

use of the gentry by the crown but on the development of central agencies of government, such as the royal council. What these developments were thought to have in common was that they were facets of the emergence of the royal court as the principal source of political influence, with advancement to be sought in the king's service rather than in the possession of territorial power blocs. A touchstone of these changes was thus the degree of self-consciousness manifested by the court, and the willingness of magnates to become courtiers.

Initially the 'new monarchy' was taken to be an early Tudor phenomenon – an expression of Henry VII's desire to break the remaining power of the 'feudal' nobility. By the mid-twentieth century, however, it had been pushed earlier, into the reign of Edward IV, who was coming to be acknowledged as the progenitor of many Tudor developments. Edward is still often seen in these terms, presiding over a growth in the royal household and the development of the chamber as a financial agency, leaving the exchequer as largely a supervisory and auditing body, for instance. But the origins of the 'new monarchy' itself are no longer securely assigned to his reign. The reigns of Richard II and Henry VI both have their advocates as significant turning points, while the building of bridges between king and gentry has now been pushed back at least as far as the twelfth century.

This chronological fragmentation is a warning of the unlikelihood of there being a single period of dramatic change in which the monarchy was transformed. Contemporary ideology itself militated against such a possibility. The middle ages looked to the past to legitimate the present. 'Novelty' was a term of criticism rather than approval. This did not, of course, mean that nothing ever changed, rather that one can usually identify change by the very urgency with which it was presented as a return to the good old days. No new king, especially a usurper anxious to assert the validity of his title, would wish to be associated with radical change. What usurpers offered was reformation: the sweeping away of the corruption of the recent past and a return to the traditions of good governance. In that sense there were plenty of new monarchs, but much less obviously a new monarchy.

If in practical terms the idea of a new monarchy now looks less plausible than it once did, much of its conceptual underpinning is also discredited. As indicated above, the *need* for a new monarchy was predicated on the belief that the king must rein in the nobility if he was to be master in his own kingdom. The current orthodoxy, by contrast, stresses the value to the king of a powerful nobility, and their willingness to serve the crown. It accordingly presents gentry service as a complement to, rather than a replacement for, that of the nobility. The idea of a new monarchy also took for granted the polarity of central and local power structures, seeing one as controlled by the king and the other, by implication, as lying outside his control. This was coupled with a powerful, if often unstated, sense that centralization is 'good', localism 'bad'. This value judgement has been explicitly challenged in recent years, particularly by legal historians such as Powell who have argued that, on the contrary, central intervention in local affairs could be less effective than relying on the knowledge and connections of the local elite. More fundamentally, the polarity of central and local authority has been denied. Instead medieval kings are seen as operating within a single power structure which embraced both. This becomes clear if one considers, for instance, a royal command to arrest a Cornish malefactor directed to a local landowner who was also a member of the king's

household. Asking whether this was a manifestation of central or local government is meaningless.

The King's Role

What has replaced the search for a new monarchy is an awareness that the long fifteenth century was not some sort of political turning point. The dynastic whirligig of 1461–85 left those on board feeling rather seasick – as one Paston correspondent wrote in 1471, the year of Edward IV's return to power, 'the worlde, I ensure yow, is right qwesye'.⁶ But there was no sense that political life had been fundamentally changed as a result. Change was held within established parameters, defined ideologically by contemporary expectations of what constituted the proper ends and means of government, and practically by what was possible for a medieval king. What one sees is an oscillation of political authority within those parameters, as individual kings, and the circumstances in which they found themselves, changed, rather than a linear progression from one style of government to another.

The king's role did not change. It remained, to paraphrase Sir John Fortescue, the maintenance of peace both outward and inward. Peace outward was to be achieved by diplomacy and warfare. None of the kings of the fifteenth century was free of war or the threat of war, but the period is dominated by the long defeat of English pretensions in France after the glory days of Henry V. For an earlier generation of historians the loss of English territory in France led directly to the Wars of the Roses, as unemployed troops came home and a thuggish aristocracy turned on each other for want of foreigners to beat up. This is oversimplistic. But at least one contemporary in the post-war world, the writer William Worcester, was prepared to argue for the resumption of foreign war as a salve for domestic ills. His remedy was never really tested, although Richard III for one may have been sympathetic. Edward IV's invasion of France in 1475 ended in the English being paid to go away, which was surely not what Worcester had in mind, and Henry VII's Breton expedition was something of an aberration in a reign characterized more by diplomacy than the resort to arms.

Worcester may, though, have had a point. Not because the English elite were bully boys who had to have some outlet for their violence, or even because war forged bonds of common interest within the elite. Experience suggested that foreign war tended rather to intensify existing attitudes to the crown. A king like Henry V, with a united nobility behind him, could benefit hugely from war, but it could not mend fractured relationships, and Richard II gained almost nothing politically from his successful campaign in Ireland in 1394–5. But what Worcester's view reflects is surely a failure, at least among the elite, to come to terms with defeat. England had been exposed as a rather small player on the European stage. This did not square with the English view of themselves. As Pope Martin V noted rather sourly in 1427, '[England] considers itself better than all other Christian nations'.⁷ He was talking about the religious sphere, but the English capacity for self-congratulation went wider than that and living with defeat cannot have been easy.

The king's other role, the maintenance of peace inward, required him to ensure, in Richard III's words, that 'alle his true subgiettes shalle leve in rest & quiete, and peasibly enyoie their landes, lyselodes & goodes according to the lawes of this his

land'. How this was to be done could be easily summed up, although not perhaps so easily achieved. The king was 'to see due administracione of Justice thorough out this his Realme to be had, and to reforme, punyssh and subdue alle extorcions & oppressions in the same'.⁸ What this usually meant was that the king was to provide the context in which the law could be effectively upheld by others: the thousands of Englishmen who contributed to the law as professional judges, lawyers or court officials, or as amateurs summoned to sit on juries. This enabling role is well described in a parliamentary petition of 1474 describing a breakdown of law and order in Herefordshire and Shropshire. The jury summoned to report on the cases proved extremely unwilling to take on the task, finally admitting in open court 'that they durst not present nor say the trouthe of the defautes before rehersed, for drede of murdyng, and to be myscheved in their owne houses, consideryng the grete nombre of the said mysdoers, and the grete berers uppe of the same, withoute that they had especial comfort of the kyng's goode grace, and assistance of the lordes there present'.⁹ The king also had a more direct role to play in dealing with disputes that the usual mechanisms of the law could not easily handle, such as feuds between the great men of the reign or cases involving his own servants.

The negative view of the fifteenth century put heavy emphasis on its collapse into lawlessness and violence. Part of the century's rehabilitation has been the playing down of violence, on the grounds that it was given so much emphasis in contemporary sources not because it was the norm but because it was the shocking and unacceptable exception. Maddern and others have seen the threat of violence as a ritualized prelude to negotiation and settlement. But it is clear that contemporaries did believe that there was a swelling tide of lawlessness and violence. They may simply have been wrong, and they were certainly at times exaggerating for effect, as in the parliamentary petition quoted above which draws a lurid picture of 'daily' robberies, murders, rapes, riots and extortions. But the perception remained important, and ultimately responsibility for solving the problem of lawlessness rested on the king's shoulders. Contemporaries were well aware that one of the clearest signs of faltering control at the centre was an upsurge in violent self-help, such as occurred in the later 1450s or during Edward IV's struggle to retain his throne in 1469–70.

If the king's role remained constant, so, to a great extent, did the means at his disposal for fulfilling it. Any government has two requirements: the personnel to carry out its orders and the resources to meet the cost. Fifteenth-century kings, as already discussed, had only a small full-time bureaucracy and relied largely on their subjects to act on their behalf when ordered to do so. But kings also looked to a growing number of men whom they regarded as being their servants rather than merely their subjects, although that service was *ad hoc* rather than full-time. That relationship was increasingly formalized by membership of the royal household, which was growing in this period and which under the Yorkist kings stood at several hundred men, not counting the full-time menial servants who kept the king and his court fed, clothed and housed. Although all subjects were under a general obligation to obey the king, his servants were particularly bound to carry out his wishes and were the obvious choice for tasks which touched the king particularly closely. Most were drawn from the ranks of the gentry, including members of urban elites, and thus had local influence of their own that they could put at the king's disposal,

although that influence was enhanced by the knowledge that they were acting on the king's behalf.

Service to the crown was thus largely voluntary, and potentially this was the main limitation on the king's freedom of action: an unacceptable command might not be obeyed. Indeed moralists were in no doubt that such a command *should* not be obeyed, and that servants' own souls were in hazard if they did wrong in response to a superior's command. In practice it is clear that the incentives to obey were sufficiently powerful to enable even unpopular or discredited regimes to function at a basic level. One reason for this was surely that kings, in relying on their leading subjects, were tapping into traditions of local self-government by men who undoubtedly had their own agenda but were committed to the rest and quiet and peaceable enjoyment of their lands which the king was charged to maintain.

By the late middle ages the cost of government was largely met by taxation. In peacetime the main form of taxation was indirect: the customs and subsidies granted by parliament on a range of exported and imported goods. In practice this had become a permanent tax, something recognized by the growing willingness of parliament to grant it to kings for life, and of new kings to collect it before parliament had met to grant it. It was permanent, too, in another sense. Richard II was the last medieval king to try to amend the range of goods on which it was levied to maximize its yield. His fifteenth-century successors regularly agonized about the need to make sure that duties were not evaded, but made no attempt to increase income by bringing the level of duty into closer line with the realities of English trade. Thus wool continued to be taxed more heavily than cloth, even when cloth exports began to outstrip those of wool. There was a similar inflexibility about the other form of taxation: the lay subsidies granted by parliament, normally on the grounds that money was essential for the defence of the realm. This was a direct tax on personal assets other than land, but since 1334 had become a fixed lump sum and individuals were no longer assessed on their wealth. In spite of this lack of flexibility, fifteenth-century kings did little to experiment with new forms of taxation. Henry VI's government turned to an income tax on land and office in 1436, although problems of assessment meant that it raised relatively little. Edward IV was granted a tenth of one year's income from land, offices and annuities to help finance his 1475 campaign to France, and Henry VII resorted to the same tactic in 1489. The way in which the relevant parliamentary acts stress the exceptional nature of the grants shows that there were fears that this would prove the thin end of a wedge and income tax would become a regular element in taxation, although in fact it did not.

Part of the reason why fifteenth-century kings were wary of too many new taxes was surely the explosion of opposition which had followed the last experiment: the poll taxes of 1377–80. But it must also have stemmed from the perception on the part of parliament and others that kings now had greater private resources on which to draw. Initially kings had encouraged this belief. Henry of Lancaster's accession in 1399 brought the duchy of Lancaster and half the earldom of Hereford into crown hands, and Henry had assured his first parliament that he intended to live off his own. This was a way of distancing himself from his predecessor, Richard II, who had conformed to the medieval definition of a tyrant by pillaging his subjects' property, but Henry IV presumably believed that it was a practical proposition. The duchy of Lancaster, even before its augmentation by Henry's own marriage to the Bohun

co-heiress, was the greatest estate of its time. If Henry did believe his own rhetoric he must have been soon disabused. Edward IV, another usurper keen to score points against the bankrupt regime he had displaced, was more cautious in his choice of words, telling the Commons in his first parliament, 'yf I had eny better good to reward you withall then my body, ye shuld have it, the which shall alwey be redy for your defence'.¹⁰ But his accession had brought the duchy of York and the earldom of March to the crown, and the idea that kings ought to be able to manage on their own resources did not go away. Richard III paid indirect tribute to it by not asking his first parliament for a lay subsidy, although it did grant him the customs revenues for life.

The augmentation of the crown lands in the fifteenth century had another consequence. The lands needed a full complement of officials (stewards, bailiffs, parkers and the like) and thus represented a massive increase in the amount of patronage at the king's disposal. This was used as a way of funding the increase in the size of the household, with servants being paid by grants of office rather than a cash fee. It also meant that in virtually every county in England there were now royal servants holding local office, giving the royal connection a quasi-institutional identity beyond the court. For most recent commentators this has been seen as a source of strength to the monarchy, providing a valuable bridge between the centre and the shires. But it can be argued that it was not without its dangers, identifying the king with one element within local society in a way that made it harder to claim that he was lord of all. If so, it was a price which fifteenth-century kings showed themselves ready to pay.

Against this background of continuity, the flavour of individual reigns could be very different. Monarchy was still personal. It also entailed an extremely demanding balancing act. It was the king's job to have the last word: to pronounce judgement or make the decision. But before doing that it was his duty to take counsel, formally through his councils or parliament, or informally by consulting family and friends. Counsel was the focus for many of the contemporary anxieties about individual kings. Were they listening to enough advice, not just to one or two favourites? Was it the right sort of advice, what contemporaries would have called 'substantial' counsel, offered by experienced men who were not just telling the king what he wanted to hear? Both anxieties were triggered by Richard II, who was perhaps the most autocratic of medieval kings, but even the more conciliatory Henry IV did not entirely escape criticism on the second account. As Henry V's reign suggests, however, kings could get away with ignoring advice if their rule was perceived as successful. An attack on the sources of counsel was usually, as mentioned earlier, a coded attack on royal policy.

In other ways too kings had to balance distance against accessibility. Because they were the last source of help in a troubled world petitioners needed to be able to reach them, but access should not be *too* easy or the king's 'specialness' would be diminished. Similarly, kings should not be a soft touch, as Henry VI was perceived as being, but should be capable of saying 'no' when necessary. Edward IV was well known for his easy affability to nervous petitioners, but he could drive a servant from court simply by refusing to look at him. Political life, as we have seen, was about personal relations – about 'love', or its absence. But it was also anchored in 'dread' – the deference due to the divinely ordained king. It was hardly surprising that many kings

had problems with this balancing act. But the king remained indispensable. The turmoil of the Wars of the Roses, culminating in the accession of a man with no claim to the throne, paradoxically demonstrates the necessity and the strength, not the weakness and irrelevance, of the late medieval monarchy.

NOTES

- 1 Fortescue, *Governance*, ed. Plummer, pp. 14–16.
- 2 Bennett, ‘Edward III’s entail’.
- 3 Morgan, ‘Henry IV’, pp. 9–12.
- 4 Bühler, *Dicts and Sayings*, p. 6.
- 5 Davis, *Paston Letters*, vol. 1, no. 117.
- 6 *Ibid.*, no. 261.
- 7 Du Boulay, ‘Fifteenth century’, p. 235.
- 8 Horrox and Hammond, *Harl. 433*, vol. 2, p. 49.
- 9 *Rotuli Parliamentorum*, vol. 6, p. 160.
- 10 *Ibid.*, vol. 5, p. 487.

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CHAPTER THIRTEEN

England: Law, Society and the State

ROBERT C. PALMER

The English legal system provided the consistent implementation of governance in daily life that continually recreated the fundamental assumptions about social relations and the allocation and uses of wealth that framed English medieval society. One of those assumptions was that there was a state; the legal system provided the tangible benefits from the state to a wide enough sector of the population that the king's governance structure attracted their basic loyalty.¹ English law as a legal system – a coherent, regulated and integrated structure of processes and substantive rules – began only in 1176, transforming a normative legal culture that only managed relationships into a bureaucratically rigid mechanism that shaped society. After 1348, in the wake of the Black Death, governance through the courts increasingly expanded to handle the needs of the whole society. The English legal system both structured and mirrored the increasingly complicated society and forged and incorporated the changing cultural assumptions that made that society possible.

Historiography

The fundamental differences among English legal historians involve two issues: the relationship between law and society and the process of legal change. F. W. Maitland in the years around 1900 established English legal history as a coherent field of study; he assumed without argument that the intentions behind legal change were largely coincident with what actually happened, that intention and effect were largely congruent. S. F. C. Milsom since 1958 has argued an idea similar to that propounded by Oliver Wendell Holmes, Jr, that much of the law results from well-intended accident and mistake, that intention and result are normally very different. A reader of Maitland could thus easily conclude that Henry II intended, for one reason or another, to establish a legal system; a reader of Milsom never would. Milsom portrays the founding of the legal system as the unintended consequences of regulation, just as he portrays the changes in the later fourteenth century as the unintended consequences of lawyers working for their clients without concern for the damage they did to the legal forms. Both Maitland and Milsom found a necessity to be involved

directly in the historical detail of society in order to analyse the law. John Baker more recently, although skilled in the historical context, consistently finds the explanation for legal change not in society but in lawyers thinking about the law. These seemingly abstruse differences among historians result in dramatically different perceptions about central changes in the governance and society of medieval England precisely because law was the primary mechanism for governance. The approach here is eclectic, denying the possibility of one jurisprudential model for all legal change. This approach agrees with Milsom's insight on the beginnings of the common law, but disagrees with him on the lack of planned legal change in later centuries. It emphasizes throughout not the role of the intellectual life of the law, but rather the dynamic interaction between the legal system and society and adopts more the perspective of the users of the law rather than that of the lawyers. This chapter makes no attempt to give a complete or chronologically continuous account of even all important changes, but focuses simply on core legal issues in the governance of late medieval England.

Law before the Common Law

Before 1176 English law was merely normative and relied greatly on personal relationships. Law courts managed social relationships by handling disputes, much preferring amicable resolution to judgement. These courts mirrored their society in being dominated by lordship, but with great reliance on consultation. Litigants could not rely on a bureaucratic institutional structure to yield predictable results according to rules. The allocation of functions within the court, the forms of trial, the lack both of specialized justices and of a legal profession all prevented the development of rigid rules. Thus, even though many customs were indeed held in common and the king had responsibility for justice, there was no legal system or common law. A legal system was the precondition of turning discretionary norms into the integrated procedures and rules of the common law.

Except for the church courts, all English courts before 1176 were communal courts in which the presiding officer presided without rendering judgements; judgements, when necessary, came from the relevant attending community. Whether in county, hundred, feudal or manor courts or in the king's court, the relevant community was obliged to attend to render judgements, an obligation embodied in the duty of suit of court. That duty and function was hardly democratic. Although many knights owed suit to county court, the relations of lordship dominated the county court in fact, with the barons or, more frequently, the barons' seneschals representing the lordships in the county's essential functions. The magnates likewise constituted the king's court. In that structure the presiding officer was still the single most powerful individual: the king in the king's court; the lord in a feudal court; the sheriff, usually a magnate, in the county court. The allocation of the duty of rendering any necessary judgement to the community, however, mediated the power of the lord, promoted consultation and provided the social cohesion necessary for the effective exercise of power.²

Prior to 1176 English courts did not constitute a legal system, so that there was in fact no common law. The king did not have a body of specialized justices. Without specialized justices, the consistent rules necessary for a legal system could not

develop.³ The community's judgement-giving role likewise prevented the growth of a legal system. Even when the king's itinerant justices came into a county court and presided, the judgements rested with the community, without professional lawyers. Moreover, when matters went to judgement instead of compromise, the method of trial was battle, group oath-swearing or ordeal: the very method of trial thus presupposed no set rules for application to ascertained fact. The tenurial hierarchy that spread downwards from the king to his tenants-in-chief and then to their men, the king's leadership and his proclamations or edicts, and the fact that barons or their seneschals attended and were influential in more than one court produced a situation in which legal customs in various counties tended to converge, but did not necessarily do so. The convergence of custom both produced and mirrored the social fact that England was a kingdom already prior to 1176, perhaps short of a 'community' but unquestionably a recognized society and political unit.

Certainly, some of the legal conceptions that later became central to the common law originated prior to 1176. The expectation that a fee (what became a heritable estate) was given to a person as something more than merely a life-holding originated early in the twelfth century; the custom of primogeniture came even earlier. Henry I initiated the expectation that, when a military tenant died without male descendants, the daughters would be co-heirs and divide the fee.⁴ The idea that two opposing parties might each have different and opposing protectable rights to land – seisin (lawful possession) and hereditary right – plausibly came through the broader compromise patterned on the Treaty of Winchester (1153) that resolved the war between King Stephen and the future Henry II.⁵ Although at least occasionally the king's proclamations were called edicts, decrees or statutes, the king had no standard mechanism for their enforcement; claimants found a remedy with the king only if they could persuade him or his justiciar to take an interest based on the king's personal sense of justice, a relationship or financial benefit. The king at times did intervene with a lord on behalf of a tenant. Moreover, Henry II seems to have undertaken some categorical protections for seisin and right resulting from the undertakings accompanying the Treaty of Winchester, available, however, only to certain people in certain situations. Those royal interventions, not sufficient to constitute a reliable institution, certainly accustomed people in ways that made the changes in and after 1176 more acceptable, but such interventions did not simply evolve into the common law. Commonality, custom and expectations there certainly were. Without specialized justices who gave judgements, trial methods that sought to apply known law to ascertained fact or professional lawyers, such social phenomena fell qualitatively well short of a common law or a legal system.

The Assize of Northampton to Magna Carta

Between 1176 and 1215 England built a legal system and generated a law of property, in the process rendering sufficient benefits to a broad enough sector of subjects that the governmental apparatus gained their fundamental loyalty. The legal system and the common law began with the Assize of Northampton (1176) not from anti-feudal royal policy or a far-sighted desire to found a state, but merely as a short-term device to prevent a recurrence of an internal war recently concluded. Henry II's regulation of feudal obligations meant to make lords and their courts operate accord-

ing to their own peacetime norms of honour and loyalty. Like all regulation, however, it fundamentally changed social realities. That regulation and the law it produced inadvertently created rights independent of personal relationships and promoted the alienability and manipulability of land as an economic resource and thus the commercialization of society. The results by 1215 include greater independence for all free tenants but particularly for women, different expectations for lordly and particularly for royal conduct and power, and a different conceptualization of justice. That changed economic and personal reality was the benefit that drew loyalty to the state even apart from the person of the king.

The Assize of Northampton, both overall and in its critical chapter 4, sought to stabilize the country after the conclusion of the war between Henry II and his son. Chapter 4 of that enactment showed concerns about the succession of female heirs, underage male heirs and widows, not for themselves but as people whose claims to succeed to tenures would be overlooked if lords sought to strengthen their military standing on the expectation of further war. Chapter 4 thus inaugurated the assize of mort d'ancestor, which, when finally utilized in and after 1179, protected inheritances of tenures descending from a claimant's parents, siblings, aunts and uncles. This enactment was a modest enforcement of peacetime norms, but dictated that a lord had to accept even a minor male's homage and ensured that the provision did not work to the detriment of the decedent's widow. Still, lords retained their ability to discipline their tenants, so that tenures remained contractual vertical relations between people involving land and not a property right that was a relation between a person and land or object created and protected by the state horizontally against all comers. A tenant's security depended on the maintenance of those personal relationships.

Nevertheless, the implications of the Assize of Northampton with its assize of mort d'ancestor rapidly altered the whole structure of law. The change was subtle, because the ideas seemed largely the same as before. The king's justices became specialized and assumed the power of rendering judgements. The king's court began meeting regularly with the influx of the litigation generated by standard writs, written orders empowering the court to hear a case and available to anyone whose situation fit within their prescribed terms. To make the assize of mort d'ancestor useable, other kinds of claims had to be altered. The grand assize, for instance, served beginning in 1179 as an alternative to battle to try the most conclusive claims. Innovations to handle problems with advowsons (the right to nominate to the bishop the person the bishop would appoint to an ecclesiastical benefice) in 1179 likewise suggested considering the assize of mort d'ancestor and the writ of right as relating to each other as possessory and proprietary actions. Henry II and his councillors were in fact thinking of the small body of standard writs as a system early on and altering it to make that system work. Usage of sworn panels of law-worthy men as an alternative to battle transformed that royal right into a regularly accessible part of litigation that required lay participation and educated subjects about the law. Together with writs that had to be construed and specialized justices who gave judgements, that method of trial made possible the development of rigid legal rules and the consistency of adjudication necessary for a common law and a legal system. The increasing number of parties in such actions, as well as the people who served on the assize panels and then also on juries, rapidly grew acquainted with the rules applied by the justices and

accustomed to that new aggressive role of the government. The law of the king's court and of his writs became a continuing presence in the patterns of social actions of lords and free tenants throughout England.⁶

The actions of the king's court pursuant to those standard writs constituted predictable and reliable external regulation of social expectations; lords and tenants precipitated even further change by adjusting to newly imposed legal standards. By 1188 sporadic interventions to regulate disseisins (ejections from lawful possession) by lords matured into a standard writ: the writ of novel disseisin, concerned with disseisins made unjustly and without judgement. Although novel disseisin was overtly concerned only with ensuring regular process, within six years the justices had become much more concerned with whether a disseisin was unjust than whether a feudal court had disseised a tenant without judgement. By the mid-1190s a lord could not discipline his tenant effectively by seizing the fee. Novel disseisin thus eliminated the lord's inherent right to discipline his tenants, making the inheritance protected earlier by the assize of mort d'ancestor much more critical for lords. Mort d'ancestor in 1176 had given a successful claimant a chance to be a good tenant, since the lord could still discipline and disseise him. By the mid-1190s, because of novel disseisin, the successful claimant in mort d'ancestor had a right that was far more secure. The actions of novel disseisin and mort d'ancestor working together increased the range of matters in which lords were unable to act in their own courts. In these newly created situations, chancery provided the writs of entry simply to resolve problems created by the assizes; these writs concentrated on a single flaw in a tenant's right, such as having entered by a lease for a term of years that had now expired. Since writs of entry remedied situations in which the lord could not act, much of that litigation was, for the first time, concerned not with the vertical relations of lordship but with the horizontal claims of property, of a relationship between person and land created and regulated by the state. Seisin (lawful possession) had previously been equated with having been installed by the right lord; by 1200 a tenant could have seisin if he had been installed by one who seemed to have been the right lord, even though he was not: seisin concerned more a right that was in the tenant rather than part of a relationship between tenant and lord. Soon thereafter seisin could omit the lord altogether and focus on the tenant's ancestors, so that tenure, which had been a relational obligation between lord and men, became rather a property right in a person.⁷

The degree of change was remarkable, and particularly for women. Female heirs and widows had been peripheral beneficiaries of the peace-keeping concerns of the Assize of Northampton, chapter 4. Women, however, could still not give homage. When women were heirs of military tenements, their husbands would do homage for the tenements; the result was that the husband was the tenant. Around 1200, however, the justices had begun to talk about the husband doing homage in the right of his wife: the right was actually in her. The writ of entry *cui in vita*, appearing in 1214, even allowed a widow to reclaim any of her lands that her husband had alienated during the marriage: she could not prevent such alienation during the marriage, but she could reclaim it without penalty after her husband died. Shortly thereafter the widow's dower right expanded normally to include a third not only of the lands held at the time of marriage, but of any land held heritably at any time during the marriage. Intentional changes simply to favour women are implau-

sible; the changes were seemingly the beneficial side-effects of new conceptions of property.⁸

Magna Carta, to the extent that it was not simply a reaction to King John, was the culmination of all those changes. The justices had increasingly regulated relations between lords and tenants, deprived lords of the power to discipline their tenants and ensured inheritance at least from near relatives, but had not regulated the king himself. Nevertheless, attitudes about the king exercising old-style lordly authority over his tenants, the magnates of the realm, had already begun to change in the 1190s, even though the magnates then still admitted the right of the king in person to act in a discretionary fashion. The central message of Magna Carta (1215) was that the king now should behave towards his tenants as his courts had made them act towards their own men. Thus Magna Carta attempted to define the appropriate services due from the magnates, ensure due process and even extend the availability of the king's justice. The telling clause 65 even attempted to institute a feudal court for the king that could distrain the king himself: the closest analogue they could get to the regulation they experienced from the king's court. That clause disappeared from later reissues of Magna Carta, but the expectation that the king should adopt the standards he enforced on others did not.

Soon after Magna Carta, England even had to change its criminal trial procedure, because the church banned clerical participation in the ordeal. Sporadically since 1166 and regularly since 1194, the king's justices had taken presentments of crimes to initiate prosecution of criminals not prosecuted by private persons. Trial of those presented as suspect was by ordeal: putting the issue of present punishability (not precisely of past fact about doing a deed) to the judgement of God. When clerics could no longer participate in administration of the ordeal, the justices lacked a trial mechanism. After much consideration the jury was substituted for the ordeal, yielding thus a process with two juries: first the traditional presentment jury, and then a trial jury. The trial jury retained the same discretionary field as the ordeal but was not as reliable as God: the accused therefore could not be forced to put himself on the jury. The resolution finally reached after about a century was simply to kill those who would not willingly put themselves on the jury. Such individuals thus died unconvicted, however, preserving their property for their family, who would otherwise have been left destitute by confiscation of a convicted felon's property. Despite the grisly consequences and the remaining substantial discretion of the criminal trial jury, the punishment of crime became more susceptible to royal regulation, but that jury discretion made the development of rules for criminal trials exceedingly difficult.

Both standards of justice and the management of landed wealth had altered dramatically since 1176. Magna Carta shows wholehearted acceptance of the king's justice and the common law: the barons even wanted to apply the same rule-oriented, non-discretionary regime enjoyed by others to the king's relations with the magnates. Justice had previously been coincident with what was customarily just in the circumstances; it had now developed a new, second meaning: rigid adherence to set rules. The heavily participatory system of assize panels and juries had thus replaced the lords with the common law as the primary protector of familial wealth. The bureaucratic, rule-oriented actions of the justices diverged from expected norms, but their very reliability was appealing. This change, extraordinary despite its

Table 13.1 Geographical distribution of litigation: court of common pleas

<i>Counties</i>	<i>Trinity</i> 1200 (<i>n</i> = 452)	<i>Trinity</i> 1275 (<i>n</i> = 1,483)	<i>Trinity</i> 1305 (<i>n</i> = 4,491)	<i>Years</i> 1327-8 (<i>n</i> = 15,031)	<i>Trinity</i> 1386 (<i>n</i> = 7,184)	<i>Trinity</i> 1465 (<i>n</i> = 5,792)	<i>Trinity</i> 1526 (<i>n</i> = 3,886)
Northumb, Cumb, Westm, Lancs, Ches	2% (7)	6% (86)	4% (160)	3%	2% (108)	0% (24)	1% (44)
Yorkshire	4% (19)	9% (136)	13% (572)	12%	8% (546)	6% (331)	4% (155)
Lincolnshire	7% (31)	8% (112)	8% (366)	9%	8% (566)	6% (371)	4% (167)
Derb, Notts, Salop, Staffs, Warw, Leics, Rut, Heref	10% (45)	14% (213)	18% (789)	13%	14% (975)	12% (695)	13% (502)
East Anglia	13% (61)	16% (231)	16% (714)	18%	12% (873)	17% (985)	18% (683)
Northants, Hunts, Cambs, Beds, Bucks, Oxon, Berks, Worcs	24% (110)	15% (227)	13% (565)	14%	13% (955)	11% (641)	11% (422)
Corn, Devon, Som, Dorset, Glos, Wilts, Hants	13% (60)	12% (183)	14% (608)	16%	22% (1,564)	18% (1,055)	18% (698)
Herts, Essex, Middx, London, Surrey, Sussex, Kent	26% (119)	20% (296)	16% (717)	15%	22% (1,597)	29% (1,710)	31% (1,215)

Source: Curia Regis Rolls, 1: 172-253 (adjusted for consistency); CP40/10; CP40/156; CP40/502; CP40/816; CP40/1051. The table concerns entries in the plea rolls, which approximate but are not equivalent to cases, partly because some cases divide into separate entries or encompass several distinct cases, partly because enrolment and adjournment practices prevented all current cases from being enrolled in a given term.

subtlety, produced the inflation from 1180 to 1220. Concentrating the various elements of control over land into carefully defined rights resident either in tenant or lord increased not only the ability but also the frequency of alienation of land and the ability to use land as security for loans. The primary form of wealth in that society had become more manipulable and liquid, resulting in England's greatest medieval inflation. The beginnings of the legal system, common law and property right were governmental, social, cultural and economic events, not simply the workings of a few justices or a different method of resolving an unchanging range of disputes.⁹

The Reign of Edward I

The reign of Edward I was the second great period of change, with the most dramatic alterations in the law since the beginnings of the common law about a century earlier. Government around 1300 was highly reflective about the law, statutory change of the law was an expected part of what the king would do. The justices themselves also extended the common law dramatically into the realms of ordinary wrongs and commercial matters, further subordinating local courts. The law became sufficiently bureaucratic that people could manipulate it for their own purposes. The legal system was thus capable of constantly recreating the assumptions of predictability, stability and the manipulability of wealth upon which a commercialized, complex civilization depended.

The common law was already national in 1275, but by 1305 it had extended both the scope of its concerns and the scale of activity. In Trinity term 1275 more cases came from Northumberland, Cumberland, Westmorland and Cornwall each than from the counties of Huntingdonshire or Berkshire. Yorkshire, Lincolnshire and Norfolk were far more litigious at common law than were Kent, Essex, Middlesex, Hertfordshire or Surrey: proximity to Westminster did not dictate involvement with the law. The common law operated on all areas of the country; only in the fifteenth century did the southeastern counties begin to dominate the attention of the court of common pleas, and even then not dramatically (see table 13.1). The number of enrolments in the plea rolls tripled from 1275 to 1305. Enrolments related to real property and feudal incidents increased by 44 per cent; those related to wrongs done, by 71 per cent; those related broadly to debt and other obligations, by 1,800 per cent (thus increasing from 5 per cent to almost a third of the enrolments) (see figure 13.1).

The explosion in court involvement with commercial matters came partly from governmentally planned initiatives, partly from court efforts to resolve problems of bias in local courts. Edward I made available a new process for merchants that allowed land to be used as security for loans with expeditious procedure for repayment: the statute merchant.¹⁰ Problematic statutes merchant, as when substantial time elapsed before the repayment process was requested, found their way into the court of common pleas.¹¹ Most of the increase in litigation, however, came from the attempt early in the reign to resolve problems of official bias in local courts. In 1274–5 Edward I remedied such problems by allowing litigants in lower courts to remove cases into the court of common pleas before bias resulted in a false judgement. By 1300 the court had backed itself into a situation in which plaintiffs in debt and related

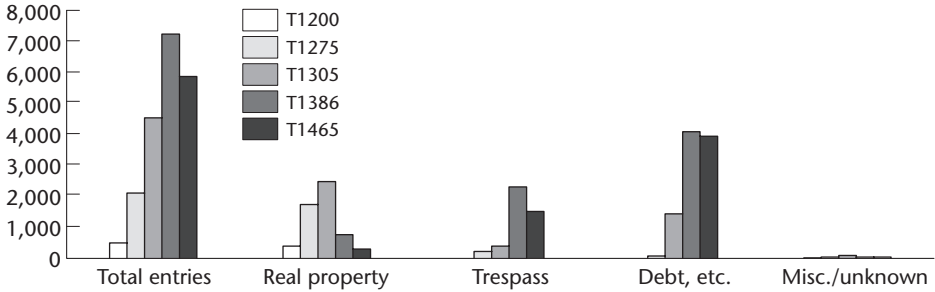


Figure 13.1 Distribution of litigation: court of common pleas.

actions would have been foolish to sue for significant sums in any local court except protected cities and boroughs. Such litigation thus focused in the king's court, and county and hundred courts became suitable only for suits claiming less than £2. Even in everyday affairs, Westminster had become central to local mentality and daily life and had diminished the importance of local institutions.¹²

Land was still the primary source of wealth in England around 1300, and Edward I intervened decisively in land usage. The statute *Quia Emptores* in 1290 prohibited subinfeudation, and thus the formation of personal dependencies by grants of land in exchange for obligations of loyalty and continuing service.¹³ Such ties thereafter had to be established by patronage or money fees, likewise enforceable by common law:¹⁴ the statute completed the work that the courts had effectively initiated in the 1190s by eliminating seigniorial disciplinary jurisdiction. The statute *De Donis* in 1285 sought to enforce the donor's intention on traditional grants meant to endow a person and his blood descendants. By the early fourteenth century that intervention had produced the fee tail. Entails enabled a blood aristocracy by making a family endowment that could only be dissipated by the current tenant with difficulty. The family line could well continue wealthy and thus powerful for as long as it continued to generate heirs.¹⁵ The development of a House of Lords was preceded by legal devices that allowed the formation of a relatively stable blood aristocracy. The rules surrounding real property were well known, but also complicated. People parcelled out combinations of life estates, fees tail, remainders and reversions to exercise familial power and patronage. They arranged their affairs to coincide with the rules and to take advantage of the writ structures, but often also fell short of meeting the legal requirements. Law had grown more useful, but also less in accord with the way in which ordinary people instinctively thought. The successful adapted to take advantage of the new possibilities to exercise power in this life and likewise to determine the use of their wealth after death.

Women's rights in property, established along with the origins of property around 1200, continued to be a primary focus of court activity. In a quarter of a year, Trinity term 1275, the court of common pleas handled 351 women claiming their dower rights, 319 of them still as unmarried widows. They constituted a sixth of the total number of plaintiffs in that court, and they sued a total of 1,081 tenants, more than a fifth of all defendants. In Trinity term 1305, 474 women were claiming dower rights against 1,363 tenants: substantially more dower claims, but, because of the

increase in the court's jurisdiction, a smaller portion of all litigation. The presence of women in litigation still expanded numerically, but was declining in comparison to that of males. In 1275, moreover, women had constituted nearly a quarter of all plaintiffs, but not even a tenth of the defendants. The latter figure is a more likely indicator of their economic power; the former figure indicates that they had to pursue their rights at law more frequently than males precisely because of the social complications of dower.¹⁶

By 1300 fully professional lawyers served the common law and its users. Lordship was at the heart of this development of a legal profession. Magnates had representatives (seneschals or bailiffs) to protect their own interests and their men in the various county and local courts. Speaking on behalf of a man was a duty of lordship and a function of patronage; speaking precisely as the client was a convenience function when it was difficult for the client himself to be present. Speaking on behalf of the litigant became the duty of the serjeant or, later, the barrister. Speaking as the client and binding him was the function of the attorney or, later, the solicitor. Professional lawyers, exercising diverse functions but possessed of arcane knowledge and valuable skills, emerged in the course of the thirteenth century working in manor, hundred, county and king's court as necessity led them. By 1300 a much smaller group of professional lawyers had become professional serjeants and professional attorneys, but that larger group of professionals exercising diverse functions survived. Statutory regulation had supplemented traditional loyalty expectations, and even a rudimentary instructional regime had developed that would soon turn into the inns of court.¹⁷

English law had become bureaucratic and rule-bound. The use of standard writs to establish king's court jurisdiction in each case, specialist justices and professional lawyers, and statutory action combined to make the law so predictable (although not immune from influence or bribery) that it could be usefully manipulated. The advantages to a creditor of a bond for a debt, for instance, were so great that people would bind themselves to an agreement by submitting such bonds to a trusted third party, to hold in escrow. If one side defaulted, the other party received both bonds and could enforce a debt that was designed to exceed the value of performance of the agreement.¹⁸ In that way, legal rules operated to structure conduct outside the court, with less frequent resort to actual suits. This court-sponsored manipulation of the writs and rules to serve social needs helped construct social relationships more serviceable to society and individuals. At the same time, such beneficial uses of the law made individuals more dependent on the state and its institutions. Statutes, judicial changes in the law and the development of professional serjeants and attorneys established a mature legal system that in fact focused the attention of England on the workings of Westminster.

The Black Death

After the Black Death the English legal system became increasingly comprehensive. In the wake of the plague, Edward III's government acted aggressively to hold society together by introducing coercive mechanisms to compel all sectors of society to perform their obligations. Suddenly, in the two decades following 1348, shepherds, builders, surgeons, clothmakers appear in the plea rolls, regulated in the quality of

their workmanship. The justices themselves spurred the development of penal and performance bonds that acted coercively to ensure debt repayment and adherence to agreements, including agreements to perform arbitration awards. The chancellor himself became more aggressive, leaving the general rules of the common law in place but remedying individual problems in his court of conscience, the court that would slowly develop its own systematic law: the law of equity. By the sufferance of the common law justices, the chancellor developed the rules that allowed the growth of uses, a device that empowered husband and father within the family and increased the manipulability of land as an economic resource. The English government through its courts increasingly became a government of inherent authority, a state that acted in fact as responsible for the whole of society.

The Statute of Labourers of 1351, the most obvious consequence of the Black Death, compelled workers both to work and to work at roughly traditional wages. The statute diminished the necessity of villein status in securing a labour force and increased the importance of contractual relationships. To the extent that lords manumitted villeins or simply ignored status because they had other means of securing labour, the lords made themselves more reliant on state authority. In the years right before the Peasants' Revolt, the court of common pleas handled more than 300 Statute of Labourers cases each term (most only at procedural stages), with even more enforcement managed at the local level. To reinforce the effect of the statute, moreover, chancery made available *assumpsit* writs that allowed suits to enforce the quality of workmanship in occupations. The law not only tied the gentry to the state, but also secured the labour force and controlled society. Incorporating the gentry effectively into governance came all the more easily because the gentry themselves were the arms of state power at local level, whether as the commissioners who enforced the Statute of Labourers or as the newly empowered justices of the peace.¹⁹

Penal and performance bonds were as coercive in horizontal relationships as the Statute of Labourers was in employment relationships. With a penal bond, a debtor made out a bond committing himself to pay a sum twice the amount actually owed (e.g. £50 for a debt of £25), with full repayment of the real amount owed on time (£25) making the bond amount (£50) void. Default in any part made the debtor liable for the bond amount (£50), a crushing penalty. Performance bonds were similar instruments, but with the penalty voided on performance of an act, such as performing an arbitration award or performing leasehold obligations. These instruments were extraordinarily coercive, since the penalty would be owed in full even if the debtor defaulted in the last, even minor instalment. Penal bonds became the classic way to commit to a debt. Performance bonds served as primary mechanisms for reinforcing arbitration agreements and leaseholds. Since performance bonds were so coercive, they made arbitration a serviceable mechanism for resolving disputes: accepting the arbitration award was much less expensive than defaulting and thus owing the penalty. Arbitration thus flourished in the fifteenth century, not because people were dissatisfied with the courts but because the courts had made available devices that put teeth into arbitration. Similarly, leases became more frequent after the Black Death, partly because it was a better way to manage a depopulated countryside, but more because performance bonds served both lessor and lessee to

ensure either the rent and proper return of the tenement or the quiet enjoyment of the leasehold. Penal and performance bonds allowed people to be assured of the consequences of debts and agreements.²⁰

Uses, enforced by the chancellor's court of conscience, gave people a life after death. The common law was so manipulable that tenants gave their land to feoffees of uses (analogous to modern-day trustees). The common law was content to regard only the feoffees as having any rights; the chancellor in his court, outside the common law, finally made the feoffees act conscientiously, according to the directions given or that had been given by the tenant, either for his own benefit or for others. The immediate purposes seemed cogent: utilization of real property to pay off debts after one died, more security in providing for prayers after one's death, avoidance of dower rights that presented particular problems to purchasers, and strengthening of husband and father against the entrenched rights of dower and primogeniture. In Trinity term 1386 almost 80 per cent fewer women claimed dower than had in 1305, even though overall litigation had increased by about 60 per cent. By Trinity term 1465 there were only twelve women claiming dower in the court, a strong testament to the popularity and effect of the use and to the way in which males utilized the legal rules that would keep wives' dower right from attaching to land. With uses, the husband/father could keep a wife or a son dependent on the directions he gave to the feoffees even down to the day of his death. In practice, of course, husbands frequently did provide well for their widows, but they retained full power in their own hands until they died. Some husbands even stipulated that support for the widow would terminate on her remarriage, thus governing her conduct even after death. Soon the tangential effects of uses became more important because uses could also avoid wardship rights of lords, thus increasing the wealth passed to the next generation.²¹

The introduction of a new court, the chancellor's court of conscience, with new concerns and approaches, together with new common law devices such as the penal and performance bonds changed the complexion of litigation. In 1275 the old property actions, including conveyancing litigation oriented towards final concords, had accounted for more than 80 per cent of the cases in the court of common pleas. The jurisdictional changes during the reign reduced that figure to 54 per cent by 1305, but with the absolute volume of such cases still increasing by more than 40 per cent. By 1386 the old property actions constituted only 11 per cent, with the absolute volume less than half of the 1275 figure. By 1486 they constituted only 5 per cent, with the absolute volume less than a fifth of the 1275 figure.²² The old actions continued to set the framework within which landed wealth was managed, but litigants found it much more useful at common law to challenge rights by provoking tenants to bring actions of trespass or by binding people with performance bonds. Many disputes about landed wealth likewise went not to common law but to the chancellor, whose court dealt with the directions given to feoffees of uses. Instead of a tiered system of litigation that allowed multiple chances to relitigate at a higher level of right, late fourteenth- and fifteenth-century litigants preferred rather to use the law as a mechanism for pressuring opponents and for structuring social relations in ways that presumed the litigation structure but had strong disincentives actually to use it. Use of the common law not for actual litigation and judgements but as a

context within which people constructed predictable social interactions both built on and reinforced ideas about social deference and developed social practices controlled securely but at a distance by the law.

Law and the Church

The ecclesiastical courts, although not directed by the crown, were part of the English legal system. In addition to the courts of the seventeen bishops, archdeacons' courts multiplied the effect that canon law had in England. This system of ecclesiastical courts was hierarchically arranged in a way that the king's various courts were not, with the papal court in Rome or Avignon as its jurisdictional apex. While theoretically and, in significant part, in fact separate from the king's law, these church courts were also part of it. Time and necessity had forged links between the courts; they operated in tandem in the same society and on the same populace. They could and did disagree, at times routinely, at times seriously, but the overall effect was that each relied on the other. By the fourteenth century the king and the common law had established a moderate superiority, capable of enforcing jurisdictional limitations on the ecclesiastical courts; the common law itself handled a wide variety of cases and persons that were ecclesiastical in nature. By the late fourteenth century the king and the king's court could, when it so chose, decisively regulate the church and its courts.

The church in England developed its courts into a hierarchical system beginning in the reign of Stephen, with the basic settlement of power determined by the outcome thereafter of the conflict between Henry II and Becket. Ecclesiastical courts handled substantive matters that concerned salvation and church order: sexual misconduct, determinations of marriage and annulment of marriage, blasphemy, breach of faith, sacrilege, discipline of ecclesiastics, enforcement of church rules in parishes, defamation. Church courts likewise operated according to the forms of Roman law, with an inquisitorial judge, without common law-style juries, with witnesses and the imposition of oaths on the parties to tell the truth: the same kind of procedures that the chancellor's court of conscience would adopt in the late fourteenth century. The king's law maintained some control over ecclesiastics who committed felonies, control over advowson rights that preserved a large measure of lay activity in church appointments, the ability to handle ecclesiastical parties in an extremely wide sphere of litigation as long as the subject matter was not explicitly defined as ecclesiastical, and the ability to police the jurisdictional boundaries. On both sides those boundaries were porous: the policing mechanisms only worked at the request of a party. Moreover, since people actively used the courts, litigation in one was often part of a larger social or legal complex that included litigation in the other, particularly in regard to questions of marriage, because such questions also involved property settlements. Even though the formal law saw two different legal systems, from the user's perspective there was only one. The people concerned had access to a wide array of courts including the variety of the king's courts at Westminster, the ecclesiastical courts throughout the country, the county, hundred, manor and borough courts; those courts meshed and created a larger system of opportunities for the resolution of conflicts, management of wealth and maintenance of order.²³

Table 13.2 Common pleas entries with ecclesiastical plaintiffs (sole or primary)

	<i>Trinity</i> 1200	<i>Trinity</i> 1275	<i>Trinity</i> 1305	<i>Trinity</i> 1386	<i>Trinity</i> 1465	<i>Trinity</i> 1526
Bishops, heads of religious houses	33 (7%)	105 (7%)	285 (6%)	717 (10%)	404 (7%)	182 (5%)
Other ecclesiastics	<4	<19	<224	782 (11%)	351 (6%)	253 (3%)
Percentage of entries	8%	8%	11%	21%	13%	11%
Percentage of entries designating status	73%	77%	70%	59%	30%	24%

Source: *Curia Regis Rolls*, 1: 172–253 (adjusted for consistency); CP40/10; CP40/156; CP40/502; CP40/816; CP40/1051. Before the late thirteenth century status was only irregularly entered, except with magnates. The figures here do not indicate different people, but numbers of entries with such plaintiffs.

Advowsons and jurisdictional boundaries constituted major points of friction between the ecclesiastical courts and the common law. The common law considered the advowson (the right to nominate the person the bishop would appoint to an ecclesiastical, revenue-producing position, such as a rectory) an ordinary property right that could stand alone or pass by inheritance with other property. Control over those positions was vital for bishops, pope, king and magnates, because those positions were sources of ensured revenue that could provide support for administrators and general patronage. Defendants could use the royal writ of prohibition to prevent church courts from handling matters concerning advowsons. As early as the reign of Edward I, the crown developed ways to police papal expedients designed to gain control over such sources of patronage. After the Black Death Edward III solidified in the Statutes of Provisors and Praemunire the procedures that would thereafter be the most serious mechanisms that policed the boundaries between the church and the common law courts. Praemunire could punish not only offending plaintiffs in church courts, but also the judges, lawyers, summoners and even the supporters of the plaintiff, treating all as enemies of the king. The device was generally used to procure submission instead of judgement, but it stood as the ultimate statement about the king's ability to supervise an essential part of the English legal system that was admittedly not totally subject to his authority.²⁴

Conflict was important, but coordination was dominant. Many, and at times most, bishops arrived at their post by royal service; ecclesiastics had ties not only to the crown but often to the magnates: they were not in fact isolated from the society in which they lived. Moreover, ecclesiastics themselves made extensive use of the king's court, constituting a significant portion of plaintiffs in the court of common pleas. How large a percentage is difficult to determine before the late fourteenth century, when the status of plaintiffs was enrolled much more regularly. What is clear, however, is that, even in a social context that seemed to require less litigation because of governance mechanisms like performance bonds, ecclesiastics became markedly less willing to sue at common law during the fifteenth century in comparison to their lay countrymen. Conceivably they felt more comfortable in the chancellor's court; conceivably likewise the continuing demand to be a separate order became internalized in their decisions about whether to sue at all (see table 13.2). Up until the fifteenth

century, however, ecclesiastics litigated vigorously at common law. The subject matter of litigation brought by clerics at common law included tithes, mortuary fees, parish boundaries, annual rents that supported or impoverished churches, assault on clerics, and the taking of church goods such as vestments and chalices. Particularly after the Black Death, common law leaseholding protections encouraged rectors and vicars to lease out their parishes, surrendering often to laymen the management of the parish, including the hiring of the parish priest, the collection of tithes and mortuary fees and the maintenance of the parish buildings.²⁵ Jurisdictional boundaries were porous, and the users of the law defined their suits or situated themselves to secure the greatest advantage. Most individuals felt little allegiance to abstract jurisdictional rules and pragmatically found ways to use the complex of king's and church courts to structure their society.

The Social Impact of Litigation

The legal system was both complex and influential in late medieval England. Many courts, different sets of legal rules, lawyers accustomed to work in a highly technical world using both Latin and French as professional languages, fictions and process that isolated the inner workings of the law from society all contributed to making the law obscure by the fifteenth century. At the same time, however, the legal system continually recreated and affirmed society, involving many ordinary people in litigation, primarily as parties but also as pledges, summoners, jurors or witnesses. Despite the fact that the common law in its full technicality resided in the minds of a very small number of people working in Westminster Hall and that the chancellor's court of conscience could be as daunting, the legal system provided the continuing structure of life for the nation.

The legal system interacted with a broad segment of the population and constituted thus the government's primary mode of regulating society. In only a quarter of a year, Trinity term 1465, the court of common pleas entertained process against more than 11,000 defendants (perhaps 10 per cent of the defendants appearing in more than one case) distributed over more than 5,800 plea roll entries and about 3,700 different plaintiffs. The court of king's bench and the chancellor's court of conscience may together have added, at a guess, something like a quarter to a third more. Additionally, process was ongoing in common pleas with more than 500 juries, most of which, of course, would never assemble; but the volume of potential summonses would weigh not only on the sheriff who would have to execute the process, but on the subjects who might have to serve. All told, something like 3 per cent of the adult male population at any given time may have been involved as a party to litigation in the various central courts. A substantial number of others were involved as jurors and summoners. An even broader population was under coercive instruments that relied on the sanctions of the law but usually were effective without actual litigation. Still others were observers: neighbours or friends to litigants or individuals who were merely threatened with actions. People who would not show up in the king's court were litigants in the more local courts that patterned their actions on the common law. What a reasonable figure for the actual level of interaction of courts with people would be still has to be calculated, but clearly the legal system was a substantial and continuing presence in the life and minds of English subjects at all levels.

Table 13.3 Litigants in common pleas, T1465

	<i>Plaintiffs</i>		<i>Defendants</i>	
Lay magnates	53	0.8%	6	0.1%
Religious magnates	370	5.6%	88	0.8%
Gentry	974	14.8%	1,520	13.6%
Ecclesiastics (rectors, vicars etc.)	416	6.3%	563	5%
Merchants, citizens	544	8.3%	379	3.4%
Officials, lawyers			46	0.4%
Yeomen	42	0.6%	1,908	17%
Men of occupation	251	3.8%	3,059	27.3%
Husbandmen	24	0.4%	3,033	27%
Labourers	0		372	3.3%
Singlewomen (widows and others)	191	2.9%	156	1.4%
Wives	130	2.0%	84	0.7%
Unknown	3,568	54.4%	3	
Total	6,563	100%	11,217	100%

Source: CP40/816. These figures do not indicate different people, but simply the status of the litigants in entries. One suspects that the plaintiffs with unknown status were disproportionately yeomen and men of occupation, so that the plaintiff distribution would bear a closer resemblance to the defendant distribution.

The husbandmen and labourers who constituted nearly a third of defendants in the court of common pleas were also active participants, because of the counterintuitive nature of litigation by the fifteenth century. The utility of novel disseisin in the thirteenth and fourteenth centuries had embedded in both law and society the practice that assertion of a property right came most readily not in the form of buying a writ, but of making a physical entry onto the land. By the late fourteenth century this practice required regulation by the statutes of forcible entry. Since the tenants of land would often bring a trespass action against people asserting their right by entering, the defendants in trespass were often in fact the claimants of property rights. After the Peasants' Revolt, the common law allowed villeinage tenure, hitherto not protected at common law, as a justification in trespass. Increasingly the two-thirds of tenures unprotected at the origins of the law became protected by the king's law, first tentatively in trespass, then more affirmatively by the chancellor in his court of conscience, and finally quite explicitly by the common law in the later sixteenth century. The beginnings, however, came in the late fourteenth century after the revolt. At the same time, *assumpsit*, which had been oriented solely to ensuring quality workmanship in the occupational and agrarian sector, grew to handle more horizontal claims, such as the warranty by the seller of a horse. Law that had been focused towards coercion became somewhat more neutral and inclusive in respect of classes. Congruent with that moderation, by 1465 Statute of Labourers prosecutions were an insignificant portion of litigation.

While certain elements of the law were less likely to arouse hostility in the fifteenth century, the law as a whole became ever more coercive. The king's government, assuming responsibility increasingly for all social needs, assumed the power of burning heretics and began tracking down those who spread dissident religious opinions. Fourteenth-century law, likewise, had expanded its concerns in part by manipulation,

such as leaving bonds in escrow to enforce agreements. In the fifteenth century using the law went well beyond manipulation into fictions. The court of king's bench developed the fiction of the Bill of Middlesex by combining jurisdictional rules to achieve the highly coercive form of litigation that would imprison the defendant at the first effective stage of process. No preceding notification of the litigation would have reached the defendant before imprisonment. Not all fictions, however, were wholly coercive. The common recovery, for instance, facilitated estate management by allowing tenants in fees tail to free themselves from the limitations on their tenure so that they could take advantage of uses, with, of course, all the consequent disadvantages that uses normally had for women.

Over the course of more than three centuries a legal system that grew out of an attempt to regulate a normative society provided rigorous rules that structured, governed and controlled society, reflecting and providing increased benefits generally. From soon after 1176 Henry II began to treat his new courts and their writs as a system; by 1200 the courts and the common law had changed basic assumptions about the management of land as an economic resource. Edward I then rationalized the legal system in a context of state power and commerce that had made earlier legal expectations obsolete. Edward III's government reacted vigorously to the Black Death, coercively compelling people to perform their duties, but thus expanding the capacity of government so that within decades the state could seek both to serve and to control the whole of the society, not just that limited sector that Henry II had managed. That society was more elaborately hierarchical, more rigid in gender roles and more intrusive into individual life; but it also offered correspondingly, but perhaps paradoxically, more security and independence at each level and more opportunities to manipulate landed and commercial wealth. The legal system throughout shaped the expectations about the exercise of power and the allocation of wealth that made possible an increasingly elaborate society. By continually recreating the assumptions of civilization and commercialization, the twelfth-century kingdom developed first into a medieval state that could claim the basic loyalty of its subjects; that state then, responding to a demographic catastrophe, became a government of inherent authority that dealt with the whole range of social need, reflecting and continuously recreating the English state and society.

NOTES

- 1 This chapter incorporates Strayer's standards for a state in *On the Medieval Origins of the Modern State* (Princeton, NJ, 1970), pp. 5–10, modifying the simple impersonal bureaucracy criterion into a criterion of an impersonal bureaucracy that in fact renders significant benefits to a broad sector of the community.
- 2 Palmer, *County Courts*, pp. 29–88; Brand, *Making of the Common Law*, pp. 80–2, 89.
- 3 Milsom, *Foundations*, pp. 38–9, 43.
- 4 Hudson, *Land*, pp. 112–13. Hudson's useful study lacks familiarity with the developed common law and thus fails to appreciate Milsom's approach in Milsom, *Framework*.
- 5 Palmer, 'Origins', pp. 8–13, despite the critique by Holt in '1153'.
- 6 Brand, *Making of the Common Law*, pp. 72–102; Palmer, 'Origins', pp. 13–22.
- 7 Milsom, *Framework*; Palmer, 'Origins', pp. 22–47.

- 8 Milsom, *Studies*, pp. 231–60.
- 9 Palmer, ‘Impact’, pp. 376–89.
- 10 Plucknett, *Legislation*, pp. 138–47.
- 11 Palmer, *Black Death*, pp. 74–6.
- 12 Palmer, *County Courts*, pp. 220–62.
- 13 Baker, *Introduction*, pp. 297–9.
- 14 J. M. W. Bean, *From Lord to Patron: Lordship in Late Medieval England* (Philadelphia, 1989), pp. 10–115.
- 15 Baker, *Introduction*, pp. 319–21.
- 16 CP40/10; CP40/156.
- 17 Palmer, *County Courts*, pp. 89–138; Brand, *Making of the Common Law*, pp. 57–76.
- 18 Palmer, *Black Death*, pp. 72–3.
- 19 *Ibid.*, pp. 14–27. For the examination of Statute of Labourers cases just prior to the Peasants’ Revolt, see Kevin O’Neal, ‘Statute of Laborers prosecutions and the English Rising of 1381’ (unpublished M.A. thesis, University of Houston, 1995), pp. 60–81.
- 20 Palmer, *Black Death*, pp. 104–32.
- 21 *Ibid.*; CP40/156; CP40/502; CP40/816.
- 22 CP40/502; CP40/816.
- 23 Donahue, ‘Introduction’, pp. 72–103; Helmholz, *Marriage*; Palmer, ‘Contexts’.
- 24 Helmholz, *Canon Law*, pp. 77–99; Palmer, *Black Death*, 28–53.
- 25 This material derives from my new book rapidly approaching completion, to be entitled *Selling the Church*.

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CHAPTER FOURTEEN

England: The Nobility and the Gentry

CHRISTINE CARPENTER

The history of the greater and lesser lay landowners of England in this period, the aristocracy to use an anachronistic but convenient term, is a huge subject, one that has its own substantial historiography concerning their development, identity and interests but which also touches almost every aspect of English history. For these landowners were in large part the political, governmental and, as producers and consumers, economic motors of England at this time.

It is with Anglo-Norman landowners that the modern historiography of this group begins: with Round's family history studies of the late nineteenth century, which helped inspire Stenton's work of 1932, itself the inspiration for further distinguished work up to the present day. By contrast, the fourteenth and fifteenth centuries were abandoned to historians who concentrated on institutions, notably parliament and central government, until, in the post-war era, K. B. McFarlane inspired a whole school of historians to study first the nobility and then the gentry of the late medieval period. Although it is only recently that Holt's and Painter's pioneering work on the thirteenth century has been taken up, and there are still large gaps in our knowledge for Henry II's reign and for much of the fourteenth century, we now know an extraordinary amount about the aristocracy of 1100–1500, even if historians are not always agreed about what they know or what it means.

If land was the basis of wealth in medieval England, it was also the basis of power. As long as the king had no standing army of his own, it was the peasant tenants of the landowners who provided the local military manpower that stood implicitly, and sometimes explicitly, behind royal commands and made possible their enforcement in the localities. Mostly, this power was freely placed at the king's disposal, for the excellent reason that it was ultimately the king who guaranteed the security of the landed property, first of the nobles, and eventually, through the king's law, of all landowners. It would indeed be a mistake to assume that there was ever intrinsic antagonism between royal and aristocratic power. There might be hostility to the king's demands, first on the nobles' money and then, from the thirteenth century, on the gentry's; at times there was animosity to royal intervention in the shires. But landowners and crown essentially stood together to preserve their privileged position

at home and to defend their country against enemies abroad. The counsel of lay and ecclesiastical magnates was crucial in helping kings to restrain themselves from the excesses to which their enormous power might tempt them, but everyone agreed that, in theory at least, the king was above restraint, as he had to be if his authority was to be used impartially. As the king's government grew in scope and in depth, so the relationship with the aristocracy became ever more symbiotic. There was however a changing power balance between king and aristocracy, and therefore between king and localities, of which the chronology and implications are complex and much debated. Broadly and crudely we can say that there was an even distribution of power between centre and localities in the Anglo-Norman period but that this tipped firmly to the centre in the later twelfth century, once the king's law made his power indispensable to all landowners. It began to flow back the other way in the thirteenth, when lesser landowners demanded control of the growing amount of governance that they were experiencing and the sheer expansion of royal power required more delegation to the shires. Towards the end of the fifteenth century, royal government began to tighten its hold over the shires again.

Internal Stratification

Hierarchy was fundamental to landowning society but defining those above and below the line of gentility and the levels within the hierarchy has proved problematic. In 1100 the major landowners were the tenants-in-chief of the crown, so called because they held directly of the king. Underneath them there was a broad spectrum of lesser landowners, or sub-tenants, ranging from the 'honorial baronage', who held large estates of the tenants-in-chief, to some very minor figures indeed. Historians tend to use the term 'knight' for all these sub-tenants and a major issue is the status of the knights between the Conquest and c.1300. Several historians argue that the post-Conquest knights were by and large unaristocratic men, barely distinguishable from peasants if they had land, or household menials if they had none. It was only in the later twelfth century that they rose to acquire the land, wealth and status, including the sub-tenancy, or fee, held by knight service from a tenant-in-chief, with which knighthood is typically associated. Related to this is the idea, borrowed from continental historians, that at this time there began a 'fusion' between the greater knights and the nobility. Nobles, inspired by the new chivalric cult, began to use knighting as a rite of passage to adulthood, while the greater knights participated in the cult and, from about the 1240s, began to style themselves 'knight' in documents. Conversely, some historians believe that there was a 'shake-out' among the lesser knights, which led to the least wealthy not just abandoning knighthood but even going bankrupt. This is attributed to the inflation of c.1180–1220, mounting costs for equipment and horses, the expense of the new dubbing ceremony and a more general rise in living standards. The latter was occasioned both by the new aristocratic aspirations with which knighthood was linked and by the general rise in consumption associated with the growth of the European economy in the twelfth and thirteenth centuries. Thus, while the most recent estimate of numbers of landed knights in the late twelfth century has been put at 4,500–5,000, by 1224 the king, with insufficient knights to fight and to furnish juries, was having to distrain, or force, men to take up knighthood, and by the end of the century there were only about 1,250 knights. Knighthood, it is argued, had become an elite status and those

families which no longer provided knights had not only failed to measure up to its new status but in some cases gone under.

This is an engaging thesis but in actuality less plausible than it seems. There is certainly no doubt now that feudal society at every level was much more inchoate in 1100 than was once assumed. Service itself, as well as the feudal incidents of relief, marriage and wardship, had yet to be regularized, and this was equally true of the tenurial position of those below the honorial baronage. Some were still household knights; some had leaseholds; some held in socage; subinfeudation, by which lords granted land to their men in return for military service, was proceeding at variable speed but it was clearly far from complete. Definition occurred during the twelfth century and it was only in Henry II's reign that a knight's fee, sometimes an artificial notion imposed on variegated lands for reckoning fiscal and military service, came to be recognized as the quintessential knightly holding and that its size and value were defined. Much of this definition owed less to knightly aspirations than to the uniformity of tenure and service imposed by the king's law and by his fiscal demands levied on the lord's honour and knight's fee. There were however also changes from below at work. In 1100 it seems that the holders of manorial rights over their dependent peasantry were largely the great men: tenants-in-chief and the honorial baronage. By the thirteenth century, all lords of manors, however insignificant, had this lordship over men which made them part of the governing class.

However, it does not follow that we must accept the thesis that knights had risen from a previously unaristocratic position. First, the aristocracy was always a warrior elite, requiring the time that came from their privileged position to acquire the necessary skills: part-time 'peasant' soldiers could be for emergencies only. Secondly, a lack of definition of tenure does not amount to universally low tenurial status, while manorial rights gave only limited authority in England. This was nothing like the large-scale and lucrative jurisdiction of the 'ban' held by many French lords with which these rights are sometimes compared, especially as their spread coincided with the huge growth of the king's law. The latter became both the universal forum for private pleas among landowners and the paramount agency for dealing with serious crime. It may indeed have helped cause the extension to lesser landowners of this rather limited manorialism: manorial jurisdiction gave them the status and authority which enabled them to become part of the large and growing local officer class required by the king to assist his own officers in administering the law and seeking out and punishing crime. The problem of the fortunes of the knights would be much easier if historians applied more context-conscious definitions. It is clear, first, that it is wrong to differentiate landless household knights from landed knights in post-Conquest England, for, at this period in European history, when there was still land to be had by colonization and conquest, many landless men joined a lord's war band to acquire land in his service. The Norman Conquest, which turned England into a colony, was an unexampled opportunity for such men. Because of the Conquest, England had land available for immigrants for about a hundred years after 1066 and Wales and Ireland provided opportunities even after that. Secondly, the *milites* of Domesday Book, many of them very minor figures, appear in many cases to be members of a minor ministerial class or lightly armed troops rather than men whom we would later term knights. It looks, in sum, as if the 'proto-knights' of c.1100, looked at on their own terms rather than those of their successors, were mostly no more menial than their successors.

Similar care with definitions is needed in the thirteenth century, when there seem to have been three different meanings of knighthood: all holders of knight's fees, the 'belted' knights (men who had been formally dubbed and were available for war) and the local elite among lesser landowners who were beginning to call themselves knights. By the end of the century knighthood was indeed confined to those who had been dubbed, and knights were customarily designated as such on documents. Consequently, the decline in the number of knights during the thirteenth century probably reflects the development of more exclusive definitions of knighthood rather than an actual decline in the number of lesser landowners. However, it was not that exclusive and never became confined to the nobles and greater gentry. Even if those with the smallest of fees were now rarely knighted, plenty of middle-ranking gentry still achieved knighthood in war, especially when enthusiasm was rekindled under warrior-kings like Edward I and III and Henry V, and the king might supply the costs of dubbing and even the weaponry. Furthermore, the arrival of the common law meant that, in contrast to continental Europe, greater knights and nobles could not fuse into a hereditary caste because the only legal distinction of persons was henceforth between the free, who included all landowners and even some peasants, and the unfree. As for the theory of a 'shake-out' among the lesser knights, while this period, with consumerism, price rises and expanding markets, was a time of both great potential and great danger, when some lesser landowners undoubtedly got into financial difficulties, there is no evidence that the lowlier holders of knight's fees went under as a group. They remained gentle, part of the aristocratic world, if no longer knightly. As throughout our period and at all aristocratic levels, families came to an end most usually because they had no male heir rather than because they went under economically or socially. Undeniably, the nobles' appropriation of knighthood gave the word *miles* a new honorific meaning. Equally, rising wealth and living standards encouraged sub-tenants to imitate the nobles' tastes, not just in living more comfortably and eating more expensively but in using heraldry on houses and tombs, being buried in churches under their own patronage and reading chivalric literature. But, if this started with the greatest sub-tenants in the thirteenth century, it had reached down to the least gentleman by 1500. The change in the meaning of knighthood in the thirteenth century, and the probable acceleration then of the normal process of upward and downward social mobility, should not be confused with either a social rise for the greatest holders of knight's fees or an economic and social crisis for the least.

The same sensitivity to contemporary terminology is required in discussing late medieval landowners, for again terminology and reality can easily be confused. In this period, one notable for the evolution of more precise terminology throughout the landowning hierarchy, such confusion is particularly dangerous. The most significant change was the emergence of the peerage from among the greater landowners. By the thirteenth century the word 'baron' was used for all tenants-in-chief but among them only a small handful at the top, the earls, were marked out by a special designation. During the fourteenth century the list of men who received a personal summons to parliament became standardized, and by 1400 had settled at around 100: this was the hereditary parliamentary peerage, the only group among the aristocracy to be institutionally differentiated from the rest. In the fourteenth and fifteenth centuries there was also demarcation within the peerage, which eventually

produced the full range of noble titles from duke at the top to simple baron, now carrying a different meaning, at the bottom. The tenants-in-chief who did not make it to the peerage had to be content with the now honorific title of knight, but there was also differentiation below the peerage. By the fourteenth century many men of rank and wealth had no wish to be knighted, probably chiefly because they had no desire to fight, but they needed a title in a world where titles had come to matter, especially as they were performing increasingly important local duties for the king. By the fifteenth century the same could be said of the very least of the gentry, and the need for titles had grown more pressing as some peasants prospered economically after the Black Death and all those who claimed gentility wished therefore to make a clear distinction between themselves and the rest. During the fourteenth century the title of 'esquire' emerged for the greatest of these non-knightly men and in the fifteenth 'gentleman' for the least, the hierarchy of titles corresponding roughly, if not invariably, to the actual hierarchy, in terms of land, wealth and tenure of local office. The only new group to use these titles were the lawyers and other lay professionals who began to proliferate in the thirteenth century and had become numerous by the fifteenth: some rose to be esquires or even knights, but the title that was eventually routinely employed for them was 'gentleman'. Many of them were landowners themselves but, outside the towns, it was these professionals alone, who serviced the world of power, who might be termed gentle while lacking a manorial estate. From the later thirteenth century, when 'knights' no longer describes the knightly class, the term 'gentry', another convenient anachronism, is normally used.

Looking across the whole period, it seems that the hierarchy of landowners remained much the same – a pyramid with a broad base and a very small top – while, from the top downwards, each level in turn raised its aspirations and, as this occurred, designations at every level grew more precise. That landowners became more self-conscious was in large measure due to the huge expansion in government. This eventually brought direct responsibility as officers of the crown to every level of the landowning hierarchy but also indirect responsibility, from the great noble whose lands enabled him to act as the county-wide conduit of royal authority to the least manorial lord whose authority over his tenants gave him a foothold in the world of governance. Moreover, a national government, with a national focus at Westminster, increasingly required a national hierarchy of titles, most obviously to define who might sit in the Lords but also for such things as identifying men who came before the law and defining ranks for the sumptuary laws and poll taxes. The only structural change was the slice through the ranks of the men immediately below the earls, which raised some of them to the peerage whilst leaving the rest among the gentry. The only significant change in composition was the arrival of the parvenu professional, among nobles in the twelfth century and gentry in the thirteenth. This new avenue of advancement did represent a marked change in landowning society, supplementing and eventually supplanting the career path of warfare, as English society became more settled and government and society more complex, while king and lay and clerical magnates made use of the new service industries of administration and law. The only other notable variable in aristocratic society was the rate at which social mobility occurred. This was determined almost entirely by the availability of manorial land. It was therefore at its greatest in the period up to c.1200, a period

when, for various reasons, a lot of land changed hands, and perceptible if slower in the thirteenth century, when colonization from fen and forest was still possible and there was some turnover among the gentry. It was at its slowest in the fifteenth century, when no new land was becoming available to the laity and a sluggish economy reduced both opportunities and hazards. Many of the growing army of lay professionals would have to wait for the dissolutions of monasteries and chantries to achieve a satisfactory landed endowment.

Did these landowners constitute a single class? Leaving aside the earls, who were always in a special relationship to the crown, it may be unwise to distinguish magnates from lesser landowners before the emergence of the peerage. However, a case could be made for characterizing the tenants-in-chief, a group that owed military and personal service direct to the king, as the nobles of the pre-peerage period. From the fourteenth century, although the overlap between the incomes of the richest knights and esquires and the poorest peers suggests that the line drawn beneath the latter was highly artificial, there were enough differences to confirm the special position of all the peers. There were legal distinctions, like their right to a trial before other peers, but others were probably more important. First, there was military service. We have seen a growing reluctance among lesser landowners to perform this, one which not even outstanding warrior-kings could entirely overcome. By the late twelfth century many holders of fees had other preoccupations: exploiting their estates for profit and serving the king in local administration. A growing number, arriving among their ranks via professional service, had no military experience. Although gentry continued to fight for the king throughout our period, in both the British Isles and France, many chose not to and those who did fight were often opting for youthful adventure, confining their service in later life to local office. Increasingly, outside the more militarized frontier zones, the service of the gentry was indeed less in warfare than in local administration, including eventually the key local offices of sheriff and justice of the peace. By contrast, almost all the late medieval peers seem to have fought and many continued to fight as middle-aged or even elderly men. In fact, throughout the period from 1100 to 1500, even those nobles whose careers were based on professional administrative service rarely shied away from offering military service as well. Despite the widening of its preoccupations, this remained a military nobility, up to 1500 and beyond; hence its outrage when kings like Henry III, Edward II, Richard II and Henry VI failed conspicuously in war and foreign policy. Secondly, despite the gentry's increasing preference for local administration over military service, many preferred to avoid office altogether, but the late medieval peers by contrast were almost always appointed justices of the peace in the counties where their main estates lay. Equally, at the centre, it was the nobles who offered advice and who helped take charge in a minority or political crisis. It could be said that the strong sense of service common to the entire peerage arose from the special relationship with the king that came from the personal summons to parliament.

The lesser landowners, despite the large disparities in landed wealth and official and social status between top and bottom, also had common aspirations, forged in their common experience as manorial lords, and often local officers, in local society, although the greater ones tended to be active in more than one locality. However, we should not make too great a distinction between nobles and knights/gentry at any time in this period. For example, the ethos of service was powerful right across landed society; if the lord, who might be the king, was its principal object until

c.1160–1200, thereafter the king's service predominated. The most notable contrasts between greater and lesser landowners were probably found in the period up to the loss of most of the French lands under John and they related chiefly to location, language and culture. Until the early thirteenth century, although by no means all families gave equal attention to their estates on both sides of the Channel, there was arguably an Anglo-Norman nobility. Further influxes from Normandy of men who rose to prominence, for example under Henry I, and the kings' ownership of so much of France, ensured that noble and royal circles spoke French and may have had some difficulty with English. Although French was still the preferred language of nobles and court until the fifteenth century, the rupturing of most of the direct connections with France diminished its utility. Meanwhile, the French sub-tenants brought by the Conquest apparently became rapidly anglophone, sometimes within a generation of the Conquest, and had to acquire French as a learned language. By the thirteenth century their descendants, the gentry, may often have had very limited French. Consequently, the growing importance of the gentry in all forms of administration made English as necessary as French for the nobles and by the fifteenth century English had become the nobles' first language. In culture as well, greater and lesser landowners became a more homogeneous group in the later middle ages. One reason for the persistence of French among the nobility was its identification from the twelfth century with the elite culture of chivalry, and in the late fourteenth century the nobility, whether habitués of the court or not, still preferred French romances to the avant-garde English works of Chaucer. If literature aimed at a gentry audience appeared later than that written for the nobility and was less sophisticated and more often in English, it still embraced chivalric norms. So did the gentry appetite for heraldry and enthusiasm for war, even among those who did not fight, as long as the king avoided outrageously expensive failure. Moreover, the rising professionals among the gentry were soon assimilated to this way of life. Although many nobles still had wider horizons, for example acting as diplomats or tourneying abroad, it could be said that it was in the fifteenth century that the culture of gentry and nobility began fully to coalesce. There was a common language, common tastes in reading (apart from the tiny number of early 'humanist' nobles like Humphrey of Gloucester). Standards of taste and living were set increasingly at Westminster and London. By the very end of the period, there were the beginnings of a national higher education system for the laity at the Inns of Court and Oxford and Cambridge and of a national literary culture, now being nurtured by Caxton's press in London. This was turning out chivalrous literature like Malory's 'Morte Darthur' that appealed to all levels of aristocratic taste.

Estate Management

It was of course their estates that financed landowners' lifestyle. Neither nobility nor gentry have left the account series of the great Benedictine lords and so establishing trends, especially success or failure, is not easy. Nevertheless, for most of the period it is possible at least to discern their approaches to estate management. Most problematic is the period before the thirteenth century, when records are extremely sparse. Analysis of Domesday Book (1086) suggests that the greater landowners did best if they had lands which could be leased profitably and that lords were more likely to make money, either directly or from lessees, from woods and pastures

than from arable husbandry. The limited evidence for the twelfth century offers confirmation: nobles travelled round their estates, consuming the produce of home farms and leasing more distant properties; if there was any direct exploitation for profit, pastoral farming was the preferred means. Although they employed stewards and other clerks, and there is some evidence of interest in more intensive exploitation, a hands-off approach was simplest for men who had large cross-Channel estates. The vast estates of many of the Anglo-Norman tenants-in-chief provided an income large enough to build castles and patronize religious houses even though they were subinfeudating up to 80 per cent or more of their land. By *c.*1200, inflation, rising consumption costs, especially building, and the pressure of John's financial demands were all forcing tenants-in-chief to reassess their attitude to their estates; what was left after subinfeudation had to be made to pay much more.

Study of the nobility's estate management in the 'high farming' period from *c.*1180, before it began to retreat after the Black Death, reveals them operating much like the ecclesiastical lords. There is no observable difference in the timing of their taking their leased lands back in hand. Subsequently they reorganized their lands into receiverships, breaking up the feudal honours, and acquired a hierarchy of local and central officials who produced centralized accounts for them. Like the clerics, they exploited whatever was available to them: rents, the grain market, in which the Clares were active, cattle, reared for example on the great north midlands vaccaries of the earls of Lancaster, sheep, on the Holderness lands of Isabel de Forz, mining, and the profits of boroughs and jurisdictions which predominated in the economies of the Welsh marcher lordships. The Forz lands under Isabel offer an excellent instance of adaptation of production to changing economic and agrarian conditions; that by the end of the thirteenth century some lay lords were introducing sophisticated profit and loss accountancy suggests that Isabel's readiness to respond to change was not exceptional. Doubtless some lords were more efficient and assiduous than others but, although most great lords, lay and clerical, were in debt in the thirteenth and early fourteenth centuries, this represented an anticipation of income that the estate could normally carry, even if it was sometimes quite large, especially if a lord was building. As with the clerical lords, it is now clear that berating the nobles for profligacy and inadequate investment as some historians have done is inapposite. They invested what they needed to, in land purchases, speculative ventures like new mills or new towns, in officials and in keeping their estates in good repair, while the whole object of the exercise was to enable them to continue with the consumption that was central to their political and social existence. A Thomas of Lancaster who expended about £7,500 on his household in 1318–19 was unusual both in the size of his income (over £11,000 a year) and the grandiosity of his ambitions, and to generalize from him to conclude that the nobles were reckless consumers of their substance is dangerous. In this respect, economic historians' recent shift of interest from the supply side to the demand or consumption side has immeasurably enhanced our understanding of the landlord economy.

Study of consumption raises the larger issue of what benefits lords expected to derive from their estates, and it is this question which might lead us to differentiate the approach to estate management in the high farming period of the great lay lords from that of the clerics. One fundamental difference is that, for the clerics, who were no longer central players in the world of landowning power politics, land was

primarily an economic asset which enabled them to consume at levels that would enhance their status and encourage further donations. By contrast, for nobles land was before all else a means to political power. The lordship over men that it brought was what gave them their status, and their consumption levels enabled them to live up to that status, it did not create it. Thus, for a family like the Clares, their Welsh marcher lordships, economically less desirable but offering powerful lordship over many of the inhabitants, might be more valuable than their agriculturally rich but seigniorially relatively weak East Anglian properties. What spurred the nobles into active exploitation of their estates was less the prospect of great wealth than fear of indebtedness that might lead to the loss of their lands. The creditors they feared were not merchants, whom they could usually ignore, but predatory kings like John, who might foreclose on debts owed directly to them or debts owed to the Jews which ultimately fell to the crown. Ecclesiastical lords were also protected from the rough and tumble of politics by the fact that, in contrast with previous centuries, they no longer needed to defend their lands against rapacious lay patrons or enforced subinfeudation. On the contrary, by the thirteenth century it was the clerics' acquisition of gentry lands, often those once subinfeudated, which led to a clamour for preventative measures. The fortunes of lay magnates' lands remained more uncertain, both for good and for ill. Although kings had to exercise greater restraint towards the property of lay tenants-in-chief after Magna Carta, lay lords could still lose their lands to a rival claimant or to political miscalculation, and there was always the possibility that a profligate heir could force the family to sell part of its lands, or lack of a direct male heir end its existence. On the other hand, a fortunate marriage could work instant repair to a family's finances. It is therefore arguable that it was the ecclesiastical lords who took a longer, more institutional, view in planning the development and exploitation of their lands. Against this, once great lay lords had councils, as most did by 1300, these provided a measure of insulation against the incompetence of individual lords. Moreover, despite the importance of institutional continuity among religious corporations, it is evident that individual heads of religious houses, like Henry of Eastry at Canterbury, could make a significant difference to the house's economy. On balance, however, it is clear that the priorities and methods of the great lay and clerical lords were not always the same.

Turning to the gentry's experience in the high farming period, we have seen already that some of them may have been under financial pressure in the thirteenth century. Scarcity of gentry accounts at this time has focused attention on the failures, whose sales and debts turn up in the records of ecclesiastical lords and of the Jews, but there is enough evidence to show both enterprise and success. The energy of rising professionals has been noted by historians but they do not seem to have been unique. In the arable areas, the great lords had reserved to themselves the largest and richest manors with the most numerous unfree workforce, so that the lesser lords had to spend more on labour and to profit as much as they could from their surplus grain. In the wooded Coventry region, where there was room for assarting, the successful enlarged and consolidated their estates by reclamation and purchase and concentrated primarily on livestock farming, while the unsuccessful had lands that were less suitable for exploitation. Gentry, like nobles, also needed to spend money on building and repairs on their estates. Several, perhaps many, undoubtedly got badly into debt and they found it harder than the nobility to ignore their creditors; again unlike the

nobility, staving off bankruptcy through selling part of their estate could leave them with badly diminished lands. That Edward I's expulsion of the Jews in 1290 was part of the bargain that got him a tax indicates some financial desperation among the gentry. But, as we have seen, there was no generalized crisis, and those who failed were as likely to come from the better-off families as from the marginal ones.

After the Black Death the behaviour of the lay magnates was again very similar to that of the clerics, although it is possible that the laymen, with the exception of the Black Prince, failed to exhibit quite the tenacity of some of the clerics in hanging on to their control over their tenants. Both types of lord nevertheless benefited from the 'Indian summer' of high farming in the 1350s and 1360s when prices were high and wage demands did no more than keep pace with prices. The nobility followed the same pattern as the clerics in leasing their demesnes in response to falling prices and rising wages, starting in the 1360s and virtually completing the process by 1400. But that did not mean the end of their concern for their estates: accounts reveal that, even though the lords were now rentiers, their officials were still keeping careful track of their accounts and that some nobles supervised their officers assiduously, even when absent on campaign. It is now evident that the nobility as a whole were not suffering from declining incomes from the later fourteenth century. Even in the mid-fifteenth, when they lost much of their Welsh revenue as English authority in Wales slipped alarmingly, and when the crown failed to pay its war debts to its noble captains, great lords like the dukes of York and Buckingham were apparently riding out the storm, York by raising over £3,000 by sales and mortgages that barely dented his huge estate. Contrary to earlier belief, most lords spent no more than 10 per cent of their income on retaining and those who spent much more, mostly northern marcher lords, may well have recouped much of this money from the crown. If retrenchment was required, it was achieved by cutting down on the number and size of households and, unlike the ecclesiastical lords, the lay magnates always had the possibility of a lucrative marriage, for heirs were always attractive to the families of heiresses. When the war went well, there were large profits to be made from booty and ransoms.

The estate management of the gentry is much better recorded in the period after the Black Death. Most also became rentiers, although more gentry than nobles seem to have kept home farms, and they too had officials and accounting systems, if on a smaller scale. Most exercised care in the administration and upkeep of their lands and, unlike the nobility, many still produced for the market. This was now a more specialized semi-luxury market geared to a wealthier population: for example malted barley, wool, cattle, the rural industries of cloth, metalwork and mining. Although there were few profligate landowners at any level, it is mostly true that the lower the income with which they were trying to maintain the correct lifestyle, the more care was exercised. Thus, Richard, duke of York, had no need to cream off the profits of the Wiltshire cloth industry by raising his rents, and the greater gentry, although mostly more watchful rentiers than many of the nobles, were less active exploiters than those below them (at least until the expansion of sheep-farming in the late fifteenth century), while those at the bottom, like the minor gentry of the Warwickshire Arden, were the most enterprising of all. The major exceptions were the upwardly mobile professionals, like the East Anglian Townshends and Pastons or the midlands Catesbys, whose close involvement with their estates continued as their lands grew. The gentry were arguably harder hit than the nobility by post-Black Death

economic conditions: they had less villein labour and seem to have felt that neither nobles nor clerics were paying their way for the war. In the later fourteenth century they complained incessantly in parliament about recalcitrant tenants and labourers and their efforts to shift the tax burden led to the poll taxes of 1377 to 1381. On the other hand, since the economy was depressed, there were none of the dangers of indebtedness and overexpansion of the earlier boom period, and it seems that very few gentry failed financially between c.1350 and 1500.

Identity

The discussion of hierarchy, status and estate management has already introduced the subject of identity but, to explore this further, we need to examine landowners' conceptions of family and locality. If it is no longer accepted that the lineage was more important to a family's sense of identity than the immediate family, lineage was self-evidently cherished, as is demonstrated by the ability to reconstruct genealogies in heraldry and in making claims to land. It can be seen also in family connections with religious houses that spanned generations, for instance the Warennes' with Lewes Priory. But accurate knowledge of lineage was related to tenurial security and continued family existence. Most historians now agree that all landowners had *de facto* security soon after the Conquest but that it was not guaranteed by the king's law until Henry II's reign and was not proof against the king himself until Magna Carta. Paradoxically, because they were less exposed to the complex tenurial politics of Anglo-Norman and Angevin England, the knights, despite ill-defined tenures, were in practice secure earlier than the nobles and were able to express their lineage in the development of toponymic surnames by the mid-twelfth century. Until well into the thirteenth century, noble estates were often unstable in composition, and whole honours, sometimes the entire property, changed hands as a result of contested successions or royal interference, often both. As noble agglomerations acquired stability, so the memory of lineage, expressed in titles, in heraldry and in continued patronage of a monastery that came by marriage or inheritance with a landed estate from another family, became stronger. By contrast, the identity of gentry estates remained more volatile, simply because, with their smaller estates, new acquisitions could substantially relocate the focus of the family. The filtering of heraldic arms down the hierarchy enabled all the gentry to record their lineage, and patronage of the local church gave the lineage a religious focus, often with a family chantry after 1300. However, chantries were readily abandoned when families relocated and the sixteenth-century heralds' genealogies reveal very faulty memories of lineage. The one group of gentry that clung tenaciously to lineages, however tenuous the connection, were predictably the parvenus, for this was all they had.

If the idea that the aristocratic family only became 'modern' by abandoning its identity with ancient lineage in the sixteenth century is no longer believed, no more is it thought that a similar 'modernization' took its structure from extended to nuclear. Although we have better documentation of property dispositions and religious commemoration in the fourteenth and fifteenth centuries, evidence suggests that the family was conceived in close nuclear terms throughout the period 1100–1500. Primogeniture prevented the division of estates among sons and, if there was a direct male heir, the church or non-inheriting children were only made such

grants as were compatible with careful protection of the integrity of the estate for the heir. That meant also that only nobles could afford to make very generous provision for non-inheriting sons. The only change in the allocation of estates was in the form: from the late thirteenth century, the entail, which made it possible to designate the heirs to an estate, and then the use, which enabled some avoidance of primogeniture, made it easier to apportion and tie up property. Although these practices might have led either to still greater emphasis on male primogeniture or to the break-up of estates, it seems that what was actually done had changed little by 1500. However, although the nuclear family was the norm, the household, also called the *familia*, which included servants and sometimes unmarried adult children and paying guests, remained an important part of aristocratic life well beyond the middle ages. Even so, the growth of private rooms from the thirteenth century onwards suggests an increasing desire to retreat from it. Nor is it true to suggest that family affection and emotion is a 'modern' phenomenon. Undoubtedly, marriage among landed families was a business transaction, as it had to be when the family business was at stake, and noble heirs and heiresses tended to be married off in extreme youth, although canon law forbade actual cohabitation until the ages of fourteen for boys and twelve for girls. However, late medieval evidence shows that the children of the gentry tended to be married in their mid- or late teens or even their twenties, and all prospective marriage partners were allowed by canon law to refuse their intended. If youthful nobles were in practice unlikely to be able to do so, the gentry correspondences reveal that the gentry's sons, and occasionally even daughters, had a great deal of say in this and that an arranged marriage is by no means a bar to love between the partners. They also show strong and sometimes stormy emotional bonds between parents and children and among siblings.

Since very few aristocratic women were able to attain any public authority, it was within the family that they had a significant role. They were important carriers of land: by the early twelfth century a daughter was beginning to take precedence over a collateral male heir and by the early thirteenth century, when inheritance law in general had become more fixed, the practice of equal division among heiresses had become the norm. Although married women were nominally entirely subject to their husband, the development of use and entail enabled their families to protect the wife's property interests under the terms of the marriage contract. Those who had absent husbands had an enormously important part to play in running the household. It was noblewomen, with husbands serving abroad or about the king, who were most likely to be in this position, but gentlewomen were also left in charge on occasion and Margaret Paston, for one, shows herself to be no mean local politician. It was as widows that these women really came into their own; they had a right to a third of their husband's lands in dower and, from the fourteenth century, often a jointure, of lands given on marriage to both partners and held by the survivor. While heirs might rue the land that they had to wait for, sometimes very large amounts, a single widow could become a very powerful figure if she chose to. If she was an heiress, she might indulge her own wishes by using some of her wealth to found religious houses; a circumstance to which Clare and Pembroke Colleges in Cambridge owe their existence. It is sometimes argued that women's position declined in the later middle ages and the growth of tail male inheritance is cited as one instance of this. However, tail male was not yet normal among the gentry by 1500 and on entailed noble

estates only close male heirs trumped daughters. Well-known fifteenth-century aristocratic women, from Margaret Paston to Margaret Beaufort, suggest that they were still a force to be reckoned with. Clearly the question would bear further scrutiny.

Moving from the family to the locality, the issues become both more complex and more debatable. The big question concerns the relative importance of horizontal and vertical relationships: whether the knights' or gentry's ties to the nobility were more important in defining their social and political world than their links with each other. This is a key issue in assessing the power of the nobles in the localities and therefore in the country as a whole. In the period up to the early thirteenth century, the issue revolves around the force of feudal lordship: the power of the honour against the strength of local connections with other lords, and with sub-tenants of other lords. No one now believes that there ever was a 'perfect' feudal world, where all political and social life was concentrated on the honour, and the honorial court was the only judicial forum for all pleas concerning feudal tenants and their lord. The geographical dispersal of many honours, especially in the south midlands and south, made this improbable from the first: a tenant residing far away from the feudal *caput honoris* (the capital of the honour, where the lord resided) and the honorial court was almost bound to come into the ambit of neighbours who were lords or tenants of other honours. Twelfth-century studies, for example of the honour of Holderness, have shown sub-tenants holding of more than one lord and in widespread localities and have indicated that there were connections among them forged by neighbourhood and cutting across feudal ties. Given that it is unlikely that most lords could impose their will throughout their honours, the evidence of royal intervention in affairs between lords and tenants, which grows rapidly under Henry I, and of settlement of disputes in the county and hundred courts is no surprise. That the lords' efforts to control the allegiances and violence of their feudal tenants when royal government broke down under Stephen were often unsuccessful suggests that lords and tenants had become used to the king's involvement. Moreover, the earl of Chester's attempt under Stephen to construct an enclave in which he was tenurially and jurisdictionally supreme indicates that lords had not been able to achieve this kind of dominance before. However, there is also good evidence of feudal tenants attending honorial courts, of the courts acting effectively to resolve land disputes and of the honour functioning as a political, social and religious focal point for many of its tenants. Historians would be unwise to kill off the honour prematurely, before the king's law completed the process, and as late as John's reign feudal ties still had some bearing on political action, especially in the north, where honours were less dispersed.

Undoubtedly, lordship determined by geographical proximity to the lord rather than by tenure began to predominate in the thirteenth century, and this is what we mean by 'bastard feudalism', a once pejorative phrase for such allegiances which now serves simply as useful shorthand. Although the historiography of 'bastard feudalism' used to focus on the indenture between lord and man and the fee paid to the retainer, it is now clear that this was merely a formal, and relatively rare, recognition of a tie that was as fundamental to the aristocracy's social and political world as the feudal link between barons and knights had been. 'Bastard feudalism', like feudalism, bound together the hierarchy of greater and lesser landowners and the 'bastard feudal' groupings round a noble lord are known as affinities. We know very little at present about the degree of involvement of lords in the affairs of the shires during the

thirteenth century. For subsequent centuries, there is a lively debate over whether it was gentry or nobility who were the commanding figures in local societies and hence in the local administration, which by the later fourteenth century was in local hands. The answer is that there was great local variation, as we might expect, but that it was assumed that noble leadership would be the norm, even though it did not obtain universally, or always take the same form. The key variants were accordingly the lands, circumstances and ability of the local nobility. Counties like Devon and Warwickshire, where there was a tenurially dominant noble family, were more likely to be subject to strong noble leadership than those like Norfolk, where there was no such family, while counties where the crown as private landowner predominated were again different. But, whatever the local circumstances, there was neither wholesale noble supremacy nor assertion of independence by a self-confident gentry but a complex mutuality of interest linking nobles and gentry and gentry to each other. This was based above all on the nobles' need to secure the local support that enabled them to stand behind the king's local government, the gentry's need to keep their estates safe, partly by means of that government, especially the law, and the common need to keep the peace locally and so prevent damage to property. Proponents of 'gentry power' advance the idea that there were gentry county communities which, as the parliamentary Commons, presented a corporate gentry perspective, central to which was hostility to noble interference in local affairs. There is no doubt of the county's administrative and representational importance, but there are numbers of reasons for doubting that it played the predominant role in landowners' lives. Gentry estates rarely coincided with it, spouses often came from beyond the county, local networks were never delineated by county boundaries. From the later thirteenth century the county court was no longer a forum where gentry regularly met, except perhaps at elections, while by 1500 the sessions of the justices of the peace were only beginning to attain their Tudor status as the fulcrum of local society. Furthermore, the county community leaves no room for the key local role of the nobility, whose lands made them supra-county figures. The Commons in parliament were certainly their own men rather than the dependent mouthpieces of the Lords, and local elections were not just a matter of local nobles nominating their men. However, the Commons' defence of their interests in parliament needs to be read with due allowance for rhetoric and it was in any case more often directed against king and peasants than against the nobility. Landowners at all levels throughout this period had a number of shifting and multi-layered local identities which still await proper exploration.

No exploration of landowners' identity would be complete without a discussion of their religious beliefs and education. Study of their religion has focused mainly on the nobles in the period up to c.1300 and on the gentry thereafter. Although the much better recorded outward forms have received more attention than inner belief, grants made to the church and such evidence as we have of personal beliefs reveal a thoroughly conventional religion, albeit an increasingly well-informed one. There were fashions in donations. First, it was the religious orders: Benedictines, then Augustinians, an order associated particularly with Henry I's new men, and Cistercians in the middle of the twelfth century. These foundations were often placed at the *caput honoris* and sub-tenants would be encouraged to contribute to their endowment. From the thirteenth century lack of spare land for founding great religious houses, with the ending of the colonial period, and the new doctrine of

Purgatory led to an emphasis on endowments for *post mortem* prayers, such as the collegiate foundations of the nobles and chantries, the latter often in parish churches. For the gentry, now imitating the nobles in having a religious centre to go with the centre of their estates, the parish church became the focus of religious patronage. The search for harbingers of the Reformation among landowners has not proved especially fruitful. There were certainly Lollards, or Lollard sympathizers, among gentry and nobility, especially in the later fourteenth and early fifteenth centuries, but not in significant numbers. The argument that aristocratic religion was becoming individualist and elitist and separated from 'popular' religion during the fifteenth century, and hence more prone to eventual seduction by Protestantism, begs many questions about popular and elite religion. It also ignores the enormous importance of the parish church to the gentry at this time, even to those who imitated the nobles in acquiring private altars for their houses. There is, however, one characteristic of aristocratic religion that may presage the dissolutions of the sixteenth century: the proprietorial attitude to religious foundations, which arguably grew stronger towards the end of the period and which led eventually to the idea that grants to such institutions, even ancient ones, might be rescinded.

The myth that the medieval aristocracy was ill-educated has long been dismissed. We know that education, first of nobles and then of gentry, was taken seriously. Education for both groups was usually in the household, often someone else's household; we have seen that it was only at the end of our period that national institutions of higher education for the laity began to develop. Nobles may have been able to read French and even Latin by the early twelfth century, and by 1200 it was certainly assumed they could read, probably in both languages. By the fourteenth century some were writing books themselves and the late medieval nobility were undeniably a well-educated group, some of them in the forefront of the new learning. From the time that the royal government expanded in the late twelfth century, lesser landowners, whether objects or officers of the government, also needed to be able to read enough Latin to understand the written instructions emanating from the government, and the influx of professionals into their ranks brought in men who could read and write in French and Latin. The proliferation of literature that would have appealed to men and women of the gentry from the later thirteenth century, such as the less courtly English versions of French romances, indicates the spread of reading, and there is direct evidence in the fifteenth century that even women could write.

To sum up this overview of lay landowners in this period, they were a well-educated group, mostly very competent in their varied public and private duties, highly conscious of their own importance, an aristocracy of service that drew much of its identity, purpose and sense of personal consequence from the official and unofficial role it played in enabling the work of the king's government to be carried on. This was in fact a group which spent much of its time on government and politics, whether national or local, and a survey of landowners' morality and expectations with regard to politics and governance is accordingly an appropriate conclusion to this chapter. A cliché of much work on the fourteenth- and fifteenth-century aristocracy, now informing discussion of the entire period from 1100 to 1500, is that politics and governance were all about the king's distribution of patronage. This, however, sits uneasily with the idea that the relationship of crown and aristocracy was mutually supportive – service in return for security – since it implies that service had to

be bought with material rewards. It also implies that politics were confined to what happened around the king, although it is clear that for much of the period the centre could not dictate to the localities and that throughout the period the interplay between centre and locality was a pivotal element in politics. For, while royal power came from the centre, landowning power was by definition rooted in the shires. Moreover, it ignores the importance of the public authority of the king, in making governance effective and in forming aristocratic opinions about how far personal interest might impinge on governmental processes. In fact, contemporary commentaries on politics, which proliferate from the late thirteenth century, very explicitly condemn 'covetise', self-advancement and the substitution of 'stirring and moving' for what should be the disinterested counselling of a lord or king. Thus, if patronage really was the fulcrum of kingship, nobody was prepared to acknowledge it as such. Royal patronage, in taking and granting estates and deciding between rival heirs, was politically at its most important from the Conquest to the early thirteenth century, the period of colonization and lack of restraint on royal interference. Thereafter as estates, especially noble ones, became more stable in composition and inheritance, the compact between king and landowners centred round the king's duty to protect land with his law. By definition this excluded using the law to show favour or disfavour; kings still did it occasionally but needed to act with care and from a position of strength, and those, like Edward II and Richard II, who abused the law systematically were without the means to defend themselves when landowners en masse withdrew their normally automatic allegiance.

There were certainly 'court politics' in the sense of intrigue and personal confrontation in the king's ambience, though their much greater frequency in the reigns of inadequate kings suggests that they were not the norm. It is also undeniable that there were some major personal feuds at the highest and lowest levels of the landowning hierarchy, but it is equally true that the individualism which the patronage paradigm implies is only one part of medieval politics. We have seen the extent to which nobility and gentry had collective interests. From Magna Carta onwards the nobles acted collectively to reform or protect the realm. Personal divisions, an inescapable part of small-scale politics, only became truly divisive under kings like Stephen, Henry III, Edward II and Henry VI, when the political framework was shattered, and even in these periods acute division was usually short-lived and nobles like Simon de Montfort or Thomas of Lancaster who went out on a private limb found themselves isolated. Studies of local landowning societies have shown that these were held together by a powerful sense of mutual obligation and reciprocity. Certainly, the interests of family and lineage could encourage disruptive, even violent, behaviour, but it was normally held in check by trust built up over years of mutual association in the business of the family estate and in the running of the shire, and by the knowledge that landed wealth is peculiarly vulnerable to destructive violence. Paradoxically, it was because landowners at all levels wanted the freedom to pursue their personal agendas that the strong bonds of royal authority and collective security which provided an ultimate restraint were so important to them. The powerful sense of what was proper to pride of family and lineage was matched by an equally powerful one of what was proper in the context of landowning society.

This has important bearing on the idea advanced by some historians that the 'law-state' made by the Angevins was sacrificed to a late medieval 'war-state', in which

the crown traded direct control of the shires against war taxation, leaving law as administered in the shires prey to the corruption of the nobility and gentry who now controlled it, and giving free rein to the violently individualistic chivalric values unleashed by war. This is in fact just a restatement of the dismissive nineteenth-century view of the period, which identified ‘bastard feudalism’ as the root of all evil. We have seen that the reason for devolution was the expansion, not the retreat, of government and there are no evidential grounds for believing that ‘bastard feudalism’ was an intrinsically destabilizing phenomenon. Violence there was among landowners but no more, probably less, than in earlier, less well-documented centuries and, to be approved, it had to conform to a recognized code, in the formation of which chivalry played its part. Chivalry itself carried, along with the valuing of individual prowess, strong connotations of allegiance and conformity to group norms. As for the alleged corruption of the law, contemporary comment may well indicate rising rather than falling standards, and in the fourteenth century, when it is most outspoken, it certainly reflects as much responses to a period of great expansion and change in the law and its administration as criticism. Moreover, it is important to shed the modern notion that order is rooted in law and any private interference is corrupt. Throughout this period, public order was not only enforced by private power but grounded in private relationships. It was not that evil landowners deliberately sought to control the king’s law for nefarious purposes but rather that the law rested firmly on this older private domain. Among landowners law acted as a safety net when private relationships broke down. It was therefore irreplaceable but not normally their first port of call, and its role for them was primarily to force contending parties into private settlements.

Any survey of lay landowners between 1100 and 1500 will present more questions than answers at the moment. However, one clear outcome of the research of the last half-century or more has been to reveal the rich complexity of their lives and assumptions. It is a complexity that has only become apparent since historians began to take these men and women seriously and study them for their own sake, rather than as an undifferentiated mass forming an alleged obstacle to the effective operation of the institutions of central government. We now know that they were, on the contrary, an essential adjunct to government, and that the multiplicity of ways in which both their public and their private activities influenced the realm of England and its people makes them a demanding but rewarding object of study.

FURTHER READING

There is a very large historiography for this subject, from which the following is a select list; further guidance for reading will be found in these works. General works on nobility and gentry include F. M. Stenton, *The First Century of English Feudalism 1066–1166* (2nd edition, Oxford, 1961); C. W. Hollister, *Monarchs, Magnates and Institutions in the Anglo-Norman World* (London, 1986); J. Green, *The Aristocracy of Norman England* (Cambridge, 1997); S. Painter, *Studies in the History of the English Feudal Barony* (Baltimore, 1943); D. Crouch, *The Image of Aristocracy 1000–1300* (London, 1992); G. Holmes, *The Estates of the Higher Nobility in Fourteenth-century England* (Cambridge, 1957); C. Given-Wilson, *The English Nobility in the Late Middle Ages* (London, 1987); K. B. McFarlane, *The Nobility of Later Medieval England*

(Oxford, 1973). Local studies (predominantly late medieval) that look at landowners across a broad spectrum of themes include P. Dalton, *Conquest, Anarchy and Lordship: Yorkshire 1066–1154* (Cambridge, 1994); H. M. Thomas, *Vassals, Heiresses, Crusaders and Thugs: The Gentry of Angevin Yorkshire, 1154–1216* (Philadelphia, 1993); J. C. Holt, *The Northerners: A Study in the Reign of King John* (Oxford, 1961); P. R. Coss, *Lordship, Knighthood and Locality: A Study in English Society c.1180–1280* (Cambridge, 1991); N. Saul, *Knights and Esquires: The Gloucestershire Gentry in the Fourteenth Century* (Oxford, 1981); R. R. Davies, *Lordship and Society in the March of Wales 1282–1400* (Oxford, 1978); M. J. Bennett, *Community, Class and Careerism: Cheshire and Lancashire in the Age of Sir Gawain and the Green Knight* (Cambridge, 1983); S. M. Wright, *The Derbyshire Gentry in the Fifteenth Century* (Derbyshire Record Society, 1983); A. J. Pollard, *North-eastern England during the Wars of the Roses* (Oxford, 1990); S. J. Payling, *Political Society in Lancastrian England: The Greater Gentry of Nottinghamshire* (Oxford, 1991); C. Carpenter, *Locality and Polity: A Study of Warwickshire Landed Society, c.1401–1499* (Cambridge, 1992); C. E. Moreton, *The Townsbends and their World: Gentry, Law, and Land in Norfolk c.1450–1551* (Oxford, 1992).

Individual nobles and noble families are studied in D. Greenway, ed., *Charters of the Honour of Mowbray 1107–91* (British Academy, 1972); B. English, *The Lords of Holderness 1086–1260* (Oxford, for University of Hull, 1979); W. E. Wightman, *The Lacy Family in England and Normandy* (Oxford, 1966); D. Crouch, *The Beaumont Twins* (Cambridge, 1986) and *William Marshal: Court, Career and Chivalry in the Angevin Empire 1147–1219* (London, 1990); M. Altschul, *A Baronial Family in Medieval England: The Clares* (Baltimore, 1965); J. R. Maddicott, *Simon de Montfort* (Cambridge, 1994) and *Thomas of Lancaster 1307–1322* (Oxford, 1970); J. R. S. Phillips, *Aymer de Valence, Earl of Pembroke 1303–1324* (Oxford, 1972); C. Rawcliffe, *The Staffords, Earls of Stafford and Dukes of Buckingham 1394–1521* (Cambridge, 1978); P. Johnson, *Duke Richard of York 1411–1460* (Oxford, 1988).

Obligations and inheritance in feudal society can be pursued further in a classic series of articles by J. C. Holt, republished in Holt, *Colonial England* (London, 1997). See also R. Mortimer, 'The beginnings of the honour of Clare', *Anglo-Norman Studies*, 4 (1980), pp. 119–41 and 'Land and service: the tenants of the honour of Clare', *Anglo-Norman Studies*, 8 (1985), pp. 177–97. For the debate on inheritance, see also E. King, S. D. White and J. C. Holt, 'Debate: politics and property in early medieval England', *Past and Present*, 65 (1974), pp. 110–35; P. Hyams, 'Warranty and good lordship in twelfth century England', *Law and History Review*, 5 (1987), pp. 437–503. For the 'rise/crisis of the knights' issue, a useful introduction and guide to bibliography is P. R. Coss, *The Knight in Medieval England 1000–1400* (Stroud, 1993); see also J. Gillingham, 'Thegns and knights in eleventh-century England', *Transactions of the Royal Historical Society*, 6th series, 5 (1995), pp. 129–53; Mortimer (as above); D. F. Fleming, 'Landholding by milites in Domesday Book: a revision', *Anglo-Norman Studies*, 13 (1990), pp. 83–98; E. King, 'Large and small landowners in thirteenth-century England: the case of Peterborough Abbey', *Past and Present*, 47 (1970), pp. 26–50; D. Carpenter, 'Was there a crisis of the knightly class in the thirteenth century? The Oxfordshire evidence', *English Historical Review*, 95 (1980), pp. 721–52; K. Faulkner, 'The transformation of knighthood in early thirteenth century England', *English Historical Review*, 111 (1996), pp. 1–23. See also under 'estate management', below.

On late medieval status etc., see H. L. Gray, 'Incomes from land in England in 1436', *English Historical Review*, 49 (1934), pp. 607–39; D. A. L. Morgan, 'The individual style of the English gentleman', in M. Jones, ed., *Gentry and Lesser Nobility in Late Medieval Europe* (Gloucester, 1986), pp. 15–35; R. L. Storey, 'Gentleman-bureaucrats', in C. H. Clough, ed., *Profession, Vocation and Culture in Later Medieval England* (Liverpool, 1982), pp. 90–129; J. P. Cooper, 'Ideas of gentility in early modern England', in J. P. Cooper, *Land, Men and Beliefs* (London, 1983), pp. 43–77; M. Keen, 'Heraldry and hierarchy: esquires and gentlemen', in J. H. Denton, ed., *Orders and Hierarchy in Late Medieval and Renaissance*

Europe (London, 1999), pp. 94–108. For lay professionals, see also P. Brand, *The Making of the Common Law* (London, 1992) and *The Origins of the English Legal Profession* (Oxford, 1992); E. W. Ives, *The Common Lawyers of Pre-Reformation England* (Cambridge, 1983). For more on social mobility, see references for knights, immediately above; also D. Oschinsky, ed., *Walter of Henley and other Treatises on Estate Management* (Oxford, 1971) and Denholm-Young (see below), for estate officers; M. J. Bennett, ‘Sources and problems in the study of social mobility: Cheshire in the later middle ages’, *Transaction of the Historic Society of Lancs. and Cheshire*, 128 (1978), pp. 59–95; S. J. Payling, ‘Social mobility, demographic change and landed society in late medieval England’, *Economic History Review*, 45 (1992), pp. 51–73.

On family structures, women etc., see some of the work on feudal society, above; also J. Hudson, *Land, Law, and Lordship in Anglo-Norman England* (Oxford, 1994); P. R. Coss, *The Lady in Medieval England 1000–1500* (Stroud, 1998) (covers a lot of the literature); S. F. C. Milsom, ‘Inheritance by women in the twelfth and early thirteenth centuries’, in M. S. Arnold, T. A. Green, S. A. Scully and S. D. White, eds, *On the Laws and Customs of England* (Chapel Hill, NC, 1981), pp. 60–89; S. L. Waugh, ‘Women’s inheritance and the growth of bureaucratic monarchy in twelfth- and thirteenth-century England’, *Nottingham Medieval Studies*, 34 (1990), pp. 71–92; R. H. Helmholz, ‘Married women’s wills in later medieval England’, in S. S. Walker, ed., *Wife and Widow in Medieval England* (Michigan, 1993), pp. 165–82; R. E. Archer, ‘“How ladies . . . who live on their manors ought to manage their households and estates”: women as landholders and administrators in the later middle ages’, in P. J. P. Goldberg, ed., *Woman is a Worthy Wight: Women in English Society c.1200–1500* (Stroud, 1992), pp. 149–81 and ‘Rich old ladies: the problem of later medieval dowagers’, in A. J. Pollard, ed., *Property and Politics: Essays in Later Medieval English History* (Gloucester, 1984), pp. 15–35; J. C. Ward, *English Noblewomen in the Later Middle Ages* (London, 1992); P. Maddern, ‘Friends of the dead: executors, wills and family strategy in fifteenth-century Norfolk’, in R. Archer and S. Walker, eds, *Rulers and Ruled in Late Medieval England* (London, 1995), pp. 155–74. Essential reading indicating how the early modern period has set much of the agenda and why this agenda might be faulty is L. Stone, *The Family, Sex and Marriage in England 1500–1800* (London, 1977) and N. Tadmor, *Family and Friends in Eighteenth Century England* (Cambridge, 2001).

For ‘bastard feudalism’, see, for the thirteenth century, P. R. Coss, ‘Bastard feudalism revised’, *Past and Present*, 125 (1989), pp. 27–64 and the debate on this with D. Crouch and D. Carpenter, *Past and Present*, 131 (1991), pp. 165–203; G. G. Simpson, ‘The *familia* of Roger de Quincy, earl of Winchester and constable of Scotland’, in K. J. Stringer, ed., *Essays on the Nobility of Medieval Scotland* (Edinburgh, 1985), pp. 102–30. For the late medieval period, the *locus classicus* is K. B. McFarlane, *England in the Fifteenth Century* (London, 1981), which includes a very important introduction by G. L. Harriss; see also the important introduction in M. Jones and S. Walker, eds, *Private Indentures for Life Service in Peace and War 1278–1476* (Camden Miscellany, 32, 1994); T. B. Pugh, ‘The magnates, knights and gentry’, in S. B. Chrimes, C. D. Ross and R. A. Griffiths, eds, *Fifteenth-century England 1399–1509* (Manchester, 1972), pp. 86–128; J. P. Cooper, ‘Retainers in Tudor England’, in J. P. Cooper, *Land, Men and Beliefs* (London, 1983), pp. 78–96. There are numbers of studies of late medieval affinities; see e.g. M. Cherry, ‘The Courtenay earls of Devon: the formation and disintegration of a late medieval aristocratic affinity’, *Southern History*, 1 (1979), pp. 71–97; C. Carpenter, ‘The Beauchamp affinity: a study of bastard feudalism at work’, *English Historical Review*, 95 (1980), pp. 514–32; S. Walker, *The Lancastrian Affinity 1361–1399* (Oxford, 1990).

For local identities, community, networks etc. see P. R. Coss, ‘Identity and the gentry c.1200–c.1340’, in M. Prestwich, R. H. Britnell and R. Frame, eds, *Thirteenth Century England*, 6 (1997), pp. 49–60; M. Prestwich, *English Politics in the Thirteenth Century* (London, 1990), ch. 3; J. R. Maddicott, ‘The county community and the making of public

opinion in fourteenth-century England', *Transactions of the Royal Historical Society*, 5th series, 28 (1978), pp. 27–43; P. Maddern, "Best trusted friends": concepts and practices of friendship among fifteenth-century Norfolk gentry', in N. Rogers, ed., *England in the Fifteenth Century* (Stamford, 1994), pp. 100–17; C. Carpenter, 'Gentry and community in medieval England', *Journal of British Studies*, 33 (1994), pp. 340–80 (surveys the whole issue) and 'The Stonor circle in the fifteenth century', in R. Archer and S. Walker, eds, *Rulers and Ruled in Late Medieval England* (London, 1995), pp. 175–200. On elections and the Commons, there is a very large literature: the classic item is K. B. McFarlane, 'Parliament and "bastard feudalism"', in *England in the Fifteenth Century* (London, 1981), pp. 1–21; the one that best shows the development of the Commons' interests is G. L. Harriss, *King, Parliament, and Public Finance in Medieval England to 1369* (Oxford, 1975); an important contribution is J. R. Maddicott, 'Parliament and the constituencies, 1272–1377', in R. G. Davies and J. H. Denton, eds, *The English Parliament in the Middle Ages* (Manchester, 1981), pp. 61–87; reference to the main literature on elections is in S. J. Payling, 'The widening franchise: parliamentary elections in Lancastrian Nottinghamshire', in D. Williams, ed., *England in the Fifteenth Century* (Woodbridge, 1987), pp. 167–85; the two most recent surveys are L. Clark, 'Magnates and their affinities in the parliaments of 1386–1421', in R. H. Britnell and A. J. Pollard, eds, *The McFarlane Legacy* (Stroud, 1995), pp. 127–53, and J. S. Roskell, *The House of Commons 1386–1421*, vol. 1, *Introductory Survey* (History of Parliament Trust, 1992). Both county and Commons are explored in H. Cam, 'From witness of the shire to full parliament', 'The legislators of medieval England', 'The theory and practice of representation in medieval England', all in *Law-finders and Law-makers in Medieval England* (London, 1962), pp. 106–75.

On estate management, see C. Dyer, *Standards of Living in the Later Middle Ages* (revised edition, Cambridge, 1998) (covers both production and consumption by nobility and gentry). For the nobility, see S. Harvey, 'The extent and profitability of demesne agriculture in England in the later twelfth century', in T. H. Aston, P. R. Coss, C. Dyer and J. Thirsk, eds, *Social Relations and Ideas* (Cambridge, 1983), pp. 45–72; R. Lennard, *Rural England 1086–1135* (Oxford, 1959); N. Denholm-Young, *Seigniorial Administration in England* (Oxford, 1937); M. Mate, 'Profit and productivity on the estates of Isabella de Forz (1260–92)', *Economic History Review*, 33 (1980), pp. 326–34; C. Given-Wilson, 'Wealth and credit: public and private: the earls of Arundel, 1303–1397', *English Historical Review*, 106 (1991), pp. 1–26; T. B. Pugh and C. D. Ross, 'The English baronage and the income tax of 1436', *Bulletin of the Institute of Historical Research*, 26 (1953), pp. 1–28; E. M. Carus-Wilson, 'Evidences of industrial growth on some fifteenth-century manors', *Economic History Review*, 2nd series, 12 (1959), pp. 190–205; M. A. Hicks, 'Counting the cost of war: the Moleyns ransom and the Hungerford land-sales', *Southern History*, 8 (1986), pp. 11–31; J. M. W. Bean, *The Estates of the Percy Family 1416–1537* (Oxford, 1958); A. J. Pollard, 'Estate management in the later middle ages: the Talbots and Whitchurch, 1383–1525', *Economic History Review*, 2nd series, 25 (1972), pp. 553–66. For the knights/gentry, see M. W. Farr, ed., *Accounts and Surveys of the Wiltshire Lands of Adam de Stratton* (Wiltshire Archaeological and Natural History Society, 14, 1958); T. May, 'Estates of the Cobham family in the later thirteenth century', *Archaeologia Cantiana*, 84 (1969), pp. 211–29; R. H. Britnell, 'Minor landlords in England and medieval agrarian capitalism', *Past and Present*, 89 (1980), pp. 3–22, 'Production for the market on a small fourteenth-century estate', *Economic History Review*, 2nd series, 19 (1966), pp. 380–7 and 'The Pastons and their Norfolk', *Agricultural History Review*, 36 (1988), pp. 132–44. For consumption, see also K. Mertes, *The English Noble Household 1250–1600* (Oxford, 1988) and C. Woolgar, *The Great Household in Late Medieval England* (New Haven, Conn., 1999) and immediately below.

On aristocratic education and culture (including language), see N. Orme, *From Childhood to Chivalry* (London, 1984); M. T. Clanchy, *From Memory to Written Record* (2nd edition, Oxford, 1993); K. B. McFarlane, 'The education of the nobility in later medieval England',

in K. B. McFarlane, *The Nobility of Later Medieval England* (Oxford, 1973), pp. 228–47; D. Crouch, ‘Normans and Anglo-Normans: a divided aristocracy?’, in D. Bates and A. Curry, eds, *England and Normandy in the Middle Ages* (London, 1994), pp. 51–67 (the most recent discussion of whether there was an Anglo-Norman aristocracy); V. J. Scattergood and J. W. Sherborne, eds, *English Court Culture in the Later Middle Ages* (London, 1983); J. Catto, ‘Religion and the English nobility in the later fourteenth century’, in H. Lloyd-Jones, V. Pearl and B. Worden, eds, *History and Imagination* (London, 1981), pp. 43–55; P. W. Fleming, ‘The Hautes and their “circle”: culture and the English gentry’, in D. Williams, ed., *England in the Fifteenth Century* (Woodbridge, 1987), pp. 85–102; C. Platt, *The Architecture of Medieval Britain: A Social History* (New Haven, Conn., 1990) and *The Parish Churches of Medieval England* (London, 1981); M. D. Legge, *Anglo-Norman Literature and its Background* (Oxford, 1963); D. Pearsall, *Old English and Middle English Poetry* (London, 1977).

On the aristocracy and religion, see E. Cownie, *Religious Patronage in Anglo-Norman England 1066–1135* (Royal Historical Society, 1998) (a full account, with extensive bibliography); B. Golding, ‘Burials and benefactions: an aspect of monastic patronage in thirteenth-century England’, in W. M. Ormrod, ed., *England in the Thirteenth Century* (Stamford, 1991), pp. 64–75; C. Richmond, ‘Religion and the fifteenth-century English gentleman’, in R. B. Dobson, ed., *The Church, Politics and Patronage in the Fifteenth Century* (Gloucester, 1984), pp. 193–208 (for ‘individualism’ in religion); C. Carpenter, ‘The religion of the gentry of fifteenth-century England’, in D. Williams, ed., *England in the Fifteenth Century* (Woodbridge, 1987), pp. 53–74 (contains substantial bibliographical guidance); Catto, ‘Religion and nobility’ (as above); M. Hicks, ‘Chantry, obits and almshouses: the Hungerford foundations 1325–1478’, in C. M. Barron and C. Harper-Bill, eds, *The Church in Pre-Reformation Society* (Woodbridge, 1985), pp. 123–42. For proprietorial attitudes to the church, see B. Thompson, ‘*Habendum et tenendum*: lay and ecclesiastical attitudes to the property of the church’, in C. Harper-Bill, ed., *Religious Belief and Ecclesiastical Ideas in Late Medieval England* (Woodbridge, 1991), pp. 197–238, ‘Free alms tenure in the twelfth century’, *Anglo-Norman Studies*, 16 (1994), pp. 221–43, ‘The laity, the alien priories and the redistribution of ecclesiastical property’, in N. Rogers, ed., *England in the Fifteenth Century* (Stamford, 1994), pp. 19–41, and ‘Monasteries and their patrons at foundation and dissolution’, *Transactions of the Royal Historical Society*, 6th series, 4 (1994), pp. 103–25. For aristocratic Lollards, see K. B. McFarlane, *Lancastrian Kings and Lollard Knights* (Oxford, 1972); A. Hudson, *The Premature Reformation* (Oxford, 1988) (contains references to further important reading on this); R. G. Davies, ‘Lollardy and locality’, *Transactions of the Royal Historical Society*, 6th series, 1 (1991), pp. 191–212; M. Aston and C. Richmond, eds, *Lollardy and the Gentry in the Later Middle Ages* (Stroud, 1997).

On political and military culture, see several works in this list; also J. Watts, *Henry VI and the Politics of Kingship* (Cambridge, 1996) (a pathbreaking introduction to the subject for the late medieval period); G. L. Harriss, ‘The dimensions of politics’, in R. H. Britnell and A. J. Pollard, eds, *The McFarlane Legacy* (Stroud, 1995), pp. 1–20; M. Strickland, *War and Chivalry: The Conduct and Perception of War in England and Normandy 1066–1217* (Cambridge, 1996); M. Vale, *War and Chivalry* (London, 1981); M. Keen, *Chivalry* (New Haven, Conn., 1984) (a classic); M. Prestwich, *Armies and Warfare in the Middle Ages: The English Experience* (New Haven, Conn., 1996); A. Ayton, ‘Knights, esquires and military service: the evidence of the armorial cases before the court of chivalry’, in A. Ayton and J. L. Price, eds, *The Medieval Military Revolution: State, Society and Military Change in Medieval and Early Modern Europe* (London, 1995), pp. 81–104 and ‘Edward III and the English aristocracy at the beginning of the Hundred Years’ War’, in M. Strickland, ed., *Armies, Chivalry and Warfare in Medieval Britain and France* (Stamford, 1998), pp. 173–206. On nobility and knights/gentry and local government/law, see Hudson, *Land, Law and Lordship*; A. Verduyn, ‘The politics of law and order during the early years of Edward III’, *English Historical Review*,

108 (1993), pp. 842–67; A. Musson and W. M. Ormrod, *The Evolution of English Justice: Law, Politics and Society in the Fourteenth Century* (London, 1999), ch. 3; S. K. Walker, ‘Yorkshire justices of the peace, 1389–1413’, *English Historical Review*, 108 (1993), pp. 281–313. On attitudes to law and violence, see three key works: E. Powell, ‘Arbitration and the law in England in the later middle ages’, *Transactions of the Royal Historical Society*, 5th series, 33 (1983), pp. 49–67 and *Kingship, Law, and Society: Criminal Justice in the Reign of Henry V* (Oxford, 1989); P. Maddern, *Violence and Social Order: East Anglia 1422–1442* (Oxford, 1992); also M. T. Clanchy, ‘Law, government and society in medieval England’, *History*, 59 (1974), pp. 73–8 and ‘Law and love in the middle ages’, in J. Bossy, ed., *Disputes and Settlements: Law and Human Relations in the West* (Cambridge, 1983), pp. 47–67; C. Carpenter, ‘Law, justice and landowners in late medieval England’, *Law and History Review*, 1 (1983), pp. 205–37 (also relevant for the Commons); Musson and Ormrod, *Evolution of English Justice*, ch. 6. There is a large literature on aristocratic dispute, especially in the later middle ages, most of it referenced in works in these notes. See also R. C. Palmer, *The Whilton Dispute, 1264–1380* (Princeton, NJ, 1984); B. McLane, ‘A case study of violence and litigation in the early fourteenth century: the disputes of Robert Godsfild of Sutton-le-Marsh’, *Nottingham Medieval Studies*, 28 (1984), pp. 22–44; S. J. Payling, ‘A disputed mortgage: Ralph, Lord Cromwell, Sir John Gra and the manor of Multon Hall’, in R. Archer and S. Walker, eds, *Rulers and Ruled in Late Medieval England* (London, 1995), pp. 117–36 and ‘Murder, motive and punishment in fifteenth-century England: two gentry case-studies’, *English Historical Review*, 113 (1998), pp. 1–17. For law state/war state, see R. Kaeuper, *War, Justice and Public Order: England and France in the Later Middle Ages* (Oxford, 1988) and G. L. Harriss, ‘Political society and the growth of government in late medieval England’, *Past and Present*, 138 (1993), pp. 28–57. The nobility and gentry in politics feature in many of the works above but can be further studied in J. C. Holt, *Magna Carta* (2nd edition, Cambridge, 1992) (a classic); J. R. Maddicott, ‘Magna Carta and the local community 1215–1259’, *Past and Present*, 102 (1984), pp. 25–65; H. Castor, *The King, the Crown, and the Duchy of Lancaster: Public Authority and Private Power 1399–1461* (Oxford, 2000) (an important corrective to prevalent ideas about the centrality of retaining for king–gentry relationships). Much of C. Carpenter, *The Wars of the Roses: Politics and the Constitution c.1437–1509* (Cambridge, 1997) takes a landowners’ perspective and the bibliography contains further references on gentry and nobility in politics, notably to new work on Henry VII.

The gentry correspondences (an invaluable source) are J. G. Gairdner, ed., *The Paston Letters* (6 vols, London, 1904, rpt. in 1 vol., Gloucester, 1983); C. Carpenter, ed., *Kingsford’s Stonor Letters and Papers* (Royal Historical Society, 1996); J. Kirby, ed., *The Plumpton Letters and Papers* (Camden Society, 5th series, 8, 1996); C. Carpenter, ed., *The Armburgh Papers* (Woodbridge, 1998).

CHAPTER FIFTEEN

Scotland: Politics, Government and Law

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Historiography of Scotland, 1100–1500

Knowledge and understanding of medieval Scotland was transformed in the second half of the twentieth century. Although the scholarship of such as William Skene, George Neilson and William Croft Dickinson had previously offered important (and still valuable) insights on significant aspects of the period, research after 1950 took on a much more wide-ranging character, accelerated by the collaborative as well as individual work of the group which in 1958 formed the annual Conference of Scottish Medievalists. Examples of such work included not only an ever-growing stream of articles and monographs, but also editions, produced to the highest international standards, of key sources such as the acts of the Scottish kings and the fifteenth-century *Scoticchronicon* of Walter Bower. Imaginative new approaches, perhaps best exemplified in successive editions of an atlas of Scottish medieval history, were developed, and the detailed findings of new research came before a wider public in single- and multi-volume syntheses which themselves often opened up new questions and focused points of debate.

What have been the central themes and issues of this modern research? An inescapable dimension is the comparison with medieval England and the relationship between the neighbouring kingdoms. To an earlier generation Scottish governmental structures and institutions, especially from the mid-fourteenth century on, appeared jejune and ineffective when set alongside those of post-Conquest England. It was well known that the twelfth century had seen a substantial Anglo-Norman settlement in Scotland, leading to the holding of land in both kingdoms by a number of families before 1300, including the Scottish royal house itself. This produced an ambivalent relationship with the kings of England, who in any event commanded far more power and resources than their Scottish counterparts. The tension always latent within this relationship finally flared in the Wars of Independence at the end of the

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thirteenth century. Although these long-drawn-out conflicts were to be resolved in somewhat grudging English acceptance of Scottish independence, such stability as Scotland had enjoyed before 1300 was deeply undermined. A series of weak kings and royal minorities created a turbulent political realm in which the violent resolution of conflict was endemic. Only at the end of the fifteenth century did an effective monarch appear, in the person of James IV (1488–1513); and his achievements were to be blown away in the carnage of another, this time disastrous, conflict with England, ended on Flodden field in September 1513.

Modern research and reinterpretation has, however, produced a new, if not untested, picture of this period. Perhaps it would be best, however, to say ‘periods’ here, because a point of some significance is that few scholars have ranged right across the centuries from 1100 to 1500. A dividing line for scholarship is provided by the reign of Robert I (1306–29), which either gives an end point for twelfth- and thirteenth-century specialists or is a springboard setting the scene for later medievalists. The most notable exception to this observation is Archie Duncan, but even his work is really a series of specialist studies in one or other of the two periods rather than an attempt to show how one may be related to the other.

For the first period up to 1329, the work of Geoffrey Barrow has been fundamental. His editions of twelfth-century royal charters showed a powerful and effective monarchy transforming the essentially Celtic character of Scottish government and society to something much more like its counterparts in England and western Europe. Elsewhere, he traced in detail the gradual progress of the Anglo-Norman or feudal settlement effected by the twelfth-century kings, through the grant of lands to be held of them in return for the military or knight’s service rendered by beneficiaries who came mostly from England but who were of Breton and Flemish as well as Norman descent. As a result of this settlement, Scotland became a feudal kingdom, almost a model of the European pattern of feudalism. The strength of the kingdom’s identity as a sovereign nation and as the ‘community of the realm’ enabled it to survive the succession crisis precipitated by the untimely death of Alexander III (1249–86) and then to fend off the imperial ambitions of Edward I of England when he sought to exploit the opportunities provided by the crisis to take control in Scotland. The Declaration of Arbroath in 1320, with its ringing affirmation of Scottish independence from English rule, was born of this deep-rooted sense of Scottish identity rather than being merely its first expression.

The ‘Barrovian’ vision has itself been challenged, however, especially in recent work. Although Barrow himself had shown how feudalization was gradual and was far from immediately displacing the structures of government and landholding which had preceded it (indeed, in many instances the latter lay just below the feudal superstructure, and continued in vigorous form up to and beyond 1300), it has been argued that the degree and significance of continuity have been understated as a result of an emphasis on innovation and change, perhaps because Barrow’s principal source, the royal charters, does not disclose very much of the situation at lower social levels or in the regions of Scotland for which twelfth- and thirteenth-century documentation is largely lacking, namely the north and west. In any event, it has been suggested that the feudal form of the surviving documentation masks more complex realities of political and social relations of lordship, patronage and protection, reflecting a wider European debate about what, if anything, is meant by ‘feu-

dalism' as a historical term. Finally, the Wars of Independence were by no means brought to an end by Robert I's Bannockburn triumph in 1314, and it is now also argued that the community of the realm did not enjoy complete solidarity under him either before or after 1314, as evidenced, for example, not only by the thirty years of war and uncertainty that followed Robert's death in 1329, but also by the Soules conspiracy to overthrow the king in 1320, foiled just months after the Declaration of Arbroath.

If Barrow's work has been seminal for the twelfth and thirteenth centuries, its nearest equivalent for the fourteenth and fifteenth has been the studies by Jenny Wormald and Alexander Grant. In the 1970s they began to challenge the then-prevailing view of weak government, in which kings were all too frequently disabled from active rule by absence, personal incapacity or minority, and the consequent lawlessness and anarchy of a society in which all four kings between 1424 and 1513 met violent deaths, two at the hands of their own subjects. Both Wormald and Grant were influenced by the trenchant writings of the great English medievalist Bruce McFarlane, who mocked previous historians as 'kings' friends' and sought instead the insights to be gained from a study of the medieval nobility on their own terms. Wormald and Grant likewise criticized the tendency to judge Scottish governance from a comparison with the very different and possibly unique position in England, and also, following McFarlane, historians' assumption that good government necessarily meant rule by activist kings and centralized bureaucratic structures. Instead they argued that Scottish kingship was characterized by reliance not on centralized institutions but on local good lordship as the basis for stability and order. Outbreaks of violence in a society dominated by notions of honour, kinship and the duty to avenge affronts to oneself and one's kindred were dealt with mainly through informal settlement systems involving the payment of compensation for wrongs done, intermarriage and other ways of drawing parties into more peaceful relationships. So, instead of a scenario where the king regularly confronted overmighty nobles and rather frequently lost, the norm was cooperation between monarch and magnates, and when the king was killed or attacked the challenge to the established order was much more often than not speedily snuffed out.

Norman Macdougall's political biographies of the two late fifteenth-century kings, James III (1460–88) and James IV, peeled away the accretions of legend and fancy obscuring the realities of power in the later middle ages. While Macdougall's work could be seen as consistent with the Wormald/Grant approach, especially because he showed James III suffering rebellion and death as a result of inadequate appreciation of the established interplay between royal and local government, it also suggested that a norm of consensus and cooperation in crown–magnate relations might have been overstated. This theme has since been developed by others in a series of biographies of all the Stewart kings before James III: that is, from Robert II (1371–90) to James II (1437–60). The crown, although powerful, was none the less hedged in by vigorous and often effective resistance to its authority as well as by its dependence on local magnatial influence for effective government. Political conflict also constantly emerged from intense competition amongst the nobility for such local influence as well as for shares of royal patronage, the balance of power centrally being intimately linked with local control. Such conflicts often led to significant violence

and, while the resultant feuds might indeed be settled for a time, they often broke out anew in the next generation or when some opportunity to regain lost ground occurred.

This chapter will not seek to resolve all these debates. Instead, it will set out to show how Scottish governance was transformed in the twelfth century, and how the structures and institutions which then began to take shape remained as the basis of the Scottish polity until 1500. At the centre of the discussion is the kingship of the Scots, and the power and prestige which it enjoyed and which endured even through long-lived crises over the succession, or the minority or captivity of particular kings. The authority of the kings was, however, inextricably intertwined with the role of the nobility in both national and local politics, and across the four centuries here discussed governance without the active participation of both was, quite simply, inconceivable. The institutional continuity and growth which is apparent across four centuries, to say nothing of the survival of the kingdom itself despite the constant threat posed by English claims, would not have happened had the interests of crown and nobility been fundamentally opposed to each other, or if the inevitable political conflicts between them had been allowed to spiral out of control.

Scotland in 1100

Around 1100 the mainly Gaelic-speaking kingdom of Alba, Latinized as Scotia, had achieved significant political sway, not only over its core territory from the Firth of Forth to Atholl, Mar and Buchan in the north, but also, to the south, over Anglian Lothian to the Tweed and, in the west, the Cumbrian sub-kingdom of Strathclyde. Three long-reigning kings of Alba, Malcolm II (1005–34), Macbeth (1040–57) and Malcolm III (1058–93), had done much to stabilize political structures while increasing the power and reach of their kingship. Claims were laid to Northumbria beyond the River Tweed and Cumbria south of the Solway Firth. In the far north, the province or kingdom of Moray was ruled by a dynasty closely related to the main line of the kings of Alba and having claims to the kingship itself (realized in the person of Macbeth); Alba in turn claimed overlordship in, or even to include, Moray. Attempts to bring the Scandinavian-controlled Ross and Caithness within the ambit of Alba had only limited success. The Northern and Western Isles lay firmly under Scandinavian rule, however, the latter thanks to a treaty with Norway concluded as recently as 1098. Argyll and Galloway were buffer zones whose rulers, or kings, most probably owed some nominal allegiance to the kings of Alba but who exploited frontier status to command considerable power within their localities.

The eleventh century had seen a period of state-building in Alba, founded on changing traditions as well as the ever-growing strength and resources of the royal house. Kings had long been inaugurated in a ritualistic ceremony at Scone but by 1100 a custom was developing of royal burials at Dunfermline in Fife, closer to the relatively recent acquisition, Lothian. Later medieval writers attributed to Malcolm II a change in the laws of royal succession: away from a system comparable with that found in Ireland and Wales, in which adult male collaterals of the deceased king were generally preferred to his sons, the specific successor often establishing his right as the worthiest to hold the kingship by force of arms, to one of male primogeniture together with the possibility of inheritance through a female line. But if so, the bloody

struggles for the kingship that followed the death of Malcolm III and lasted for most of the 1090s (to say nothing of those that had preceded the king's accession in 1058) showed that the change, if it had ever been attempted, had gone unaccepted since. Edgar, a son (but not the eldest surviving one) of Malcolm III, had won the inheritance in 1097, thanks more to significant military support from the king of England than to any law; but the more or less orderly succession of his two younger brothers, Alexander I (1107–24) and David I (1124–53), while pointing in the direction of a lineal inheritance, was not a conclusive fixing of custom, given that neither Edgar nor Alexander had a son to succeed him.

The core territory of Alba was divided into provinces (Atholl, Strathearn, Menteith, Fife, Gowrie, Angus, Mearns, Mar and Buchan). These were mostly under the rule of *mormaers* ('great stewards'), but in some (Mearns and Gowrie) there appears to have been no *mormaer* by 1100 and the king was the principal lord. Within the provinces the key units of landed resources were the shires or thanages managed on behalf of an overlord (the *mormaer* or the king) by their thanes or *toiseach*. The principal revenues of the royal shires, collected and administered by their thanes, provided the king with infinitely greater resources than any other lord in Alba. The shires were also the basis for the administration of local justice and the calling out of the inhabitants to perform the military obligations to the king that would be known in later centuries as 'Scottish service'. It was, however, the *mormaer* who in war would lead the army called up in his province through the thane in the shire. Finally, there were judges (*bri-theamhan*), the status of at least some of whom appears to have been provincial in nature rather than anything more narrowly local, while others seemingly held office with royal authority.

Lothian was also a land of shires, but these were more akin to Northumbrian estates than to those of Alba proper, held by thanes (and drengs) in their own right rather than as managers on behalf of a higher lord. While some Lothian shires may have been grouped into larger units under officers sometimes identified as 'sheriffs' (*scir-gerefa*), there was nothing equivalent to the provinces of Alba until Malcolm III created for a refugee Northumbrian nobleman the earldom of Dunbar (or the March) out of scattered estates in Lothian and the Merse late in the eleventh century. The internal structures of Cumbric Strathclyde are obscure, although it has been speculated that there may have been divisions of land akin to the Welsh cantrefis and there does appear to have been a learned legal class who could be called upon to determine disputes in accordance with local custom. Strathclyde's identity continued to be recognized in the custom whereby the identified heir of the kings of Alba was appointed as prince or governor of the region.

This picture of a powerful and expanding kingdom in 1100 must, however, be tempered by recognition of the limitations imposed by the even more powerful and expansive kingdom of England, whose aggressive kings had done much in the years since the Norman Conquest of 1066 to bring the kings of Alba into at least a semi-client relationship. Ever more assertive moves had been made into the lands of Northumbria and Cumbria, long a contested buffer zone between the two kingdoms. In 1072 William the Conqueror had forced a submission from Malcolm III at Abernethy by the Tay. While it may have been anachronistic to claim in later centuries that this event was a feudal surrender of the Scottish kingship so that it would thenceforward be held of the English crown, an uncertain relationship of dependence

between the two kingdoms clearly followed. King William Rufus of England was a key player in the Scottish royal succession struggles of the 1090s, his support ensuring the eventual success of Edgar in 1097. William's heir, who succeeded to the English throne as Henry I in 1100, married one of King Edgar's sisters in the same year; and a number of Normans were introduced into Scotland in royal service. Alexander I also married an illegitimate daughter of Henry I, while David I appears to have been brought up in Henry's household after his parents' deaths in 1093, perhaps with his older brothers.

The Davidian Revolution: The Kingdom of the Scots

Knowledge of the state of Alba in 1100 is crucial for an understanding of the transformation in what has been termed 'the Davidian revolution'.¹ We must be careful not to claim too much for that revolution, for it is evident that the world in existence before the accession of David I was far from swept away in consequence, and that trends which became very strong after 1124 had begun some time before. Nor should it be assumed that the revolution, if such it was, was in any way complete when David died in 1153, for it was really under his twelfth-century successors that new patterns and forms of royal government took definitive hold and the kingship of the Scots began to look increasingly similar to that of other western European kings, and less and less like that of the kings and princes of the other parts of Celtic Britain, Ireland and Wales.

David's upbringing probably made him francophone and accustomed to, indeed very much in tune with, the Anglo-Norman world of the English court. He was knighted by Henry I and in 1113 received through marriage the prestigious earldom and honour of Huntingdon in the English midlands. The circle of Anglo-Norman friends and knights drawn into David's patronage, such as the Avenels, Bruces, Morvilles and Soules, was to be of crucial importance for developments in Scotland even before he became king of Scots. King Edgar had bequeathed to him lordship of Cumbria and Lothian; support for David from his Norman knights appears to have been instrumental in compelling a reluctant Alexander I to cede control of the southern part of his kingdom. David had certainly begun to found monasteries and burghs in Lothian before 1124, and probably his initial infeftments of knights from his English honour and elsewhere occurred in this period as well. The first of which we actually know, the grant of Annandale to Robert Bruce, probably for the service of ten knights, was made at Scone in 1124, and therefore seems likely to have been performed at or just after the king's inauguration. The main settlement of Anglo-Frenchmen and Flemings in lands held for knight service under David I was, however, mainly in Lothian and Fife and also reached Moray after the king subdued the province in 1130. This was followed under David's grandsons, Malcolm IV (1153–65) and William I (1165–1214), by an intensification of existing settlement and 'a steady feudalisation'² in the provinces without *mormaers*, Gowrie and Mearns, as well as in Angus (the native lords of which appear to have been very much subject to royal power) and Clydesdale, in the old kingdom of Strathclyde.

The intensely pious King David was repelled by some of the more pagan aspects of the royal inauguration ceremony which he had to undergo (having been persuaded by the bishops present) at Scone in 1124: possibly the rituals physically symbolizing

the marriage of the king and his people, if Irish parallels may be drawn upon here. If such grosser elements were part of the inauguration in 1124, they had been removed by 1249 when the young Alexander III was set upon the Stone of Destiny by the earl of Fife, supported by the earl of Strathearn, and the royal poet recited the king's genealogy in Gaelic. Still missing, however, despite the consecration of the king by the bishop of St Andrews, was an ecclesiastical coronation and anointing; these were sought from the pope by successive kings of Scots, but, thanks to English opposition, not until 1331 with David II (1329–71) were they finally added to the inauguration ceremonies at Scone, the papal favour having been granted along with recognition of Robert I's kingship in 1329. The Christian element of kingship was emphasized in royal charters from their earliest use, however, through the adoption of a style hinting at the desired anointing, 'by God's grace king of Scots'; while until late in the thirteenth century the king's great seal bore on its circumference that he was 'under God's ruling king of Scots', adopting thereafter the charter formula of 'God's grace'. So then, and in the later medieval centuries, the king was presented as essentially the Christian ruler of a people rather than a territory. It is significant, however, that by the mid-thirteenth century all the territory over which he ruled was known as Scotia or Scotland, and not just the original core of Alba.

Practice in the succession to the kingship also pointed away from the past struggles of rival contenders towards an orderly dynastic succession founded on the principle of male primogeniture, although not without ambiguities which may well have been deliberate. In King David's lifetime his only son, Earl Henry, appears as 'king-designate'. It has been suggested, on the one hand, that this was a form of the Gaelic custom of tanistry in operation, identifying the king's successor in advance of his death; or, on the other, that it was conscious imitation of the practice of the Capetian dynasty in France, perhaps extending so far as anointing and crowning the king's heir in the king's lifetime. Whatever the origin of the idea, clearly the aim was to avoid succession disputes on King David's death. But Earl Henry predeceased his father, causing a crisis met by charging the earl of Fife with the display of Henry's first-born son Malcolm, still only a child, throughout the kingdom as the future king (the key role of the earl in the royal inauguration being probably of significance here). Malcolm succeeded safely in 1153, aged just twelve; dying childless in 1165, he was followed by his brother William. Neither of the latter's direct descendants, Alexander II (1214–49) and Alexander III, were yet adults when they became king, the former despite the fact that his uncle, Earl David of Huntingdon, was still living.

It thus seems clear that a succession custom of male primogeniture, regardless of the age of the claimant, became firmly entrenched in the Scottish royal house, perhaps strengthened by the fact that alternative claims, forcefully asserted in the traditional manner by other segments of the royal dynasties throughout the twelfth and on into the thirteenth centuries, were equally forcibly overcome. Most troublesome to the successors of King David were the Mac Williams, a kindred based in Moray and descended from William, a grandson of Malcolm III by his eldest son and successor Duncan II. Its claims to the Scottish kingship were only brought to an end in 1230 when the brains of the last of 'the race of Mac William', a baby girl, were dashed out on the market cross at Forfar, apparently by royal command. Moray, whose rulers had had claims upon the kingship of Alba, and, further to the north, Ross, were the

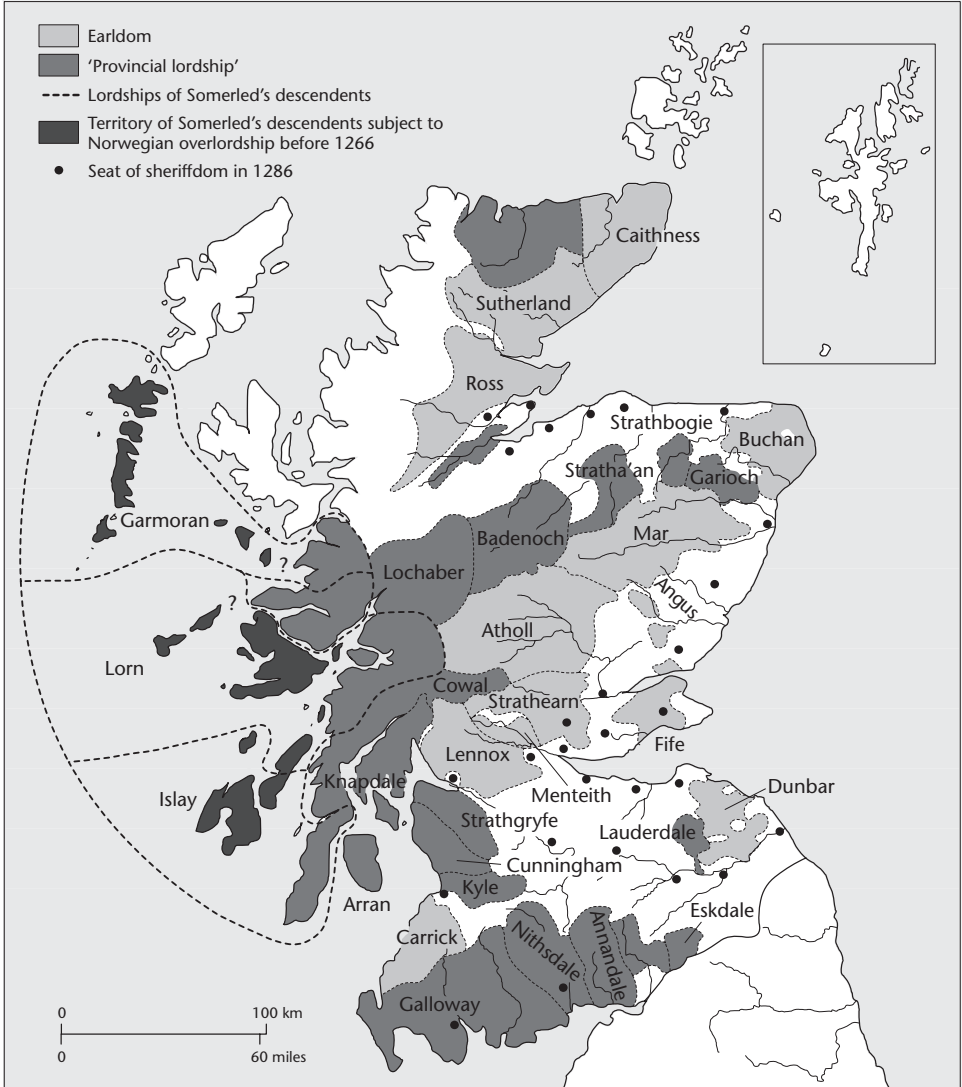
sources of other challenges to the kings of Scots in the twelfth century. The last native ruler of Moray, a descendant of Macbeth's stepson King Lulach, was killed in battle against the king's forces in 1130, and Flemish settlement, feudalization and royal burghs followed in the region. Some further drastic assertion of royal control may be cloaked in a cryptic entry in the Holyrood chronicle for 1163, saying that Malcolm IV 'removed' (*transtulit*) the men of Moray.

A clear concern of David I and his successors throughout the twelfth and thirteenth centuries, exemplified by these developments in Moray, was the removal of alternative sources of authority within the other territories to which they laid claim. Kingship in the outer or peripheral zones of the north and west was no longer to be merely a form of overkingship, exacting merely nominal or occasional allegiance from essentially autonomous local rulers or sub-kings. When King Malcolm granted the earldom of Ross to Malcolm Mac Heth, he may have expected recognition from the leading kindred in the area. But following Mac Heth's death in 1168, the earldom seems to have returned to royal possession and nothing more is heard of it until its grant c.1215 to the shadowy figure of Farquhar Mactaggart as a reward for his role in putting down a Mac Heth rebellion. If Ross was not yet subdued, it had been brought within the sway of the Scottish king.

Galloway was encircled in King David's time by major Anglo-Norman lordships in Annandale (Bruce), Eskdale (Avenel) and Liddesdale (de Soules) to the east, and Strathgryfe and Kyle (the Stewarts, named from the office of steward which they had in the king's household) and Cunningham (de Morville) to the north. Then, after a rebellion led by Fergus, king of Galloway, had been crushed in 1160, feudalization of Galloway itself began, to some extent with the cooperation of Fergus's successors. After another Galwegian rising had finally been put down in 1185, the intermarriage of members of the native ruling house with Anglo-Norman heiresses brought about increasing integration of Galloway within the kingdom, although local feeling, strong enough in 1234 for there to be a further revolt, was also exploited by Edward I towards his own imperial ends in the 1290s.

The lordships in Strathgryfe, Cunningham and Kyle faced west as well as south, challenging the native kingship or lordship of Argyll; risings in 1154 and 1164 under the leadership of Somerled of Argyll were also put down, although his extensive territories in Argyll and the Isles passed into the lordship of his descendants rather than the king of Scots. Given the continuing Scandinavian control of the western seaboard, the grip of the Scottish kings on the area continued to be at best tenuous, despite efforts which continued into the middle of the thirteenth century. Only in 1266, after the Treaty of Perth with Norway, did Argyll and the Isles come clearly under Scottish sovereignty; and even then the local lordship of the descendants of Somerled – the Macdougalls, the Macruaries and the Macdonalds – continued to exert considerable autonomy and power. Earlier, at the end of the twelfth century, Scandinavian power in Caithness was brought to an end and the originally Flemish family of Moray was granted lordship in the area shortly after 1200. This became the new earldom of Sutherland in the 1230s; but the northern isles of Orkney and Shetland would remain under Scandinavian dominion until 1469.

'[T]he more recent kings of Scots profess themselves to be rather Frenchmen, both in race and in manners, language and culture; and after reducing the Scots to utter servitude, they admit only Frenchmen to their friendship and service', wrote



Map 15.1 Scotland: earldoms and 'provincial lordships', 1124 to 1286. Based upon a map prepared by K. Stringer for P. G. B. McNeill and H. L. MacQueen, eds, *Atlas of Scottish History to 1707* (Edinburgh, 1996; revised rpt. 2000).

an English chronicler in the 1220s. The narrative above might well support an impression of a feudalizing kingship opposing, and opposed by, the native society of Scotland in the twelfth century. The image can easily be reinforced by other stories: for example, of Ferteth, earl of Strathearn, and five other earls besieging Malcolm IV in Perth in 1160, angry because he had served the English king in a siege at Toulouse the previous year and had there been belted knight by him. Nevertheless, this picture

of violent clashes between a radically innovative kingship and a conservative traditional society must be balanced against other aspects of the twelfth-century scene. Although the addresses of some twelfth-century royal charters could distinguish between the king's French, English and Scots subjects (and sometimes also his Welsh and Galwegian ones), the simple form of 'all the good men of his whole land' was usual long before 1200. The dominance of French language and culture faded in the course of the thirteenth century, to be replaced increasingly by Scots as Gaelic too gradually retreated to the north and west. The ancient provinces between Forth and Moray continued to exist in largely unchallenged autonomy, albeit now as earldoms, and remained very substantially in the hands of native families. When they did pass into the possession of those of Anglo-French descent, as for example with the increasingly influential Comyns in Buchan *c.*1212 and Menteith from the 1230s, it was generally as a result of intermarriage with the female heiresses of the native earls (albeit that this involved recognition of hitherto unknown customs allowing inheritance through the female line). Native lords themselves took Anglo-French heiresses as wives and so acquired stakes in the new order of things. Thus when Lachlann, lord of Galloway 1185–1200, who preferred to be known by the romantic French name of Roland, married Elena de Morville, heiress of the great fief of Lauderdale, he acquired not only the Morville lands but also the office of constable. While the earldoms retained much of the character of provincial governorships under the king, it was possible for them to come to be held tenurially, as in Fife from 1136, and for the earls themselves to grant land to be held of them for service by Anglo-French settlers and others.

Nevertheless, the traditional customs, structures and institutions of native society continued to exist and, indeed, to flourish. Thus the provincial *britheamban* were absorbed within the emerging court structures of sheriff and justiciar (see 'The growth and regularization of royal justice and common law' below). Again, while the earldom of Fife passed down through the generations in accordance with the feudal rules of primogeniture, the headship of the kindred of Fife, the Clan Duff (later Macduff) may not necessarily have rested with whoever was earl but have gone instead to the most appropriate male representative of the kin; this became particularly important when the earl was a minor, and so unable to deal with the kindred's affairs. Likewise when Neil, earl of Carrick, died in 1256 leaving only a minor daughter, his nephew assumed the headship of the kindred, carrying responsibilities for both leadership in war and protection against injustice and wrongdoing by others, while the earldom title and lands went to the girl and, after her marriage *c.*1270, to Robert Bruce younger of Annandale, descendant of one of the earliest of King David's Anglo-Norman settlers. In both cases, the arrangements struck represented a compromise between the new and the old, and as such seem to have had royal support or, at any rate, tolerance.

The expanding use of writing to express the king's will and record his acts meant that government could extend far beyond the king's presence and interpersonal relationships, to achieve at least a degree of bureaucratic regularity and definition in the interaction of king and people. The royal household which was the hub of the king's government developed very much along the lines that King David would have experienced in his youth in England, with officers such as the chancellor, the chamberlain, the constable and the steward whose occupants were principally from the

incoming social groups and whose titles and functions were exactly those of their English counterparts. It never took on the elaborate structures and record-keeping of English royal government, however, while offices such as the carver of the king's food, his poet and his physician often remained in the hands of Gaelic families. By the mid-thirteenth century, and surely long before, the king's officers from both his household and the localities had to account for their activities in the royal exchequer; but even this vital task did not involve the creation of a permanent institution, simply the annual appointment of auditors whose work was supported by the household clerks.

The Growth and Regularization of Royal Justice and Common Law

A key task of kingship was justice. Early twelfth-century royal justice does not appear highly systematic or regularized, especially in comparison with contemporary developments in England. It remained a matter of the king's ad hoc personal intervention, or a favour granted to particular claimants, perhaps in the king's own court (*curia regis*), rather than a matter of right or course for the king's subjects. Certain general ideas do emerge from the sources: for example, that the king would intervene if there was a breach of his peace and protection, or if there was a default of justice (*defectus justitiae*) by some other person. There is also evidence that kings legislated, no doubt with the advice and assistance of their counsellors, and that the resultant 'assizes' or 'statutes' were intended to and did have a general effect that might extend beyond the reigns in which they were created, even though that might need reinforcement by subsequent re-enactment.

Perhaps the king's primary responsibility was the preservation and, where necessary, the restoration of peace in his realm. By the middle of the twelfth century there had emerged a concept of the 'pleas of the crown', including the especially horrendous crimes which it was the king's right and duty to punish. This must be seen, at least partly, against the background of an 'honour' society in which a person wronged (or his kin, if the wrong was homicide) was obliged to seek vengeance or lose face altogether. Honour might be restored by the provision of appropriate compensation by the wrongdoer to the victim and his kin. There are signs, however, that the king, perhaps encouraged by the church, was setting his sights against at least some aspects of both the vengeance and the compensation features of the honour code, as involving either an inevitable spiral of violence or the condonation of mortal sin. Another institution for the preservation of peace in which king and church seem to have joined forces was ecclesiastical sanctuary, within which someone accused of wrongdoing could take at least temporary shelter from his victims and their kin. Twelfth-century grants show that in some of these the peace of the church was given additional support and a wider territorial scope by that of the king, and these had an important role in the pacification of feud to 1500 and beyond.

Royal justice in the localities began to be transformed in the later twelfth century, and the structure that emerged would also endure until 1500 and beyond. The most important innovations were the introduction of the offices of the sheriff and the justice or justiciar, who looked after the king's interests in the various parts of his kingdom, including the protection of those brought to the kingdom by his patronage,

who had no place in the existing kin-based structures for justice and peace-keeping. Largely following the progress of the Anglo-Norman settlement, the country began to be divided into sheriffdoms, some but not all of which show continuity with the older territorial units of shire and thanage. Although this division was not to be complete until the fourteenth century, the sheriffdom was certainly the ordinary unit of local royal government in most of the kingdom by the mid-thirteenth century, having largely usurped many of the functions of the ancient shires and thanages, and acquired others to deal with the new world brought about by the social and political changes of the previous century and a half. In particular, there were sheriff courts at which the king's local tenants-in-chief paid suit and received justice seen as essentially royal in origin.

The function of the early justices, whose office is documented from the reign of David I on, is very obscure; but in the second half of the twelfth century they were clearly linked with, albeit superior to, the sheriffs, and held courts. A justiciar of Scotia, that is Scotland north of Forth, is found in Malcolm IV's time, and it seems probable that there were justiciars of Lothian and, perhaps, Galloway before the end of the twelfth century. In the thirteenth century there were two principal justiciars, one of Lothian and the other of Scotia, both of whom conducted ayres, or circuits, of the sheriffdoms in their regions, holding courts in each, in theory twice a year. The justiciars of Scotia and Lothian, however, became the justiciars north and south of Forth respectively in the fourteenth century and remained key figures in the administration of justice right up to 1500. Throughout the whole of this period the justiciarships were held by major figures in royal government; but it is important to note that, like the sheriffs, it could never be said that the office-bearers were either full-time professionals or trained in law. There was, however, a simple supporting bureaucracy, with the sheriff's officers often being brought in to support the justiciary whenever an ayre reached the sheriffdom.

No absolute monopoly of justice was ever claimed by the king, save perhaps in resistance to the jurisdictional expansionism of the church courts, and then particularly in relation to land; the courts of private lords continued to play an important social role, albeit subject to the supervision of royal courts for 'default of justice'. The increasing systematization of royal justice certainly justified the claim that the kingdom enjoyed a common law by the middle of the thirteenth century, however. The reign of Alexander II was a key period, with the Fourth Lateran Council of 1215 providing a vital stimulus by abolishing clerical participation in ordeals, a principal method of proof in secular law. In Scotland the consequent difficulties seem to have been met by increased use of the jury of neighbours as a means of testing the truth of competing claims. The English common law, which had grown so impressively since the time of King Henry II (1154–89), provided a model in issues of land-holding, with its use of standard form royal writs commanding the use of juries in particular types of case, a feature presumably familiar to the many Scottish landowners with properties in England also. The Scottish royal writ (or brieve) of novel (or new) disseisin, introduced by legislation in 1230 to deal with cases of recent dispossession from land, was clearly derived from the English writ of novel disseisin, just as the brieve of mortancestry, dealing with cases of disputed inheritance from a closed class of near relatives, followed the exemplar of the writ of mort d'ancestor. And the Scottish brieve of right, which probably had its ultimate origins in the ancient

royal jurisdiction to do right in cases of default of justice, was most likely reshaped later in the thirteenth century to deal with land cases beyond the scope of new *disasine* and *mortancestry* in the same way as the English writs of right and entry. By 1270 settled law held that nobody could be put out of land except by action begun by the king's *brieve*, another rule with an English root, but one which sat comfortably with an older prohibition, again enforced by royal *brieve*, forbidding the ubiquitous church courts from dealing with cases concerning lay tenements. The king's task was to protect security of tenure and inheritance at all levels. On the other hand, there seems to have been acceptance of the exclusive jurisdiction of the church in relation to its own affairs and in matters concerning the status and morals of the laity: marriage, divorce and legitimacy, for example.

The jury was also increasingly deployed in the control of crime. In 1245 legislation provided that the justiciar of Lothian should hold an inquest to identify wrongdoers within his jurisdiction since Christmas 1243. This procedure, obviously drawing on both the English jury of presentment and the canon law inquisition, was in use north of Forth as well as in Lothian by the second half of the thirteenth century. The aim seems once again to have been to control feud and the private pursuit of crime, and to assert the royal interest in peace and good order; but it should also be noted that this policy did not contemplate the exclusion of the courts of lords below those of the king.

Legislation such as that of 1245 was passed in meetings of the king and the great men of the realm, the typical Latin term for which was *colloquium*, a talking together, rather than *parliamentum*. These *colloquia* were also times at which justice might be dispensed in particular cases, possibly coming up from lower courts; but their most important function was the discussion and determination of high policy and action at critical moments. This embodiment of the political community of Scotland, or the community of the realm, as it was increasingly referred to in the later thirteenth century, had a particularly important role to play when the king was a minor, and the institution would come into its own in the period of crisis that followed the sudden and untimely death of Alexander III without a male heir in 1286.

Anglo-Scottish Relations, the Wars of Independence and Robert I

King Alexander's fatal fall from his horse brought to a head not only questions about the principles of succession in the Scottish kingship, but also the much more fundamental problem of Anglo-Scottish relations which had existed since Malcolm III's submission to William the Conqueror in 1072. The issue had at least three major strands. One was whether the king of Scots held his kingdom of the king of England. The second was the claim of the king of Scots to sovereignty of Northumbria and Cumbria, and the third was the relevance to the first of the lands in England which the king of Scots did undoubtedly hold of the king of England, above all the honour and earldom of Huntingdon. On all points there was ebb and flow throughout the twelfth century, and on each side of the argument cases would be pressed most strongly at times when the other party was, for one reason or another, politically weak. Under the Alexanders greater stability prevailed, perhaps helped by the interests of the many magnates who held land in both kingdoms and for whom open

conflict between them would be potentially disastrous. The Scottish claim to the northern counties was given up in the Treaty of York in 1237, and it was made clear, at least on the Scottish side, that homage was given to the English king only for the lands that the king of Scots held in England. Although it was accepted that the lands held in England by Scots (including the king) were subject to English law and jurisdiction, attempts to deal in England with disputes arising in Scotland (for example, over the earldom of Menteith in the 1260s) were successfully resisted. The Laws of the Marches, a customary regime applying to cross-border disputes, were recorded in writing for the first time in 1249, another aspect of the sharpening recognition on each side of the border that to allow the king's subjects to be treated under the law of another kingdom prejudiced royal authority and national identity.

Following the death of his son in 1284, Alexander III had obtained from a *colloquium* recognition that the heir presumptive was his infant grandchild Margaret, daughter of the king of Norway. This acknowledgement of female inheritance was a first for the Scottish kingship and was upheld after Alexander's death, despite the existence within Scotland of alternative claims, notably from Robert Bruce, lord of Annandale, and John Balliol, lord of Galloway, both descendants in the female line of Earl David of Huntingdon, youngest brother of Malcolm IV and William I. Six guardians were appointed to govern the kingdom for the absentee child and entered into negotiations with Edward I for the marriage of Margaret with his eldest son. These discussions, which clearly had the potential to bring the two kingdoms into a much closer relationship, bore fruit in the Treaty of Birgham in 1290. The treaty contained no assertions of English feudal superiority and recognized that the kingdoms would remain separate and sovereign jurisdictions. The carefully crafted arrangements were, however, blown apart by the death of Margaret on her way to Scotland in September 1290, throwing open the question of who should be king and holding out the prospect of civil war between the claimants, particularly Bruce and Balliol. It was in these circumstances that King Edward either was invited by the Scottish political community to be, or made himself available as, an adjudicator of the competing claims; and he took the opportunity to reassert feudal superiority over the kingdom of the Scots, a superiority that was accepted, reluctantly or otherwise, by all the competitors for the Scottish throne.

Edward's judgement was in favour of Balliol and the principle of seniority of line (i.e., as descendant of the oldest of Earl David's daughters) over that of nearness by degree maintained by Bruce (i.e., as a grandson rather than a great-grandson of Earl David). Scotland was held to be a kingdom and therefore, unlike ordinary fiefs in both Scots and English law, not apt to be divided even amongst claimants whose title depended on descent in the female line. Yet virtually from the moment that John was inaugurated as king of Scots at Scone, his and the kingdom's status were undermined by the assertion of Edward's feudal superiority. The English king renounced the Treaty of Birgham. Appeals from Scottish judgements, including those of King John himself, were accepted in the English king's court: that is to say, contrary to the treaty and previous custom and practice, cases arising in Scotland were disposed of in England. Although in these judgements Scots laws and customs were recognized and applied, by 1305 Edward was clearly ready to contemplate and implement change to these laws and customs where appropriate. When in 1295 a Scottish council took control of government from King John and entered a treaty of mutual assistance with the king of France, against whom Edward was

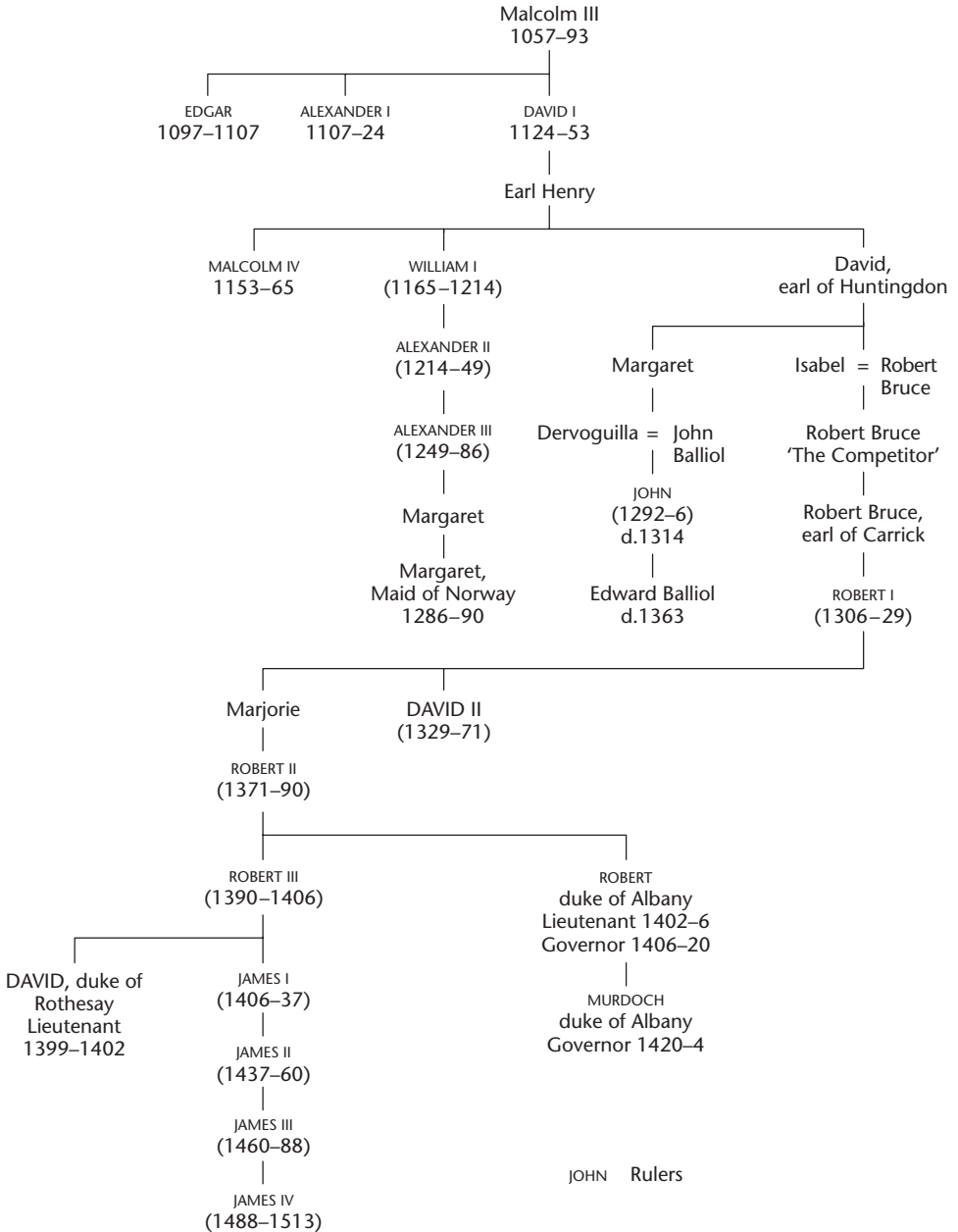


Figure 15.1 Genealogical table: Malcolm III to James IV.

waging war, the English king saw it as an act of treason that justified his humiliating removal of John from the kingship and the imposition of direct rule from Westminster (albeit through appointed agents in Scotland), the transportation south of the insignia of Scottish royalty such as the Stone of Destiny, and the execution as

traitors of Scots like William Wallace, captured in acts of aggression against the English crown.

When Robert Bruce, descendant of one of the earliest Anglo-Norman settlers in Scotland and grandson not only of the competitor for the throne in 1290 but also of Neil, earl of Gaelic Carrick, killed his rival John Comyn and seized such power as pertained to the king of Scots in 1306, his principal thought was no doubt to maintain and make good the long-standing Bruce claim to the kingship. But there was also a strong sense of the independence and distinctive mixture of traditions of the kingdom he sought to make his own. Everything about Robert's kingship, from its commencement in a necessarily truncated inauguration ceremony at Scone to his ultimate retirement in the still essentially Gaelic province of Lennox and his interment in the royal burial grounds at Dunfermline, points up conservative attachment to the customs and ways of government that had prevailed before 1286, encompassing, like his own descent, both its Gaelic and Anglo-Norman strands. The earldoms survived as territorial units, largely in the hands of the families who had held them in 1286, the main exceptions being Buchan, which had belonged to the Comyns, and Angus. An earldom of Moray, based on the ancient province, was created for the king's nephew and chief lieutenant, Thomas Randolph. Robert also restored the Alexandrian system of sheriffdoms and justiciarships, which would continue in operation until the end of the fifteenth century, as well as founding a sheriffdom of Argyll. He convened parliaments in which the kingly power to make and change the laws was strongly asserted, while the fundamentally important common law principle in favour of security of tenure and inheritance, that no man would be put out of his heritage save by the king's brieve, was restated in statute in 1318. His own grants of land made frequent use of the concepts of military tenure, including not only knight service but also service with the king's galleys. He sought, and had he lived would probably have achieved, the return to Scotland of the Stone of Destiny. He revived the Scottish claim to the northern counties of England, and pursued relationships with Ireland in which the common origins and heritage of the Irish and the Scots were strongly emphasized. In all probability it was under his authority that work began on the first systematic account of the laws and customs of Scotland, the text known from its opening words as *Regiam Majestatem* and based, significantly, upon the twelfth-century English treatise known as *Glanvill*. Finally, it is surely indicative that the king named the son and heir born in 1324 David, recalling the founder of the kingdom over which Robert had come to reign.

Yet the king could not simply seek restoration of a 'golden age' that had prevailed up to 1286. His victory at Bannockburn was not the end of the Wars of Independence. His claims were still not accepted in England; nor by the pope, who saw Bruce as an excommunicate guilty of the slaying of John Comyn in a church; nor by those who maintained the illegitimacy of the title under which Robert reigned. Even within the ranks of those apparently loyal to the king, treachery could lurk; and the terrible punishments visited upon some of those involved in the Soules conspiracy against him in 1320 may show just how fragile Robert felt his position to be. The conspiracy was most probably in support of the continuing Balliol claim to the kingship, although Soules himself was an heir of one of the 1290 competitors for the throne, while Sir David Brechin, who was executed for breaking his obligation to protect his lord by failing to reveal in advance what he knew of the conspiracy, was descended

from an illegitimate son of Earl David of Huntingdon and so may have been in the eyes of at least some Gaelic traditionalists a potential claimant to the throne. Although the Bruce claim to the kingship through inheritance was strongly asserted by his supporters, additional elements were brought in to bolster his right, notably in the Declaration of Arbroath in 1320. This was addressed to the pope in an effort to obtain his recognition of the king, and spoke of the people's rights to rid themselves of a king who subjected them to English rule (i.e., Balliol) and to make another to defend their liberties (i.e., Bruce). Robert, said the declaration, had become king by 'divine providence, the right of succession by the laws and customs of the kingdom (which we will defend till death) and the due and lawful consent and assent of all the people'. The doubts over his title as well as his lack of a legitimate son until 1324 probably encouraged the king to pursue a statutory settlement of the succession in 1315 and again in 1318, the latter being in favour of the king's grandson, young Robert Stewart. Although the birth of David Bruce made these arrangements unnecessary at the king's death in 1329, they were to mean that, when David himself died childless in 1371, Robert Stewart at last ascended the throne, after a wait of over fifty years.

Robert I had also to consider what to do about those owners of land in Scotland who would not accept his kingship. Following Bannockburn, a parliament declared that all who would not come into the king's peace would be forfeited. Thus those who held lands in both Scotland and England had to choose to which crown they would in future give their allegiance; those who chose to be subject to the English king would lose their lands in Scotland. This had two major implications for the future: it created a group of the 'disinherited' in England, centred round the Balliol claim to the kingship, and it provided Robert I with massive amounts of land for redistribution amongst his supporters, perhaps above all the extensive northern holdings of the Comyns and the Galloway lands of the Balliols. The principal beneficiaries were families such as the Stewarts, who added to their already considerable territories, and the Douglases, who were raised far above the position they had enjoyed in 1286. In the Isles Robert I set in train the processes which would make the MacDonalds, descendants of the twelfth-century figure of Somerled, lords of the Isles, while also raising the Campbells to prominence in Argyll. It was the beginning of a substantial transformation of the personnel in the upper reaches of the Scottish landowning classes, albeit still within the territorial structures prevailing before 1286, and the end of the Anglo-Scottish nobility whose role had been so significant hitherto.

The conflict with England dragged on throughout King Robert's reign. In 1326 a further treaty of alliance with France was sealed at Corbeil, providing again for mutual assistance against the common enemy, England; this was to be the basis of the 'auld alliance' for the rest of the medieval period, and was to play a particularly vital role in enabling the Scots to exploit the opportunities provided by the Hundred Years' War between England and France. The pressures which Robert himself continued to exert upon the English led to the conclusion of a treaty in 1328, in which the English king (Edward III) renounced his claim to overlordship of Scotland, and there was provision for perpetual peace between the two kingdoms and the marriage of David Bruce with Edward's sister. The treaty triggered the lifting of Robert's excommunication and paved the way for the anointing of future kings of Scots at

their coronations; but the intractable problem of the 'disinherited' was left for another day.

That problem flared up once more after the death of King Robert in 1329, leading to a resumption of Anglo-Scottish hostilities that would endure until 1500 and beyond. The 1330s and 1340s saw the renewal of the Balliol claim in the person of King John's son Edward, English repudiation of the treaty of 1328, disastrous Scottish defeats at Dupplin (1332) and Halidon Hill (1333), substantial and sustained English occupation of Scotland south of Forth, and, for the young David II, first exile in France from 1334 to 1341, and then captivity in England from 1346 to 1357 following another Scottish defeat at Neville's Cross near Durham. Ironically, it was this last event which finally undermined the Balliol claim to the Scottish kingdom; the king of England could do more to bend Scotland to his will with a captive king than with another who commanded relatively little support amongst the Scots themselves.

Once again, the uncertainty of the succession, this time to the childless David, was a key weapon. Through the 1350s Edward III showed himself willing to return David to Scotland provided an English succession to the throne was guaranteed if the king had no heir of his body; but this was unacceptable to the Scots, whose main leader was now Robert Stewart, heir presumptive under the provisions of 1318. Eventually David was released in 1357 for a large ransom payable over ten years and guaranteed by noble hostages. In 1363, however, Edward III reopened the succession issue with a proposal to forgo the ransom, release the hostages and return the still-occupied territories of southern Scotland if David were to be succeeded by either the English king or one of his younger sons. The proposal also showed respect for the identity of the kingdom, echoing the provisions of the Treaty of Birgham in 1290: the king to be would 'maintain the laws, statutes and customs of the kingdom of Scotland as established under the good kings of Scotland of the past', while 'in no way' would he 'summon or constrain the people of Scotland to compear in England or elsewhere outwith where they ought'. It is unclear whether the scheme enjoyed the support of King David, who had just married for the second time and was not yet forty years old; but the English approach was ringingly rebuffed by the Scottish parliament in 1364. In 1371 David died suddenly, without issue, and the Stewart dynasty which would hold the kingship for the next 300 years was inaugurated at Scone in the person of Robert II.

Anglo-Scottish relations would continue to be tense and involve fluctuating military fortunes between 1370 and 1500. The words of contemporary literature and legislation make clear the power of national feeling and anti-English sentiment that prevailed throughout this period. The English attempted no full-scale invasion or indeed much incursion far beyond the Tweed–Teviot line; the experience of the early fourteenth century had shown that the resources for a permanently successful campaign of deeper subjugation simply did not exist. Thus, while Roxburgh and Berwick, first taken in the 1330s, did not return to Scottish control until 1460 and 1461 respectively, when England was weakened by the Wars of the Roses, there was never any real English threat to the integrity of the realm (although Berwick was lost again, permanently, in 1482, triggering a major crisis in the troubled reign of James III). The eighteen-year captivity of James I from 1406 was probably the most effective manifestation of English hostility in the fifteenth century. After his return

to Scotland in 1424, the French alliance was twice renewed but was not deployed again in the military contexts in which it had flourished for the previous hundred years.

Later Medieval Scotland: The Stewart Dynasty

Later medieval Scottish politics must ultimately be seen as a triumph for the Stewart dynasty, although its first two representatives, Robert II (1371–90) and Robert III (1390–1406), have traditionally been seen as amongst the weakest of all Scottish kings: disabled by age and physical infirmity, both were actually deprived of authority and in effect replaced in a renewal of the institution of guardianship (now more often called lieutenancy because the king, although incapacitated, was both adult and present in the kingdom). Recently, however, Robert II has been presented as an effective ruler both at home and abroad, maintaining relative peace and prosperity by effective use of patronage and land grants, until his personal authority was overthrown in 1384 following conflicts between his many sons and their supporters. These family power struggles, with an added ingredient provided by the ambitions of his own son and heir, also fatally undermined the hold of Robert III upon the government of his kingdom. For the first time in nearly 200 years, Scottish kingship was confronted with the problems of many adult male offspring.

A key figure in both reigns was Robert III's younger brother, the earl of Fife, also called Robert (Robert III was originally named John, a name of ill-omen for a king). Fife was lieutenant to both his father from 1384 and his elder brother from his accession to 1393. Although Fife continued to be influential and was appointed as duke of Albany in 1398, his nephew, the heir to the throne David, duke of Rothesay, became lieutenant when he came of age in 1399. In 1402, however, Rothesay was arrested by Albany and died mysteriously while in prison at Albany's residence in Falkland; Albany was reappointed lieutenant and in 1406 became guardian, following the capture by the English of Prince James (heir presumptive after Rothesay's death) and the subsequent death of a stricken Robert III in 1406. The duke was to be guardian, or governor, until his own death in 1420, when he was succeeded by his son Murdoch.

Yet despite all this, the Albanys seem never to have laid claim to the kingship itself in forty years' close involvement at the head of government; and in 1424 James I was finally able to return to Scotland and to be crowned at Scone. Within a year he was strong enough to command the arrest, trial and execution of Duke Murdoch and his associates: formally for treasonous rebellion, but also no doubt an act of vengeance for the death of the king's brother in 1402, a means of removing potential rivals for the crown, and a way of bringing their extensive landholdings and revenues under direct royal control. Certainly, whatever their legitimacy, these events manifest the power wielded by a king, even despite an eighteen-year absence from his realm.

Doubt has been cast upon contemporary perceptions of the legitimacy of the Stewart dynasty because the first marriage of Robert II was within the degrees prohibited by canon law and a papal dispensation had not been obtained before the birth of his first child, who became Robert III. However, even if Robert III was born a bastard, the canon law provided for legitimation by valid subsequent marriage of the

parents, and there does not seem to have been any contemporary perception of a difficulty over his succession other than the need, caused by some physical incapacity of the king, for the lieutenancy of his brother.

The assassination of James I in Perth in 1437 by a group inspired by his half-uncle Walter, earl of Atholl, who was the last surviving son of Robert II's second and undoubtedly canonical marriage, has been attributed to a long-delayed bid for the crown as legitimate heir; but under the old entails of the crown in favour of Stewart heirs-male he was in any event already second in line after James II (six years old at the time of his father's death), and given that he had behaved as a loyal king's man for most of James I's reign, the involvement of the aged Walter seems more likely to have had its immediate inspiration in vengeance for the death in England in 1434 of his own son as a hostage for the king's ransom. The others involved, including Atholl's grandson Robert Stewart, third in line to the throne, probably had similar motives, although the chief actor in the killing, Sir Robert Graham of Kinpunt, may have seen himself as the destroyer of a greedy and rapacious tyrant as well as the avenger of his former patron, Duke Murdoch. But the arrest and frightful executions of the conspirators confirmed the power and support which the established royal house commanded in the Scottish political community, even if the outcome had hung in some doubt for a few weeks after the assassination, so that James II became the first Scottish king to be crowned at Holyrood, the traditional venue of Scone being perhaps too close to the dangerous territories in which his father had died and where Atholl and his adherents had held sway.

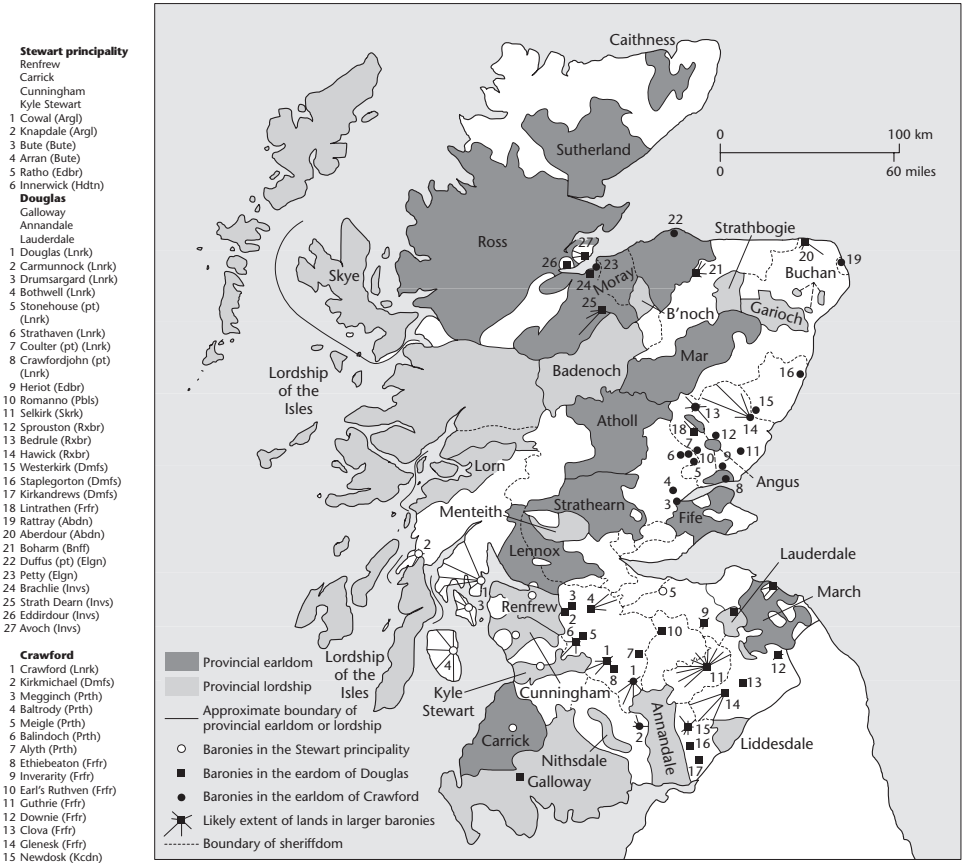
A similar pattern can be detected in the relative ease with which both James II and James III assumed control of government upon marriage and the end of their minorities in 1449 and 1469 respectively, and also in the fate of the families who had exercised control of the king's government immediately beforehand: members of both were forfeited and, like the Albanys under James I, some of them were executed. When in 1488 James III became the first of his house actually to be overthrown, killed and replaced in an armed uprising, the rebels were at least nominally led by his heir, who succeeded him as James IV. Perhaps it was only in such circumstances that rebellion against the lawful government of the king had any real prospect of success, and the subsequent propaganda of the new king and his government was at pains to emphasize the unintended nature of his predecessor's death and the legitimacy of the new king's succession. Earlier rebellions, most notably those of the most powerful magnates in Scotland at the relevant times, the ninth earl of Douglas in 1455 and the Macdonald lord of the Isles in 1411–12 and 1429, had been comprehensively crushed. Occasional royal defeats, for example, at the hands of the lord of the Isles in 1431, forced political accommodations but, James III apart, never unseated the king. The Douglasses were destroyed after 1455 (the eighth earl having been slain in hot blood by James II in 1452), and the fall of the lordship of the Isles, although long drawn out and not complete until after our period, began with the forfeiture of the fourth lord's earldom of Ross in 1475, followed by an act of suppression against the lordship itself in 1493. The bonds of manrent by which noble families linked their fortunes and resolved their disputes in the fifteenth century always reserved each party's loyalty to the king against the obligations of the bond; and repeated evidence shows the reluctance of the king's subjects to take the field against the hosts which could legitimately unfurl the royal banner. In 1469 parlia-

ment declared that the king enjoyed 'ful jurisdictione and fre empire'³ within his realm; this can be taken as an indication of the real authority which the Stewart kingship had in fact come to wield over its people and territory.

By the middle of the fifteenth century, then, Scotland and its kings had moved into a respectable position as a recognized second-rank European power, a picture confirmed by the renewed status and international range of royal marriages. Whereas Robert II and III married women from Scottish noble families, James II married a great niece of the duke of Burgundy and James III a daughter of the king of Denmark, who in effect brought with her Orkney and Shetland, mortgaged for her dowry. Although James I had to be content with a love-match to a daughter of the semi-royal English house of Beaufort, his daughters were married to the dauphin of France, the duke of Brittany and the archduke of Tyrol. The 1503 marriage of James IV to Margaret Tudor, daughter of Henry VII of England, revived the old idea of bettering Anglo-Scottish relations by linking the royal houses and would bear fruit a century later in the Union of the Crowns.

However, the exercise of royal power was by no means internally unopposed in the fifteenth century. Kings could not rule on their own or without political and institutional support. The machinery of government continued to be simple for most of our period, based upon the royal household and local lordship much as it had been since the twelfth century. In the fourteenth century parliament became an assembly of three estates when the burgesses began to be summoned as well as the lords spiritual and temporal; the impetus for this came from David II's need to raise taxation to pay for his ransom, but the effect was permanent. While Scotland's largely 'amateur' systems of royal justice and defence did not require the exaction of large sums of money from the people, extraordinary royal expenditure which could not be paid for out of the king's normal revenues did lead to occasional attempts to persuade parliament to grant taxations, giving that body some opportunity to control royal policy. On the other hand, parliamentary reluctance to impose taxation turned the kings to drive their ordinary revenues (e.g. rents and other payments arising from land rights as a feudal superior) increasingly rigorously, and to look actively for ways to increase them through forfeitures and escheats of others' land. Activities of this kind go some way to explain the resentment roused by James I and III in particular, and also the transformation of the higher nobility that occurred in the later fourteenth and fifteenth centuries.

The essence of this transformation was the dissolution of the link between the title of earl and the lands held and supervised as earl, and the rise, in the mid-fifteenth century, of a new higher nobility replacing the previously dominant families of Stewart and Douglas. Much of this can be explained by the kings' need for the revenue that came from increasing the amount of land under direct royal control. From the reign of David II the title of earl began to become more honorific than territorial, starting perhaps with the earldom of Douglas created in 1358. This did not mean that earls held no land (the Douglas lands were vast by 1400, in particular south of Forth); simply, their titles ceased to have territorial connotations. Accidents of inheritance, marriage and forfeiture also meant that, in the course of the fourteenth century, earldoms and other major lordships became more concentrated in the hands of fewer families, with the power of the Douglasses in the south being matched by the accumulation of land by the many children of Robert II in the



Map 15.2 Scotland: earldoms and lordships about 1405. Based upon a map prepared by A. Grant for P. G. B. McNeill and H. L. MacQueen, eds, *Atlas of Scottish History to 1707* (Edinburgh, 1996; revised rpt. 2000).

north. But this position was in turn transformed in the fifteenth century: first, through the ruthless acquisition of Stewart lands and titles by the revenue-hungry James I, and second through the forfeiture of the Douglas territories under James II in 1455. In the reign of James I this process had begun to bring to the fore families which had hitherto been in the second rank of landholders, such as the Erskines, Hamiltons, Hays, Kennedys and many others. Under James II they became, as lords of parliament and, sometimes, later as earls as well, amongst the leading players on the domestic political scene, although none ever acquired the kind of territorial domination which had been enjoyed by the Stewarts and Douglases in earlier times.

The transformation also had its effect in the north and west. The accidents of family extinction and marriage of female heirs meant that Moray and Ross became once more areas of uncertain lordship in the later fourteenth century. Amongst those who sought to fill the resulting power vacuum, usually by force, were a younger son

of Robert II, Alexander Stewart, earl of Buchan (best known as the 'Wolf of Badenoch'); his son, also Alexander and by marriage earl of Mar; and, above all, the MacDonald lords of the Isles, descendants of Somerled of Argyll, who looked to develop their influence eastward on the mainland and to make good a claim to the earldom of Ross. The resulting disturbed conditions, the militarization of governance in the region, and the essentially Gaelic culture of the lordship all helped to develop a contemporary perception of a division between the peaceful lowland Scots and the violently disorderly highlanders which was to have a profound long-term effect in later Scottish history. But some kind of stability was achieved in the region by recognition of Alexander, third lord of the Isles as earl of Ross in the late 1430s; it is perhaps a moot point whether his further appointment as justiciar north of Forth reflected his position as now a king's man or rather royal acceptance of the *de facto* situation. The gradual collapse of the lordship after 1475 would see the increasing prominence as unmistakably royal agents of the Campbell earls of Argyll in the west, and the Gordon earls of Huntly in the east.

Amongst the many roles of lordship in later medieval Scotland was dealing justice to the men of the lord. In its formal aspect this meant the holding of courts and arbitrations in which disputes could be resolved. Robert I had regularized the franchisal jurisdictions of barony and regality under which lords' courts might deal with cases that would otherwise have fallen to the royal sheriff or justiciar, and these continued as an extremely important aspect of the administration of justice throughout the fourteenth and fifteenth centuries. Less formal, but just as important, was the lord's role in settling disputes before they reached his or the king's courts, reflected most obviously in the bonds of manrent which survive in increasing numbers from the fifteenth century on. It should be stressed, however, that this was all formally subject to royal justice and the common law, which had a real existence and the significance of which has been underestimated. The king's responsibility for peace and good order, whether in protecting secure tenure and inheritance of land or in preventing and punishing interpersonal violence, was discharged principally through the sheriff courts and justice ayres which had performed this function since the thirteenth century, but was also manifested through the private franchises of barony and regality that could be granted only by the king, were supervised by his courts through appellate procedures, and could be withdrawn if misused. The undoubted reality of private justice, formal and informal, and the recognition of local customs, such as the 'laws of Galloway' and the 'law of Clan MacDuff' in Fife, did not detract from the generality of the king's law; indeed, a possible further reflection of the growing aspirations of royal power in the fifteenth century is the legislation which set aside such local customs and asserted that the kingdom was to be 'reulit be oure soverane lordis ane lawis and commone lawis of the realme and be nain other lawis'.⁴

One feature of the common law that was beginning to change by 1500, however, was its decentralized administration. The king's personal role as the fount of justice remained in place and was not discharged simply through local courts. Parliament remained a place at which justice might be done to those with complaints, and the king also heard such complaints in person or through his council. The pressure of other business in parliament meant that even in the fourteenth century private complaints were delegated to a committee appointed for the purpose while parliament was sitting; and in the fifteenth century there were also established sessions of council

to deal not only with the unfinished parliamentary judicial business, but also with new cases arising in the interim. By the time of James III, the pressure on council from judicial business was such that further devices for its deflection were being sought; and in the reign of his son a specialist group of councillors was emerging to deal with this work. This was the origin of what would become in the sixteenth century the principal court of the Scottish common law, known to still later generations as the Court of Session. The development was not the outcome of a desire to replace the decentralized medieval system with a centralized one, however, but rather the result of expedients adopted to deal with work which was perhaps increasing in quantity but which none the less had been coming for the king's attention for some centuries before 1500.

Conclusion

This slow change in the courts of law in the later fifteenth century was symptomatic of a process of transformation also under way elsewhere in the system and traditions of Scottish governance. James IV would be the last king of Scots to be crowned at Scone;⁵ parliaments were scarcely held after 1496; and justice ayres ceased to take place on the old pattern after 1513. The great provincial earldoms, derived from the kingdom of Alba, had become little more than honorific titles. Yet this process of change had by no means stripped the kingdom of the institutional, political and legal characteristics with which it had been imbued since the days of David I. Indeed, for much of the four centuries discussed in this chapter the dominant theme must be one of continuity; continuity, moreover, in the face of deep stresses and strains arising from vigorous and sustained external pressures and the accidents of inheritance and war. The system depended fundamentally upon interactions between king and nobility within a framework of institutions and law capable of surviving shocks such as foreign conquest, uncertainty about the royal succession, the prolonged loss of captive kings, and numerous royal minorities stretching back to the accession of Malcolm IV in 1153. It was not a comprehensive system of government: absolute control of the north and west was beyond the powers of the medieval kingdom, just as England could never gain more than a foothold in the Scottish borders. The lesser reach of government in the highlands was perhaps accentuated by a growing perception of a cultural difference between them and the lands of the south and east. It was, however, truly a case of a lesser reach rather than one of no reach at all. In 1500 the kingdom of the Scots did indeed extend from just north of Berwick to the Shetland isles, embracing a region the geography, language and culture of which was indeed diverse but whose essential political unity was to survive, vigorously, down to the present day.

NOTES

- 1 Barrow, *Scotland and its Neighbours*, p. 54.
- 2 Barrow, *Kingdom*, p. 284.
- 3 *APS*, vol. 2, p. 95 (ch. 6).
- 4 *APS*, vol. 2, p. 252 (ch. 24).

- 5 James III had been crowned at Kelso abbey, following the accidental death of his father at nearby Roxburgh in 1460.

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CHAPTER SIXTEEN

Wales: Politics, Government and Law

*J. BEVERLEY SMITH AND
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Approaches

Despite the passions aroused by their consciousness of the national past among scholars during the Renaissance and early modern period, the study of the medieval history of Wales has not, on the whole, engendered major controversies nor incited the development of revisionist debates among their modern successors. On the contrary, historians writing on Wales have approached their subject from a number of distinctive, but by no means mutually exclusive, let alone overtly confrontational, perspectives. The early interests and ambitions of the monarchs and aristocracy of England in the western periphery of the kingdom, the ties of homage and fealty which bound Welsh princes and marcher barons alike to the king, and the tests of their skills of leadership and governance which Wales presented to English kings and the heirs to the throne, have ensured that Wales and its problems have figured, albeit with varying emphases and dimensions, in the writings of English medieval historians. Even Stubbs, notoriously anglocentric in his teleology and in his historical awareness, was moved to declare how the princes of Wales ‘had meddled in every English struggle, had fanned the flame of every expiring quarrel, had played false to all parties and had maintained a flickering light of liberty by helping to embarrass any government that might otherwise have been too strong for them’.¹ But historians whose writings have been more specifically concerned with the history of Wales have also given due and proper regard to the political development of the realm of England in their investigations of Wales. The priorities and preoccupations of English kings, their interest or indifference, their skills of manipulation and political management of both native Welsh princes and marcher barons, as well as the distractions or the concentration of effort in relation to Wales, have been rightly regarded as important determinants of the political history of the period. The ‘revival’ of Welsh fortunes or the measure of internal cohesion which Welsh rulers were able to achieve has often been seen as contingent upon political tension and civil dissension in England, the result of exceptionally favourable circumstances or the removal of the strong hand of an English king. Likewise, the territorial endowments of leading magnates of the realm of

England in the march of Wales, the region's distinctive political and tenurial geography, its permeability both to decisive political action on the part of the crown and to the aggrandizing ambitions of its lords have prompted the description of the march, in an apt and illuminating phrase, as an 'apron-stage for English political disputes'.² Nor were the native Welsh gentry or squirearchy of the late middle ages immune from the influence of dynastic crisis in England. On the contrary, the spheres of patronage and allegiance, both in the crown lands and the march, have long been recognized as vital influences on political action and a strong case can be made for the assimilation of a Welsh political tradition with the norms of political behaviour in England long before the Union legislation formally integrated the politically articulate members of Welsh society within the parliamentary culture of the English realm.

More recently, historians have explored at some considerable length the prospects of a new British history, and the argument that the British Isles as a whole form a legitimate context for historical analysis. In part a reaction to a nation-centred approach where the past is read in terms of the present, and in part a riposte to the dominance of England as the major political and cultural entity in earlier historiography, the new British history encourages a holistic approach to a period when, in Robin Frame's formulation, 'the shape into which political structures would ultimately settle was less certain than it may appear in retrospect'.³ Once the last redoubt of the 'old British history', some of the historians of Wales have now become the major proponents of the 'new British history'. Yet, even the most die-hard advocate of a British approach can scarcely deny that a self-consciously British history cannot be undertaken with the same measure of credibility and persuasiveness throughout the period with which this chapter is concerned; that the search for contrasts and comparisons, instructive as they may be, is not quite the same thing as reshaping the architecture of the historical discussion; and that the conventional 'national' categories, in the words of R. R. Davies, 'are not necessarily more artificial and less appropriate units than are the British Isles for many purposes of historical description and analysis'.⁴ Clearly, in any exploration of the nature of political culture and the institutions of government, a careful balance needs to be struck between, on the one hand, a sensitive awareness of the potential and problematic of the British dimension and, on the other, an appreciation that the history of medieval Wales has, in J. G. Edwards's memorable and evocative phrase, 'a motion and spirit of its own'.⁵

That sense of a distinctive and independent Welsh historiographical identity and a political narrative sharply distinguished (albeit not isolated) from that of the kingdom of England was primarily the legacy of the Welsh antiquarians and scholars of the reign of Elizabeth. Already by the mid-sixteenth century, Humphrey Llwyd, that 'paineful and worthie searcher of Brytysh antiquities',⁶ had compiled his *Cronica Walliae*, a work which drew very largely, although not exclusively, from a version or versions of the medieval Welsh chronicle *Brut y Tywysogyon* (The Chronicle of the Princes), whose contents were now rendered in English. Although Llwyd himself had died before the work could be published, its dissemination in print was entrusted to Dr David Powel, whose amended and extended version of the *Cronica Walliae* was published in 1584 under the title *Historie of Cambria now called Wales*, together with a brief survey of the *Princes of Wales of the blood royall of England*, provided by Powel, whose own *additamenta* and interpolations were also significant features of the work.

The writings of Llywd and Powel, together, deserve the foremost attention in any survey of the traditions of historical writing on medieval Wales, and that on a number of counts. In the first place, although Llywd was himself a vigorous although not uncritical defender of the 'British history' of Geoffrey of Monmouth, and Powel, for his part, waxed eloquent on the blessings of uniformity which Union with England had brought in its wake, their history was intended to provide, in English, a discourse that was distinctively a history of Wales, lest the inhabitants 'of this Ile' should be 'ignorant of the Histories and Chronicle of the same'.⁷ Second, they provided a chronological framework that was determined neither by the reigns of the kings of England nor by the significant events of English political history, but rather one that was based on the reigns and activities of the native Welsh dynasties, with their history being brought, effectively, to a close with the deaths of the princes of Gwynedd in 1282–3 and the subsequent 'subiection of Wales . . . to the crowne of England to this daie'.⁸ The dominance, indeed, in some important respects, the tyranny of 1282 as the critical caesura of Welsh political history was thereby ensured and the history of the princes became the defining characteristic of the indigenous tradition of historical writing. Sir John Edward Lloyd's *History of Wales*, published in 1911 in two hefty volumes, for instance, brings the political narrative to a close with 'the roar of wind-whipt oaks' on that 'miserable and more than wintry December [of 1282]',⁹ and, although he forayed into the early fifteenth century with his biography of Owain Glyn Dŵr published in 1931, the Glyn Dŵr he presented was not the folk-hero or popular rebel of earlier hagiography but rather the worthy successor of the thirteenth-century princes whose aspirations and ambitions were recognizably the same as those that the author had so vividly described in his earlier volumes. Even so, the indigenous tradition was not entirely bounded by the horizon of the Edwardian conquest of Wales. A willingness to extend the temporal framework of a distinctively Welsh political history beyond the terminus of 1282 was displayed by the nineteenth-century historian Gweirydd ap Rhys, to take one example, who, in his *Hanes y Brytaniaid a'r Cymry*, not only traced the history of the Britons from their first coming to these islands through the royal dynasties of the early and high middle ages, but also argued convincingly against the assertion that the political history of Wales was, after 1282, subsumed within that of England. More recently, R. R. Davies, in his masterly survey of the period from 1063 to 1415, has stressed the transformations and continuities in the country's political no less than in its social history, with the collapse of the rebellion of Owain Glyn Dŵr viewed as a watershed that not only brought an era of conquest to a close but also 'inaugurated the prelude to the making of modern Wales'.¹⁰

One further perspective whose full potential for the study of medieval Wales has, perhaps, still to be realized may be briefly explored. It is an approach which, for the sake of convenience, we might label the model of 'core' and 'periphery'. Viewed from the heartlands of Europe, or from the prosperous and organized core of the kingdom of England, it was on the peripheries that fragmented political structures akin to those encountered in Wales were to be found. Likewise, it was in the pluralistic societies of the frontiers of Europe that systems of a personal law, that is to say, a law contingent upon a person's race or ethnicity, proved enduring, and provides the historian of Wales with rich and instructive comparisons. Moreover, exposed to what has been aptly termed the 'expansionary mentality'¹¹ of the central core regions, medieval

Wales shared in many of the experiences of domination and conquest, of colonization and the growth of a colonial mentality which have been charted elsewhere. But equally, the capacity of peripheral regions to resist, by military and technological adaptation, by cultural and political assimilation, even by wholesale transformations of their political organization, also finds important resonances in Wales. The formulation of 'core' and 'periphery' within the context of the British archipelago has also encouraged comparative study and brought into sharper focus the spatial preponderance of the periphery over the metropolitan core and highlighted, in Robin Frame's words, 'the different modes and intensities of government' visible in the medieval Plantagenet state.¹² Historians of the early Tudor period, in turn, have asked whether modes of administration and government primarily designed in accord with the norms and values of lowland, metropolitan England were appropriate to the outlying regions increasingly incorporated within the orbit of the Tudor state. The question whether Wales, like Scotland, had a distinct geographical and political core in the medieval period, and if so, where it might be located, is one that has yet to be fully addressed. There is, for example, a certain geopolitical determinism in the suggestion that such a core existed in the Englishshires of south-east Wales. Discussion of a core's defining features and its possible shift over time may thus prove to be one of the most profitable pursuits for students of the medieval, and indeed, of the modern period in Wales in the forthcoming years.

Wales before 1282

The sense of conquest looms large in the political history of the period considered in this chapter, and conquest indeed influenced the nature of the government of the land and the law by which the rulers governed. Conquest was the outcome of a prolonged conflict between the native rulers of Wales and the intrusive powers – Norman, Anglo-Norman or English – represented by successive kings of England and several generations of the aristocracy of the realm. England had not always been the sole, nor perhaps the dominant, political influence upon the rulers of Wales. In the period before 1100 Wales had been riven not only by the intervention of Anglo-Saxons to the east but also by the Scandinavians to the west. Indeed, the focus of political interaction at this time lay to the west rather than the east as Scandinavians exercised their sway on the coasts of Wales and Welsh rulers in adversity sought support or refuge in the Irish or Scandinavian lands of Ireland, and the cultural affinities and associations of the 'Irish sea province' would continue to exercise a residual influence in the period examined in this chapter. By 1100, however, the rulers of Wales had found that their most powerful adversaries were those of Norman lineage who governed the realm of England and, more particularly, those barons of the realm who sought to take to themselves extensive tracts of Welsh territory.

Yet, if conquest has been a conspicuous theme in historical writing on medieval Wales, historians, in recent analysis of the earlier part of our period, have on occasion preferred the term 'domination', a process described as 'more subtle, rich-textured and many-faceted' than the idea of military conquest alone might suggest.¹³ The sense of intrusion by subtle means is, indeed, deeply rooted in the Welsh psyche. The memory, encapsulated in legend, of the great betrayal by Vortigern which allowed the English to gain their foothold in early Britain is matched in the sixteenth

century by the belief that Robert fitzHamon's possession of Glamorgan was achieved by a similar act of chicanery on the part of one who, in the course of a struggle for power in the kingdom of Morgannwg, invited the Norman lord to his aid with the fateful consequences that ensued. Moreover, consonant with modern interpretations of Norman expansion elsewhere, the limited nature of their ambitions in Wales has also been stressed by historians. Nowhere did they impose a single alien law to the entire exclusion of native law; nor was their exercise of lordship everywhere accompanied by an intensive colonization. The far-reaching changes effected by the Norman intruders in the social organization and economic management of the coastal lowland of Glamorgan, for example, were not paralleled in the upland portion of the lordship. Indeed, over wide areas of their annexations, that is, the lands that came to be known as the march of Wales, the establishment of Norman lordship cannot be seen to have been accompanied by extensive social and economic change. Alien communities might be established in the areas close to the castles, identified as the Englishries of the lordships, but even this limited degree of colonization was not always achieved, and extensive settlement of rural areas was limited to comparatively few of the Norman appropriations, the lowland landscapes of their lordships in Gwent, Glamorgan and Pembroke being the most conspicuous instances. Even so, the castle was a well-nigh universal feature of Norman lordship: it stood as a permanent instrument and symbol of an authority established by military campaign. Military service at the castle was a feature of the tenurial relations between the lord and those who shared in the initial enterprise in arms, the obligations becoming in time rather quaint memorials of a distant past. Domination might have several guises, but a process of territorial acquisition best described as military conquest was an essential feature of Norman ascendancy in Wales.

Already in the last three decades of the eleventh century the Normans had established themselves in virtually every part of Wales, but in several areas in the western part of the land theirs proved to be an impermanent presence. This was particularly so in north-west Wales, that is, in the kingdom of Gwynedd, where the Norman authority delineated in Domesday Book in 1086 was to be entirely and permanently erased within a decade. Even so, an extensive part of Wales was to remain under Norman lordship, and here the intruders established the forms of government and legal practices that gave the march its distinctive characteristics, embraced in the notion of marcher regality (a term that describes the extensive judicial rights of a marcher lord), which it would retain until it was eventually eradicated by Tudor legislation. Historical opinion has largely concurred with the view that the march was a product of conquest, but the precise means by which marcher regality came to be established has been a matter of prolonged debate. Historians have, in the main, taken their cue from the confident assertions of the more prominent marchers themselves, powerful figures such as Gilbert de Clare, earl of Gloucester (d. 1295), lord of the great lordship of Glamorgan, who defied Edward I and pronounced that he held his lordship by virtue of the conquest that his predecessors had achieved. According to his view, his regality owed nothing to the king of England, but, if the broad veracity of the premiss were to be admitted, the argument still left room for varied explanations of the origins of marcher regality. Historians were long content to endorse, tacitly or explicitly, an explanation first propounded by George Owen in the late sixteenth century. The conquests of the Norman period had been achieved by

barons of the realm who, encouraged to the task by the king, embarked upon conquest by their own initiative, and the lands they won were held by them and their heirs thereafter 'of the king of England as lands purchased by them by conquest from the Welshmen'. The marcher lordships were the return upon their investment in the enterprise of conquest. That the multifarious conquests were brought about by the barons of England rather than by their kings could hardly be gainsaid, but Owen offered the further observation that the kings not only tolerated the barons' conquests but allowed the lords 'to assume and take unto themselves such prerogative and authority . . . as to themselves seemed best and were fit for the quiet government of any country'.¹⁴ The notion conveyed by Owen that marcher regality had its origin in the lords' assumption of authority in a vacuum created by conquest was explicitly questioned only with the publication of an essay by J. G. Edwards in 1957. He argued persuasively that the explanation for the unusual range of judicial powers that comprised marcher regality lay rather in the fact that the Norman barons entered into the powers previously exercised by the Welsh kings whose lands the invaders had appropriated. The key lay in the 'multiple kingship' of early Wales.¹⁵ Edwards had previously laid stress on 'the fully royal' quality of the authority exercised by the indigenous rulers of Wales, a matter that has a bearing on later discussion in this chapter. He went so far as to argue that in Wales royal power lay in the constituent parts – the commotes – of the native king. Whoever held a commote, or a cluster of commotes, exercised the royal powers 'inherent in each commote'.¹⁶

Subsequent discussion has tended to qualify the theory that Edwards put forward. Some of the marchers' rights could certainly be shown to be among those exercised by the indigenous rulers of Wales, most strikingly the right to booty taken in war that is clearly enunciated in the lawbooks of medieval Wales and one specifically claimed by Gilbert de Clare before royal justices in the reign of Edward I. Far more of the marchers' cherished privileges, however, were expressed in terms that would be familiar to historians acquainted with the jurisdiction exercised by kings of England or their magnates. It might thus be prudent, in seeking an explanation of marcher regality, to see it as the product, in part at least, of a gradual appropriation and definition of seigniorial rights by a process analogous with those at work elsewhere in the realm, with the difference that within the confines of England they were regarded as rights delegated by the crown, whereas they were not so in the march. Even so, by whatever means the marchers' rights had come to be established, their cardinal features were clear, though the conditions that existed in the march varied enormously from one lordship to another, and its historiography reflects an effort to elucidate the infinite varieties in the social, economic and legal arrangements of seigniories as diverse as the extensive and composite lordships of Glamorgan or Brecon, or the compact and unitary lordships of Maellienydd or Whittington. The diversity of its arrangements is certainly one of the most striking features that study of the march has demonstrated. Most instructively of all, 'the law of the march' has been subject to scrutiny, its several facets examined by analogy with the legal arrangements of other frontier societies. Castle-building in the march of Wales has been, likewise, examined and the evolution of the defences, from the mottes and ringworks of the early earthwork structures to the later masonry castles, has been elucidated in a host of archaeological and historical studies.

Implicit in any discussion of the march of Wales is a realization of its fragmentation, an essential facet of marcher history from its Norman origins to the very last phase of its existence in the early Tudor period. But fragmentation was characteristic, too, of the land under native Welsh rule. Historical study portrays Wales as a land that consisted not of a single kingdom but of a number of provincial kingdoms, some of which had been brought together under the authority of a single ruler before the Norman Conquest, but only in fissile and transitory unity. Moreover, these kingdoms themselves exhibited an inherent incapacity to maintain a stable political order on account of the frequency of internecine conflict within their dynasties, and there would appear to be a marked contrast between the fragile textures of the indigenous political order and the robust resiliences of those to whose interventions they were now exposed. Indeed, study of the societies and structures of the Welsh kingdoms, and the principalities or lordships that were their successors, has prompted comparison with twelfth-century Ireland where authority was widely diffused and the enforcement of law within narrowly circumscribed polities formed the sole means to any stability. If Ireland in this period has been depicted as a 'Celtic world of internally sovereign local lordships . . . in which military enterprise was recognised in law, its heroism applauded in song and its victories rewarded in plunder', so also has Wales been portrayed as the land of 'a free, warrior society, which lived, at least in part, by plunder and exulted in war'.¹⁷ In both Wales and Ireland, therefore, an equilibrium might be maintained in a society organized in this manner, but only for as long as it was left untouched by the intrusive force of a people possessed of a more integrated political order founded upon powerful royal and baronial authority. The confrontation between Anglo-Norman and native powers in twelfth-century Wales clearly exhibits instructive parallels with the experience of Ireland. What has been described as a 'volatile militarist and honour society'¹⁸ could not withstand the superior power of the organized, even bureaucratic, society of its adversary.

There is much in the period's key historical sources which does, indeed, substantiate the portrayal of the native Welsh political order as one akin to that of 'a heroic society'.¹⁹ The king's right to a share of the plunder, for instance, is clearly depicted in the law texts where *anrhaith* (plunder) taken from another kingdom (*aliena patria*) was a recognized feature of the legal order. The court poetry, likewise, underscores the military qualities of the kings and princes honoured in eulogy and elegy, and the Welsh chronicle *Brut y Tynysogyon*, in its account of the Norman period, describes a continuing conflict between the several kingdoms of Wales and within their frontiers, these often arising from dissension within the royal lineages themselves. Yet the very same sources that support a portrait of continuing political incapacity can illustrate a contrasting view. The chronicle, in its encomia to successive kings and princes, honoured the virtues of political stability under resolute royal government. The poets' eulogies addressed to their royal patrons often convey the sense that the military qualities they esteemed were entirely devoted to the steadfast maintenance of stable authority. Besides the precepts for the sharing of booty, the lawbooks also portray an indigenous regality which, expressed though it might be in unfamiliar terminology, conforms very closely to the attributes of royal authority exemplified in France or in England. This authority was underpinned by demesne resources and fiscal assets that royal and seigniorial powers would

fastidiously conserve for their own interests when, in the late thirteenth century, the authority of the native rulers had been entirely extinguished. Modes of social regulation based on the kindred, long emphasized by scholars as though they were virtually the sole facets of the Welsh legal order, are by now regarded as elements complementary to its royal or seigniorial attributes. The medieval lawbooks, found in Latin and Welsh texts of the thirteenth century and possibly based on redactions of the previous century, may be regarded as compilations in the nature of customary law (*Volksrecht*) rather than royal law (*Kaiserrecht*). But the law they contain gives a great deal of attention to the interests of the king and his role in the provision and enforcement of the law.

The association between the ruler and the law administered in his land was certainly close, and the law would become in the thirteenth century a matter of political argument between the princes and the crown, and a factor in the forging of a national identity. The contrast in the nature of authority in the lands of the Welsh rulers and in those of their Anglo-Norman adversaries is now rather less sharply drawn than it would have been a generation or more ago, the seigniorial features themselves perhaps reflecting the capacity of native society to absorb influences emanating from the lands of their neighbours. The law texts, too, sustain a reappraisal of historians' erstwhile assumption that the Welsh were inertly resigned to the principle of a partible succession which dictated an obligatory division of a kingdom or lordship among the sons of a deceased ruler, even though recent work would still acknowledge the dire effects of the contest that might arise when the succession of a designated heir was challenged by his kinsmen. Moreover, the legal texts, while emphasizing the ruler's rights and his discretionary powers, also acknowledge the limitations on his claims upon society, a matter graphically illustrated in a poem by the twelfth-century poet Cynddelw, entitled 'The Privileges of the Men of Powys'.²⁰ In marked contrast to the tenor of his eulogies to the rulers of the kingdom, the poet urges the men of Powys to withstand the ruler's encroachment on their inherent privileges, presaging, perhaps, the *gravamina* expressed by the community of Gwynedd in reaction to the demands that had been made upon them by their late prince, Llywelyn ap Gruffudd (d. 1282). Such evidence, slight though it may be, points to a more sophisticated political relationship between ruler and ruled than might otherwise be envisaged and may suggest the course that native government might have taken if it had been left to itself over a longer period of time. The closing paragraphs of the 'Life' of Gruffudd ap Cynan (d. 1137), probably of late twelfth-century date and the only biography of a Welsh ruler that has survived from the medieval period, describes the stability and prosperity of the kingdom of Gwynedd under his government. The evidence suggests that in the twelfth century the Welsh dynasties had been able to develop a more resilient political order, in part by emulating the military capability of their adversaries through castle-building and the adoption of effective methods of warfare, and in part by the adoption of the methods of government practised by their opponents.

Thus, whether viewed from the vantage point of the lands under Welsh rule or that of the lordships of the march, fragmentation or *morcellement* has been seen as the characteristic feature of the political organization of Wales in the period. Authority in the lands of the indigenous rulers was at best exercised within three main kingdoms, those of Gwynedd, Powys and Deheubarth, and, although there was some

degree of military collaboration between them, notably around the year 1165 under the leadership of Owain Gwynedd (d. 1170), prince of Gwynedd, sustained alliance did not prove possible and, moreover, contested successions in each of the three kingdoms left each one sorely divided. Fragmentation was even more marked in the march of Wales where alien interventions had left a multitude of lordships held in severalty. Fragmented authority would, indeed, remain a feature of the government of Wales until, by the Union legislation of 1536–43, the replacement of marcher lordships by shires, a process described as ‘the shiring of the marches’, finally extinguished the marcher regalities. Historians writing in the traditions of the monarchical and unitary institutions of the mainstream kingdoms of Europe might, in consequence, find Wales conspicuously lacking in what might be viewed as normal political development in the period. More recent study has, however, tended to modify the view that Wales’s fragmentation was entirely to its disadvantage. For one thing it has been suggested that its very division into autonomous jurisdictions enhanced its capacity to withstand its subjugation. By the same token, the partial unification of Wales in a single principality in the later thirteenth century might be seen to have facilitated a final assertion of English supremacy by the defeat of its prince, Llywelyn ap Gruffudd. Furthermore, historians have begun to appreciate that the institutions that were developed to counter the effect of the country’s fragmentation are, in themselves, deserving of study. These are best represented in ‘the day of the march’, a means of arbitration upon the frontier between two lordships that emerges clearly in the historical record from the late thirteenth century onward, the practices developed involving the participation of lords and the communities of their lands. From the frontier agreements there developed a form of indenture (*cydfod*) by which neighbouring communities and their lords agreed on extradition procedures and the prosecution of legal process across seigniorial frontiers. The problems of the Welsh internal frontier have invited comparison with those of Ireland, each being a fragmented society, but historians may yet be drawn to demonstrate the marked contrast between the frontiers of the two lands. For, whereas the Irish frontier reveals a character of marked instability in what the records describe as a land of war, the Welsh frontier delineated the enduring demarcation of a stable seigniorial authority, and the means of regulation developed on the Welsh frontier invites closer comparison, perhaps, with the *assize de la marche* of the marches between the well-defined political entities of Normandy and Brittany. Historians of Wales have need to take account of several institutional features that reflect the stability of a permanent state of diversity in native and marcher lands alike.

The role of the crown of England, its precise purposes in Wales and the extent to which its interests were at one with those of the marcher lords, was clearly an important influence in determining the political destiny of Wales. There was certainly some precedent in the Norman period for royal intervention in support of the barons, but a coincidence of royal and baronial interests cannot always be assumed. Moreover, the capacity of the kings of England to influence the course of events can easily be exaggerated. Henry I’s campaigns have been regarded as decisive interventions by which a ‘masterful’²¹ monarch was able to determine the political destinies of Welsh kingdoms. His influence was best exerted, however, in his settlement of south-west Wales by the introduction of a settler community of Flemings and his placing, there and in other areas, of extensive lordships in the hands of reliable tenants-in-chief. It

might be asked, however, whether his quest for stability in the northern region of Wales is better interpreted not as a sequence of decisive interventions but as a response, not always effective at the first attempt, to the outcome of the power struggles within the kingdoms. He hardly did more in Gwynedd than recognize the emergent power of Gruffudd ap Cynan, nor did he do more in Powys than come to terms with the ascendancy achieved, after prolonged conflict, by Maredudd ap Bleddyn (d. 1132). The reign of Stephen has been seen as a period *in parenthesis* in which, the strong hand of the monarch removed, the Welsh dynasties were left free to pursue their aggressive inclinations unimpeded. The interpretation has some relevance to the chronology of the processes in south-west Wales by which the resurgence in Deheubarth proceeded, but the marked restraint shown by the rulers of Gwynedd and Powys in this period suggests that mutual respect among the rulers themselves was more of a determinant than the absence of a strong monarchical power in England. The restoration of firm authority by Henry II, another 'masterful' ruler, might seem to inaugurate a renewed period of disciplined restraint, but within a very few years there was a marked increase in the level of conflict between Gwynedd and Powys, and there developed thereafter a military alliance in which the Welsh rulers combined more effectively than ever before. This resurgence, and even more so his pressing commitments in Ireland and on the continent, induced the king to seek stability in Deheubarth, much in the manner of Henry I in Gwynedd and Powys early in the century, by formally acknowledging the ascendancy of Rhys ap Gruffudd (d. 1197). The precise means by which the 'masterful' kings of twelfth-century England exercised their kingship over indigenous Wales is a theme to which historians may yet make rewarding returns that may take fuller account of the abiding element of improvisation.²²

By the beginning of the thirteenth century the political future of Wales could have taken one of three courses: a continued state of uneasy equilibrium between its several constituent parts; a decisive conquest by a king of England; or else, a prospect as yet only barely suggested in this chapter, the creation of a unified principality under the leadership of a Welsh prince. The second and third possibilities were themes that Gerald of Wales, perceiving the Welsh political scene in much the same way that a commentator from one of the core lands of Europe might view its territorial peripheries, had outlined in his 'Description of Wales', and within a very few years the omens for political unity did indeed seem propitious. Overcoming dynastic discord and taking advantage of the natural strengths of his patrimonial inheritance centred on the mountains of Snowdonia, Llywelyn ap Iorwerth (d. 1240) made Gwynedd the unmistakable political heartland of Wales, a status which the province would sustain over three generations. Gwynedd, with its extensive demesne lands and the fiscal renders of freemen and bondmen, not only provided the material resources that sustained a wider political enterprise in peace and war, but also, through emphasizing the ideological supremacy of the court of Aberffraw (the principal court of the province) over the other princely courts, imparted a conceptual basis for a wider political dominion. In practice, the unity envisaged demanded that the dominant prince, first Llywelyn ap Iorwerth and then Llywelyn ap Gruffudd (d. 1282), sever the historic links that bound the lords of Powys and Deheubarth in allegiance to the king of England and concentrate those allegiances upon his own person. They sought to create the political community of a principality of Wales held under the feudal

superiority of the English crown. This would necessarily involve extracting from the crown a definitive treaty by which the claim of a prince of Wales to the homage and fealty of the lords of Wales would be formally recognized.

The princes had embarked upon a course fraught with difficulty. Despite the fragmentation of the former provinces of Powys and Deheubarth into several lordships, a trend that might seem to facilitate their absorption into a Welsh polity, their lords maintained a strong sense of their royal inheritance and, if they found that their interests were not at one with those of the prince, they were liable to revert to the traditional allegiance of their lineages to the king of England. Llywelyn ap Gruffudd's harsh dealings with Maredudd ap Rhys Gryg, lord of Ystrad Tywi in south-west Wales, illustrates the difficulties he encountered in establishing his ascendancy over those who were now the barons of his principality. The prince had barely begun to create the institutions by which he could extend his jurisdiction over the broader principality where he exercised no more than a feudal overlordship, nor had he subjected these lands to taxation or brought their military resources under his single command. He had first to assert his authority over his baronial tenants, and he did so by forceful means. Similarly, he had to resort to strong measures, including the taking of hostages as a pledge of loyalty, to secure the fidelity of some of the marcher lands that came under his authority, actions which historians have likened to the less creditable features of the rule of King John. Moreover, despite the emphasis that has been laid on the advantage that the princes drew from the problems that afflicted the realm of England at key periods in their efforts to establish their hegemony, it may be questioned whether these in any way eased the efforts of the princes to secure a political settlement. Rather, it might be argued that at the critical periods, such as the early minority of Henry III or the period of the baronial reform movement after 1258, far from being facilitated by the difficulties encountered in the realm, the efforts to secure a peace treaty were frustrated by the presence in baronial councils of magnates resolutely opposed to the overtures of an aspiring prince of Wales. The definitive treaty that had entirely eluded the elder prince was conceded to his grandson only after an exhausting civil war and its prolonged aftermath when, by the Treaty of Montgomery of 1267, Llywelyn ap Gruffudd secured a formal grant of the title prince of Wales and the homage and fealty of the Welsh lords of Wales.

Although it is the image of the warrior-prince that is engraved on the traditional memory of Llywelyn ap Gruffudd, modern historical study has sought to assess the precise objectives to which his force of arms was directed. Llywelyn's campaigns were waged not in quest of an untrammelled independence but to establish a form of medieval autonomy through the creation of a principality held under the supremacy of the king of England. While historians have been tempted to see comparison between the constitutional position of Wales and that of Scotland, it is the contrast with the northern kingdom that suggests itself on closer examination. Llywelyn ap Gruffudd's view of his position, for all his intractability in his relations with Edward I and his acute sensitivity over his princely status, never wavered from an acknowledgement that he held his principality under the king's lordship. In his very last surviving letter, written to Archbishop Pecham shortly before his death in combat, he made an intriguing allusion to Geoffrey of Monmouth's *Historia Regum Britanniae*, visualizing himself as the lineal successor of Camber son of Brutus. Taken

in relation to the vision of medieval Britain that informs the *Historia*, Llywelyn may be seen here to be implicitly recognizing the superiority of Edward I as heir to the legendary king of England represented by Loocrinus. The allusion provides a perfectly accurate reflection of the measured objectives of the thirteenth-century Welsh princes. The Scots, in emphatic contrast, would have no truck whatsoever with an interpretation of history that would require the successor of Albanactus to respect the superior lordship of Loocrinus, and they would adhere to a legendary interpretation of their distant past that would be consonant with the independence of Scotland. The Scots were steadfast in their resolve that their king should not do homage to a king of England for the kingdom of Scotland, but the whole thrust of Welsh political endeavour was to persuade the king of England to accept the homage of a prince of Wales for a principality of Wales. Parity with Scotland was an aim which the thirteenth-century princes of Wales could hardly expect to achieve. Even so, although in constitutional terms a principality of Wales represented a modest objective, there can be no question of its profound significance in the political history of the medieval centuries. A cohering institutional framework was created that, if only for a brief interlude, gave Welsh nationhood a political expression; the concept of a people (*gens* or *natio*) was encapsulated within the idea of a principality (*principatus*).

The passage from a state of political unity on a scale not hitherto achieved to one of terminal conquest was swift. Edward I's decisive resolution of the problems that had troubled successive kings of England in their dealings with Wales might be regarded as the fulfilment of a broad historical trend by which a more intensive monarchical authority in the realm of England provided both the material capacity and fostered the willpower to exert that authority over Wales to a degree that had not previously been attempted. Even so, scrupulous historical inquiry still needs to take account of the contexts in which conquest was accomplished, and a distinction needs to be made between the circumstances of the first war of 1277 and that of 1282–3 which ended the rule of the princes. Although Edward's precise intentions in these years may always remain a matter of uncertain conjecture, his actions in 1277 suggest that the king set himself a limited objective, applying his 'corrective hand' upon a recalcitrant vassal so as to force the prince's withdrawal from the marcher lordships in his possession and from the provinces of Powys and Deheubarth, thereby, in effect, dismantling the principality of Wales. How matters might have remained had not princes and people taken up arms with unprecedented resolve five years later we are not in a position to judge. What can be said with confidence is that the war of 1282–3 displays every sign of the king's single-minded determination to secure a final solution to the problem of Wales. The intensity and costs of the conflict marked an entirely new dimension in the wars of the English in Wales and made it a war which historians have rightly described as a true 'war of conquest'.²³

Wales after 1282

The fall of the princes has long been recognized as a defining moment in the history of medieval Wales and the sense of a sudden end is one that contemporary evidence amply conveys. 'Glory be to God in the highest, peace on earth to men of good will, a triumph to the English, victory to King Edward . . . and to the Welsh, everlasting

extermination' crowed an excited royal clerk on receiving the news of the death of Llywelyn ap Gruffudd.²⁴ 'And then all Wales was cast to the ground', mourned the native Welsh chronicler as he recorded the circumstances of the prince's last days.²⁵ The almost complete extinction of two princely houses was indeed a dynastic holocaust of major dimensions and Edward entered his new inheritance in a way which bore many marks of a conquest accomplished. The end of the native dynasty was symbolized not only by the transfer to Edward of the princes' treasured regalia and relics, notably the coronet and the fragment of the True Cross that had been for generations objects of veneration, but also (and perhaps more ominously) the melting down of the metal matrices of their seals to fashion a chalice for the abbey of Vale Royal in Cheshire, the king's new monastic foundation. Work began without delay on major castles such as Conwy, Caernarfon and Harlech, among the king's works in Wales, impressive and expensive instruments of his military supremacy, icons of a new sovereign authority and rugged witnesses to Edward's determination to rid his kingdom for ever of the malice and enmity of the Welsh. The establishment of privileged boroughs, peopled substantially by English immigrant families and, by the end of the thirteenth century, their protection against Welsh encroachments by punitive legislation, introduced a colonial flavour into the recently conquered lands, a feature also of several newly endowed lordships of the north-east march, where urban and rural colonization by Englishmen was encouraged and, likewise, constituted a feature of their ethnic composition thereafter. Urban and rural settlement, in their turn, demanded the displacement of several indigenous communities whose 'mythology of disinheritance'²⁶ as it has been termed, formed a distinctive and disturbing theme between the conquered people and their new rulers for much of the post-conquest period.

Yet, clear as were the signs that a new order was being promulgated, the conquest of 1282 did not constitute a complete breach with the past. On the contrary, historians of the Welsh literary tradition have long noted that much that was worthy and virile in cultural terms prospered despite the loss of the princes, their duties and obligations as patrons being readily assumed by the gentry families (*uchelwyr*) whose burgeoning in the fourteenth and fifteenth centuries forms a distinctive theme among the social transformations identified in the period. Moreover, while the king took possession of the lands that had once formed the principality of Gwynedd, the march would remain outside the orbit of royal government, its confines indeed extended by the king's generosity to his *conquistadores*, and the political fragmentation of Wales thus perpetuated and confirmed. Over crown lands and marcher areas alike, communities of the localities made their formal submissions, pledging their peaceful acquiescence to the new order. Even as they did so the king's surveyors moved quickly over the ground secured by his soldiers to register the fiscal obligations of his new tenants, and royal and marcher administrations thereafter would ensure that they were fully apprised of the potential of their conquests to the financial well-being of their lords. Edward, for his part, appropriating to the crown's permanent political advantage the notion of a principality of Wales, invested his eldest son, the Prince Edward, as prince of Wales in 1301. As J. G. Edwards has argued, the institutional continuity of the principality with that created by Llywelyn ap Gruffudd was ensured, albeit henceforth as the patrimonial inheritance of the heir to the English throne.

Nowhere are the themes of change and continuity more clearly expressed than in the legal and administrative arrangements provided in the wake of the conquest of 1282. Although the king's Statute of Wales (or of Rhuddlan), promulgated in 1284, has traditionally been accorded a central position in historical discussion and was undoubtedly a momentous and significant document, the royal enactment must be set alongside a number of further provisions made not only by royal administrators but also by marcher lords for the governance of their new lands. A product of the era of conquest, but also of a distinctive period of legal reform within the kingdom of England itself, the theme of continuity is conveyed in the statute's resonant and sonorous preamble which registered how the 'Divine Providence, unerring in its government, has now of its favour wholly and entirely transferred under our direct rule the land of Wales with its inhabitants until now subject to us in feudal right', and thus united to the crown of the realm as a member of the same body.²⁷ Yet, despite its reference to the 'land of Wales' (*terra Wallie*), the statute was concerned only with the crown lands of north Wales, notably the newly created counties of Anglesey, Caernarfon, Merioneth and Flint, although the royal enactment was adopted in modified form and issued under seigniorial authority in the marcher lordship of Bromfield and Yale.

'A drastic and revolutionary document . . . concerned with a conquered land', 'the product of an imperial mission in the field of law' and the work of a king 'who sat in authoritarian judgement upon the laws of other people'²⁸ – these are some modern historical verdicts on the statute's significance and there is, indeed, much in the royal enactment which reflects the ethos of conquest. Grounded upon a dominion of ownership, and justified by the absolute submission of a people to the will of the ruler and their acceptance to his grace, it declared in uncompromising tones that the criminal law of the conquered domains should henceforth be that of the kingdom of England and introduced into the land many features of English legal practice and administrative conventions, such as the common law writs and the apparatus of the shires. Yet, the new dispensation was also prepared to retain important elements of existing administrative arrangements, such as the commote and its officials, and of native Welsh legal practice, notably that of partible inheritance (albeit modified to allow women to inherit in the absence of lineal male heirs) together with certain civil procedures of native origin. A later, undated, ordinance also reveals that the restriction on alienation of land, likewise a tenet of indigenous law, was retained by royal decree. None the less, it would be wrong to interpret the statute in terms of notions of a personal law, for its provisions were directed 'to all the king's subjects of his land of Snowdon', regardless of race.²⁹ By contrast, many of the newly created lands of the march, notably the lordships of Denbigh, Dyffryn Clwyd and Bromfield and Yale, in common with many regions of the European peripheries, perpetuated the association of law and ethnicity which formed the cornerstone of the idea of the personality of law in the period. The case of the lordship of Bromfield and Yale is especially instructive for, as has already been noted, although the royal statute was promulgated there under seigniorial fiat, a clear distinction was made between the legal provisions extended to the lord's English colonists and those allowed to his native Welsh tenants. The provision of dower and the right of women to inherit, for instance, were reserved to the lord's English tenants alone and the contrasts between English and Welsh tenure were thus perpetuated and underlined. Moreover, it is in the lands of the

march, some of them contiguous to the border counties of England (as well as in the crown lands of the south-west) that the survival of several of the procedures and terminology of native Welsh law, such as *galanas* (the payment of compensation for murder) or *sarhad* (insult), may best be identified in the fourteenth and fifteenth centuries. The conservative instincts of these communities, no less than the financial benefits to their lords, ensured that in these regions ethnic identities remained important determinants of tenure, status and law.

Plurality and diversity, therefore, remained the characteristic features of law and government in Wales after the conquest of 1282 in the crown lands no less than in the march, where the royal rights of the lords were maintained and even the writ of the king of England did not run. True, Edward I's intervention in the march has earned him the reputation of a 'masterful' king who humbled and subjected to his sovereign authority two of the greatest magnates who held seigniories there.³⁰ Even so, the king's resolute action in his dealings with the earls of Gloucester and Hereford, lords respectively of Glamorgan and Brecon, was strictly concerned with their persistence in waging war in direct contravention of a royal prohibition. While he undoubtedly asserted the dignity of the crown in spectacular fashion, he stopped short of undermining the privileges of the march and did nothing permanently to weaken the immunities of the great marcher lords. Rather, it became more difficult than ever before to bring an action from the march to the Westminster courts. Thus, whereas a writ of error lay to the court of king's bench from even the greatest of the English palatinates, no comparable procedures were ever available to litigants from the march of Wales. Indeed, during the fourteenth and fifteenth centuries, while they would often exhort the lords of the march to show particular concern for the defence and governance of their lands and would take the initiative during military crises in Wales, English monarchs left the legal and administrative arrangements of the march largely undisturbed. Days of the march and indentures between neighbouring lordships continued to regulate relations in the march as they had done in pre-conquest times, even if by the late fifteenth century increased royal influence was exerted through a new form of indenture by which the marchers were held responsible to the king for the government of their lands. There would, even so, be no radical solution to the age-old problems of the fragmented march until, perceived as a region of misgovernance and disorder, the creation of shires on the model of the counties of England and those of the crown lands of Wales was ordained by the legislation enacted in 1536.

If the forms and structures of government in the fourteenth and fifteenth centuries showed marked continuities with the past, the political culture of the post-conquest period had, likewise, several close affinities with that of the age of the princes. Even in the period of native rule the crown had not failed to seize every opportunity to bind in allegiance to itself the leading men of the localities, and marcher lords too were alive to the need to establish liens of service and loyalty with the men of their lands. Such relationships had indeed served them well in the period of the conquest itself, and continued to do so thereafter. Edward II, for instance, inherited a solid cadre of Welshmen who were to support his cause to his death and beyond, and in the conflicts of his reign crown and baronial opposition each had their adherents and partisans within Welsh society, as would be clear, once again, in the dynastic conflicts of the mid-fifteenth century. Military service in the campaigns



Map 16.1 The major administrative and lordship divisions of Wales in the fourteenth century.

in Scotland and France likewise helped to instil a new confidence in the loyalty of the Welsh among their new masters and served to direct and harness the country's martial energies to the goals and ambitions of the Plantagenet kings. The poets lavished their praises upon those who fought with distinction on the fields of Crécy or, in the fifteenth century, at Crevant or Verneuil, and Owain Glyn Dŵr, whose early career no less than his father's before him exhibits the influences so far underlined, was lauded by a late fourteenth-century poet as a 'fierce mighty slasher' and a terror to the Scots.³¹ Despite its long, vulnerable coastline and the vigilant watches often kept on its maritime approaches, Wales rarely presented a serious danger as a prey to foreign invasion in the late middle ages, even if the potential for foreign alliances or a sense of kinship with the 'Celtic' nations of Ireland and Scotland had not been totally eclipsed. Small wonder, indeed, that already in the early fourteenth century an English chronicler had declared that the Welsh had begun to live 'almost like Englishmen' (*more Anglicorum pene*),³² and the themes of coexistence and cooperation are ones to which modern historians too have given proper attention.

Side by side with the cultivation of personal loyalties among Welshmen of note within their localities, the crown and lords of the march also had need to establish relationships with the wider communities of their lands. Although parliamentary representation and a share in the political culture of parliament formed no part of the Welsh experience between conquest and Union (except for two exceptional occasions in the reign of Edward II when representatives of the communities of the crown lands were summoned), recognized channels of communication between lord and community can none the less be identified. In the crown lands, for example, employing a form of words used in the writs summoning the knights of the shires of England to parliament, the justice of north Wales in the late thirteenth century caused men of substance to come before him 'with full powers on behalf of the community of the whole county' (*plenam potestatem pro communitate totius comitatus habentes*)³³ so that, together, measures might be enacted for keeping the peace in the shires. Similar arrangements were available to the communities of the principality lands in the fifteenth century when proctors were empowered to make agreements with the crown, binding upon 'the whole community of the county' (*pro tota communitate comitatus*),³⁴ and constituted a form of political action whereby grievances might be redressed in return for what was frequently a substantial financial levy paid to the crown. Likewise, in the lordships of the march there were occasions when similar settlements were made. The charters given by the Arundel lords to the community of the lordship of Chirk between 1324 and 1355 and for which the lordship's tenantry paid dearly over a number of years are conspicuous examples of this genre of agreement.

Negotiations between lords and their tenantry, both in the crown lands and in the march, undoubtedly went some way towards alleviating the grievances experienced by communities enduring the pressures of rigorous and often insensitive seigniorial government. But they did not always suffice to defuse the potential for protest, indeed for armed rebellion, inherent in Welsh society in the period. The Welsh in the fourteenth and fifteenth centuries were identified as a people peculiarly addicted to armed insurrection and the themes of protest and rebellion, alongside that of conquest and coexistence, have featured prominently in historical writing on the period. An undercurrent of suspicious vigilance on account of the perceived propensities of the Welsh

to rebel is sometimes revealed in the comments of royal and seigniorial officials as well as in the writings of chroniclers of the late middle ages. 'As you well know, Welshmen are Welshmen and you need to understand them properly',³⁵ warned two of Edward I's officials in north Wales in the late thirteenth century, and, writing of the Welsh no less than the Irish in the early fourteenth century, the author of the 'Life of Edward II' likewise took note of their tendencies to rebel because of the volatility of their temperaments and their unwillingness to bend under the yoke of servitude to the English.

Analysis of the elements that contributed to unrest and rebellion in the fourteenth and fifteenth centuries, however, reveals a complex mixture of impulses. The personal disaffection of a member of a princely lineage might serve to reactivate the memory of a native Welsh principality as a focus for political action. It was as 'Prince of Wales and Lord of Snowdon' that Madog ap Llywelyn, using the style of the last native prince, presented himself upon his rebellion in 1294. Owain Lawgoch, or Owain ap Thomas ap Rhodri (d. 1378), the sole survivor of the dynasty of Gwynedd, likewise laid claim to the principality of Wales as his by inheritance, his service to the French king no less than the signs of likely support within Wales giving him reason to hope that his bid might succeed; while most spectacularly of all, Owain Glyn Dŵr, declared prince of Wales on the outbreak of his great rebellion in 1400, reclaimed the concept of a principality of Wales, even of a nascent Welsh state, in formulating his political objectives. Personal attachments to leading political figures in England may on occasion have provoked the Welsh to a show of resistance, as was the case during the final crisis of the reign of Edward II when some of the leading *uchelwyr* of the principality lands not only refused to respond to a summons to the parliament which registered the king's deposition but also conspired with others to release him from his captivity at Berkeley castle in Gloucestershire. Of even greater significance as a cause of discontent and resentment was the absence of foci of service and worship and the failure of kings and lords, rare visitors on the whole to their Welsh lands and whose interests and energies were often directed elsewhere, to cultivate those bonds of good lordship identified as one of the key features of the period's political culture in England. The frustrations of living in a land that bore many imprints of a colonial society may also have served to deepen the cleavage between English and Welsh and provided a constant reminder to the native elite of their status, in the poignant comment of a contemporary observer, as 'aliens in the land of their birth'.³⁶ It is possible too that the experience of conquest had engendered among the Welsh a clearer consciousness of their distinctive identity as a people than ever before. Moreover, the harsh and aggressive financial policies pursued by many seigniorial regimes, intent on maximizing their profits through a rigorous exploitation of the sources of income, especially the profits of justice and communal fines, available in their Welsh lands, exposed a broad swath of Welsh society to the importunate demands of their lords. Although many of these features may be identified in the sporadic risings of the post-conquest period, when present in combination a truly formidable rebellion might ensue.

The rebellion of Owain Glyn Dŵr that erupted precipitately in September 1400 has long been recognized, in popular perceptions as well as in scholarly studies, as a landmark in the history of Wales in the late middle ages. The long duration of the rebellion (more than a decade was to pass before its embers were finally extinguished),

Welsh successes in warfare and their ability for some years to develop formal, albeit rudimentary, institutions of government and to embark upon external alliances, and the material devastation caused by the war, marked Glyn Dŵr's rising as a threat to English authority and lordship in Wales on a scale never achieved by any other rebellion in the late middle ages. However, it was Glyn Dŵr's personality and the role he played in gathering the forces of resistance that dominated early historical writing, even if such assessments led as much to his vilification as a traitor and villain as to his adulation as a patriot and a national hero. It was in this tradition of a biographical study that Sir John Edward Lloyd provided the first scholarly assessment of the career of Owain Glyn Dŵr, in a series of lectures delivered at Oxford in 1920 and subsequently published in 1931 under the dual title *Owen Glendower, Owen Glyn Dŵr*. Concerned to demolish the 'undergrowth of legend and error which had gathered around the story of the champion of Welsh independence', and reacting perhaps against the image of Glyn Dŵr as the defender of the 'common man' which popular historical works had conveyed, Lloyd's important study portrayed a leader of aristocratic, even princely lineage, whose charisma and vision empowered rebellion and who might 'with propriety be called the father of modern Welsh nationalism'.³⁷ His emphasis on Glyn Dŵr's ancestry and inheritance, his youth and manhood and the particular personal grievances that impelled Glyn Dŵr into rebellion, the absence of any contextual analysis of the social and economic conditions of a wider society (despite the publication in 1924 of William Rees's pioneering study, *South Wales and the March 1284-1415*, in which seigniorial records were for the first time systematically exploited), suggests a rebellion focused entirely on the personality of its leader, with emphasis being laid on 'the inherited strength of his position . . . and the ineluctable fate which in a few years brought the movement to an end'.³⁸

More recently, historical writing on the rebellion has shifted the focus from an account of the course of events centred upon the ancestry and personality of Glyn Dŵr to a study informed by the tensions and aspirations of an entire society. R. R. Davies, for instance, in his study published in 1995, while stressing that the movement owed 'a great deal to the personal vision and grievance of Owain himself',³⁹ is also alive to the frustrations of peasants and of native elites and their importance in fomenting rebellion. But his study also lays stress on the ambiguities and contradictions inherent, for generations, within Welsh society. The rebellion struck, unanticipated, like a thunderbolt out of the blue. It was partly engendered during a period of almost unprecedented change in the configuration of lordship in Wales and laid bare the 'cross-winds of loyalty' to which the Welsh squirearchy were exposed. Moreover, the rebellion bore many features not of a simple confrontation between the Welsh and the English but of a civil war which tore families apart and divided the leaders of Welsh society. The rebellion, in some important respects, served to bind the loyalties of some prominent Welshmen more firmly to their English governors and the rich opportunities which the social and legal culture of England might provide. By contrast, the punitive statutes enacted during its course served to intensify the deeply felt sense of alienation experienced by Welshmen and perpetuated, in some measure, the era of colonial government in which the revolt had been bred. In the fifteenth century, under pressure from the beleaguered residents of the 'English walled towns', successive English governments would reiterate the irksome

restrictions that characterized the so-called 'Lancastrian penal code' of 1401–2, and writers in the reign of Elizabeth would duly note how in this period Welshmen had been 'afflicted by lawes more heathenish than Christian' and their civil and economic disabilities thereby underlined.⁴⁰

In the decades following the Glyn Dŵr rebellion, two apparently contrasting impulses may be identified. On the one hand, there remained a continuing expectation that deliverance from the afflictions endured by Welsh society might be won through a leader from among the people of Wales, a theme in which many of the fifteenth-century poets indulged and excelled. Recalling the illustrious British past, the poets conveyed their fervent hope that a 'son of prophecy' (*mab darogan*), triumphing over the English, might regain the sovereignty of Britain and liberate his people from the 'miserable servitudes' which had so demeaned them in the past.⁴¹ Yet emancipation would be achieved not through renewed rebellion but by way of the practical measures delivered by those in authority. Some of the poets looked to Edward IV, recognizing in the crown a source of good order and government, and his reign may indeed be perceived as one of some innovation in the administration of Wales. Hopes were ultimately focused upon Henry Tudor who, profiting from the propitious political climate cultivated in his favour by the poets and by his Tudor kinsmen, was seen as the fulfilment of the nation's aspirations. Already, during the course of the fifteenth century, individual Welshmen who had access to the mighty and who could avail themselves of their influence had secured royal letters of denizen-ship that released them from the effects of the punitive statutes of the years of rebellion and were thus enabled to purchase lands in the boroughs, to enjoy lucrative office and achieve legal parity with the English in Wales. Likewise, the right to hold land under the terms of English common law was actively sought and secured in several lordships, and landed proprietors thus found escape from the allegedly disabling effects of the Welsh law of *cyfran* (partible succession) and the deeply resented dues which they had formerly borne. In the reign of Henry Tudor entire communities were granted, albeit at a considerable price, royal 'charters of liberties' conveying privileges akin to those previously sought by individual supplicants. Together with his presentation as the true 'son of prophecy', these measures ensured that the first Tudor king impressed himself on the perceptions of subsequent generations as a prudent prince who had 'delivered the Welshmen from such laws of bondage as in other kings' days they were subject unto'.⁴²

The Acts of 1536–43 to which later historical writing has accorded the term 'Acts of Union' may be viewed in part as the result of a 'necessary expedient' in the political circumstances in which they were enacted, and in part the product of a gathering momentum over a period of more than 200 years.⁴³ With the majority of the lordships of the march by now in the king's hands through inheritance, purchase or forfeiture, the time was ripe to introduce into Wales a new uniformity in its legal and administrative arrangements, while the crisis years of the Henrician reformation prompted increasing vigilance of outlying regions and 'the necessity of looking to the state of Wales'.⁴⁴ But the Statute of 1284, whose grandiloquent preamble was echoed in the Act of 1536, had already presaged the thrust of royal intentions to annex and unite the 'land of Wales . . . unto the Crown of the . . . realm, as a member of the same body', and the Welsh had themselves grown increasingly conscious of the benefits that attached to the laws and customs of England and the handicaps that

ensued from the ‘distinction and diversity between the king’s subjects of this realm [of England] and his subjects of the . . . dominion and principality of Wales’.⁴⁵ Although the legislation of 1536 was imperfect in many respects (many of its provisions were elaborated or defined more precisely by the Act of 1543), its formative influence on the history of Wales cannot be overemphasized. The historic regalities of the lordships of the march were eradicated, their jurisdiction, apart from that of the minor courts of the lordships, abolished and replaced by that of new royal shires to which the legal and administrative arrangements hitherto confined to the three counties of the north-west were to apply. Granting to the Welsh, for the first time in their history, the privileges and burdens of parliamentary representation, it also set the seal on the gradual erosion of Welsh laws and customs and decreed that henceforth the king’s subjects of Wales would enjoy all ‘freedoms, liberties . . . and privileges’ as those ‘naturally born’ within the king’s realm.⁴⁶ If historical judgement on the Union with England and its consequences for the language has not always been positive, the ‘country, dominion and principality’ for which provision was made would henceforth possess a degree of coherence and uniformity of government that it had never before achieved in the medieval centuries.

NOTES

- 1 Stubbs, *Constitutional History*, vol. 2, p. 112.
- 2 Davies, *Lordship*, p. 277.
- 3 Frame, *Political Development*, p. 7.
- 4 Davies, ‘Praise’, p. 10.
- 5 Address in *Transactions of the Honourable Society of Cymmrodorion* (1969), p. 177.
- 6 I. Williams, ‘Ysgolheictod’, p. 111.
- 7 *Ibid.*, p. 211.
- 8 Powel, *Historie of Cambria*, p. 375.
- 9 Lloyd, *History of Wales*, vol. 2, p. 764.
- 10 Davies, *Conquest*, p. 465.
- 11 Bartlett, *Making of Europe*, passim.
- 12 Frame, *Political Development*, p. 222.
- 13 Davies, *Domination*, p. 24.
- 14 H. Owen, ‘A treatise of lordshipp marchers in Wales’, in Owen, *Owen’s Pembrokeshire*, vol. 3, pp. 137–9.
- 15 Edwards, ‘Normans’, pp. 174–5.
- 16 Edwards, *Littere Wallie*, pp. xxxvi–xxxvii; Edwards, ‘Sir John Edward Lloyd’, p. 323.
- 17 Warren, ‘Interpretation’, p. 5; Davies, *Conquest*, p. 66.
- 18 Davies, *Conquest*, p. 71.
- 19 *Ibid.*, p. 69.
- 20 N. Jones and Owen, *Gwaith Cymddelw*, no. 11.
- 21 Davies, *Conquest*, p. 42; Davies, ‘Henry I’, p. 145.
- 22 Davies, *Conquest*, pp. 53, 291.
- 23 Prestwich, *Edward I*, p. 188.
- 24 A. J. Taylor, ‘The death of Llywelyn ap Gruffydd’, *Bulletin of the Board of Celtic Studies*, 15 (1953), p. 208.
- 25 T. Jones, ed., *Brenhinedd y Saesson or The Kings of the Saxons* (Cardiff, 1971), p. 259.
- 26 Davies, ‘Colonial Wales’, p. 12.

- 27 I. Bowen, *The Statutes of Wales* (London, 1908), p. 2.
- 28 F. M. Powicke, *The Thirteenth Century, 1216–1307* (Oxford, 1953), p. 322; Davies, ‘Colonial Wales’, p. 18.
- 29 Bowen, *Statutes*, p. 2.
- 30 Davies, *Lordship*, pp. 258, 259 (referring to Edward’s ‘masterfulness’).
- 31 D. Johnston, ed., *Iolo Goch: Poems* (Llandysul, 1993), p. 36.
- 32 H. T. Riley, ed., *Willelmi Rishanger: Chronica et Annales* (London, 1865), p. 148.
- 33 H. Ellis, ed., *Register vulgariter nuncupatum: The Record of Caernarvon* (Rec. Comm., 1838), p. 132.
- 34 PRO SC6/1180/3–5.
- 35 Taylor, *Welsh Castles*, p. 107.
- 36 B. F. Roberts, ‘Un o lawysgrifau Hopcyn ap Tomas o Ynys Dawy’, *Bulletin of the Board of Celtic Studies*, 22 (1966–8), p. 228.
- 37 Lloyd, *Glendower*, pp. vii, 146.
- 38 *Ibid.*, p. viii.
- 39 Davies, *Revolt*, pp. 65, 82.
- 40 Powel, *Historie of Cambria*, pp. 390–1.
- 41 J. G. Jones, ed., *History of Gwydir Family and Memoirs* (Llandysul, 1990), p. 27.
- 42 Quoted in G. Williams, *Recovery*, pp. 245–6.
- 43 W. Rees, ‘The Union of England and Wales’, *Transactions of the Honourable Society of Cymmrodorion* (1937), p. 44.
- 44 Quoted in G. Williams, *Recovery*, p. 258.
- 45 Bowen, *Statutes*, pp. 2, 75.
- 46 *Ibid.*, p. 76.

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FURTHER READING

General surveys

Two useful short, general surveys are provided by D. Walker, *Medieval Wales* (Cambridge, 1990) (concentrating on the political history of Wales) and A. D. Carr, *Medieval Wales* (London, 1995) (useful for its historiographical discussion and for pertinent comment on society and economy as well as political history). J. E. Lloyd, *A History of Wales* (2 vols, London, 1911) is a pioneering study and still valuable for political narrative and as a guide to primary sources. R. R. Davies, *Conquest, Coexistence and Change: Wales 1063–1415* (Oxford, 1987), retitled and reprinted as *The Age of Conquest* (Oxford, 1991; revised edition, 2000), and G. Williams, *Recovery, Reorientation and Reformation: Wales c.1415–1642* (Cardiff, 1987), retitled and reprinted as *Renewal and Reformation: Wales c.1415–1642* (Oxford, 1992), are both authoritative, scholarly and readable surveys, the former with an especially useful bibliography.

Politics and government

K. L. Maund, ed., *Gruffudd ap Cyman: A Collective Biography* (Woodbridge, 1996) is a valuable collection of scholarly essays on late eleventh- and early twelfth-century Wales; Maund, *The Welsh Kings: The Medieval Rulers of Wales* (Stroud, 2000) is a collection of biographical introductions to the rulers of Wales from the fifth century to the end of the thirteenth. R. Turvey, *The Lord Rhys, Prince of Deheubarth* (Llandysul, 1997) provides a readable introduction to the period of rule of Rhys ap Gruffudd (1135–97), with more specialist studies provided (in Welsh) in N. A. Jones and H. Pryce, eds, *Yr Arglwydd Rhys* (Cardiff, 1996). J. Beverley Smith, *Llywelyn ap Gruffudd, Prince of Wales* (Cardiff, 1998) is the first authoritative, scholarly study of the prince together with an analysis of the politics of the thirteenth century. A. D. Carr, *Owen of Wales: The End of the House of Gwynedd* (Cardiff, 1991) offers an account of a fascinating episode in the history of fourteenth-century Wales. G. Williams,

Owain Glyndŵr (Cardiff, 1993) provides a short and lively introduction, while J. E. Lloyd, *Owen Glendower* (Oxford, 1931) is the standard biography; R. R. Davies, *The Revolt of Owain Glyn Dŵr* (Oxford, 1995) gives a comprehensive analysis of the rebellion. D. Stephenson, *The Governance of Gwynedd* (Cardiff, 1984) is a valuable analysis of the methods and structures of governance of the princes of Gwynedd in the twelfth and thirteenth centuries. J. Given, *State and Society in Medieval Europe: Gwynedd and Languedoc under Outside Rule* (Ithaca, NY, 1990) is innovative and thought-provoking. W. H. Waters, *The Edwardian Settlement of North Wales in its Administrative and Legal Aspects, 1284–1343* (Cardiff, 1935) provides a thorough, if somewhat old-fashioned analysis of the structures of government. R. A. Griffiths, *The Principality of Wales in the Later Middle Ages* (Cardiff, 1972) is a prosopographical study of the officials of the principality of south Wales. Griffiths, *King and Country: England and Wales in the Fifteenth Century* (Hambledon, 1991) offers several important studies on administration and politics. R. R. Davies, *Lordship and Society in the March of Wales 1282–1400* (Oxford, 1978) is an important study of the nature of lordship and the administration of marcher lordships.

Law

D. Jenkins, *The Law of Hywel Dda: Law Texts from Medieval Wales* (Llandysul, 1986) and T. M. Charles-Edwards, *The Welsh Laws* (Cardiff, 1989) are two useful short introductions to native Welsh law. More specialized studies include T. M. Charles-Edwards, M. E. Owen and D. B. Walters, eds, *Lawyers and Laymen* (Cardiff, 1986) and T. M. Charles-Edwards, M. E. Owen and P. Russell, eds, *The Welsh King and his Court* (Cardiff, 2000).

CHAPTER SEVENTEEN

Ireland: Politics, Government and Law

JAMES LYDON

In 1204 King John ordered the Irish justiciar Meiler fitz Henry 'to construct a strong castle' in Dublin. The immediate purpose was to provide a 'fit place for the custody of our treasure', as well as 'a suitable place for the governance and, if need be, the defence of the town'.¹ In time Dublin castle became the centre of the government and administration of Ireland. Thus began what became known as 'castle government', the symbol of English rule in Ireland for the next 700 years. Through the years controversy has raged over the impact of this rule on Ireland. Nationalists have consistently condemned it and unionists have always supported it. In more recent times these divergent views are best represented by G. H. Orpen on the unionist side and Eóin Mac Neill on the nationalist.² For Orpen the Norman invasion was the remedy for all Ireland's ills, which were largely the result of failure to develop the institutions of government associated with civilization elsewhere in Europe. Mac Neill insisted that pre-Norman Ireland had developed petty states sufficiently advanced to provide the necessary basis for economic as well as civilized growth. More recently medieval historians have come to acknowledge that so far as law, government and administration are concerned, the English invaders brought to Ireland institutions which have lasted through the years and are still the basis of the systems in operation today. Politically there may have been bad results, though it is necessary to accept that Irish politics was largely influenced by the same kind of social and economic developments that affected Europe.

The Twelfth Century

By 1204 the English had been in Ireland for thirty-seven years. Arising out of the complicated political and ecclesiastical situation that had developed there in the course of the twelfth century, King Henry II of England had become involved. Desperate to push forward church reform on the island, Pope Adrian IV, an Englishman, had in the papal privilege *Laudabiliter* of 1155 conferred the lordship of Ireland on Henry. Then in 1166 Dermot Mac Murrough, king of Leinster and a

contender for the kingship of Ireland, sought out King Henry in Aquitaine, did fealty and procured royal permission to seek military help from the king's subjects. Within three years the invaders who had come in support of Mac Murrrough had gained a degree of control that made possible a degree of independence that posed a threat to King Henry, forcing him to intervene personally.

Twelfth-century Ireland had witnessed a remarkable advance in the political structures through which the island was governed. Provincial rulers had attempted to make real the fictitious literary tradition that supposedly gave the high-king of Ireland titular rights over all the kings on the island.³ Turlough O'Connor of Connacht (1106–55) deposed kings, divided kingdoms, created new ones, intruded new kings, exercising powers which were now claimed by the new-style high-kings. Like others he claimed lordship over land, the basis of wealth. A new system of native clientship, similar to the contractual relationship between lord and vassal in the feudal world, enabled rulers to establish a new degree of control over subjects.⁴ Finally, control of the Ostman towns, the centres of trade, was essential. Above all, aspirants to the high-kingship sought to bring Dublin within the ambit of their suzerainty.⁵

The different dynasts who claimed and gained the high-kingship did so with the support of lesser dynasties in the provinces. This involved military struggles, facing opposition supported by other rulers. No king ever became high-king or king of all Ireland in the full sense. As the annals vividly describe it, they held the title *cofeasabra* ('with opposition'). Even so their kingship was sometimes recognized outside Ireland, by the pope and by archbishops of Canterbury. Turlough O'Connor of Connacht was called 'king of Ireland' by Henry I of England in a letter to the archbishop of Canterbury.⁶

Within Ireland Muirchertach O'Brien was the leading contender in the early twelfth century. He was even involved in an alliance of sorts with Magnus Barelegs, king of Norway, and later with Arnulf Montgomery of Pembroke, who became his son-in-law, in a plot against Henry I of England. But he ultimately failed to assert his authority over the Mac Lochlainn king of Ulster and the king of Connacht, Turlough O'Connor, was able to take advantage of that. Exploiting military resources on a grand scale, as well as naval resources on rivers and along the coast, O'Connor gained the ascendancy. He built and garrisoned castles as well as bridges at important river crossings, and gradually demonstrated a great ability in the art of war. He even created a mint, a true symbol of his regal authority. But in his ruthless expression of his kingship he made many implacable enemies. Of these the most important as far as the future history of Ireland was concerned was Dermot Mac Murrrough, the king of Leinster.

It was the Mac Lochlainn king of Ulster who was to emerge in place of O'Connor as high-king. As with the O'Briens earlier, Mac Lochlainn had refused to acknowledge the O'Connor claim to overlordship. Gradually the ascendancy passed to the northerner, symbolized by his presiding as high-king over the assembly that met in 1159 at the consecration of Mellifont, the first Cistercian monastery in Ireland. In his sealed charter endowing the new monastery with land he was styled *Rex totius Hibernie* ('king of all Ireland'). But in 1166 he violated the guarantees of safety given by the archbishop of Armagh to an important hostage, whom he blinded and put to death. As a result he faced a revolt and fell from power. Once again an O'Connor of Connacht claimed the high-kingship. In that year Rory O'Connor summoned a 'royal council' as a symbol of his new authority and through it levied a tax 'on the men of



Map 17.1 Ireland: politics and government.

Ireland'. This was no idle gesture – the tax, in the form of cattle, was collected by his agents.

The ascendancy of O'Connor posed a real threat to Mac Murrough of Leinster. Earlier, Mac Murrough had refused to accept the overlordship of Turlough O'Connor and then allied himself with Mac Lochlainn when the Ulster king claimed

the high-kingship. In Leinster he not only exploited traditional rights but also increased his power by exercising control over land and developing new institutions of government. In charters, many witnessed by his ‘chancellor’, he addressed his ‘kings, dukes and earls’. He granted lands and confirmed other grants made by lesser lords ‘by our leave’. He even exercised lordship over the holders of major religious benefices. He exploited his military resources in a ruthless fashion and in support of Mac Lochlainn of Ulster.

In the course of this phase of the struggle for the high-kingship, Mac Murrough was also involved in a famous escapade that was to remain in the popular consciousness for generations to come. Known ever since as ‘the rape of Devorgilla’, the incident saw the Leinster king abduct the wife of Tiernan O’Rourke, king of Breifne. Whatever the real purpose of this, infatuation or simple political expediency, it had important results. O’Rourke naturally was enraged, more for the insult and consequent political reaction than for the treatment of his wife. When the opportunity came, he took his revenge. In 1166 O’Connor invaded Leinster, forced Mac Murrough into surrender, and then compelled him to accept his high-kingship. Then O’Rourke, supported by Dublin and other Leinstermen who rebelled against Mac Murrough, invaded Leinster and destroyed Ferns. Seeing no future in Ireland without foreign aid, Mac Murrough decided to abandon Leinster for a time. On 1 August 1166 he sailed for Bristol. The result was to be the English invasion of Ireland.⁷

The wealthy Bristol merchant Robert fitz Harding, a friend with important court connections, provided Mac Murrough with the necessary introduction to Henry II. The king was in Aquitaine and there, we are told, the Leinsterman was received ‘kindly and affectionately’ at court. More important, after doing fealty and accepting back his kingdom from the king, Mac Murrough was given a royal licence to recruit military support from all the king’s subjects.⁸ It is important to remember that technically Henry was able to exercise authority over Ireland because of the grant of lordship there by Pope Adrian IV in the famous privilege, the bull *Laudabiliter*, of 1155.

Armed with his royal licence, Mac Murrough made his way home through England and Wales. The former earl of Pembroke, Richard fitz Gilbert, known in Ireland as Strongbow, promised military support when the time was ripe – his reward was the promise of Mac Murrough’s daughter, Aoife, in marriage and eventually succession to the kingship of Leinster. Continuing his journey through south Wales, Mac Murrough recruited Flemish mercenaries who had settled there, some Welshmen as well, and lesser nobility. Of these the most important were those who later became known in Ireland as the extended family of ‘the Geraldines’, who promised to come in the spring when they had raised the necessary armed men.

Dermot arrived back in Ireland in August 1167 with a small force of mercenaries. He quickly re-established himself in south Leinster and made peace with O’Connor. Then in May 1169 the first major contingent of armed men, knights and archers arrived from Wales and Leinster was gradually reduced to obedience. Faced with this new situation O’Connor made another treaty with Mac Murrough, recognizing him as king of Leinster, while the Leinsterman accepted his high-kingship. But in August 1170 Strongbow arrived with a large army, motivated now by news from Mac Murrough’s about the capitulation of Leinster and the probable subjection of what he called ‘the other four parts of Ireland’. This was an invasion by

foreigners – ‘the beginning of the woes of Ireland’ as the annals called it. From now on more and more of Ireland was to be invaded, occupied and controlled by English settlers.

Dublin was quickly taken and Meath was invaded. In response to O’Connor’s demand that Mac Murrough must abide by the terms of the 1169 agreement, the Leinsterman arrogantly replied that he ‘would not be deflected from his purpose until he had brought under his control Connacht, which belonged to him by ancestral right, together with the kingship of all Ireland’.⁹ There could be no going back. O’Connor led a huge army into Leinster, placed Dublin under siege and prepared to force the foreigners into surrender. Then in May 1171 Mac Murrough died and Strongbow came into his inheritance. But Leinster refused to accept him. In desperation he contacted the high-king and offered to hold Leinster in fee from him. O’Connor refused. To make matters worse, Henry II had become alarmed at what Strongbow seemed to be achieving in Ireland and placed an embargo on contact with the island. In desperation Strongbow sent a message telling the king that all he conquered in Ireland would be held of King Henry as his lord. Through a stupid mistake, O’Connor’s siege of Dublin failed. He withdrew from Leinster and suddenly Strongbow was free to pursue the ambition he had inherited from Mac Murrough.

By then King Henry had decided that it was time to intervene personally. Earlier in his reign he had proposed to his council an invasion and conquest of Ireland so as to install his brother as ruler there. It was against this background that *Laudabiliter* had been procured from the pope. The plan came to nothing and Henry quickly lost interest. But now he had no choice. Even some of the Irish, fearful of what Strongbow and the others were achieving, asked him to intervene in person and save them. Elaborate preparations were made, with food gathered from all over, ships (reportedly 400) prepared to carry troops and supplies, and a huge army of 500 knights and 4,000 others (mostly archers) assembled to invade Ireland. Even axes, spades and pickaxes, with huge quantities of timber and nails, were shipped, presumably for siege warfare and the building of fortifications. Hearing of this, Strongbow rushed across to England and submitted in person to the king near Gloucester, where the army was assembling. Then on 16 October Henry set sail from Pembroke and the following day landed at Crook near Waterford.

He met with little opposition and received the formal submission not only of the Geraldines and others but of leading Irish kings as well. Only O’Connor of Connacht and the kings of the north-west held out. Henry confirmed Strongbow in Leinster, gave Meath to de Lacy and issued charters to other landholders. He retained Dublin, Waterford, Wexford and most of the old Ostman kingdom of Dublin as royal demesne for himself. He gave Dublin the liberties and free customs enjoyed by Bristol, one of the major sources of municipal institutions in Ireland in the future.

But Henry was also conscious of his obligation, under the terms of *Laudabiliter*, to help reform the Irish church. Under his auspices a council of Irish bishops assembled at Cashel early in 1172. The clergy not only accepted his lordship of Ireland but also wrote to the pope praising his achievements. This helped Henry gain pardon for the murder of Thomas à Becket. It also procured a papal confirmation of *Laudabiliter* and of what the pope called Henry’s ‘dominion over the kingdom of Ireland’.¹⁰ In exercising that lordship he confirmed the church in lands held by what

was called 'ancient tenure' from earlier times, an important concession, which meant that the lands were held in frankelmoign.

By the time Henry left Ireland in April 1172 he had established the foundations of what was to become the English lordship of Ireland. In granting away land he had certainly broken faith with some of those Irish who had submitted and accepted his lordship: they expected protection in their lands by the new lord of Ireland. But since Henry's aim was to restrict the limits of power exercised by Strongbow and the other feudal lords, the rights of Irish proprietors was the least of his worries. They, in return, resorted to arms. By 1175 strife and destruction were widespread. But as English expansion continued, O'Connor decided that the time had come to safeguard his interests by submitting to Henry and gaining his protection. The result was the so-called 'Treaty of Windsor' of 1175, under which Anglo-Ireland (the lordships of Meath, Leinster and the royal demesne) were excluded from the authority of the high-king. The rest of Ireland was to remain under O'Connor, who was to collect the 'tribute' due from the inhabitants to the king of England. Henry's rights of lordship over the whole island were recognized.

But within a very short time this arrangement had collapsed. Neither the Irish nor the English could be controlled either by O'Connor or the king of England. As early as May 1177 a council meeting at Oxford endorsed a new policy for Ireland. The old kingdoms of Thomond and Desmond, whose kings had been guaranteed protection, were granted away to different English aristocrats in what have been called speculative grants – the new proprietors had to conquer the lands granted to them out of their own resources. Most important of all, the lordship of Ireland was granted to the king's youngest son, the ten-year-old John, and arrangements were made to have the pope confirm him as king of Ireland. In theory the Windsor agreement did not formally lapse until O'Connor abdicated in 1183. But in making his new arrangements for Ireland Henry II had betrayed the Irish who had submitted to him and left a legacy that was to sour relations in the future. Nor had he controlled the English settlers, who continued to defy writs from England and developed that spirit of independence that was to characterize them in the future.

Eight years later, in 1185, the young John was sent to Ireland to assume control of his lordship.¹¹ At the head of a large army, well supplied with food and equipment, and with plenty of money from the English exchequer, John should have had little difficulty in asserting his authority. But his immaturity alienated the Irish when they came to make formal submission and found the young man and his companions jeering at their strange ways. They left and tried to form a new coalition against the English. Contemporaries generally denounced the failure of the expedition. But there were gains for the English. John brought new men to Ireland, such as Theobald Walter (brother of the archbishop of Canterbury), who founded the great Butler family that dominated so much of Ireland's history subsequently, and Walter de Burgh, from whom the equally important de Burgh (and later Burke) dynasty descended. There were others too, who led a new expansion of the English settlement that was to form the basis of medieval Anglo-Ireland. As the land was settled it was normally divided into fiefs held by military service as knights' fees. Where the area was smaller, the land was to provide foot soldiers. By the early thirteenth century the number of knights to be provided was estimated at 427 and a number of foot soldiers as well.¹²

Military superiority enabled the new colonists to carve out lordships for themselves. But they were also able to consolidate their conquests through a policy of incastellation. Here the young John also set an example when he caused to be built two new castles in Waterford to protect the boundaries of his land. The example was followed by the newcomers, usually at first by mote-and-bailey type structures, but later by more permanent fortresses of stone, of which the castle of Trim in Meath is an outstanding example.¹³

It was John, too, who laid the real foundations of the administration of the medieval lordship. If any real degree of control was to be exercised over the English in Ireland it was essential that the lord of Ireland have available a system of government and administration that would allow control from a distance. The young John had been tutored by Ranulf de Glanville, an experienced royal administrator, and it was he who ensured that the young lord was accompanied to Ireland by a number of important civil servants of repute. They saw to it that an office of chief governor, later called justiciar, was created to rule in place of the absent lord of Ireland, with a council to advise and help. From it was eventually to emerge the assembly that became parliament. The routine work of administration was left in the hands of trained clerks who eventually formed the exchequer, possibly as early as 1185, and later the chancery and the rest of the bureaucracy that was to administer the lordship. Equally important was the system of local government, one based on the shire under the sheriff. The system that administered the common law of England in the royal courts was slow to emerge. But it was in 1185 that a real beginning was made.¹⁴

The Thirteenth Century

Against all the odds John became king of England in 1199 and the lordship of Ireland was once more attached to the English crown.¹⁵ It never again regained its independence in the middle ages. As king, John took precautions to prevent the English of Ireland from breaking away from his control, just as he tried to ensure that Scotland and Wales were under his authority. He took hostages for loyalty. He broke the power of some of the leading magnates, such as John de Courcy in Ulster, and promoted others, like Hugh de Lacy, to whom he gave Ulster in 1205. He also attacked the great franchises. But all his plans were thrown into confusion in 1208 when William de Braose, in virtual rebellion against the king, fled to Ireland. He was given refuge, first by William Marshal in Leinster and then by his son-in-law Walter de Lacy in Meath. Hugh de Lacy of Ulster also promised aid. King John had no choice but to intervene and in June 1210 he landed in Ireland.¹⁶ He used his great army to good effect and by the end of July all had submitted, except for de Braose and the two de Lacys who fled overseas. Even many of the Irish gave way and did homage. John's success quickly manifested itself. When he was faced with rebellion in England the barons of Ireland remained steadfastly loyal and pledged that with the king they were prepared to live or die. Now secure, John was able to pardon and restore many of those (like Walter de Lacy in Meath) who had been disloyal in 1210 and bind them to him in loyalty during the critical time at the end of his reign in England.

Perhaps the best measure of King John's success in Ireland is the military support he obtained from there, as in 1211 against Llywelyn of Wales, or 1213 when a French

invasion of England was imminent. He also received large sums of money from the Dublin exchequer, a sure sign of the success of his government there in exercising control and procuring for the king his dues. The greatly expanded English lordship there was now under a firm administration. Even most of the Irish now accepted the lordship of the crown. The foundations of what was to become the Anglo-Irish lordship of Ireland had been firmly established by the time King John died in 1216.

A minority followed in England.¹⁷ But no one in Ireland tried to take advantage, probably because William Marshal was now regent. The first official letter to Ireland announced that the king wished to 'restore the good days' and in February 1217 Magna Carta was extended to Ireland.¹⁸ Confiscated lands were restored and attempts were even made to persuade Hugh de Lacy to return to the king's peace. But they failed and by 1223 he was back in Ulster attempting to win back his lordship by force of arms. Nearly two years later he was eventually forced to surrender, not least because the three greatest Irish provincial kings, O'Connor of Connacht, O'Brien of Thomond and Mac Carthy of Desmond, joined forces with the government. The final act of conciliation came in 1226, when de Lacy was restored to his earldom.

Meanwhile another massive expansion of Anglo-Ireland took place with expansion into Connacht. A civil war among the O'Connors helped Richard de Burgh to realize his claims to lordship there. In 1226 Aedh O'Connor was ordered 'to surrender the land of Connacht which he ought no longer hold on account of his own and his father's forfeiture'.¹⁹ This injustice soured relations with the Irish kings and they could never feel secure again. Legal technicalities could always be invoked to unseat them, even though they might still formally be protected under the common law. Not so the rest of the Irish. As a race they were left outside the law, unless they were able to purchase charters of denizenship, and in many cases were reduced to unfree status as *betaghs* (*betagii*).

When the young Henry III took personal control in England and precipitated a political revolution there, Ireland was affected. One of the leaders of the rebellion, Richard Marshal, sailed to Ireland and using his vast lordship of Leinster as a base attempted to stir up a rebellion. But in 1234 he was killed through treachery – 'one of the worst deeds done in that age', as the annals put it.²⁰ Order was restored, the conquest of Connacht was resumed, Ulster was increasingly brought under control by de Lacy, and in Munster further English settlements were carved out. But a disastrous series of deaths dramatically altered the situation: Walter de Lacy, without an heir, in 1241; Hugh de Lacy, also without an heir, in 1243; Richard de Burgh in 1243, leaving only a minor; and perhaps most serious of all, the last of the great Marshal family of Leinster in 1245 without an heir. Leinster was partitioned among five co-heiresses, so was Meath, while Ulster fell into the hands of the crown. The result was absentee lords and the lordship was greatly weakened. It enabled Irish enclaves to survive intact and was to facilitate a great recovery of Irish lands in the future. The way was also left clear for two other families who were to be dominant in the later history of Ireland, the Butlers and, perhaps more significantly, the Geraldines. When the young Walter de Burgh eventually came of age in 1250 he came into his inheritance in Connacht and in 1264 was also granted the earldom of Ulster, making him immensely wealthy and powerful.

By the middle of the century about three-quarters of Ireland was under the control of the English – in 1248 the annals went so far as to say that 'the English had, at

this time, the ascendancy over the Irish'.²¹ The royal administration in Dublin had also developed to keep pace with this. The exchequer became more sophisticated in the records it kept and its checks on revenues, the shire system was extended and in 1232 an independent Irish chancery was created to issue writs in the king's name under a great seal of Ireland. Royal justice was administered in a series of courts where the common law was the norm.²² Before long a parliament of Ireland emerged and was able to enact special legislation for the peculiar needs of the lordship of Ireland. Perhaps the greatest illustration of success is the manner in which the lordship responded financially to the king's needs, sending 12,400 marks and £1,000 in seven years, 1237–44.²³ Military support, too, was made available when the king needed it, most spectacularly in Wales in 1245 when a large military force sailed to join the king, including 3,000 infantry from Connacht.²⁴

Then suddenly, in 1254, Henry III granted the land of Ireland to his young son Edward, from which he could raise a portion of the revenue he needed to maintain his status as heir to the throne. But the king remained *dominus Hibernie* (lord of Ireland). An important reservation was 'that the land of Ireland shall never be separated from the crown of England'. From now on Ireland was what a 1536 Irish statute called 'a parcel of the crown of England, governed by one prince and lord'.²⁵ However, the young Edward showed no real interest in Ireland and royal control was damaged. Quarrels among the magnates, the growth of factions and increased lawlessness resulted. The outbreak of civil war in England did not help, especially when it involved magnates with extensive lands in Ireland.²⁶ It is no coincidence that it was during this period that what is known as the 'Gaelic Revival' began, when Irish lords regained much land and authority.

The long quarrel between the Geraldines and de Burghs, amounting to war at times, had the worst impact on the lordship. It culminated in 1294 with the capture of the de Burgh earl of Ulster by John fitz Thomas and his detention in Lea castle. He was released only in 1295 when parliament intervened and a truce was negotiated. The surrender of lands in Connacht and Ulster by fitz Thomas helped to restore peace, while making de Burgh the most powerful magnate in Ireland. Another faction fight involving fitz Thomas again had one of the protagonists claiming, according to the record of evidence under oath, that 'if the people of Ireland' were worth anything they 'would well maintain the lands and franchises, notwithstanding the king'.²⁷

These faction fights led to the magnates building up private armies and the growth of what has become known as 'bastard feudalism' in Ireland. The neglect of his lordship by Edward had proved a disaster. He exploited the financial, economic and especially the military resources of his lordship in his campaigns in Wales, Scotland and France. But it was not until after he became king in 1272 that he slowly began to exercise some real measure of control in Ireland. This is best reflected in the growth of exchequer income, which had sunk to £2,000 a year in 1271–2, to more than £7,000 by 1278. But as a series of more than fifty inquisitions revealed in the late 1280s, corruption was rife in the administration, local as well as central. The treasurer, Bishop Stephen de Fulburne, was found to owe the king the enormous sum of £33,000. In fact most of this was the result of inadequate book-keeping, and just £13,000 was a genuine debt. This was partly the result of his own malpractice in office; but most derived from his failure to control lesser officials. In 1293 the

independence of the Irish exchequer was ended and the treasurer from then on had to have his accounts audited at the English exchequer. The result was increased efficiency, at least for a time, and it enabled King Edward to exploit fully Irish resources for his wars. On the day John Wogan was appointed justiciar in 1295, he was ordered to raise 10,000 infantry as well as cavalry 'at his discretion' for the king's campaign in Scotland in 1296. So effective was Wogan in the years that followed in meeting the king's demands for men, money, supplies of war and shipping that he virtually reduced the lordship to a state of bankruptcy by the end of the reign. In 1311 Edward II was forced to admit that this exploitation of the revenues of Ireland was such that what he called *defectum pecunie* (lack of money) 'could not conserve the peace there'.²⁸

The legislation of the Dublin parliament of 1297, summoned 'in order to establish peace more firmly', is the best evidence of how bad the situation had become.²⁹ The statutes enacted show how peace was to be achieved. For example, some new counties were established; lands in the march were to be warded, using fortified and garrisoned locations; absentees were to defend their own lands in future, providing the military resources necessary; local communities were to pursue thieves and robbers; private armies were not to move outside the lord's own land; no truce was to be made with Irish at war and local communities were 'to rise against the Irish and maintain war against them at their own expense'. The new office of 'keeper of the peace' was established and roads through woods were to be kept clear to facilitate the movements of troops. What was called the degeneracy of English who had adopted Irish dress and in particular the custom of 'having their head half shaved' and growing 'their hair long at the back of the head and call it a *culan*' was condemned and all were ordered to conform to English habits.

The other important feature of this parliament is that the elected representatives were to come with what was called *plena potestas* (full power) to bind the communities which elected them to accept whatever parliament enacted. This development, which is at the heart of parliamentary democracy in the future, was first enunciated in 1295 in England and that it was applied to Ireland as early as 1297 is a measure of how far the Irish parliament had come in such a short time. The summoning of elected representatives from local communities and the gradual acceptance in the future that the 'commons' (including the representatives of the lower clergy who sat apart from the lords in one 'house' and the commons in another in a third house of their own) were a constituent element in parliament was of enormous importance. In future years it provided a basis for the notion of parliamentary independence and the assertion in the fifteenth century that the lordship of Ireland, while accepting the king as lord, was 'corporate of itself'.

The Fourteenth Century

The growth of lawlessness and disorder was such that in 1311 the Ordainers in England complained to Edward II that Ireland 'was on the point of being lost, unless God improve the situation'. The Irish took full advantage of the absence of Anglo-Irish magnates with their forces on military service with the king overseas.³⁰ Lands were attacked, many of which were reoccupied by former Irish inhabitants, and destruction of property was widespread. The Irish recovery was given a great boost and many dynasties reasserted themselves. As Thomas fitz Maurice told the English

in 1283: 'because of the war in Wales the Irish are more exalted than usual: some of them have been moved to war, others are getting ready to make war'.³¹ They even aided the Scots against the English in 1306, and it was on Rathlin island off the Ulster coast that Robert Bruce found refuge in the winter following. While there, he wrote a famous letter 'to all the kings of Ireland' in which he said that 'we and you and our people and your people, free since ancient times, come from the seed of one nation'. He told them that he would send a 'beloved kinsman' to negotiate with them about strengthening permanently 'the special friendship between us and you, so that with God's will our nation (*nostra natio*) may be able to recover her ancient liberty'.³² The result was the invasion of Edward Bruce, brother of King Robert, with a substantial army in May 1315.³³ In a remarkable address to Pope John XXII, where he claimed to be speaking on behalf of the Irish people, Dónal O'Neill grandly renounced his claim to the high-kingship of Ireland and in due course Bruce was inaugurated king of Ireland in the traditional manner. Most of the Ulster Irish joined in support and Bruce captured Carrickfergus, which provided a base for further expansion. When the earl of Ulster was defeated at the battle of Connor, the Scots posed an unprecedented threat to the English lordship. A report from a special royal agent sent to Ireland told the king that the Scots seemed to be irresistible. They advanced out of Ulster, defeating Roger Mortimer of Trim on the way, and were later joined by the de Lacys of Meath. The Irish in Connacht and Meath now rose in support of the Scots. Lands were devastated, property destroyed and many people brutally killed. A major victory in Kildare not only further weakened the lordship, it encouraged the Irish of Desmond to rise in rebellion. But the Scots were forced to retreat to Ulster for lack of food. Their invasion coincided with the worst famine to hit Ireland in the middle ages and reinforcements were sought in Scotland. Edward Bruce finally persuaded his brother King Robert to lead an army to Ireland and by February 1317 the king of Scotland was marching south towards Dublin. A measure of the panic this caused was the arrest of the earl of Ulster, the father-in-law of the Scot, by the mayor of Dublin. Bruce decided that a siege of Dublin would be too long and costly. He moved south to link with the Irish of Thomond. The O'Briens now had a new leader who was prepared to oppose the Scots. In addition Butler had got an army together, Roger Mortimer had come back as lieutenant with an army from England, and Edward II contracted with an Italian, Antonio de Passagno, to lead 1,000 Genoese mercenaries to fight the Scots in Ireland. Robert Bruce decided that it was time to go home and abandoned his Irish enterprise. He returned to Scotland in May 1317, leaving his brother Edward behind facing an increasingly hopeless situation in Ireland. In October 1318, backed by reinforcements from Scotland, Edward moved south from Ulster. But in an important battle near Dundalk he was killed, with many of his men, and the great enterprise ended in disaster.

The Bruce invasion, coupled with the famine that hit Ireland at the same time, caused immense destruction, loss of life and decline in revenues from lands all over the island. Ecclesiastical taxation shows this vividly. The value of Dublin archiepiscopal lands fell from £2,800 at the end of the thirteenth century to £800 after the invasion. In other ways, too, the invasion was traumatic and the Dublin parliament of 1320 was told of a people 'greatly distressed and well nigh destroyed'. The breakdown in law and order was worse than ever before and many parts of the island never fully recovered. Some magnates even tried to use the difficulties of the Dublin government to pursue their own ambitions. The first earl of Desmond, Maurice fitz

Thomas (according to evidence later produced in court when he was indicted for treason), 'had filled his heart with such pride and ambition that he thought to obtain the whole of Ireland for his own and to crown himself as a false king'.³⁴ Local rivalries with a long history were rekindled and violence became more widespread than before. When a mob attacked the earl of Louth in his manor in June 1329 and killed him, his brother, many close relatives and friends as well as more than 160 others, the failure of good government was obvious. The murder of the young earl of Ulster in 1333 had even greater consequences, for it led to the collapse of de Burgh rule in Ulster and Connacht and gave the Irish recovery an immense boost. Associated with that was the gaelicization of many settlers, who began to abandon their English character, a trend epitomized by the de Burghs becoming Burkes. When the Irish of Leinster in 1327 revived their kingship, inaugurated a new Mac Murrough king in the traditional manner and (according to a contemporary chronicler) defiantly carried the new royal banner to within two miles of Dublin, it was a sure sign that the 'land of peace' was shrinking fast.

In March 1331 English legislation for what parliament called 'the improvement of the state of our land of Ireland and the peace and tranquillity of our people there' was sent to be observed in the lordship. Once again the absentees were ordered to return and defend their lands. Later in the same year, with the approval of the pope in Avignon, the young Edward III began preparations for an expedition to Ireland, the first royal visit since John's campaign in 1210.³⁵ But the expedition was diverted to Scotland, a disaster for the Irish lordship. The huge decline in revenues now meant that the Dublin government found it increasingly impossible to provide adequate military resources to defend the shrinking land of peace. Exchequer income fell from a high of £9,000 for a time in the late thirteenth century to £2,300 after the Bruce invasion and (except for periods of very brief recovery) to around £2,000 or less for the rest of the fourteenth century.³⁶ Without subsidization by England, the Dublin government could no longer function properly. When John Darcy was reappointed justiciar in 1328, he insisted that because of the state of Ireland his annual fee of £500 was totally inadequate and that he should be guaranteed all the expenses he incurred in office. Most important, he demanded that he should also be paid in advance each quarter and have £1,000 for the war in Ireland, 'for there is nothing in the treasury, according to what he has heard'.³⁷ Contracts with successive chief governors supplied them with armies of varying size and continued subsidization from England.

With this kind of consistent backing the chief governors would have been able to tackle the more serious of the Irish problems. Anthony Lucy, for example, intervened successfully in the Desmond rebellion, arresting the earl and his leading supporters in 1331–2. The problem was that the king could still default in the promised support, divert it from Ireland to meet his needs elsewhere, and even demand military support from the lordship in his campaigns. In 1336 a large army, at least by Irish standards, joined him on campaign in Scotland, at a cost to the Irish exchequer of nearly £2,000, that is, most of its income for that year. Ireland clearly continued to occupy a low place in the royal list of priorities. But very occasionally some attempt was made to remedy the worsening situation there. The arrival of John Morice and a number of English officials to head the Dublin administration in 1341 initiated reforms that were to be revolutionary, including a dramatic resumption by the king of all grants

of land and title made since the death of Edward I. This naturally produced a fierce Anglo-Irish reaction – a contemporary Dublin chronicler wrote that ‘the land of Ireland’ was on the point of separation from England. He also emphasized that resentment of these English officials produced a reaction that was to result in ‘a notable and manifest division among English born in England and English born in Ireland’, a sign of the way things were to go in the future. The king gave way and early in 1344 Morice was dismissed. The new justiciar, Ralph de Ufford, was married to the widow of the murdered earl of Ulster and so was more acceptable to the Anglo-Irish, although he died in 1346.³⁸ Two years later the terrible plague popularly known as the Black Death arrived in Ireland. The effects were devastating. Huge numbers of people died, in the main among the more urbanized Anglo-Irish. An official message from Ireland in 1361, when the plague wreaked havoc again, complained of ‘the pestilence which is so great and so hideous among the English lieges and not among the Irish’. From then on to the end of the medieval lordship, the plague returned regularly. The resulting lack of food and the problem of maintaining the rule of law helped to breed lawlessness in the localities.

In an attempt to cope with the worsening situation, a veteran soldier, Sir Thomas Rokeby, was sent to head the Irish government.³⁹ But despite many campaigns, no permanent solution was achieved. An urgent message to the king in 1360 informed him that there was no money in the treasury and that as a result the Irish ‘commence to levy war throughout all your land, burning, destroying and preying daily your lieges of those parts’ and were so successful that they were conquering ‘a great part of the land in divers marches’.⁴⁰ King Edward could no longer ignore his responsibilities as lord of Ireland. He sent his son Lionel, now earl of Ulster and soon to be duke of Clarence, with the largest English army since that which came with King John in 1210.⁴¹ It marked the start of a new policy of massive military and financial investment by England in Ireland that was to last until the end of the century.

The king was hopeful that Clarence would not only restore law and order to Ireland but that, as a result, the lordship would become a source of profit to the crown again, as it had been in the past. But harsh reality soon destroyed that dream. A Dublin chronicler reported that Clarence, shortly after landing in Ireland, ordered that no person born in Ireland should come near his camp and this further augmented the division that existed between the Anglo-Irish and the English. In 1364 the king himself referred to this continuing animosity, ‘whereby in times past hurt and peril has happened in Ireland, and worse is feared unless the same be speedily appeased’.⁴² Two years later, in the famous statutes of the Kilkenny parliament, the problem was unambiguously described. A statute enacted ‘that no difference of allegiance henceforth be made between the English born in Ireland and the English born in England by calling them *English hobbe* and *Irish dog*, but that all shall be called by one name, the English lieges of our lord the king’.⁴³ By then the military expedition had failed and desperate attempts to reorganize the administration by moving the exchequer and common bench to Carlow had also been unsuccessful. Expenditure of over £22,000 had achieved very little by the time Clarence left Ireland in November 1366.

He did leave one memorial behind which ever since has kept his memory alive. In 1366 he summoned a parliament to Kilkenny and the series of statutes enacted

there were primarily designed to cure what has since been commonly called the degeneracy of the English settlers in Ireland. As the preamble expressed it, 'the English of the said land, forsaking the English language, fashion, mode of riding, laws and usages, live and govern themselves according to the manners, fashion and language of the Irish enemies, and also have made divers marriages and alliances between themselves and the Irish enemies aforesaid'. The result, among other things, was that 'the allegiance due to our lord the king' was 'decayed'. But the legislation dealt with far more than the problem of 'degeneracy'. The most comprehensive piece of legislation produced in medieval Ireland, confirmed by parliament in later times, it was based on a previous legislation. It dealt with problems that went back many years, ranging from the maintenance of law and order and the war against the Irish enemy to dealing with the corruption of officials, the fixing of prices for imports and the problems caused by the emigration of labourers.

In February 1369 a new chief governor, William of Windsor, contracted to serve in Ireland, again with an army to be financed by the English exchequer at a huge cost. In 1373 he was replaced, but returned in the following year, and by the time he left Ireland in 1376 had not only achieved little in recovering lost ground but had also provided anti-English elements among the Anglo-Irish gentry with more ammunition to be used against government from London. Altogether between 1361 and 1376 expenditure on army wages alone in Ireland came to £90,000, of which £71,000 came from the English exchequer and only £16,000 from Dublin. The remaining £3,000 came from the pockets of Windsor and his replacement in office. Yet for all this expenditure, nothing of substance had been achieved in Ireland.

Richard II succeeded to the throne in 1377 as a minor and his government became increasingly reluctant to continue heavy expenditure on the Irish lordship. When in 1379 a new chief governor, Edmund Mortimer, was given the revenues of Ireland without being accountable for them at the English exchequer, but in Dublin, it broke with a long tradition of control from London and initiated an important change in Anglo-Irish relations. The English government was beginning to contract out of the government of Ireland. In 1385 the king virtually created a palatinate of Ireland for Robert de Vere and one condition of the grant was that when he had conquered Ireland, the palatinate was to contribute 5,000 marks a year to the royal coffers. But this never even got off the ground and the situation in Ireland continued to deteriorate. In the end, when a truce with France and peace in Scotland provided an unexpected opportunity, the king himself was to attempt to solve the Irish problem in an unprecedented and spectacular manner.

A huge army, backed by all the necessary supplies and under the personal command of the king himself, was organized and on 2 October 1394 Richard landed at Waterford. About 6,000 troops accompanied him, augmented by local levies in the weeks following.⁴⁴ Unprecedented success quickly followed. Art Mac Murrough and the leading Leinster Irish were forced into submission and Leinster was surrendered to the king. Mac Murrough in his submission swore that early in 1395 he would 'leave the whole country of Leinster to the true obedience, use and disposition of the king' and together with 'all the armed men, warriors, or fighting men of the following, household, or nation of the said Art shall quit the whole land of Leinster'. At the king's wages they would 'go and conquer other parts occupied by rebels of the said lord the king' and they would in future hold such lands from the king. All the leading Irish lords of Leinster swore similar agreements. This would end the

permanent threat posed by Leinster and at one swoop would greatly extend the land of peace. In a famous letter to his council in England on 1 February 1395, the king explained his new revolutionary policy, dividing the people of Ireland into 'wild Irish, our enemies, the Irish rebels, and the obedient English'. In an extraordinary admission that 'the said Irish rebels are rebels only because of grievances and wrongs done to them on one side and lack of remedy on the other', the king made plain his intention to remedy injustices. He would bring all the Irish into submission and accept them as his liege subjects, within the law. He succeeded in gaining the submission of the leading Irish, who did homage for the restoration of lands and their rights as lords.⁴⁵ For the first time King Richard was establishing a legal framework within which relationships between Irish, Anglo-Irish and the king would be maintained.

But there were basic flaws in the new arrangements that became manifest after Richard returned to England. There was insufficient money to maintain the ring of steel around Leinster and therefore no way to force Mac Murrough and the others to fulfil their agreements and vacate their lands. Nor could the government uphold the guarantees of legal protection in their lands given to other Irish, when Anglo-Irish intermediaries refused to accept them and tried to occupy what should have been protected lands. This naturally led to fierce resistance by the Irish, a breakdown once again in the maintenance of law and order, and the outbreak of local wars. On 20 July 1398 Mortimer, now chief governor, was killed near Carlow by the O'Byrnes. The settlement of 1394–5 was destroyed and in June 1399 King Richard was forced to come to Ireland again. This time he enjoyed no military success and within a month he had to go back to England to face Henry of Lancaster. The lordship of Ireland was left to go its own way once more. As a message from the Irish council to the newly crowned Henry IV put it in 1399, 'the land is in danger of final destruction if it be not quickly relieved and succoured'.⁴⁶ It was almost as if Richard's two expeditions had never occurred.

The Fifteenth Century

The lordship became increasingly fragmented with great lords, Irish as well as Anglo-Irish, dominant in most of the island and effective administration by the Dublin government confined to a small number of disparate areas. This did not necessarily mean greater instability since the lords in the localities settled into new alliances that helped to maintain some kind of order. Evidence of new wealth can be seen in the patronage manifested in new ecclesiastical buildings and the foundation of new monastic communities. Trade, too, began to flourish.

From the English perspective, however, Ireland could still present a security problem. The fear that Ireland might be exploited by enemies of the crown was manifested in November 1401 when Owain Glyn Dŵr of Wales attempted to engage the help of some Irish by appealing not only to their common hatred of the 'Saxons' but to common kinship as well. His letter came into the king's hands and the danger was revealed. In June 1401 he had given Ireland to the charge of his son Thomas of Lancaster, with a grant of 12,000 marks per annum. But the English exchequer was unable to pay the stipend, and Thomas quickly ran out of cash, pawning personal valuables to raise money while troops deserted for lack of pay. Eventually arrears of money owed to Thomas reached a staggering £18,000. Henry IV headed a pauper government and what little money was available was reserved for English, not Irish,

needs. Frequently those who had accepted office in Ireland were kept waiting for money owed to them, sometimes never being paid.⁴⁷ This not only severely restricted military operations in Lancastrian Ireland, it also made it difficult to attract the right men from England to serve there. With the continued growth of faction in Ireland, however, centred around the leading Anglo-Irish magnates such as the earls of Desmond, Ormond or Kildare, control of the office of chief governor and the patronage that went with it became increasingly important. The office conveyed power and enabled the holder to build up a network of support through patronage. The long rivalry between Talbot and Ormond factions in the first half of the fifteenth century shows how far the magnates were willing to go to secure control of office.⁴⁸ Failure to recover some, or even all, of the expenses incurred in office was considered a small price to pay.

One way of cutting down the cost of maintaining armies was the exploitation of what became known as the system of coign and livery – quartering soldiers on the country and seizing supplies of food and whatever else was necessary to maintain them. In 1428 the archbishop of Armagh condemned this system, which had been exercised by ‘all the lieutenants that have been in this country’, so that ‘there is owing in this land by lieutenants and their soldiers within these few years £20,000’.⁴⁹ Although illegal, this system continued widely throughout the lordship despite the condemnation of the church and the king.

Alliances with Irish lords, sometimes through marriage, were also common among the great magnates in the struggle for power. Not only did this sometimes blur the distinction between Anglo-Irish and Irish and lead to a greater adoption of Irish ways by the ‘English of the land of Ireland’ (as they were still officially called), but it made officials in Dublin less important as a force in Irish politics. What were called the four ‘obedient’ shires of Dublin, Louth, Meath and Kildare had become the area in which the royal administration concentrated resources to maintain some measure of the rule of law. But as the fifteenth century wore on, even that became too large to be effectively controlled. A much smaller area around Dublin, called ‘the Pale’ later in the century, emerged as what would once have been called ‘the land of peace’. Even as early as 1435 parliament told the king that ‘enemies and rebels’ controlled most of the four obedient shires. What became the Pale, ‘scarcely thirty miles in length and twenty miles in breadth’, was the only area in which ‘man may surely ride and go, in the said counties, to answer the king’s writs and to his commandments’.⁵⁰

Resentment of English-born officials continued. In 1441 the Irish council sent a request to the king that Anglo-Irish (or ‘Englishmen born in Ireland’) should have the same rights in England as Englishmen. Discrimination was rampant there. The determination of the Anglo-Irish to govern themselves was strengthened by this. They would not be bound by the legislation of any parliament, only their own, or answerable to any writs out of England. The classic expression of this was the famous declaration of the Irish parliament in 1460 that ‘Ireland is, and at all times has been, corporate of itself’ and so was ‘freed of the burden of any special law of the realm of England save only such laws as by the lords spiritual and temporal and commons of the said land had been in great council or parliament there held, admitted, accepted, affirmed and proclaimed, according to sundry ancient statutes thereof made’. Freedom from writs out of England was also enacted into Irish law.⁵¹

This legislation was enacted to protect Richard, duke of York, who had fled to Ireland after the failure of his rebellion in England. He had been appointed chief governor in 1447 and as earl of Ulster had important interests in the lordship. Those interests had been greatly disturbed by the struggle between the Butlers and the Geraldines.⁵² Like others before him York was soon in financial trouble. But he was determined not to fail – he said in a letter that ‘it shall never be chronicled nor remain in scripture, by the grace of God, that Ireland was lost by negligence’.⁵³ He did enjoy success. The extent of his Irish family connection won him widespread support. As a result he found there a power base after he had to flee for his life from England in October 1459. Not only did parliament protect him from attainder in England, he was also able to plan the invasion of England in safety in Ireland and although he was killed in battle, the eventual success of the Yorkists saw his son crowned as Edward IV.

Ireland had played a key role in this. Backed by the Geraldines, the Yorkist success was a severe blow to the Butlers who had remained loyal to Lancaster. In 1462 a Butler rebellion against Edward IV was defeated by the Geraldines at the battle of Pilltown and the Butler estates were confiscated and later doled out to Desmond, Kildare and their supporters. This confirmed the Geraldine ascendancy and the end of Lancastrian hopes in Ireland, and Edward IV was not slow to show his gratitude. But the growing concentration of power in the hands of Desmond soon alarmed him and when he sent Tiptoft as chief governor in 1467 it was the beginning of an attempt to regain royal control in the lordship. In a parliament summoned to Drogheda both Desmond and Kildare were attainted of treason and Desmond was executed on 5 February 1468. There was a huge reaction in Ireland. Kildare was rescued from prison, royal lands in Meath were devastated by a huge army of rebels and Irish lords joined the Geraldines. The disorder that followed was so widespread that the attainder against Kildare had to be reversed.

From now on it was the Kildares who were to be the real masters of Ireland. Attempts to control them proved ineffective. In 1478 Lord Grey was sent as chief governor and summoned a parliament to meet at Trim in November. But Kildare supporters garrisoned Dublin castle against him, refused him access to the great seal, and some sheriffs prevented elections to parliament. Kildare was restored to the chief governorship and his leading supporters were also reappointed to the most important offices in the administration. From now on the eighth earl of Kildare (‘the great earl’, as he is usually called) controlled the government and administration, with few interruptions, until his death in 1513, under no fewer than five kings.⁵⁴

After his accession in 1483 Richard III did make a determined effort to regain control, and even to extend it, in Ireland. Kildare’s monopoly of government was to cease. But in 1485 parliament not only confirmed the Kildare supporters in office for life but gave the earl the right to replace them during a vacancy. Kildare also procured legislation which confirmed the mythical ‘statute of Henry Fitzempress’, supposedly enacted in the Irish parliament while Henry II was in Dublin, under which the Irish council, controlled of course by the earl, would fill any vacancy that might occur in the office of chief governor. Richard tried to woo supporters away from the earl and even attempted to gain the allegiance of the earl of Desmond. He even made the extraordinary admission to the earl that his father had been executed illegally and

against all reason. But he had no time. He lost his crown in 1485 to the first of the Tudor monarchs, Henry VII.⁵⁵

The new lord of Ireland alarmed Kildare and other supporters of the Yorkist cause in Ireland when he restored the earldom of Ormond to the Butlers, who had supported the house of Lancaster. This alienated many and when early in 1487 a young man, Lambert Simnel, was landed in Dublin, claiming to be the earl of Warwick, son of the duke of Clarence and rightful heir to the English throne, he won immediate support. Kildare housed him in Dublin castle and on 24 May, in a solemn ceremony in Christ Church cathedral, he was crowned king of England. Significantly his title also included the kingship of Ireland, giving support to Anglo-Irish aspirations for what in later centuries would be called 'home rule'.⁵⁶ That this was no charade was quickly made evident when 2,000 German mercenaries landed in Ireland in support of an invasion of England in June. Large numbers from Ireland, led by Kildare's brother, joined the army. Henry VII was facing the threat of deposition and was lucky that victory at the battle of Stoke secured his throne. He could have no doubts now of the danger posed by Kildare in Ireland. When another pretender, Perkin Warbeck, arrived in Ireland in November 1491, Kildare and his supporters were removed from office. Worse, a hated rival, James Ormond, was made treasurer. Geraldines and Butlers fought, Kildare imprisoned the commander of the royal forces in Ireland and hanged his son. Henry VII had to move. Not only was military action called for, a reform of the administration was urgently required. The man charged with this was Edward Poyning. With him came some high officials to introduce the reforms already initiated by the new Tudor government in England.

By the summer of 1496 when the army in Ireland was paid off, it had cost the king more than £18,000, the huge cost the best measure of the potential danger averted. Kildare could now be returned to office, with the king secure that no Yorkist plot or continental intrigue in Ireland could endanger him. But what was to make Poyning's such a major figure in Irish history is the legislation known as Poyning's law, which was enacted at the parliament he held in Drogheda late in 1494. No parliament could be held in Ireland in future without the king's licence and before all bills had been approved by king and council in England. Altogether forty-nine statutes were enacted, including the confirmation of the Statutes of Kilkenny.⁵⁷ Two famous statutes made all English legislation apply in Ireland and annulled what was called 'the pretended prescription' of the 1460 parliament that had freed the lordship from writs under the king's great seal. Henceforth, not only the great seal of England but the privy seal and the signet were to be effective in Ireland. Anglo-Irish relations and the government of Ireland could never return to the pattern developed in the fifteenth century. When Warbeck landed in Ireland again in 1497 he received no real support, not even from the most dedicated Yorkists. His capture and execution in England soon after finished the Yorkist threat.

Under the new circumstances prevailing Kildare could safely be returned to power. He grew in strength during the years that followed, receiving support from many of the greatest Irish as well as Anglo-Irish. Indeed, many paid for his protection. In 1504 the great battle of Knockdoe showed how wide was his support from all parts of Ireland. The power concentrated in his hands may have worried the king occasionally. But he now had in Ireland, at low cost to himself, the kind of peace and security that had proved impossible to achieve during most of the fifteenth century.

In 350 years Ireland had gone through a process of change that was to leave a permanent effect on the island. The English invasion had led to colonization by waves of settlers, the introduction of feudalism, the creation of manorial society and a new economy. A central and local government, with a system of justice based on English law, had been created. Parliament had been developed, leading for a time to a desire for what the early twentieth century called ‘home rule’. But the failure to conquer the whole island, and the survival of independent Irish lordships, resulted in efficient rule by central government being confined in the main to a small area in the east that became known as ‘the Pale’. The Tudor monarchs were faced with the problem of reconquest and eventual recolonization of areas brought under their control.

NOTES

- 1 Orpen, *Normans*, vol. 2, pp. 307–8.
- 2 See Lydon, ‘Curtis’.
- 3 Ó Cróinín, *Early Medieval Ireland*, ch. 10; Duffy, *Ireland*, ch. 2.
- 4 See in general Ó Corráin, ‘Nationality and kingship’.
- 5 Duffy, ‘Pre-Norman Dublin’.
- 6 Flanagan, *Irish Society*, p. 30n.
- 7 For what follows see Cosgrove, *A New History of Ireland*, vol. 2, pp. 43–97.
- 8 *Expugnatio*, p. 27.
- 9 *Ibid.*, p. 69.
- 10 *Ibid.*, p. 147.
- 11 Warren, ‘John in Ireland’.
- 12 Otway-Ruthven, *History*, p. 103.
- 13 Sweetman, *Medieval Castles*.
- 14 Richardson and Sayles, *Administration of Ireland; Irish Parliament in Middle Ages; Parliament in Medieval Ireland*.
- 15 For John and Ireland see Warren, ‘King John and Ireland’.
- 16 Duffy, ‘King John’s expedition to Ireland’.
- 17 For what follows see Cosgrove, *A New History of Ireland*, vol. 2, pp. 156–78.
- 18 Richardson, ‘Magna carta Hibernie’.
- 19 *Calendar of Documents relating to Ireland, 1171–1251*, no. 1402.
- 20 *Annals of Connacht*, p. 49.
- 21 *Annals . . . by the Four Masters*, vol. 3, p. 329.
- 22 Hand, *English Law*, pp. 1–4.
- 23 Lydon, ‘Edward II and the revenues of Ireland’.
- 24 Cosgrove, *A New History of Ireland*, vol. 2, pp. 170–3.
- 25 Lydon, ‘Ireland and the English crown’, p. 282.
- 26 Frame, ‘Ireland and the barons’ war’.
- 27 *Calendar of Documents relating to Ireland, 1293–1301*, no. 147.
- 28 Lydon, ‘Edward II and the revenues of Ireland’, p. 52.
- 29 For the text of the statutes and commentaries see Lydon, *Law and Disorder*.
- 30 Cosgrove, *A New History of Ireland*, vol. 2, pp. 275–302.
- 31 Duffy, *Ireland*, pp. 130–1.
- 32 Duffy, ‘Bruce brothers’, pp. 64–5. Text in Nicholson, ‘Sequel’, p. 38.
- 33 For the invasion see Cosgrove, *A New History of Ireland*, vol. 2, pp. 281–94; Duncan, ‘Scots invasion’.
- 34 Cosgrove, *A New History of Ireland*, vol. 2, p. 298.

- 35 For Edward III and Ireland see Frame, *English Lordship*, ch. 6.
 36 Ibid., p. 240, table 12; Richardson and Sayles, 'Irish revenue'.
 37 Cosgrove, *A New History of Ireland*, vol. 2, p. 301.
 38 Frame, 'Ralph Ufford'.
 39 Otway-Ruthven, 'Ireland in the 1350s'.
 40 Otway-Ruthven, *History*, p. 284.
 41 Connolly, 'English expeditions'.
 42 Otway-Ruthven, *History*, p. 290.
 43 Curtis and McDowell, *Documents*, pp. 53–4; full text of all the statutes on pp. 52–9.
 44 Lydon, 'Richard II's expeditions'; Curtis, *Richard II in Ireland*.
 45 Johnston, 'Submissions'.
 46 Curtis and McDowell, *Documents*, p. 68.
 47 Matthew, 'Financing'.
 48 Griffith, 'Talbot–Ormond struggle'.
 49 Cosgrove, *A New History of Ireland*, vol. 2, p. 541.
 50 Ibid., p. 533.
 51 Curtis and MacDowell, *Documents*, pp. 74–5. For the general context in Anglo-Irish relations see Lydon, 'Ireland and the English crown'.
 52 Johnson, *Duke Richard*.
 53 Lander, *Wars of the Roses*, p. 63.
 54 Bryan, *Great Earl*.
 55 Ellis, 'Henry VII and Ireland'.
 56 Martin, *Crowning*.
 57 Curtis, 'Acts of the Drogheda parliament'.

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PART III

The Church and Piety

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CHAPTER EIGHTEEN

England: Church and Clergy

DAVID LEPINE

The church was one of the most important, wealthy and influential institutions of medieval England. It permeated the whole of society, doing much to shape both its daily life and culture. Medieval life would have been unimaginable without it. Its principal role, the salvation of souls through teaching and the sacraments, gave it great authority and power; it was Christ's representative on earth. As well as its religious role, it had important social functions as an agent of social control, setting and enforcing standards of behaviour through its pastoral work and courts. The church's importance also derived from its economic status; it owned 25 per cent of the landed wealth of the kingdom. As a result, though it offered careers to the relatively humbly born, its interests usually lay with the landowning classes. The church was more than its clergy; it comprised all Christians, virtually the whole of medieval society. The laity were an important and influential component: they were donors, patrons, employers and taxpayers as well as worshippers. Much that went on in the church, including church-building and decoration, guilds, pilgrimages and prayers for the dead, reflected lay wishes and was a form of voluntary religion. Alongside this voluntary religion the church imposed compulsory forms, annual confession and communion, and the payment of tithes.

The medieval church has attracted much historical attention. Since the 1950s the steady flow of papers, monographs and editions of primary sources has become a raging torrent; a bibliography of the late medieval church alone compiled in 1989 lists nearly 1,000 works. Though these have vastly increased our knowledge, there has been a perhaps understandable reluctance to synthesize them into a coherent overview of the period 1100 to 1500, such surveys being mainly the work of non-specialists. Overviews by specialist scholars have tended to concentrate on the beginning and end of the period, the Anglo-Norman and the late medieval church, leaving the thirteenth century in limbo. The Anglo-Norman church after 1100 has generated less controversy although there has been debate on the impact of the Conquest and the concept of a twelfth-century renaissance. The late medieval church has been the subject of much more heated debate. The history of the medieval church is still often read backwards from the Reformation, contrasting the vigour and reform of

the twelfth century, which is seen as a period of development and progress, with the supposed stagnation and corruption of the fourteenth and fifteenth centuries that inevitably culminated in the reforms of the sixteenth century. Recent research has challenged this interpretation by considering the late medieval church on its own terms rather than as a prelude to the Reformation. Crudely stated, the new orthodoxy argues that the late medieval English church was in a healthy state by medieval standards, competently and conscientiously staffed, striving to maintain high standards, containing the threat of heresy and broadly satisfying the laity among whom anti-clericalism was rare. It had faults and weaknesses but they were not fatal. The causes of the Reformation must be sought from outside.

Institutional Developments

The *Ecclesia Anglicana*, as the English church was known in the middle ages, was both a national church and part of the universal church of western Christendom. Its national identity was based on its history, which dated back to its foundation by Augustine in 597, and a growing sense of Englishness. Despite this, and even though under royal control in some respects it operated as an independent body, it was never wholly separate from the rest of the Catholic church. By 1150 five levels of organization existed: parish, rural deanery, archdeaconry, diocese and province. Significant elements of this structure were the result of the Norman Conquest when the role and power of bishops were deliberately enhanced by the creation of larger dioceses and the introduction of territorial archdeaconries and rural deaneries. Since Anglo-Saxon times the church had been divided into two provinces, Canterbury and York, each ruled by an archbishop with authority over the bishops within it. Despite Canterbury's precedence over York, finally established in 1353 after a long dispute, each province was autonomous. However, both provinces shared a common administrative structure. Diocesan reorganization was largely complete by 1100 with fifteen of the eventual seventeen dioceses in existence; a further two were created in 1108 (Ely) and 1133 (Carlisle). They were unequally split between the two provinces with fourteen in the southern and three in the northern. Dioceses varied considerably in size, wealth and importance. Winchester, with an income of £2,977 from property alone in the 1291 valuation, was one of the premier dioceses whose bishop was an important figure in both church and state. Hereford, though a middle-sized, low-ranking see, had a substantial income of £658, equal to the income of an earl. Dioceses were subdivided territorially into archdeaconries between the late eleventh and mid-twelfth centuries. Initially archdeacons played a central role in diocesan administration but from the late twelfth century were replaced by other officials. Described as the bishop's eyes, archdeacons acted as his deputy and representative. Their role was to supervise the parish clergy and uphold the moral standards of the laity by means of regular visitations and archidiaconal courts. However, archdeacons were often absentees and by the late twelfth century had become unpopular, having acquired a reputation for greed and extortion. Within archdeaconries, parishes were grouped into rural deaneries by the mid-twelfth century. Drawn from the resident parish clergy, rural deans were appointed by the bishop and acted as his agent to carry out episcopal and archidiaconal mandates. At parish level they were an important link in the chain of diocesan administration.

The key institutional development at the local level was the emergence of the parish, which set the pattern for the next 800 years and is still the basic unit of ecclesiastical administration. In Anglo-Saxon times there had been large parishes based on minsters, large central churches served by a group of priests covering a wide area. From the tenth century these were being supplemented by smaller parishes based on manorial estates where local lords built new churches. Most medieval parishes existed by 1150 and the parish system was largely complete by 1200. The best estimates, based on taxation records, suggest that there were about 9,500 parishes in 1291 and 8,800 in 1535. With parishes of roughly 2,500 acres the church was usually within a mile or so of the people living in it. Parishes developed a strong corporate identity reflected in successive waves of church-rebuilding from the late twelfth to the early sixteenth centuries, and a vigorous parochial life. Much of this rebuilding is still visible, a potent witness of faith, lay commitment and local pride. The parish priest was supported by three types of income, offerings by the faithful, endowments of land, known as glebe, and tithes, a tenth levied on agricultural produce. Over a third of medieval parishes were appropriated, that is, annexed to an ecclesiastical corporation such as a monastery, which received most of its income. This created a distinction between rectors who received the full income of the benefice and vicars who received a limited portion set aside by the corporation. The practice had more economic than pastoral significance. At parish level it made little difference whether its income went to an absentee pluralist or a religious house provided adequate clergy were employed.

The parochial system retained some flexibility by having a substantial network of chapels within it; in Lincolnshire 243 have been identified in about 600 parishes. Chapels had a wide variety of functions; some marked an event, such as a battle, or a saint's cult, or a location such as a bridge or well, and others housed chantries. Large parishes had outlying chapels to serve scattered communities, often with their own clergy and sometimes rights of baptism or burial. Most of the gentry and aristocracy had private chapels or oratories in their houses. Chapels played a significant role in medieval religious life, a role which historians are beginning to explore. Chantry foundations grew rapidly from the mid-thirteenth century to the Black Death and made an important contribution to parish life.¹ Some had their own chapels in an extension to an aisle or transept, or marked off by screens; others used existing altars. Chantries reflected the universal fear of Purgatory and an almost mechanical obsession for the multiplication of masses to mitigate it shared by all levels of medieval society. At their suppression in the 1540s there were 2,000–3,000 chantries; countless more were either temporary or had failed earlier. The rich endowed permanent chantries, the most elaborate consisting of colleges of secular priests, and the less well-off temporary ones for as long as they could afford. Those unable to afford their own provision could participate in chantry benefits through the many parish and town guilds, which hired priests to pray for their members. From the mid-thirteenth century to the Reformation chantry foundations absorbed the bulk of lay endowments of the church. This marked a major shift in patronage away from monastic houses, which had dominated the twelfth and early thirteenth centuries.

This entire structure was administered by a highly educated, powerful and privileged bureaucracy staffed by the higher clergy. Diocesan administration was the most

important component for the smooth running of the church. During the twelfth and thirteenth centuries it evolved from the bishop's household to become an efficient office enabling a diocese to function effectively, even in the absence of its bishop. During absences the bishop's spiritual powers were delegated to suffragans, assistant bishops, and his administrative and judicial functions to vicars general. The official principal, who presided over the bishop's consistory court, was the most senior of the permanent staff and was assisted by commissaries and other lesser officials. At the provincial level there was a separate bureaucracy to administer the archbishops' courts. Archdeacons also employed officials to whom they often delegated their duties. A sense of unity was provided through synods and convocation. From the twelfth century synods, meetings of the clergy of a diocese, were used by bishops to raise pastoral standards; they dealt with a variety of disciplinary, legal and liturgical matters. However, their role from the later fourteenth century is obscured by lack of evidence. The convocations of Canterbury and York were provincial assemblies of the clergy that originated as reforming bodies in the thirteenth century. During the fourteenth century they developed into separate representative bodies of the clergy summoned by the king to grant taxation but also to discuss clerical grievances. Though the organizational structure of the church seems impressive, the reality was in some respects messy. Jurisdictions were fragmented by exemptions. Episcopal jurisdiction was undermined by exempt religious orders such as the Cistercians and friars and by peculiars, geographical areas outside the bishop's authority, which might be subject to another diocesan jurisdiction or entirely exempt. It is not surprising therefore to find disputes and rivalry between competing jurisdictions. The long-standing dispute over precedence between the archbishops of Canterbury and York was mirrored by many others at lower levels throughout the middle ages. Even at times of crisis the church was not united.

Two jurisdictional systems operated in medieval England, the secular and the ecclesiastical. Though this was sometimes a source of tension and conflict, on many matters they cooperated and reinforced each other. The two were increasingly distinguished from the late eleventh century onwards so that by the end of the thirteenth century jurisdictional disputes between them had largely been settled, though subsequently royal writs steadily eroded ecclesiastical powers. The church courts had jurisdiction over all clerics, a privilege known as benefit of clergy, and all ecclesiastical matters. Benefit of clergy exempted clerics from punishment, but not trial, in royal courts. Wills, marriage law and moral issues were also dealt with in church courts together with some cases of defamation and contract; in these areas church courts acted as important agents of social control. The crown retained control of property issues arising from ecclesiastical benefices, which included patronage, property and income, and also most criminal cases. A hierarchy of ecclesiastical courts evolved in the twelfth and thirteenth centuries rising from ruridecanal chapters to archdeacons' courts and episcopal courts, of which the bishop's consistory court was the most important. Above these the provincial courts of the archbishops and the papal court were in effect courts of appeal. Church courts applied canon law, the law of the church, which was itself an important instrument in the development of ecclesiastical jurisdiction and was backed by papal authority. They were busy in the later middle ages, especially with what were called 'instance' cases, those brought by private individuals, which suggests they met a demand among the laity. What unpopularity the

courts faced was centred on their financial exactions. Studies of surviving court records suggest that a conscientious effort was made to implement the ideals of canon law. There is little evidence to suggest public hostility to the courts in matters of religious belief and practice or morality.

Monasticism

The Reformation has profoundly influenced modern attitudes to monasticism through the largely negative portrayal of monasteries in the traditional Protestant version of English history. Even in a thoroughly secular society it has left a residue of suspicion and a lack of empathy for the monastic vocation. Today religious houses are associated with sanitized ruins and the fervour that inspired them is alien. Something of this fervour can be found in the classic survey of English medieval monasticism by David Knowles, himself a Benedictine monk. More recent work has tended to emphasize institutional and demographic rather than spiritual developments. The formative period, the years of monastic expansion, continues to attract scholars producing studies of orders and general works, most recently Janet Burton's lucid exposition. The late medieval period has received less attention and lacks any general synthesis, though there has been a steady growth of studies of individual houses.

Monasticism had a strong appeal in the middle ages. At the height of its expansion in the mid-twelfth century nine new houses were founded a year and by about 1320 there were over a thousand houses in England. No other period has equalled it. In the twelfth century monasticism represented the ideal of Christian observance and it was widely assumed that a serious commitment to live a Christian life entailed becoming a monk. Such was the appeal of this ideal that monasteries were able to recruit on a large scale and draw widespread support from society to sustain them. Lay support, particularly royal and magnate patronage, was crucial in providing the resources necessary to found religious houses; without it expansion would not have been possible. Though they did not become monks, founders, patrons and benefactors were able to participate in the monastic ideal by making gifts. In return monasteries offered to smooth the route to heaven through masses, prayers and provision of a privileged burial place. Part of the appeal of monasticism lay in its variety, which ranged from the relatively enclosed communities of the Cistercians to the Augustinians and friars who sought to engage more directly with society.

From the eleventh to the thirteenth centuries successive waves of monasticism flowed into England from the continent; Cluniacs in the late eleventh century, Cistercians and Augustinians from the early twelfth, Premonstratensians and the military orders from the mid-twelfth, and finally the friars in the early thirteenth. New orders often sprang from a sense of renewal and reform, seeking a return to what they saw as a simpler, more austere monasticism, with more scope for solitude, prayer and contemplation. In part they were a reaction against the corporate wealth and elaborate ritual of existing orders. Medieval monasticism had a strong cyclical element as each new order reinterpreted and reinvigorated the monastic ideal but in turn became settled and prosperous and through its very success lost some of its early zeal. The Cluniacs, once seen as reformers, were reviled for their worldliness by the Cistercians, who in turn also became comfortably established. For

at the heart of medieval monasticism was a fundamental tension between the religious life and the demands of the secular world. As each order became powerful and successful it received lands intended to guarantee its independence but which inevitably brought more involvement in society and more distractions from the life of the cloister.

Around 1100 the Benedictines dominated. They were the oldest and richest order, well established before the Conquest. In the half-century after 1066, Normanization brought a significant revival, often spearheaded by Norman abbots. The number of houses increased; twenty-nine dependent cells, offshoots from large houses, and some forty-five alien priories, daughter houses of foreign monasteries, were founded. Benedictine energy fostered the uniquely English cathedral monasteries served by monks rather than secular canons as was usual on the continent, revived the great northern houses at Durham, York and Whitby, and launched a major building campaign. The great Benedictine Anglo-Norman abbeys were at the heart of the English church's spiritual vigour and reached the peak of their influence in the reign of Henry I. Much of this was due to the reforming influence of the great French abbey of Cluny. The Cluniacs placed worship at the centre of their life through elaborate liturgy and splendid buildings. The first English Cluniac house was established at Lewes in 1077. The great Benedictine houses were also major economic centres with considerable wealth and power and they attracted substantial aristocratic patronage. This made them vulnerable to reforming critics and led to the loss of their spiritual leadership to the Cistercians. However, they remained an important part of English monasticism until the Dissolution.

The Augustinians, regular canons, tend to be eclipsed in accounts of monasticism by the zeal of the Cistercians and friars, yet they were one of the most successful monastic orders. From three houses in 1100 they grew to be the largest order in England with 274 houses compared with 219 Benedictine. The Augustinian rule was popular because of its adaptability, to location, suiting both towns and rural settings, to size, both large and small communities, and purpose, allowing more contact with society. This enabled some pastoral functions to be undertaken such as care of the sick; St Bartholomew's Hospital, Smithfield, was linked with an Augustinian house. Because it was suitable for small-scale foundations it was popular with local landowners and those of more modest means. The only new monastic order originating in England, the Gilbertines, founded by Gilbert of Sempringham in the early twelfth century, grew out of the Augustinian tradition.

The Cistercians, one of the most austere and influential medieval orders, took over monastic leadership from the Benedictines in the early twelfth century under the charismatic guidance of St Bernard of Clairvaux. They were critical of what they regarded as the lapses of the Cluniacs, their elaborate buildings and liturgy and the worldliness that came with success. Instead they sought a simpler, more austere interpretation of the Benedictine rule which emphasized contemplation and prayer, located in remote places away from the distractions of secular society, and from where local peasants could be removed. Their version of Christian perfection met a widespread spiritual need felt in the twelfth century. The Cistercians quickly became popular and gained a reputation for asceticism and sanctity; William of Malmesbury described their life as the 'surest road to heaven'. From their arrival in 1128 until 1152, when the order imposed a ban on new foundations, they dominated monas-

tic foundations and grew spectacularly quickly, particularly in the north where Rievaulx abbey, Yorkshire, was a notable centre. Their values were reflected in the somewhat puritanical, plain appearance of their churches and in their simple dress and food. Manual labour had an important place in the Cistercian rule and was part of the daily lives of monks, who might help at haymaking and harvesting, although most of the physical labour of cultivation was assigned to lay brothers.

The Cistercians brought two important innovations to monasticism: their economic system of granges and a sophisticated international organizational structure. A grange was a monastic farm settlement used to exploit the remote lands often given to the order. *Conversi* or lay brothers bore the brunt of the physical work, allowing monks to carry out the *Opus Dei*. Recruited from the lower social classes, lay brothers were, in practice, second-class monks who shared the monastic life but in a parallel system with fewer religious duties. The organizational structure consisted of mother and daughter houses; every abbey had a mother house, which had founded it and took responsibility for it. The whole order came together at chapters general attended by all abbots, which gave it unity and internationalism. A system of visitations, inspections, maintained discipline and high standards. However, austerity and purity were difficult to sustain in the long term and, though Rievaulx and other houses retained their ascetic zeal into the thirteenth century, the Cistercians grew rich. In the process they also gained a reputation for avarice and sharp practice in the management of their estates. By the end of the thirteenth century the Cistercians, like the Benedictines, had become so well established that their fervour began to be blunted by the compromises that wealth and influence brought.

The Premonstratensians or white canons were more austere than the Augustinians. They placed more emphasis on the contemplative life, with a regime of fasting and silence drawn from the Cistercian tradition. Like the Augustinians they could be founded with modest resources. Between the mid-twelfth and mid-thirteenth centuries forty houses were established. Their development in the second half of the twelfth century benefited from the restrictions placed on Cistercian expansion at this time. In contrast to the Cistercians the much smaller Carthusian order retained and enhanced its reputation through the middle ages. After the foundation of their first house in 1178–9, they grew slowly, with only three in 1320 and ten by 1414 when the last house was founded. The Carthusians combined the individualism of the hermit with the community of monasticism in a group hermitage; monks lived physically austere lives in separate quarters but came together for services. It was essentially a solitary approach, which emphasized personal contemplation. Though small the order was influential, being one of the few that grew after the Black Death and maintained its reputation for asceticism. Its influence was particularly strong in the fifteenth century when it attracted royal and aristocratic patronage. Two military orders, the Templars and Hospitallers, are further evidence of the wide appeal and adaptability of monastic orders. They successfully combined the military skills and religious devotion of the knightly class in religious orders dedicated to protecting travellers and undertaking crusades around the Mediterranean. Though their main activities were outside England they maintained English centres, known as preceptories and commanderies, for the administration of property and recruitment. The first Templar preceptory dates from about 1128 and the first Hospitaller commandery from about 1144. Each had over thirty houses by 1200 and continued to expand

in the thirteenth century as crusading retained its appeal. Gifts to the military orders were an attractive way to support the crusades without the commitment and risk of going personally.

The friars were the last great wave of medieval monastic expansion. The Dominicans, friars preachers, arrived in England in 1221 and spread quickly. By 1260 there were about thirty-six houses, a similar expansion rate to the Cistercians. The Franciscans, friars minor, arrived in 1224 and also made rapid progress, founding fifteen houses by 1230. Together the Dominicans and Franciscans had founded over 120 houses by 1300, about sixty each. There were two other main orders of friars: the Carmelites, white friars, the third largest order, who arrived in 1242 and had twenty-six houses by 1300; and the Augustinians, Austin friars, established in 1248 with about twelve houses by 1300. A largely urban phenomenon, there were about 190 friaries at their peak just before the Black Death. Like the Cistercians, the friars developed into strong international bodies. The Dominicans had three levels of organization, local, provincial and order-wide: priors attended the annual chapter of their province, and the whole order met in the general chapter. What is most notable about the Dominicans is the representative element at all levels of organization from prior to master-general. A similar but less representative system operated in the other orders and all used visitations to maintain standards.

Daily prayers, preaching and hearing confessions were the central tasks of the friars. What made them distinctive and appealing was their poverty, a rejection of property ownership and an emphasis on mendicancy, begging for alms. They were founded in response to a widely perceived need for more and better-quality preaching to promote religion among the laity, especially in towns. Here they found a ready audience among educated people and met their increasing demand for religious instruction. The friars quickly became both popular and fashionable, readily attracting a steady flow of gifts. They were respected not only for their poverty but because they were seen to be outside the ecclesiastical hierarchy and showed that a religious life could be led outside the cloisters of the old orders. Conflicts soon arose, however, with the parish clergy over the pastoral work undertaken by mendicants, which competed with existing churches on such matters as preaching and burials. Bishops were also wary of their independent status within their dioceses. Despite this, friars made an important contribution to the wider church in the thirteenth century; they produced books of sermons and preaching manuals, dominated the theology faculties of the universities and served as bishops and royal servants. There was some waning in the fourteenth and fifteenth centuries when they became the butt of satire and criticism. As with all orders, the more successful they became the harder it was for them to preserve their ideals, especially poverty, but in contrast to the enclosed orders they continued to be respected and popular, still able to attract pious bequests.

Recent studies have begun to enlarge our understanding of female monasticism considerably, despite the relative scarcity of evidence. The distortions arising from traditional unfavourable comparisons with male houses have been challenged by a recent re-evaluation of the role of women religious. Female monasticism faced obstacles: outright hostility from the Cistercians, restriction to a limited role in the mendicant orders and a general dependence on men to celebrate mass and carry out visitations. Female houses did not share the rapid expansion of male houses and never reached their numbers; by the mid-thirteenth century there were only 150 female

houses compared with 550 male. Nunneries were also generally smaller and poorer than monasteries. Nevertheless, a gradual expansion took place between 1100 and 1300 under both male and female patronage. Benedictine houses made up the majority, half the total with most of the rest Cistercian or Augustinian. Initial Cistercian hostility was grudgingly overcome in 1213 when female houses were formally recognized. The medieval church generally remained ambivalent about female monasticism. Nuns never achieved equality with monks or friars, an inferiority reflected in the dependence of all female houses on men, and a relative lack of education and scope for pastoral work. However, the church's ambivalence was not shared by the laity. Late medieval wills generally contain more bequests to local nunneries than monasteries, except friaries. Although this reflects a perceived economic need, the piety and spirituality of nuns, in themselves a reflection of the poverty and austerity of their houses, were valued and supported by their communities.

With the exception of the Carthusians, monastic expansion had passed its peak by 1300 and new foundations were rare. The main institutional changes concerned the alien priories linked with houses in France. During the Hundred Years' War their links brought them under suspicion and in the late fourteenth and fifteenth centuries they were either naturalized as English houses or dissolved and their assets transferred to new educational and secular foundations. A few small native houses in chronic financial difficulties were also suppressed. The most serious challenge was the Black Death, which in the short term devastated the numbers of the religious with losses of up to 50 per cent and in the longer term exacerbated already difficult economic circumstances.

Assessments of the general state of late medieval monasticism still have echoes of the historical debate on the causes of the Reformation. The critical Protestant tradition asserts that there was a significant falling away from the ideals and achievements of the twelfth century to the extent that the monasteries deserved their fate at the Dissolution. Contemporary satirists and some visitation records present a gloomy picture of faults: neglect of the liturgy, drinking, gambling, extravagance, sexual failings and other departures from the rule. However, this evidence needs to be approached with caution. Studies of the visitation records have concluded that, despite the high standards demanded and the emphasis on faults, most houses suffered from slackness rather than more serious faults, from mediocrity rather than depravity. A major decline in standards is difficult to sustain. Many of the faults so often attributed to the late medieval period can, in fact, be found in Jocelin of Brakelond's account of twelfth-century monastic life at Bury.

Late medieval English monasteries were fully integrated into lay society with estates to administer and interests to defend, which absorbed considerable energy. These activities were particularly important in the adverse economic conditions after the Black Death when poorly endowed houses struggled to survive as income declined and costs rose; in these circumstances it was difficult to maintain numbers and easy for standards to slip. Their preoccupation with estate management helped them to survive but removed monks from the liturgy and prayer and lessened their detachment from the world. Some houses, notably St Albans in the fifteenth century, remained vigorous centres of scholarly activity, and monastic colleges were founded in universities. Yet monastic life for many had become comfortable – too comfortable, contemporary critics and some historians would argue. This was certainly true

of Westminster abbey and other great Benedictine houses. Barbara Harvey's vivid, pioneering study of Westminster shows how much its monks identified with the preoccupations of secular life, and indeed imitated it. They lived like nobility and gentry, most notably in the high meat content of their diet, the use of private chambers and the receipt of wages. Patterns of lay patronage and bequests in late medieval wills clearly show a lack of support for traditional orders and a preference for friars and nuns. The laity placed less value on the spiritual services of monastic houses; instead chantries and secular colleges of priests were favoured. Enclosed orders were no longer satisfying the spiritual needs of society in the way they had in the twelfth and thirteenth centuries, and without a clear spiritual function their future was less secure. Despite the continuing respect for friars and Carthusians, and revivals in some houses such as Winchcombe and Fountains in the late fifteenth century, the impression of comfortable mediocrity, a complacent average, is hard to shake off. The vitality in other aspects of late medieval religion is less evident in monasticism.

Personnel

Much of the impact of the church depended on its personnel, the clergy. Answers to questions about who the medieval clergy were, their origins and how they lived are difficult to find before the mid-thirteenth century. Most are invisible or just names until the late medieval period, when sources become more numerous. Even so there are considerable gaps and problems; most statistics should be regarded as estimates. For this reason much of the detail of the following discussion focuses on the period after 1250.

The clergy had a separate status from the rest of medieval society. This separateness was immediately visible in their appearance: their tonsures and their dress, sober for seculars and a habit for regulars. Appearance, however, was an unreliable guide. The higher clergy were inclined to dress ostentatiously and the tonsure was worn by all who had started the process of ordination but not necessarily completed it. Ordination, a seven-stage process culminating in the priesthood, was the most important distinction between the clergy and laity. The first four stages, minor orders, did not require a commitment to a clerical career and were undertaken by many who went no further. Major orders, subdeacon, deacon and priest, marked full membership of the clergy and from the mid-twelfth century required celibacy, another distinguishing feature. The separateness of the clerical estate was also recognized in the legal privilege of benefit of clergy and their own parliamentary representation. The clergy were divided into two groups, the regular clergy, monks, nuns and friars, who lived according to a rule, and the secular clergy, parish clergy, chantry priests and cathedral canons, who lived in the world.

The size of the clerical population is difficult to measure, especially for the early medieval period. In some respects it is an impossible task given all the variables and problems with the evidence. However, from the thirteenth century rough estimates can be made based on the number of parishes and religious houses and more precise surviving evidence, clerical poll taxes and ordination and visitation records. There was a remarkable and rapid expansion of the regular clergy in the twelfth century; numbers rose from about 4,500 in 1100 to over 12,000 by the early thirteenth century, a 250 per cent increase. The best estimates for the secular clergy in the thir-

teenth century suggest a total of 33,000, using an average of 3.5 clergy per parish. Around 1300 there were about 50,000 male clergy, of whom 15,000 were regulars; together they formed roughly 1 per cent of the population. The number of regulars peaked at around 15,000 in the early fourteenth century. The Black Death had a catastrophic impact on clerical numbers with an average mortality rate of 45 per cent among beneficed clergy and 50 per cent in religious houses. Despite this, numbers picked up in the immediate aftermath until the 1370s and 1380s. The poll-tax figures of 1377–81, though inexact, give a figure of 33,500 male clerics, added to which there were some 3,000 friars not subject to the tax. By the early fifteenth century there were about 12,000 regulars, two-thirds of their pre-Black Death numbers, after which numbers remained stable until 1500. Ordination records show a serious decline among the secular clergy from the end of the fourteenth to the mid-fifteenth century followed by a recovery, especially from the 1470s and 1480s to the Reformation. Around 1500 there were some 26,500 secular clergy and 12,000 regulars, a total of 38,500, who formed nearly 2 per cent of the population.

The 18,000 regular clergy around 1320 were made up of roughly 3,500 Benedictines, 2,000 Cistercians, 3,900 Augustinian and other canons, 5,300 friars and 3,300 nuns. With the exception of the friars who formed 30 per cent and the Cistercians 11 per cent, the remaining orders and nuns formed roughly 20 per cent each. These proportions hardly changed during the late medieval period; although in the fifteenth century Augustinians rose to 25 per cent and friars fell to 25 per cent. Each order went through a period of expansion followed by consolidation at a slightly lower level. The Benedictines peaked in the mid-twelfth century, the Cistercians and Augustinians in the early thirteenth and the friars a century later. Nuns were always a minority in the monastic community, about a fifth.² A typical large house had between thirty and fifty monks, sometimes more, and a small house about a dozen.

The origins of the regular clergy, whether geographical, social or educational, are often obscure. Evidence before 1300 is scarce. Even so, a broad pattern can be discerned at least for the Benedictines, though much less clearly for other orders. The vibrancy of twelfth- and early thirteenth-century monasticism attracted members of baronial and knightly families and the upper levels of urban society. By the later medieval period recruitment was narrower, partly because of the smaller number of sons born to these families. Fifteenth-century monks of Durham were typically drawn from a thirty-five-mile radius of the city and from the middle and lower ranks of landed society, from the yeomanry rather than gentry.³ A similar pattern has been found among East Anglian nuns from 1350 to 1540 where parish rather than upper gentry predominated, and most came from within a ten-mile radius of the house they entered.⁴ The absence of aristocratic monks from sixteenth-century cloisters helps explain the relative ease with which the Dissolution was carried out: there were few from the upper levels of society to defend them from royal attacks. All monasteries were supposed to make local provision for the education of their monks, especially their novices who were usually admitted in their late teens. For friars academic training was also desirable because of their role in preaching. The friars developed a hierarchy of schools leading to advanced theological study at the universities. From the late thirteenth century other orders encouraged university study. Study in monasteries, however, was less important than prayer. Gluttonous

monks quickly became a satirical stereotype and, as we have seen, by the later middle ages some conformed to this image, at least in the larger Benedictine houses. With such a standard of living, late medieval monks could expect a relatively long life; fifteenth-century Durham monks lived until their late fifties, longer than most of the rest of the population. A monastic career may seem a contradiction in terms, but one certainly existed. At its apex were bishoprics and abbacies, below an extensive range of administrative offices, fifteen or twenty in a large abbey, whose holders were known as obedientiaries.

Modern discussions of the secular clergy still largely follow the agenda set by medieval papal and episcopal reformers with its emphasis on clerical faults, the ignorance of the parish clergy and the pluralism and absenteeism of the higher clergy. This has tended to generate critical stereotypes, which historians are only now beginning to challenge as the contributions of the parish and higher clergy are reassessed more positively. In a very real sense there were 'two nations' in the secular clergy, the beneficed and the unbeneficed. The beneficed minority enjoyed the security and income, however modest, of an ecclesiastical living. Appointment to a benefice was made by a patron, usually either a bishop, religious house, the crown or a lay magnate. The unbeneficed majority had no living or security and were hired like servants, usually with low wages. The beneficed can in turn be divided into two groups: the higher clergy and the rest. The higher clergy, the *sublimes et litterati* to use a contemporary definition, were the elite of the medieval church and comprised bishops, archdeacons and canons. Apart from a handful who rose to be cardinals, the episcopate was the pinnacle of this elite. With only seventeen sees in England, its members formed a very small group, though they had much in common with the rest of the higher clergy from which most bishops were drawn. Royal service was the surest route to a bishopric throughout the middle ages; between 1070 and 1225 45 per cent were royal clerks. Ecclesiastical service, noble birth, scholarship and holiness, in roughly that order of priority, were the other less important routes; in the fourteenth and fifteenth centuries a university education was increasingly a prerequisite. Though high birth eased the path, nobly born bishops were always a minority of the episcopate. The episcopate enjoyed wealth on a similar scale to the nobility and played a central role in governing the kingdom.

The rest of the higher clergy numbered perhaps 500 in the later middle ages. Their origins and careers were very similar to those of the episcopate. As well as occupying the senior and middle ranks of royal administration they were a vital part of diocesan administration serving as its workhorses; canonries and other benefices were their remuneration. By the fifteenth century they too were overwhelmingly drawn from the university educated. Unlike the majority of clergy they were often highly mobile in their careers. Most were drawn from the middle ranks of landed society, from the county and parish gentry, the yeomanry and the merchants and ruling oligarchy in towns. Few came from humbler backgrounds. With incomes from benefices worth from £20 to £100 (using the 1291 valuation) and rising to several hundred pounds for the richest, these often ambitious careerist clergy lived comfortably and expansively like the gentry. Of the three faults most commonly attributed to them, pluralism, the holding of several benefices simultaneously, absenteeism and financial irregularities, the latter was the most serious. Though the church condemned pluralism, it recognized the need for talented administrators who would be absent from

their benefices and tried to regulate the practice by licensing it. The financial irregularities of the higher clergy were less effectively confronted. Simony, the buying and selling of ecclesiastical offices, had been largely eradicated by the end of the twelfth century. However, the rapid exchange of benefices, sometimes of widely differing values, and the practice of resigning a benefice with a generous pension were widespread among ambitious clergy and suggest something close to simony.

The remaining beneficed clergy consisted of rectors, vicars, chantry priests of perpetual chantries and the minor clergy of cathedrals and collegiate churches. What distinguished them from the higher clergy was the lack of a career or a small-scale one below diocesan level. They were less likely to be graduates or pluralists and had smaller incomes, below £10 for most rectories and vicarages, and around £5 for chantry priests. Most were recruited from the dioceses where they were beneficed but their social background is less clear. The little surviving evidence suggests yeoman, rich peasant, merchant and craftsman origins, though some gentry occupied rectories in the patronage of their families. They lived more modestly, according to their income, but even the two priests of Munden's chantry in Bridport, Dorset, with an annual expenditure of £10–£12 in the 1450s, employed a servant and entertained two or three guests a week.⁵

The unbeneficed were in a real sense the most important of the medieval clergy: not only were they the majority, they did most of the pastoral work and had most contact with the laity. The typical medieval priest was unbeneficed. Generally the unbeneficed outnumbered the beneficed by two to one or more. Diocesan studies of Hereford, Lincoln and Worcester in the thirteenth and fourteenth centuries show they formed between 55 per cent and 83 per cent of the clerical population, findings confirmed by a recent study of Lichfield in the early sixteenth century.⁶ Three broad types of employment were open to them: parochial, intercessory and private. From the early thirteenth century it was usual for there to be assistant clergy in parishes; between two and five seem to have been widely achieved. These clergy, usually called chaplains, undertook a variety of functions, serving as chaplains for absentee incumbents, assistant clergy, and in the dependent chapels found in many parishes. The high demand for intercessory prayers for the dead brought considerable opportunities for employment both on a long-term basis and casually from funerals, prayers and masses, particularly in towns. Though some chantry priests had a reputation for laziness, forsaking the burdens of parish work for the ease of the chantry, many made important contributions to parish life, especially to the liturgy. Chaplains were widely employed in the households of the nobility and gentry, higher clergy, religious houses and the growing number of parish and town guilds. Only about 15 per cent, however, could eventually expect to find a benefice. Employment was uncertain for the unbeneficed and they led insecure lives.

The vast majority of the unbeneficed had their origins in the communities they served, often the same archdeaconry. Their social background, such as it is known, was similar to the beneficed. The minimum educational standards required for ordination make it unlikely that they came from the lowest levels of society, though there is some evidence of serfs being freed to enter the church. Their incomes were fixed in 1414 at eight or nine marks (£5.33–£6) for parish chaplains and seven marks (£4.66) for other chaplains. By 1500 seven marks was typical for all, but there would have been some opportunities to supplement these wages with casual earnings.

Historians have tended to underestimate both the role and contribution of the unbeneficed. The pessimists dismiss them as an unfit clerical proletariat. Echoing Sir Thomas More's criticisms, they emphasize their ignorance and failings at a time when the increasingly educated laity were demanding more from the clergy. The optimists stress their basic education, pastoral strengths, their closeness to the lives of the people they ministered to and ability to perform the essential pastoral duties, saying the mass, hearing confessions and visiting the sick. Though not highly educated, they carried out their duties well enough to earn the respect of their communities, as many will demonstrate. The success of the late medieval church in broadly satisfying the needs of the laity owes a good deal to them; they bore the brunt of pastoral work in the parishes.

This survey raises the question of to what extent the church was a career open to talent. While far from being a meritocracy, the church had significant meritocratic elements. Birth was not a prerequisite for high office; Thomas Beckington (d. 1465), the son of a weaver, rose to be bishop of Wells. Education provided a route for the able from humble families to reach the higher clergy. The late medieval records of Winchester College show the sons of college tenants being educated there, from where they went on to Oxford University and the prospect of a successful career; Beckington himself followed this route. However, education was expensive and access to it required either family resources or patronage. The church had substantial educational patronage and operated as a self-perpetuating oligarchy. Patronage was a vital factor in a successful career, giving access to benefices, education and service, and often distinguished the higher clergy from the beneficed and unbeneficed. Birth certainly eased access to it, but not exclusively, and it was partly chance that enabled connections to be made and a successful career to be launched.

External Relations: Crown and Papacy

Up to the Reformation the *Ecclesia Anglicana* was both part of an international body, the western church under the leadership of the pope, and a national institution under the authority of the crown. This was a difficult position to occupy as the clergy often found themselves caught between the rival authority of kings and popes. From the eleventh-century Gregorian reforms papal leadership was at the heart of the traditional order of Christendom, the source of ecclesiastical justice and spiritual benefits. At the same time the church was fully integrated into the political structure of the kingdom and in fundamental matters firmly under the control of the crown. The balance of royal and papal influence over the church was a source of tension and sometimes conflict, particularly during the twelfth and thirteenth centuries when there was a significant increase in the status and authority of the papacy and a direct papal challenge for supremacy. Despite this challenge the crown retained a high degree of control. Only in matters not directly affecting royal control did the pope's influence over the English church grow. The crown's dominance reflected the realities of power, above all the king's proximity; his direct presence enabled him to control the church effectively, whereas the pope was always a distant figure. The shifting balance of power between the crown and papacy was usually at the expense of the autonomy of the English church.

Unlike papal influence, the crown's power over the English church remained largely constant between 1100 and 1500; the only important addition, in the 1290s, was the ability to tax the church directly. The roots of royal control extended back to Anglo-Saxon times when a sacerdotal concept of monarchy predominated in which the king ruled as God's deputy on earth. The Conquest strengthened royal control as the church was Normanized and used as an agent of colonization; William I's authority was unchallenged. During the twelfth and early thirteenth centuries the papacy challenged two key elements of royal control, personnel and jurisdiction. Medieval monarchs took it for granted that they could appoint bishops and other senior clergy. Even after the principle of free elections by cathedral or monastic chapters had been conceded in the twelfth century, the king's wishes were made clear and rarely contradicted. The issue of jurisdiction was complicated by the existence of two parallel legal and judicial systems, royal and ecclesiastical. During the twelfth century a clearer demarcation of the boundary between them emerged in which royal justice tended to prevail on most important matters. Finance and church property were also contentious issues. Up to the thirteenth century the main form of royal financial exploitation was the use of lengthy vacancies between appointments to high office during which their revenues were diverted to the crown; thereafter, direct taxation was established. Some control of the lands granted to the church by lay donors was secured by reserving all disputes over church property to the royal courts, and in 1279 restrictions on new grants were introduced.

With such a high degree of royal control it is not surprising that church and state were fully integrated. The church played a vital role in royal government at many levels. It provided advice and leadership that helped shape royal policy and dozens of competent and sometimes innovative ministers to oversee its implementation, as well as an efficient bureaucracy to carry it out. The highest offices of state and the royal civil service were virtual clerical monopolies until the late fourteenth century, and the clergy continued to play an important role in them up to 1500. A minority were important political figures in their own right, among them Archbishops Hubert Walter (d. 1205) and Thomas Arundel (d. 1414). The crown was dependent on clerical manpower because the church was the major source of the literate and educated for much of this period. Reliance on a clerical civil service had the additional advantage of cheapness as the clergy could be rewarded with ecclesiastical benefices. The crown's use of a clerical civil service diverted wealth and talent from the pastoral functions of the church, though its detrimental impact has perhaps been exaggerated as many royal servants also made a contribution to the church. In the later middle ages the church's integration into the state was formalized in parliament. All bishops and some abbots and priors attended the Lords and proctors represented the rest of the clergy in the Commons during the fourteenth century. The ability of the crown to tax the church directly marked a further important stage of integration. Finally, the church provided the state with valuable assistance in the spread of ideas and propaganda, whether condemnation of popular rebellion or anti-French propaganda in the Hundred Years' War. The crown's control of the church was cemented by its extensive patronage, which included not only its own power to appoint bishops and the clergy of many parish churches, but temporary acquisitions and extensive influence in cathedral chapters. It is little surprise that no independent

English church evolved; most of its leaders and the higher clergy owed their position to royal favour.

It was this degree of royal control and integration that the papacy sought unsuccessfully to challenge. The normally smooth relations between church and crown were interrupted by three major crises, which defined the boundaries of royal and papal influence. In 1100 Archbishop Anselm refused to do homage to the new king, Henry I, an issue widespread in Europe at the time and known as the investiture contest. The practice of laymen investing bishops and abbots with the ring and crozier, badges of their spiritual authority, was condemned by reformers who saw it as a symbol of lay control of the church. A compromise was reached in 1106 in which the king would no longer invest but would receive homage for church lands, making a distinction between the spiritual and temporal aspects of their offices. Free elections of bishops and abbots were also conceded, but the king was in a strong position to secure his nominee. What appeared to be a significant concession by the king was a largely symbolic gesture. On the vital issue of the appointment of bishops, royal control was retained. In the second dispute Henry II and Thomas à Becket quarrelled over two important assertions of royal authority over the church: a prohibition of appeals to the papacy without royal consent and the trial of clergy for criminal charges in secular courts. Though the dispute culminated in Becket's shocking murder in Canterbury cathedral in 1170, a compromise was gradually reached in which the king relented on both issues. Criminal clerks were to be sentenced in church courts rather than royal courts. Appeals to Rome were allowed, though with some royal safeguards, an important papal gain. Despite these concessions Henry recovered from the disaster of Becket's murder. As in 1106, the king retained the substance of power, above all, control of episcopal appointments, but he also had to recognize that more areas of church life escaped his control, especially appeals to Rome.

The third crisis, between King John and Pope Innocent III, concerned the claims of both parties to appoint bishops. In 1206 the pope set aside the royal candidate for the archbishopric of Canterbury and appointed Stephen Langton. In the ensuing deadlock the kingdom was placed under interdict and the king excommunicated. The papacy gained an apparent victory in 1213 when John surrendered his kingdom to the pope, receiving it back in return for homage and an annual tribute. Despite a promise of free episcopal elections and the acceptance of Langton as archbishop, royal influence on the appointment of bishops remained; a series of royal candidates was appointed in 1213. Overall John gained much from the crisis: substantial revenue from vacant sees, considerable political advantages against his opponents, but above all retention of his control of episcopal appointments. In many respects Innocent III's victory in 1213 was pyrrhic; royal control of episcopal appointments was never again seriously challenged.

The firm and tightening grip on the church exercised by later monarchs prompted Pope John XXII to lament in 1317 that the liberty of the church was more crushed in England than anywhere else. Perhaps because of this, relations between crown and church were less turbulent in the later medieval period. Archiepiscopal attempts to defend the liberties of the church were thwarted in 1279, 1297 and 1341, and the crown's supremacy was demonstrated in 1305 when the pope suspended Archbishop Winchelsey at Edward I's request. Royal financial control of the church was significantly extended in 1297 when the crown's right to tax the clergy directly was estab-

lished; clerical taxation yielded nearly half a million pounds during the reign of Edward III and an average annual income of £7,600 in the fifteenth century. Further financial control was secured by the Statute of Mortmain (1279), which restricted the church's ability to acquire property without royal licence. Royal patronage was fully exploited as the king extended his 'regalian right' to the income and patronage of vacant bishoprics; Edward I made nearly a thousand presentations to benefices normally in the control of ecclesiastics during his reign.

In the 1350s formal steps were taken to curtail papal rights. The Statute of Provisors (1351) prohibited papal provisions, direct papal appointments to English benefices, and the Statute of Praemunire (1353) forbade appeals to the papal court. Though both threatened severe restrictions on the papacy, they had little impact because they were only selectively enforced. Their effects were governed by expediency. It suited the king to respond to popular anti-papalism, which was particularly strong in the Commons, with legislation, but provisions were too useful to the crown for rewarding its clerical civil servants with benefices to be banned and appeals to Rome were only stopped in cases harmful to royal interests. The legislation was renewed in 1389 and 1393 respectively, but still only selectively applied. Provisions largely died out in the early fifteenth century except for episcopal appointments. The Praemunire statute was most remarkable for its denial of papal authority in England, a claim later taken up by Henry VIII. During the late fourteenth century circumstances strengthened royal authority over the church. The leadership of the pope was seriously weakened by the Great Schism from 1378 to 1417, during which there were two (and eventually three) rival popes. There were also threats from Lollardy, the first English heresy, and attacks on ecclesiastical property, which made it more dependent on the crown for its defence.

However, royal control was not solely prejudicial to the rights of the church. Edward I reconfirmed the existing boundaries between ecclesiastical and royal jurisdiction in 1286. The crown also took account of clerical grievances: the rights of the church were restated in the *Articuli Cleri* (1316) and the statute *Pro Clero* (1352). In addition the church gained further royal protection with the introduction of the death penalty for heresy in 1401 and support against lay demands for ecclesiastical property in 1404 and 1410. Henry V's religious policy of combating heresy by making orthodoxy attractive was innovative and reforming, as might be expected from a monarch who played a leading role in ending the Schism and whose patronage focused on the austere Carthusian and Brigittine orders.

The degree of papal involvement in the internal affairs of the English church fluctuated. Around 1100 it was limited and contact between England and Rome was unusual. In the late twelfth and thirteenth centuries papal intervention increased significantly and reached its height. It declined in the fourteenth, partly as a result of its exile in Avignon but mainly because of the Schism, from which the papacy never fully recovered its moral authority. Papal involvement remained important in the fifteenth century, but at a lower level than its thirteenth-century peak.

During the eleventh and twelfth centuries what amounted to a papal revolution took place within the western church that had profound consequences for the English church. The Gregorian reform movement was an attempt to return to what it saw as the purity of the early church through a programme of moral reform particularly

directed at the eradication of simony, clerical marriage and hereditary benefices. From the mid-eleventh century it focused on the investiture contest, which raised the much larger questions of the freedom of the church. Fundamentally it was a struggle between the conflicting authorities of the king and the pope over the church. Reformers argued that once lay control was removed, moral reform of the church would be much easier. As a result of the reform movement the power, authority and status of the papacy expanded massively. What Colin Morris has described as a 'papal monarchy' and Frank Barlow as a 'bureaucratic superpower' developed. It rested on the theory of the pope's 'plenitude of power', that the pope was the sole source of authority in the church, which, though often a cause of conflict and frequently resisted in practice, was not seriously questioned in theory. During the pontificate of Innocent III (1198–1216) the papacy came closest to realizing its plenitude of power.

Behind the symbolism of the investiture contest lay the very real question of who should appoint the senior clergy, the king or the church. The papacy was anxious to limit royal authority by encouraging free elections and using papal confirmation of appointments to block unsuitable candidates. Ultimately the royal will prevailed and the papacy was unable to wrest control of episcopal appointments in England, either in 1106 or 1213. However, it was much more successful in extending its jurisdiction over church law. This derived from the pope's plenitude of power as the sole source of jurisdiction within the church. During the twelfth and thirteenth centuries the papal curia developed as the final court of appeal in Christendom, in which new developments in canon law were applied. The papacy itself played a central role in the simultaneous development of canon law, which was one of the most important instruments in the extension of its jurisdiction. From the 1170s, after the settlement of the Becket conflict, appeals from England to the papacy became routine and a flood of canon law entered the kingdom. The numerous and influential compilations made by English canonists played an important part in its development. The use of judges-delegate, local clergy appointed to hear appeals to Rome, was an important means of ensuring wide access to papal jurisdiction. In fact much of the growth of papal jurisdiction was a response to the growing demand for the settlement of disputes and not simply a means of papal aggrandizement. The extent of the authority of papal legates, personal representatives of the pope with his authority, was also a point of contention between kings and popes; as early as 1119 Henry I had tried to restrict it. Though the papal monarchy was highly centralized, much was done on a provincial basis in England, including the appointment of judges-delegate and some legates, and the collection of taxation.

Despite John's surrender of the kingdom in 1213, the peak of papal influence occurred during the reign of Henry III, when the pope's intervention was sufficiently extensive to arouse popular anti-papal feeling. Papal legates played a major political role during the king's minority (1216–27) and in the civil war in 1265. Even foreign policy seemed determined by the papacy as Henry was drawn into its ambitions in southern Italy in the 1250s; the failure of these ambitions precipitated the political crisis of 1258–61. Papal provisions and taxation were the most resented elements of the pope's influence. Provisions provoked a protest in 1231–2 by Robert Tweng, a Yorkshire knight, and there was widespread complaint about the number of Italians holding English benefices. However, the impact of provisions was not wholly negative. The king and many ecclesiastical bodies found it useful to reward Italians

working in the papal civil service with English benefices for their services. The loudest complaints came from patrons, bishops and monasteries, whose patronage was being eroded. Papal taxation of the English church caused even greater resentment. It originated in King John's 1,000 mark papal tribute and became increasingly heavy in the thirteenth century. Though intended to finance crusades, much of it was diverted to the king. Despite their unpopularity both provisions and papal taxation had considerable advantages for the crown. Henry III was exceptional; no subsequent monarch relied so heavily on the papacy.

The fourteenth century was a period of crisis for the medieval papacy beginning with its retreat from Rome to Avignon and culminating in the Great Schism in 1378. While based at Avignon, from 1309 until 1378, the pope's position in England was weakened because he was seen as pro-French at a time of growing English nationalism. Papal provisions were the most contentious issue, though as in the thirteenth century their impact was exaggerated. Against this background the crown limited papal authority in England in the Provisors and Praemunire legislation of the 1350s. Attempts by Urban VI and Boniface IX to recover the papacy's position between 1388 and 1391 only resulted in the renewal of the legislation in the 1390s. Generally popes were anxious to be on good terms with the king to secure his support. After the Schism, in the 1420s, Martin V resumed the attempts to reverse the anti-Provisors legislation, but without success. Other formal attempts to define relations between the crown and papacy in 1375, 1398 and 1418 were short-lived and ineffective. For the rest of the fifteenth century most popes accepted the limitations on their authority. Other preoccupations, conciliarism, the challenge of general councils to papal authority, and political troubles in Italy, made them generally amenable to royal wishes. Beneath the somewhat ritual adversarial nature of Anglo-papal relations of the fourteenth and early fifteenth centuries there was a working relationship based on compromise and mutual dependence. This is most clearly seen in episcopal appointments where papal provision of a royal candidate became the normal method. The spiritual authority of the pope remained unquestioned and generated contact with Rome on a large scale. Ecclesiastical cases where there was no royal interest were routinely settled at Rome and the papacy continued to be in high demand as a 'well of grace', the source of wide-ranging spiritual benefits up to the Reformation.

Church Reform

The late medieval English church has sometimes been criticized for muddling through in a characteristically Anglican and somewhat complacent way. Such a harsh view overlooks a long reforming tradition that stretched across the medieval period from Archbishop Lanfranc (d. 1089) to Archbishop Morton (d. 1500) and a succession of internal critics. England participated fully in the continental reform movements that began with the Gregorian reforms and continued in the reforming general councils from 1123 to 1311. The most important of these, the Fourth Lateran Council in 1215, was a watershed in medieval pastoral care; it set minimum standards of observance for both clergy and laity that lasted for the rest of the middle ages. Reforming popes attacked simony, clerical marriage, clerical ignorance, pluralism and non-residence, applying new developments in canon law and theology. The reform

decrees of the councils were systematically introduced into the English church during the thirteenth century. The provincial councils held by the papal legates Otto and Ottobono in 1237 and 1268 were particularly important because they produced large, authoritative and widely disseminated collections of statutes that influenced much subsequent diocesan legislation. The thirteenth century also produced a flood of diocesan statutes from conscientious and reforming bishops such as Robert Grosseteste at Lincoln. Archbishop Pecham (d. 1292) was a notable reformer who sought to root out pluralism and clerical ignorance.

The late medieval church has often been seen as less concerned with reform but the tradition continued in different forms. The production of clerical handbooks of instruction for parish priests, begun in the thirteenth century, flowered in the works of William of Pagula and John de Burgh. To these were added increasing numbers of preaching aids and sermon cycles. At the universities there was an academic reforming tradition exemplified by Richard Ullerston, whose programme formed part of the wider English contribution to the fifteenth-century general councils. Henry V's innovative ecclesiastical policies drew on this tradition. Much of this activity was a response to the threat of radical reform found in the ideas of Wyclif and the Lollards. In the sixteenth century Dean Colet and Cardinal Wolsey continued the tradition. Episcopal initiative was vital in keeping up the momentum of reform. Even civil servant bishops were conscientious and found time for their dioceses; studies of their registers suggest that episcopal absenteeism has been exaggerated. Alongside the merely conscientious were many outstanding reformers, including Archbishops Thoresby, Arundel and Morton, all of whom also held high political office. Once statutes had been promulgated, diocesan visitations, which became standard practice in the thirteenth century, were the principal means of maintaining and raising standards. Though intended by canon law to be triennial, their frequency and effectiveness are difficult to assess because of a lack of evidence, especially in the century after the Black Death. As with monastic visitations, surviving diocesan visitation records have had a distorting effect on accounts of the late medieval church. Their catalogues of faults emphasize the failings of the minority at the expense of the soundness of the majority. Visitations are perhaps better evidence of high standards and a practical desire to maintain them, a further indication of the strength of the medieval church on the eve of the Reformation.

Conclusion

Though there were significant elements of continuity between 1100 and 1500, this period saw a major transformation of the English church. Royal control, lay support and donations and a reforming tradition continued through all four centuries. But in the two centuries between 1050 and 1250 the English church underwent radical reform as continental influences, monastic reform, the papal revolution and developments in canon law and theology were absorbed. This was a vigorous, innovative and formative period, one that saw the development of diocesan administration, church courts, the parochial system and the redefining of papal and royal authority in the church. The fourteenth and fifteenth centuries were a period of consolidation in the more difficult circumstances of the Black Death, Schism and heresy. Even so, the achievements of the earlier period were maintained, clerical standards gradually

rose, the sophisticated administrative machine was kept well oiled and parish life flourished. Monasticism waned but educational foundations expanded. This was also a period of growing Englishness in the church, reflected in local customs in canon law and the liturgy, the use of the English language in religious literature, sermons and prayers, and perpendicular architecture. In 1500 the church was secure and well established. It carried out its pastoral ministry broadly to the satisfaction of most of its members, none of whom could have imagined the fate that was soon to overtake it in the Reformation.

NOTES

- 1 Burgess, 'For the increase of divine service'.
- 2 Knowles and Hadcock, *Religious Houses*, pp. 488–95.
- 3 Dobson, *Durham Priory*, pp. 51–80.
- 4 Oliva, *Convent and Community*, pp. 52–61.
- 5 K. L. Wood-Legh, ed., *A Small Household of the Fifteenth Century* (Manchester, 1956), *passim*.
- 6 Townley, 'Unbeneficed clergy'; McHardy, 'Careers and disappointments'; Cooper, *Last Generation*.

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FURTHER READING

The following are recommended introductory accounts that provide good, up-to-date overviews of their periods and subjects: C. Harper-Bill, *The Pre-Reformation Church and Anglo-Norman Church*; R. Bartlett, *England under the Norman and Angevin Kings*; J. Burton, *Monastic and Religious Orders*; H. Loyn, *The English Church 940–1154*. P. Heath, *Church and Realm* and C. Lawrence, *English Church and Papacy* are standard works. B. Thompson's introduction to *Monasteries and Medieval Society* is a stimulating discussion of recent work on monasticism. A bibliography for the early period can be found in F. Barlow, *The English Church* and for monasticism in J. Burton's account. One for the later period can be found in the second edition of C. Harper-Bill, *The Pre-Reformation Church*; R. Swanson, *Church and Society* has an exhaustive bibliography. The remaining works in the bibliography are significant and authoritative monographs or papers on more specialized topics.

CHAPTER NINETEEN

England: Piety, Heresy and Anti-clericalism

MATTHEW GROOM

Historiography and Terminology

Until quite recently, most historians took a somewhat negative view of the spiritual condition of the late medieval church in England. The speed and relative ease with which the Reformation swept away the fabric of established Catholic order, so the argument ran, reflected the unpopularity and weakness of the traditional church.¹ Adopting the views of sixteenth-century reformers, historians considered that the medieval church had lost its way, burying the truth of the gospels under a morass of vain and empty rituals and beliefs that had no authority in scripture, and that when radical changes in religion were set in motion, most people were only too keen to reject the old order for the new. While those working in this field still debate keenly the relative level of success that the Reformation enjoyed in different parts of the country, historians have increasingly regarded the religious changes of the sixteenth century as being neither popular nor inevitable; on the contrary, they have now come to a broad consensus that sees such changes as both generally unpopular and unexpected. It was Jack Scarisbrick who, in 1984, first developed this view.² According to Scarisbrick, the Reformation was simply an act of state, vigorously and sometimes forcibly imposed on the people by the crown and certain key members of the clerical hierarchy, yet it was a movement that had very few advocates among the population at large. Scarisbrick's work focused primarily on the process of the Reformation itself, and he left to others the task of improving our understanding of the pre-Reformation scene. The study that filled this lacuna in historiography was Eamon Duffy's magisterial survey of the period, published in 1992.³ Duffy argues that the pre-Reformation church was a popular and vibrant institution and that the vast majority of the faithful found within it a satisfying variety of religious practices and observances. At the heart of the religion of the late medieval laity, which Duffy describes in such moving detail, was a set of shared and communal values which bound together not only communities of the living but, through the doctrine of Purgatory and the value placed on intercession, those of the living with the dead. The broad 'revisionist' vision of Scarisbrick and Duffy is accepted by most other

historians in this field, although some scholars have noted a few reservations or modifications of their views. Historians such as Andrew Brown and Katherine French have, through their detailed surveys of particular English dioceses (i.e., Salisbury and Bath and Wells), pointed to the significance of regional and also local variations in piety during the middle ages.⁴ Thus, what may have been the case in medieval East Anglia, a wealthy part of the country during the middle ages from which Duffy draws much of his source material, may not have been so elsewhere, particularly in poorer localities where less wealth influenced the development of fewer, or different, forms of religious expression.

As historians have become increasingly preoccupied with the study of religious experience, rather than with the church as an institutional body, a number of terms, such as 'popular religion', 'traditional religion' or 'lay piety', have become fashionable but, while having some merit, these terms need to be applied cautiously. 'Popular religion' is sometimes used by historians to describe the religious experiences and values of the broad mass of the population rather than those that were prescribed and defined by the social or clerical elites. However, the term 'popular' tends to imply that there was a significant gulf between elite and non-elite religious values, or that, somehow, elite religion was deemed 'unpopular' by the majority. Such an elite/popular division in fact seems much too artificial given the broadly shared spiritual values and beliefs which historians have detected as existing across all sections of medieval society. The term 'traditional religion' is also somewhat dubious, suggesting as it does the existence of timeless and immemorial forms of piety when in reality, over time, many different forms of devotion came into fashion while older ones either gently declined or fell out of use altogether. 'Lay piety' appears to be a little more harmless, but it should be made clear that by using such a term, it is not meant to indicate some implicit fundamental dichotomy or inherent tension between forms of lay and clerical religion. Again, the close interaction of the clergy and laity in participation in the founding or running of (say) chantries and parish guilds suggests that there was nothing specifically 'lay' or 'clerical' about certain key aspects of religion.

It is not possible to draw attention here to every aspect of lay religious practice or belief in the period 1100–1500. Instead, this survey will focus more on topics which historians currently find interesting or particularly problematic and which, in turn, touch upon wider issues of contemporary scholarly debate. The themes addressed by this chapter are the changes in the nature of piety over the course of the period under discussion, the aspects of religion which the laity of the middle ages appeared to find most satisfying and fulfilling, and the role that was played by subordinate or marginal groups in society, such as women and heretics.

The Parish and Parish Guilds

Any consideration of lay piety in the middle ages must begin with the principal focus of religious experience for the vast majority of the population, namely, the parish church. The interaction of the laity and their local churches in this period is a huge and complex topic, but it is perhaps best exemplified by the proliferation of voluntary devotional associations known variously as parish guilds, brotherhoods or fraternities. Despite the fact that guild records are scattered and often fragmentary, and

are usually restricted to those that relate to urban rather than rural communities, much important recent work has been carried out on these institutions. The precise numbers of guilds cannot now be determined with any degree of accuracy, since many were ephemeral associations that have left no trace at all in the records. But it seems reasonable to suppose that most parish churches probably supported at least one guild, although it is clear that some wealthy (primarily urban) parishes could easily support a large number of guilds.

It is known that there were guilds in Anglo-Saxon England that provided members with the same kinds of services as did the later organizations.⁵ The few surviving pre-Conquest guild statutes and regulations show that the desire to venerate a saint or some holy figure or object was a central feature, as were the provision of *post mortem* services and the appropriate funeral rites. In addition, entrance fees were usually charged, annual meetings and feasts held, while strict behavioural codes for enrolled members were also set out. There were probably many more early guilds than are now documented, but it seems that they grew significantly in numbers in the later middle ages. The reasons for this expansion in the number of guilds in England are unclear. Obviously, the years 1100–1500 are much better documented than the Anglo-Saxon age, and the greater number of guilds identified for the former period may partly reflect the abundance of references to such associations, but this fact alone does not provide a fully adequate explanation. One possible cause behind this trend which has been noted by a number of historians is that guilds grew as a response to the uncertainties and social and psychological dislocations of the period after the Black Death (1348–9). Guilds helped to ensure that members would receive a proper funeral and burial during times of high mortality when many feared their remains would be consigned to an unmarked grave and that they would go without the prayers needed to speed their souls through Purgatory. Other plausible suggestions are that the growth in numbers of guilds reflects rising levels of per capita wealth among the laity which allowed people to apportion a greater share of their disposable incomes to pious activities. Another suggestion is that the proliferation of guilds represented a practical response to the inflexibility of the parochial system itself. Parish boundaries, more or less fixed by the early 1300s, were not able to respond adequately to changes in population distribution and settlement, and by recruiting from outside the parish some guilds could provide outsiders a means of identification with the community where they came to trade and do business. All of these theories have some merit and are not mutually exclusive. What is increasingly certain is that, despite their proliferation, guilds did not stand in conflict with the churches in which they were established, nor did they represent any significant level of general dissatisfaction with the communal ethos of parish life. While conflicts of interest between guild and parish could arise from time to time, they appear to have contributed in many ways to the religious and social needs of the wider community. Indeed, guilds were hugely important to the overall ceremonial and liturgical life of the medieval parish, through the provision of funds for the maintenance of lights before images or on altars in the church, the employment of auxiliary clergy who were required to help out during the celebration of parish services, as well as the promotion and financing of church-building and church-furnishing programmes. Of course, guilds should not be seen as all-inclusive institutions which catered to the needs of every member of the community: they might reflect, or sometimes even emphasize, divisions in society. There

were some guilds which restricted membership on the basis of gender, such as the many guilds of young men or maidens that were common features of late medieval parish life. Other guilds did not admit members of the clergy and, in urban areas with large immigrant populations from overseas (notably London and its suburbs), there were others that were representative of specific national groups and that explicitly prohibited native-born parishioners from enrolling as members; there was, for example, the fraternity of the 'Holy Blood of Wilsnack', attached to the church of the London Austin Friars, whose ordinances stipulated that only those 'boron beyonde the see' could become members.⁶ As noted, most guilds charged modest entry fees and also demanded regular subscription payments, thus limiting membership of such groups mainly to the middling and wealthy classes. Recent research has also stressed that in many areas the office of guildwarden was dominated by local elites, that is, men who served or who were to go on to serve as churchwarden, as well as those who sought and attained positions of authority and responsibility in civic or manorial government. Still, these facts emphasize the elision of guild life with that of local society, rather than a separation or conflict of such interests.

At the heart of guild life was a continuing preoccupation with the cult of the saints and their role as intercessory agents. A study of the dedications chosen by guild brothers and sisters for their pious associations helps to chart changes and trends in lay devotion. In the pre-Conquest period, guild dedications were often of home-grown or local saints, whereas gradually over time native Anglo-Saxon, or in the west country Celtic, cults gave way to (although they were never replaced entirely by) the veneration of universal ones such as the cult of the Blessed Virgin Mary and the popular eucharistic devotion of Corpus Christi. The fifteenth and early sixteenth centuries witnessed a revival of enthusiasm for certain older cults, such as those of Sts George, Katherine of Alexandria and Margaret of Antioch, but the same period also witnessed the adoption and growth of some new devotions. Popular guild dedications at this time were those that focused on Christ's family or lineage, and therefore his humanity, such as St Anne, or those that reflected a concern with the events of his Passion and death, such as the Marian cult of the Pietà. Also increasingly popular from around the mid-fifteenth century was the cult of the Holy Name of Jesus, the central devotion of this cult being the sacred IHS monogram. A survey of guild dedications from different parts of England undertaken by Dr Ken Farnhill has pointed to some interesting regional contrasts: St John the Baptist was a popular choice of dedication in East Anglia but less so elsewhere.⁷ Guilds dedicated to St Katherine were most numerous in London. Also, both Cornwall and London supported large numbers of guilds dedicated to St George, and while the 'Jesus' guilds spread most widely in London and Norfolk, this enthusiasm was not repeated in other documented localities. The reasons for such striking variations in lay devotion across medieval England have yet to be explained fully, but may include the influence of cults fostered by religious houses or cathedrals, the prominence and durability of local holy figures or cults, the influence of trade and communications networks, or (particularly in towns) higher levels of literacy which enabled new cults to be taken up and disseminated.

Overall, it is hard to provide one single definition of medieval parish guilds, and it is equally hard to provide a simple explanation of their significance. They could range in size from the small, informal guilds of maidens or young men, ephemeral

and spontaneous organizations that often simply existed in order to meet particular needs such as raising funds for the maintenance of altar lights, to large urban guilds with propertied endowments which provided an array of services and which were often dominated by oligarchs from local government and were in some ways unofficial town councils. However, the very difficulty in trying to establish the nature of parish guilds emphasizes their highly flexible character, a fact which itself provides an explanation for their widespread popularity.

Women and Religion

As historiography has increasingly focused on the religious experiences of ordinary people, a number of scholars, both feminist and non-feminist, have turned their attention to gender differences in religion during the middle ages, and in particular to the role of women within the life of the church. They have asked whether there were any forms of piety that can be particularly identified with women, and how women could successfully participate in religious life in an age when female subservience and inferiority were usually taken for granted. The thirteenth century saw the development of pious organizations of women across Europe, such as the tertiary orders associated with the growing mendicant movement, *humiliati* (lay penitents) and beguines (see below), but it seems that none of these groups was encouraged by the church in England, thus limiting the range of religious opportunities for women. However, one response to this lack of choice was for women to turn to more traditional forms of religious life, in particular the enclosed life of the solitary, or anchoress, which attracted growing numbers of women from the thirteenth century. While enclosure was a pious choice taken up by both men and women, it is clear that more women than men seem to have been attracted to pursue such a life. In addition, whereas the majority of male recluses seem to have been drawn from the ranks of the clergy, many of the women who took up this vocation were from the laity rather than nuns, the latter of course needing dowries from their families in order to set them up within a particular community. The reasons why many women chose to become recluses were mixed, but some did so in order to escape, say, the misery of an unhappy marriage or difficult family situation. The twelfth-century anchoress Christina of Markyate became a solitary after rejecting her husband's conjugal rights, and other women who valued their chastity as highly as Christina were perhaps moved to do the same. Two broad historical developments in the history of medieval recluses should also be noted. First, whereas in the Anglo-Saxon period such women were primarily drawn from the ranks of the aristocracy and elite classes, over time recluses seem to have come from a much wider cross-section of society. Second, although many of the earlier anchorholds were established in rural contexts, often added on to the body of parish churches, as urban communities grew in size and number more and more came to be established in towns, sometimes attached to friaries and dependent on support from wealthy lay benefactors from the local merchant elite. But the desire to withdraw from the world did not necessarily imply that recluses were entirely cut off from society. They were, after all, reliant on servants to bring them food, and some chose to live in small communities rather than as solitaries. Anchorholds, whether attached to parish churches in remote and rural localities or to urban friaries close to the heart of civic life, were part of much larger buildings that were frequented

by the laity, and the world was therefore never far away. Moreover, many anchorites and anchoresses were in regular and direct contact with the laity, offering them their spiritual consolation, advice and prayers. The visits made by the East Anglian mystic Margery Kempe (c.1373–c.1440) to the anchoress Dame Julian of Norwich and to the anchorite of the Dominican friary at Lynn underline this accessibility of recluses to the medieval laity, as well as their high regard and spiritual role among wider society.

Of course, few women decided to become recluses or nuns, and for most fulfilment in religion was described by the framework of the parish and more informal aspects of voluntary religious practice. It is argued by some historians that female piety was strongly based around attachment to the cult of the saints, and pilgrimage and eucharistic devotion. Such activities were, it is argued, more important or central to female piety since they provided ordinary women with a variety of outlets for voluntary participation in religion where normally their roles were rather more restricted. Historians have also suggested that women's responses to these aspects of medieval religion could be quite different from those of men, occasionally made manifest in particularly emotional or affective responses to images or other sacred objects.⁸ Both of these trends can be seen in the life of Margery Kempe. Margery was a most enthusiastic and regular pilgrim, making the long and difficult journeys to famous holy places such as Rome, Santiago, Jerusalem and Wilsnack in Brandenburg. She was particularly devoted to the sacrament of the mass, went regularly to confession, had miraculous visions of Christ and the saints, and would often break down in tears and wild sobs when she looked upon sacred images. It is unlikely that Margery was representative of most bourgeois women of her time, but her life at least demonstrates the point that women may have felt certain religious impulses (or were encouraged to do so) more deeply than men. What Margery's life most emphatically does tell us, however, is that female religiosity, albeit expressed in an extreme form, was sometimes regarded as problematic within the overall framework of the highly patriarchal society in which medieval women lived. Margery's direct and personal 'relationship' with Christ and mystical revelations, her adoption of a white habit, her many fasts and, above all, her teachings and proselytizing in general led some to question her orthodoxy. Indeed, the charge of Lollardy was on occasion directed against her by a number of prominent laymen and clergy. In fact, Margery's orthodoxy now seems impeccable, if sometimes (at least to modern eyes) of the eccentric variety. By making the accusation of heresy, some may have been making the point that she was genuinely perceived as being in some way subversive and dangerous, yet the suggestion of heresy could equally have been made simply in order to keep her enthusiasm in check.

Margery Kempe was by no means alone among women in trying to forge a distinctively pious form of life while also attempting to lead an active life within the world. There were a number of informal and non-institutional spiritual options open to such women. For instance, it was possible for women to adopt a quasi-monastic lifestyle as vowesses by taking vows of perpetual chastity. Medieval vowesses were not tied to any of the established rules that bound nuns to the observation of a particular monastic order (although some vowesses lived in communities), nor were they enclosed in the manner of anchoresses. The act of becoming a vowess was formally made by undertaking a vow of chastity at an episcopal ceremony at which the individual was clothed and veiled as a widow, although some married women did also

on occasion take the vow, in which case both husband and wife took vows of chastity. There is evidence that vowesses existed well before the later middle ages, but some of their identities are known from the fourteenth century onwards from the vowing ceremonies recorded intermittently in surviving episcopal registers. In addition, many more women seem to have taken up similar vows informally and without ever undergoing an official ceremony. The decision to become a vowess might be the product of both spiritual and secular considerations: a vowess might live a distinctively pious and chaste life, but she also enjoyed greater economic autonomy and freedom by escaping the pressure to remarry. Moreover, the state of widowhood enabled women to dispose of their lands, money or goods (that is, if they were wealthy) as they saw fit, particularly on pious projects that reflected their own religious preoccupations.⁹

On the continent women who did not wish to enter the enclosed world of the convent but who also wished to devote the main part of their lives to religion could join establishments known as *beguinages*. These communities flourished from the thirteenth century onwards in many urban centres of Europe, particularly those of France, the Low Countries and Germany. Members of these communities were not tied to any specific religious rule but were simply to live by the precepts of charity, chastity and pious contemplation. Formally established *beguinages* (or institutions specifically termed ‘*beguinages*’) are not known to have been established in England, nor indeed anywhere else in the British Isles. However, historians have noted the possible existence of certain informal communities of women who may well have been inspired by the example of the *beguines*. Thus far, all of the identified communities are from East Anglia, which was, perhaps unsurprisingly, a part of the country with particularly strong trading and cultural links with the Low Countries where the *beguine* movement flourished during the middle ages. For instance, there appear to have been several small communities of women resembling *beguinages* in the town of Norwich. Little is now known about these institutions of ‘*sisters*’, except for a few casual references in wills. It is for the moment unclear how many similar communities were dotted around other parts of the country, but further research may well help to identify more of them.

This section has emphasized the distinctiveness of medieval female piety compared with that of men. We should not, however, overplay the significance of the differences between the two: women, like men, were active (if not always equal) participants in most forms of religion, saving of course the possibility of becoming priests, while few women ever achieved positions of responsibility in parish life as guild officials or as churchwardens. But there were aspects of religion which do seem to have appealed more to women or, put another way, which we can think of as being particularly feminized. Their religious preoccupations noted earlier included a marked emphasis on chastity (i.e., recluses and vowesses) and the control of the body, and sometimes a strongly emotional response to certain religious symbols or practices. Other aspects of female piety in the middle ages require further study. For instance, scholars have detected a degree of gender specificity in relation to the cult of the saints, in particular seeing women as more likely to be devotees of female saints, especially the virgin martyrs. Some scholars argue that the attractiveness of the virgin martyrs lay merely in their role as intercessors and helpers, particularly during the perils of childbirth, and that their (usually apocryphal) lives, which involved the observance of strict chastity and ended up in gruesome martyrdoms, did not provide

devotees with realistic role models. Others have argued differently, suggesting that less dramatic aspects of the lives of the virgin martyrs, such as their role in learning and as educators, or as exemplars for good conduct and deportment, were explicitly constructed as models for medieval women. However, the results from such lines of enquiry are still impressionistic and somewhat anecdotal, and we also need to know much more about male patterns of devotion in this regard. More detailed research into such an area might yield some interesting results. A further and more thorny issue is whether or not aspects of female religious expression provided a means for medieval women to articulate resistance to contemporary male stereotypes of women, or whether female religious activities indicated that women were merely the victims of such stereotypes.

Heresy and Dissent

Perhaps the best indicator of the popularity and vitality of the late medieval church in England is the fact that very few people appear to have been attracted to, or motivated by, unorthodox or outright heretical views. There had probably been a low level of heresy, doubt and dissent among the population of England even before the fourteenth century, but such views did not in general provide any great cause for alarm to the established church. The heretical movements of Waldenses and Cathars which, over the course of the twelfth and thirteenth centuries, seriously threatened the fabric of the traditional religious order in certain parts of the continent had hardly any impact at all in the British Isles. However, from the late fourteenth century onwards, the lay and ecclesiastical authorities became increasingly concerned with the rooting out and the prosecution of the native heresy known as Lollardy. Lollardy ultimately drew its inspiration from the radical teachings of the Oxford theologian John Wyclif, although the link between the two is not always clear. Although Lollard views could vary from one group or from one individual to another, Lollards broadly shared Wyclif's belief that the institutional church was corrupt and in need of reform; they frequently attacked the avariciousness of the clergy; frowned upon the use of images; disapproved of pilgrimages and the cult of the saints in general; and roundly denounced the doctrine of transubstantiation by which the bread and wine of the mass were believed miraculously to change into the body and blood of Christ. Other aspects of established church life that were sometimes attacked by Lollards included such features as church music and overelaborate ceremonial, and the rite of baptism and mortuary payments.

The precise scale and nature of heresy in late medieval England remains a matter of some debate among historians, a problem mainly due to the nature of the surviving sources. On the one hand, while we should not exaggerate the probable numbers of heretics active at any one time, it is clear that the records of many heresy trials and prosecutions have been lost or destroyed, and those few records that do survive surely represent the tip of a larger iceberg.¹⁰ It is also conceivable that some individuals may have held heretical views who never attracted the attention of the authorities. After all, the punishment for relapsed heretics was death (by burning), and such a sanction may have led some quietly and unobtrusively to conform in public while privately adhering to less orthodox ideas and practices. On the other hand, the extant records of heresy trials do not reveal very much at all about the positive beliefs

and practices of those accused or prosecuted by the authorities; rather, they tend to tell us what heretics did *not* believe. It is now often difficult to determine what these positive beliefs were, or whether there was a unifying or coordinating element in Lollard organization, belief and practice which is now hidden from view. There clearly were significant Lollard groups that did maintain contacts between one another, passing on devotional texts and providing 'missionaries' and general moral support, who therefore represented the more organized wing of Lollardy. But there were many others who appear to have been isolated individuals whose antipathy towards the traditional church may have stemmed from personal feelings and particular circumstances but who did not regard themselves as part of a 'movement' and had never heard of Wyclif. Above all, we should remember that dissent is usually defined by those whose task it is to prosecute it, but such definitions have a habit of changing according to the scale of the perceived threat. In late medieval England, the growing perception by church and state that heresy posed a significant challenge to the established order meant the formulation of an increasingly more hardline definition of what actually constituted heresy, and so it began to encompass certain beliefs or incidents that were formerly not regarded in such a negative light, such as disputes that arose between clergy and laity over tithe payments. The heretical credentials of some individuals who were brought before the ecclesiastical courts in the fifteenth and early sixteenth centuries must be seriously doubted, such as the weaver from the diocese of Salisbury who made the curious claim that the 'land was above the sky', or a Hertfordshire man who denied the need for baptism and spoke against images but who also asserted that there was no God 'except the sun and the moon'.¹¹ Such examples as these indicate that simple ignorance rather than adherence to Lollardy could lead some into deep trouble. Above all, the term 'Lollard' is deeply problematic, since the contexts in which it was used are at best often vague and unclear. The word Lollard itself appears to have been derived from the Dutch and was used in that language as the word for a 'mumbler' (of prayers). While the word was certainly used by Englishmen as a term of abuse by contemporaries against heretics, it also had a rather more fluid meaning that was applied to those who displayed puritanical or evangelical religious tendencies but whose orthodoxy was nevertheless not in question. The fact that Margery Kempe was described by one individual as a 'fals strumpet, a fals Loller and a deceyver of the pepyl' demonstrates the elusive character of contemporary notions of heresy and orthodoxy.¹² 'Lollardy' and 'heresy' were often, therefore, phenomena the medieval authorities and society chose to see or define as such, but for historians working today it is perhaps best not to place too much confidence in such labels.

Similarly, the question of anti-clericalism also needs to be addressed with some care. That the usually hostile sentiments directed towards the clergy found in Lollard writings and confessions were sometimes echoed in wider society, for instance in the orthodox writings of commentators such as Chaucer or Langland, may suggest wider discontent with the traditional church. However, while through the agency of church courts the late medieval laity actively identified and protested against the moral failings of their clergy (usually complaints relating to fornication and the keeping of concubines, aggressive behaviour, drunkenness), such complaints need not constitute proof of any deep-seated anti-clerical sentiment. Despite not infrequent criticisms about moral laxity among the clergy, there is, in fact, very little evidence for lay

disapproval of the pastoral role of their clergy, and no real impression that people either despised or rejected their priests. Rather, it seems that, from time to time, the laity regarded it their duty to point out where the clergy were failing both in order to maintain or improve standards and to ensure that priests were fulfilling their roles properly. Such a critique was quite different from the questioning of the role *per se* of the clergy found in Lollard writings and confessions. In any case, the clergy themselves were not unaware of their failings, and the sermons produced by them were often shrill in their condemnation of the corrupt or morally dissolute members of their profession.

The greatest failure of the late medieval church in England was, arguably, its inability to satisfy adequately the demand for the scriptures to be made available in the vernacular. The wariness of the authorities in England in relation to the production of a vernacular Bible was due to the fact that such a project was promoted with vigour by Wyclif and many later Lollards, and from 1408 heretical versions of the Bible were officially condemned. However, Bible-reading *per se* was not condemned by the authorities and, although always regarded with some degree of suspicion, even the possession of English Bibles by the laity, usually by members of the gentry and aristocratic families, was not necessarily problematic, provided that they did not contain Lollard prologues or marginalia. But we should be wary of assuming that the scriptures enjoyed a restricted circulation only amongst the clergy, elite groups and heretics. Indeed, access to the Bible was possible for all levels of society. For instance, Bible commentaries, and sometimes even Bibles, could be found in many parish chained libraries, while above all sermons, which of course required no particular level of functional literacy, drew widely upon materials found in the scriptures and were fundamental in instructing the laity in religion.

The fact that the vast majority of those heretics (or those who were branded as such) presented by the church courts came from the lower ranks of society (weavers, carpenters, shoemakers and the like) perhaps implies that Lollardy existed more or less undetected among the gentry who, in the privacy of their private manorial chapels and oratories, could experiment with more unorthodox expressions of piety. Certainly, whilst the possession of vernacular devotional materials, particularly Bibles, cannot of course be taken as proof of heresy, it might have created the right environment for a more personal and more scripture-based religion amongst such groups which bordered on the unorthodox. The historian K. B. McFarlane suggested that evidence for a more personal, and perhaps even heretical, brand of piety might be found in some late fourteenth- and early fifteenth-century wills drawn up by the so-called 'Lollard Knights'.¹³ These knights, who were connected to the court circle of Richard II, were noted in contemporary monastic chronicles as having extended a measure of protection to the early proselytizers of the Wyclifite heresy. McFarlane noted that all of these wills were written in the vernacular, which was unusual, since most wills drawn up at this time were still written in Latin or French, and second, he noted that they also contained certain phrases which strongly emphasized the individual's sense of unworthiness and the rejection of elaborate funerals. The wills identified by McFarlane are striking and somewhat unusual, and certainly indicate a more personalized and inward-looking brand of faith that was not shared by the majority of society, but we need to be careful in assuming that these documents betray heretical or Lollard sentiments. Indeed, a more recent consideration of these and similar wills has suggested that most exhibit perfectly orthodox beliefs, such as the desire

for the provision of memorial masses or the endowment of obits as well as bequests made to the religious orders.¹⁴ Thus, the evidence of wills (which are in any case only partial statements of religious belief) suggests that while the gentry may have been socially distant from the mass of the population, it is doubtful that we can discern in their wills any significant level of detachment from prescribed norms, and certainly very little evidence for heresy. Indeed, overall, the available evidence seems to suggest that Lollardy had very few advocates among elite groups, a fact that helped to ensure that the incidence or promotion of outright dissent would always remain limited and tightly controlled.

Changes and Continuities in Piety

At the beginning of our period the religious orders were seen as offering society the best model for salvation. The proliferation of new religious orders in the twelfth century, such as the Cistercians, Austin canons and Gilbertines (the only medieval religious order to have originated in England), as well as the crusading orders and the friars, and the foundation by the laity of large numbers of monasteries and nunneries over the course of the eleventh and thirteenth centuries, attests to the power of the monastic ideal. By contrast, from *c.*1300 onwards there is a detectable waning of enthusiasm for the establishment of new monasteries, and at the same time a rise in more parish-based forms of religious expression. The slowdown in support for the religious was, of course, not uniform and some orders fared rather better than others. For instance, the later middle ages witnessed a flowering of devotion within the houses of the more austere and rigidly enclosed orders, such as the Carthusians, Brigittines and Observant Franciscans. Also, studies of testamentary support for the religious orders indicate that, right down to the eve of the Reformation, significant numbers of lay men and women still patronized the religious orders, in particular friaries, and looked to them as suitable places for burial or as intercessory institutions, while the same period also saw the continued formation of lay fraternities within the churches of the mendicant orders. However, it is clear that increasingly parish life and parochial institutions such as guilds appeared to offer more popular and more flexible alternatives to the enclosed and regulated life of the religious houses, and certainly provided a greater level of lay participation in religion and pious expression. In part, this decline in support for the religious was connected less with a burgeoning disenchantment with the monastic ideal and had more to do with structural changes in the life of the church. Historians have pointed to the significance of the passing in 1279 of the Statute of Mortmain, which aimed to stop the flow of land grants to the church through the payment of fines to the crown, and therefore made the establishment of new houses by prospective founders a time-consuming and above all extremely costly affair. Most new foundations in the period after the passing of this statute tended to be smaller-scale and cheaper projects, such as collegiate foundations and chantries. At the same time, the thirteenth century also witnessed a growth in synodal and diocesan legislation, which emphasized the duties of the laity in maintaining the fabric and fittings of their local parish churches. The increased responsibilities of the laity in relation to their churches in turn led to the development of more complex structures of parish government, notably the office of churchwarden, as well as other branches of responsibility such as the parish elites composed of serving and former churchwardens that anticipated the later vestry system of

parochial government. Nevertheless, despite these changes, the monastic ideal continued to contribute much to the development of lay piety in this later period. For instance, the rapid growth in popularity of lay fraternities was surely, at least in part, the result of the application of the corporate model of prayer which the monasteries represented, and in particular the ideals of brotherhood and mutual charity promoted by the friars. The fostering by the late medieval laity of new types of pious and charitable projects such as chantries (endowments for masses to be celebrated for the soul of the deceased) and almshouses also owed a great deal to earlier monastic models. At any one time, most parish churches had several temporary chantries founded within them, and a few (usually wealthy urban parishes) could boast large numbers of perpetual intercessory foundations. The almost non-stop liturgical and intercessory round of many parochial institutions by 1500 must surely have resembled, and in some cases perhaps even rivalled, that found within monastic houses.¹⁵ Almshouses, the distinctive form of charitable institution of the later middle ages, were not run on the lines of any prescribed monastic rule, as was the case with earlier monastic-style hospitals, but the daily lives of the inmates of these institutions were closely modelled on monastic regimes. It is also arguable that the spiritual duties and the moral obligations of almshouse inmates were at least as strict and rigorous as those observed even within the churches of the more austere religious, such as the Carthusians. Above all, the monastic model of devotion shaped the devotional lives of the laity within their own homes. Many of the households of wealthy aristocratic widows, such as Lady Margaret Beaufort (d. 1487), the mother of Henry VII, developed a precise set of regulated daily rounds of prayer and contemplation which drew inspiration from the spiritual disciplines of the religious orders. Lower down the social scale, many gentry families enjoyed the ministrations of a private chaplain and furnished household chapel to aid them in their devotions. This tendency towards the growth of domestic piety in the later middle ages is clear even among the homes of humbler rural 'middle classes' or urban bourgeoisie. In particular, the advent of printing in the later fifteenth century made widely available to many ordinary people the mass-produced Books of Hours, as well as a host of other devotional works, many of which were in the vernacular and thus aided and stimulated the expansion of private devotion throughout all levels of society.

Overall, the later middle ages saw not so much the decline of the monastic life and its ideals for the salvation of the soul as its assimilation by the laity into more informal and more flexible forms that were tailored to suit life and conditions within the world. This, then, was the creation of what is often termed the 'mixed life', that is, the pious life lived within the framework of the everyday world, which sought to reconcile secular concerns with the teachings of the church and the obligations that it required from all believers. Rather more open to debate is whether this shift represents not simply the adoption of the monastic ethos into the lives of the medieval laity but a growing feeling among society that the religious orders were coming to be regarded as increasingly unsuited to be entrusted with the care of souls. However, broadly speaking, it seems if there was any significant change at all in pious practices over the course of the 400 years covered by this volume, it was that, whereas in 1100 the context for prayer and intercession was largely confined to institutions run by a small professional elite made up of the clergy and religious, by c.1500 such activities had become increasingly adopted, developed and administered by the laity. Thus, on

the eve of the Reformation, the laity were more fully in control of the means of their own salvation than they had been in 1100. We should not, however, assume that this historical movement towards greater lay control in religion provides the key to understanding the success of the Reformation. On the contrary, the religious changes of the mid-sixteenth century in England obliterated many of the avenues of voluntary religion (chantries, pilgrimages, guilds etc.) in which the late medieval laity had participated most vigorously and enthusiastically. The explanation for the eventual triumph of the reformist cause must, therefore, lie in the needs of the Tudor monarchs and the centralizing tendencies of the Tudor state rather than in any inherent unpopularity of the traditional church.

Some Future Directions

While a great deal has been written about the medieval church in England, a number of subjects remain to be explored. First, some areas of the country have been less well studied than others. The religious histories of the counties of East Anglia and the west country are now quite well known, but other parts of England, even including London, have yet to be examined quite so thoroughly. The historian of the medieval church in England is blessed with a large range of documentary source materials, such as wills, bishops' registers, churchwardens' accounts and guild records, many of which remain unexploited, and thus there is still plenty of scope for making further contrasts and comparisons in order, as it were, to sharpen the focus. Perhaps inevitably, the overall picture that is beginning to emerge from the many recent regional studies is one of complexity and diversity, that is, an impression of quite different and distinct local cultures and traditions of pious expression. Historians must therefore take into account not only regional distinctiveness but also how religion was shaped by, say, economic or social conditions, and in particular patterns of wealth distribution. Such an approach would allow us to understand more precisely, for example, how levels of literacy and patterns of book ownership shaped religious beliefs and motives, while urban and rural distinctions (as well as similarities) in piety need to be explored more fully. Second, it is evident that we need to examine more closely the grey area between the boundaries of heresy and orthodoxy. It may be the case that heresy was not widespread, but we should be wary of assuming that a lack of heresy means that society was unable to experiment widely with less orthodox or prescribed forms of religion. Thus, historians working in this field have much work to do in exploring the nature of orthodox and unorthodox strands of religion and so to come to a better appreciation of the relationship between the two. The student who wishes to understand the spiritual preoccupations that lay at the heart of late medieval society will find an exploration of these (as well as other) topics not only intellectually challenging but, more importantly, both rewarding and enjoyable.

NOTES

- 1 The 'old view' is represented by Dickens, *English Reformation*. Although now somewhat dated, Dickens's work remains essential reading.

- 2 Scarisbrick, *Reformation*.
- 3 Duffy, *Stripping of the Altars*.
- 4 Brown, *Popular Piety*; French, *People of the Parish*.
- 5 For examples of pre-Conquest guild statutes, see D. Whitelock, ed., *English Historical Documents c.500–1042* (London, 1979), pp. 603–7.
- 6 H. C. Coote, ed., *Ordinances of Some Secular Guilds of London* (London, 1871), p. 69 and appendix nos 91, 160.
- 7 Farnhill, *Guilds and the Parish Community*, fig. 3, p. 38.
- 8 Richmond, ‘English gentry’, pp. 141–2; McSheffrey, *Gender and Heresy*, pp. 138–42.
- 9 In the middle ages married women needed the licence of their spouses to draw up a will.
- 10 Tanner, *Heresy Trials*, p. 4.
- 11 Brown, *Popular Piety*, p. 211; Thomson, *Later Lollards*, pp. 189–91.
- 12 Windeatt, *Book of Margery Kempe*, p. 229. The accusation was made by the mayor of Leicester, John Arnesby.
- 13 McFarlane, *Lancastrian Kings* (Oxford, 1972), ch. 4.
- 14 Thomson, ‘Knightly piety’.
- 15 For a fuller discussion of this theme, see Burgess, ‘London parishes’.

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FURTHER READING

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CHAPTER TWENTY

Scotland: Religion and Piety

D. E. R. WATT

In the aftermath of the pontificate of Pope Gregory VII (1073–85) and of the saintly life in Scotland of Queen Margaret as wife of King Malcolm III (c.1069–93), who in their different ways set the Christian church in Scotland off along new lines, a fresh pattern was set whose characteristic features are continuously recognizable until the crisis of the sixteenth-century Reformation. As a clearly separable era of Scottish church history the period was first comprehensively studied in a modern way by John Dowden (an Irishman who served as episcopal bishop of Edinburgh from 1886 to 1910) in his posthumous books *The Medieval Church in Scotland* and *The Bishops of Scotland*. This author writes of the way the Scottish church was run with critical sympathy and understanding. His works were securely based on the comparatively scanty sources for the history of the medieval church that had survived the Reformation in Scotland and been published by private clubs of bibliophiles in the nineteenth century. In its comprehensive approach Dowden's work has not as yet been superseded. But since about 1950 a flood of scholarly articles, particularly in the pages of the *Records of the Scottish Church History Society* and of the *Innes Review*, notably by Mark Dilworth, John Durkan and David McRoberts, has substantially widened our understanding of the medieval church in Scotland studied for its own sake. Furthermore, over a long period successively at the hands of J. Maitland Thomson, Annie Dunlop and Ian Cowan, a vast addition to the available sources has been culled from the Vatican archives and made available to scholars in Scotland in print or in photographic form in Glasgow University. Mark Dilworth has published a new general assessment in his *Scottish Monasteries in the Late Middle Ages* that is much more convincing than the tendentious account by G. G. Coulton in his *Scottish Abbeys and Social Life*. Dilworth writes as himself a monk with a thorough understanding of that calling; Coulton's debatable use of historical sources sometimes leaves the reader uncertain about his conclusions. For the secular church we have, in place of Dowden's work, the collected papers of the late Ian Cowan as edited by James Kirk in *The Medieval Church in Scotland*. Though a book of this kind does not claim to be comprehensive, it does set out a mass of useful information about the workings of the church in several different parts of the country over a long period.

The Clergy and the Papacy

It may be presumed that there had been bishops with authority over various areas of what is now Scotland, certainly at intervals and perhaps continuously, from the missionary days of St Ninian in Galloway and elsewhere in the early fifth century. But only fragments of information about them can be traced before the early twelfth century.¹ Then, from the time of King David I (1124–53) onwards, teams of some ten (later eleven) bishops can be traced in fairly regular succession to each other, with Glasgow and St Andrews being much bigger than any of the other dioceses in terms of area, numbers of clergy and revenues. Glasgow corresponded in a general way with the earlier kingdom of Strathclyde;² but from 1133 it was restricted to the area north of the Solway Firth, following the erection of Carlisle diocese in that year. About the same time the lordship of Galloway too was recognized as a separate see after being apparently in abeyance since the early ninth century. St Andrews diocese sprawled up the east coast from Berwick northwards nearly to Aberdeen; but it had been organized by the kings of Scotland too late to prevent the extensive survival of bonds of loyalty dating from the missionary centuries between many parishes that were geographically within the bounds of St Andrews diocese but administratively linked with neighbouring traditional episcopal centres of long standing at Dunblane, Dunkeld and Brechin. Argyll diocese was to be erected in the 1180s out of the western part of the hitherto unwieldy Dunkeld diocese. To the north were the four compact but quite extensive dioceses of Aberdeen, Moray, Ross and Caithness, all of which in different ways took time to settle on permanent sites for their cathedrals at Old Aberdeen, Elgin, Fortrose and Dornoch. The twelfth century was the time when these eleven sees of equal status were finally established with definite boundaries on the mainland of modern Scotland. (In the Western and Northern Isles the dioceses of the Isles [based on Peel on the Isle of Man] and Orkney [based on Kirkwall] formed part of the ecclesiastical province of Nidaros or Trondheim in the kingdom of Norway, and were to be ceded to Scotland only in 1266 and 1468–9, respectively.)

What was wholly exceptional in these arrangements was the absence of even one archbishop with metropolitan authority under the canon law over his fellow-bishops who formed with him a national church. This was not for want of trying by the English archbishop based on York from 1072 onwards:³ for decades various moves from that quarter towards obtaining power over the Scottish bishops by papal decree were countered by alternative, equally abortive Scottish attempts to secure the elevation of the bishop of St Andrews from an informal position as leader of his equal fellow-bishops to one with legal authority over them. But the efforts of York failed (except in the case of Galloway), and by 1192 the pope was to recognize the Scottish church as a whole to be a ‘special daughter’ of the Roman see with no intermediary, with the pope himself performing the supervisory functions of a metropolitan archbishop.⁴ Nowhere else in western Christendom was a similar arrangement made in the middle ages for a national church. This direct link with Rome was, for four centuries until 1560, to bring to Scotland greater awareness of developments in the church at large than might be expected in a small country lying so far from the main theatres of events.

Whilst earlier bishops may often have had a roving commission, going wherever their spiritual services such as confirmation and ordination were needed, from the early twelfth century the authority of each came to be confined within a territorial

diocese with definite boundaries. In Scotland as elsewhere, this arose partly from the implementation of the newly codified canon law, which laid down standards to be followed throughout the western church. But it was also a consequence of the definition of parish boundaries that followed as a necessary consequence of King David's general instruction that all parishioners should pay 'teind' (the Scots word for 'tithe') each year to their local parish priest.⁵ He put the enforcement of this payment (which was derived ultimately from the Old Testament) into the hands of the king's sheriffs. They apparently saw to it that agreement was reached on the position of all parochial boundaries, so that all householders who were due to pay a tax of a tenth of the value of the produce of their land, or of the fruits of their labour or skill, could be told who was to be the recipient of this national tax for the support of the church. Every acre of the country was somehow allocated to a parish and, as a consequence, to a diocese. By about 1300 the eleven dioceses of mainland Scotland had been divided into some nine hundred of these parochial units, with perhaps another hundred in the Western and Northern Isles.⁶

Besides endowments in land, teind was the main source of income for the church and the clergy. A simple calculation, based on the undoubted fact that parishes normally contained many more than ten teind-paying households, reveals that the value of teind was far greater than was needed for the financial support of a bachelor parish priest living at the same level as his parishioners. There was spare cash around; and lay patrons everywhere, whose predecessors had arranged for the settling of parish priests on their land in the first place, were by the thirteenth century reaching agreements with the various bishops for the 'appropriation' (as it was called) of much the greater part of the annual income derived from teind to other worthy church purposes.⁷ It was thus that the financing of expensive building projects at cathedrals and abbeys became possible, as well as financial support for the communities of clergy to serve these major churches that were a decoration to the nation. Later this resource came to be applied to the support of clergy (as clerks) engaged in a wide variety of professional activities, not least the ambitious few who were prepared to face the long years of study required for university degrees in pursuance of careers that often took them far away from the source of their financial standing.⁸ In their place modestly paid curates were employed to perform the religious duties attached to their benefices. It is often suggested that this system of appropriations left the clergy who actually served the parishes impoverished for the benefit of supposedly greedy individuals and institutions. There were certainly inequalities in the financial rewards of a clerical career; but successive popes did lay down guidelines for the incomes that were merited in proportion to academic qualifications. For example, doctors of the 'higher' faculties of theology, canon law and civil law were entitled to be rewarded with one or more benefices worth in total 200 livres of Tours, whilst masters of arts were entitled to just 120 livres.⁹ Such a system did make possible the maintenance and service of large cathedral and collegiate churches where religious observance could be conducted on a scale that was presumably an inspiration to the country at large. It also enabled the clergy as a class to offer a wide variety of professional services as private and public administrators, lawyers, teachers and doctors, not just as preachers and pastors. It was the resources of the church which made the provision of such services possible in an era when civil taxation was minimal and only occasional. It is not surprising that, then as now, the rewards of a professional career were



Map 20.1 The Scottish church c.1300.

strikingly variable. But there was then no equivalent of the modern egalitarian pressure in the Church of Scotland to ensure that only a minority of lucky ministers receive stipends above the minimum. Indeed, 'when status was measured by display and worldly success was seen as reflecting God's favour, the leading churchmen would have been expected to radiate magnificence'.¹⁰ There is little sign of discontent in medieval Scotland with a social system based on patronage and influence. Besides, while a minority of clergy certainly had a better standard of living than others, it has recently been argued that late medieval parish priests on a minimum stipend of £10 a year (plus manse, glebe and offerings) were not as badly off as some earlier commentators have thought.¹¹ It was only as part of fundamental rethinking that was to come with the Reformation of the sixteenth century that a general increase of the stipends of the parish clergy came to be accepted as necessary.

Parallel to the twelfth-century extension of episcopal activity was a remarkably rapid spread of new communities of monks and regular canons belonging not only to the traditional Benedictine order but, more strikingly, to the reformed Tironensian, Cluniac, Cistercian, Augustinian, Premonstratensian and Valliscaulian orders. It has been calculated that in the period 1113–1230 thirty sizeable monasteries belonging to these seven groups were founded in Scotland, with over a dozen less important smaller houses.¹² Successive kings, with David I outstanding, were the most active founders, along with some leading lords and bishops. Some houses, such as Dunfermline, Scone, Melrose and Paisley, started as colonies of mother houses in England; but even they maintained strong continental links as well. Indeed, it has been calculated that well over half of the Scottish monasteries had links more or less directly with French houses of their orders,¹³ that is, with the most fertile source at this time of fresh interpretations of the monastic ideal. In addition some thirteen houses of nuns in Scotland were to be listed by the chronicler Walter Bower in the 1440s, though most of them were small communities about which little is known.¹⁴ No Scotswoman of outstanding piety like the English Margery Kempe and Julian of Norwich has been noted. For more than four centuries all these monasteries, with their extensive endowments in the form of lands and appropriated churches, were to be an inspiring feature of the Scottish ecclesiastical scene. They were able to raise splendid buildings and keep repairing and improving them, which is evidence of the way in which their function had the general support of the country. The Benedictine and Augustinian houses formed a part of the organized general witness of the Scottish church, subject to regular visitation by the local bishop; others such as the Cluniacs and Cistercians were privileged under papal guidelines to be exempt from such inspections as parts of internationally organized orders. This variety of arrangements meant, of course, that any planned reallocation of resources as ecclesiastical fashions and interests changed was well-nigh impossible.

A development of the same problem arose from c.1230 onwards with the arrival in Scotland of the next wave of new religious enthusiasts in the form of the friars – some Dominicans in 1230, Franciscans in 1231, Carmelites by the 1260s.¹⁵ As a mobile preaching and pastoral force they based themselves on modest houses, usually in towns, following rules laid down and directed on an international basis, coming sometimes at the invitation of the local bishop but privileged to be exempt from his authority. Again they were to be a permanent part of the Scottish religious scene until 1560, supported in their modest lifestyle by the alms of the faithful. Intellec-

tually able, and accustomed to keep on the move throughout western Christendom under internationally recognized superiors, they played their part in keeping Scotland in touch with developments in the church at large.

Between 1125 and 1239 Scotland had also been brought into contact with such wider European developments through a number of visits by papal legates.¹⁶ The first of these, in 1125, was Cardinal John of Crema, who was commissioned to explore the claims of the archbishop of York over the Scottish church and to report back to Rome for a final decision. Others, such as Cardinal John of Salerno in 1201–2, were entrusted with acting on the spot to bring local customs into harmony with the western church as a whole, especially by settling local disputes among the clergy with delegated papal authority. Cardinal Otto da Tonengo was to come with similar powers in 1239, with the added task of levying a tax on the Scottish clergy towards the costs of a papally organized crusade to Palestine. Such legates could enter Scotland only with the king's permission, which was sometimes freely given but could be refused, as happened in 1267–8 when King Alexander III refused to let Cardinal Ottobono Fieschi come into Scotland, and the legate had to be content with suggesting reforms through a handful of Scottish representatives who came to a council held by him in London. Only once again in the medieval period did the king allow a legate with full powers to come from Rome to Scotland. This was the ill-fated mission of Anthony Altani, bishop of Urbino, in 1436–7, which proved abortive when King James I was assassinated before the legate had a chance to start his work.

Papal demands for taxes from the Scottish clergy, however, had had some success in the thirteenth and early fourteenth centuries. Most notable was the collection of the crusading tax of a tenth of clerical incomes for six years authorized by the Second General Council of Lyons of 1274, and collected from 1276 to 1289 by a collector sent from Italy, the papal bureaucrat known in Scotland as Bagimond.¹⁷ Exceptionally full records in the Vatican archives illustrate in detail how he went about his business of assessing the taxable value of even quite modest benefices in many parts of Scotland, and then sending the cash he had collected to Rome. Local collectors were appointed for each diocese, and careful accounts were drawn up for sending to Rome for audit. Much has been done by Scottish scholars in recent years to make use of this source for both economic as well as church history, and its implications are gradually being revealed. A similar levy was organized in 1291,¹⁸ but the Wars of Independence that followed brought a break in the series; and the later fourteenth-century popes were to concentrate more on taking fees from individuals for provisions to benefices and other personal privileges rather than on blanket taxation.

The obverse of these efforts at extending papal authority over Scotland can be seen at two levels. First, along with clergy from most branches of the western church, representative Scottish bishops and lesser clergy are found attending general councils called by the pope at least from the Third Lateran Council of 1179 onwards, through the epoch-making Fourth Lateran Council of 1215, the two Councils of Lyons of 1245 and 1274, the Council of Vienne of 1311–12, and the later reforming councils at Constance 1414–17 and especially at Basel 1431–49. With the exception of the last of these (which over sixty Scots attended over a long span of years¹⁹), only a handful of Scots clergy were present on each occasion; but this was enough to keep the Scottish church informed and involved in church developments as a whole. Second, a concomitant after the 1215 council was an awareness of a need to

have within Scotland a mechanism for passing the decisions of such general councils down to the local dioceses grouped on a suitable basis to match the relevant political authority whose backing the clergy required to put reforms into effect. The problems posed by the fact that Scotland, though a separate political unit, lacked a metropolitan archbishop with country-wide authority to call a provincial council that might enforce the many decisions of the general council were increasingly recognized. The outcome was an approach by the Scottish bishops as a group to Pope Honorius III in 1225 that led to the issue of a papal mandate authorizing the group (and by implication their successors) to hold annually a provincial council for the whole country under the rotating chairmanship of one of their number, which would act as a law-spreading and law-enforcing mechanism.²⁰ Thus was introduced into Scotland a body devised for its special needs that was unique in western Christendom. Its function was many-sided. It was a consultative body through which the king could test the views of the senior clergy of the kingdom; it was a legislative body under the general canon law of the western church, devising local statutes to deal with country-wide and interdiocesan problems; it was a judicial body which could hear and resolve both cases of first instance and appeals, more conveniently available to disputing parties than the distant papal court. It served the kingdom on a regular basis, fulfilling an obvious need for more than 250 years. But the raising of the see of St Andrews to an archbishopric in 1472 (and of the see of Glasgow to similar status in 1492) was the product of disruptive relationships among the prelates involved, so that the council for several decades could no longer serve as a mechanism for keeping the whole Scottish church together. As the sixteenth century advanced, the need for reformation of some fundamental kind was to become apparent to an increasing number of contemporaries.

The original establishment of this council had been one sign of the growing recognition of papal authority in Scotland. Sometimes this was a consequence of initiatives from Rome, as was the case from the late twelfth century onwards when the pope acted as metropolitan in Scotland when confirming episcopal elections.²¹ For much of the following century at any rate new bishops had to go in person to the papal court in Italy to secure confirmation;²² and though later this could be secured by correspondence through agents, leading to papal authorization for consecration within Scotland, payment of the fees called 'services' came by the fourteenth century to be required before this was allowed. By the fifteenth century this practice was being extended to the appointment procedure for the abbots of the principal monasteries as well.²³ As the scale and scope of papal appointments to lesser secular benefices (especially dignities in cathedral churches²⁴) were gradually extended during the fourteenth and fifteenth centuries, with the beneficiaries paying substantial fees in the form of 'annates',²⁵ we may assume that ambitious clergy in Scotland pursued such 'papal provisions' repeatedly because it was worth their while to secure benefices with the advantage of a title that was more secure under the canon law than the traditional kind of title derived from presentation by a local patron, whether clerical or lay. This arose from the fact that the papal court also offered justice in cases of dispute under the international canon law. The popes were comparatively accessible at Avignon or elsewhere away from Italy during much of the fourteenth century (1308–69, 1370–1418); but even in the fifteenth century, when they were back over the Alps in Rome again, it was repeatedly thought worthwhile to appeal from local

church courts in Scotland to a papal court, even if this involved the expense of keeping appeals going on one excuse or another. It was not so much a case of the aggressive expansion of a foreign papal authority into Scottish affairs as the response of willing popes to requests from below for support to appellants in doing their rivals down. This had its disadvantages at the time, for the crime of 'barratry' (the corrupt purchase of benefices) came to be regarded by King James I as a serious problem requiring legislation after his return from captivity in England in 1424.²⁶ And when some of the clergy were allowed to accumulate a multiplicity of benefices, it could mean that in some parishes the people never saw the incumbent but only some less-qualified curate; and in some cathedrals most canonries were customarily held by absentees. There seems to have been pretty general acceptance of such weaknesses in the system, while the leading clergy tried their best to work it to their personal advantage.²⁷

From the middle of the fifteenth century a new feature of papal policy can be observed, when secular clergy came (again for a fee) to be given papal mandates entrusting them with monastic headships. This practice, known as 'commendation', was almost unknown in England but common in France.²⁸ An Inverness-shire vicar, for example, was made commendatory prior of Beaulieu in 1434. More strikingly, Bishop James Kennedy of St Andrews became at the same time commendatory abbot of Scone in 1439. The practice became common, sometimes perhaps to allow a senior churchman to reform a moribund monastic community, but probably more often simply to increase the financial standing of the commendator, who by this means could escape the rules against holding more than one benefice. In 1497 the practice had so developed as to even allow a brother of King James IV to hold the archbishopric of St Andrews in commendam as a young man of about nineteen until he should be old enough at thirty to hold a bishopric under the canon law: at the same time he was granted the abbacy of Holyrood in commendam as well.²⁹ An outlook that found it acceptable for the king to make use of the church's resources in this way would appear to have been more material and secular than spiritual and religious.

Church and People

There was a wide variety of ways in which the clerical class served the Scottish people. The intellectual standard of those who served the parishes was not high, and those who lived in the country probably spent as much of their time farming their glebes as their parishioners did. But even at this level they somehow learned a minimum of Latin in order to conduct services in that language. And there must have been a scattering of schools to prepare at least a few for occupations requiring literacy – for 'cleric' and 'clerk' were the same word in Latin. Such literate people in practice held the civil administration together, for Latin was the written language of the government of a country where for most of the later middle ages four other languages were also in use – Scots, French, Gaelic and Norwegian. Only Latin was the *lingua franca* used by the whole clerical class. Some of them clearly mastered much more than a minimum, for both public and private business required record-keeping in Latin along with the basic lawyerly skills professed by such as notaries, who performed the critical functions of enabling families to handle their property and the various units of the church to run their affairs. And as universities began to appear in western Europe from the later twelfth century onwards, Scots distinguished by the

title of ‘master’ as evidence of a university qualification of some sort began to multiply.³⁰ The big difference compared with England, France or Italy was that no institutions of higher learning emerged in their home country of Scotland itself until as late as 1410 (St Andrews), 1451 (Glasgow) and 1495 (Aberdeen). For more than two centuries before then Scottish students had to find the resources to travel to England or the continent for both initial university degrees and for more advanced professional study.³¹ This custom continued in the fifteenth and sixteenth centuries, for the three medieval Scottish universities were founded on a very modest scale indeed. In this pre-Reformation period universities and their students had the cherished advantage of protection under the international canon law and freedom from restrictive local customs. This made it possible for church resources derived from benefices (not least cathedral canonries) to be used for the financial support of young clerics whilst they were following lengthy courses of study abroad, and dispensations for non-residence were readily available from successive popes to give official encouragement to the practice. The country benefited from the emergence of a graduate class among the higher clergy, for the great majority of those who went abroad to study returned home sooner or later (whether or not with a formal university degree) to fulfil their careers in Scotland.³² Some progressed within the hierarchy of the church to become bishops or abbots, and by the later middle ages it was rare for a non-graduate to reach episcopal status; others practised as lawyers in the church courts where much of the personal and business affairs of the country was conducted; others served in the royal administration as counsellors, on parliamentary committees, as ambassadors, as civil servants and tax collectors. Those with talent and determination could expect to make a rewarding career; and once they were settled back in Scotland their experiences abroad must have enriched the understanding of their less adventurous compatriots of the affairs of the world south of the Border and overseas. The cash resources of the Scottish church were indeed customarily used to provide a wide variety of services for the country besides the basic comforts of the Christian religion.³³

The experience gained by young Scots clergy as they studied abroad had also more general consequences in terms of keeping the country in touch with general European intellectual developments. Detailed study of both classical and more recent texts in faculties of arts, theology, law and medicine was undertaken by successive generations of young clerics, who regularly brought back home up-to-date knowledge of developments in academic thinking. That Scotland was no academic backwater is well illustrated by the wide-ranging references to both ancient and more recent writers included in the 1440s by Abbot Walter Bower in his *Scotichronicon*.³⁴ Even though Bower had not himself studied abroad, his teachers at the newly founded university of St Andrews had done so, enabling him to include in his encyclopaedic book some academic reflections on the historical past based on such authorities (among many others) as St Augustine, St Bernard, St Gregory the Great, Martin of Troppau, Vincent of Beauvais (in large measure) and the comparatively recent St Bridget of Sweden. The libraries available to Bower in St Andrews and elsewhere were clearly well stocked, so that he was able to widen substantially the range of learned sources that had been tapped by the earlier John of Fordun, a mid-fourteenth-century chaplain of Aberdeen, who appears to have studied similar material on a smaller scale while touring libraries in England.³⁵ Thus even if Scotland produced few academic writers of international distinction – though Duns Scotus may be a notable exception, compared with whom Laurence of Lindores and John Ireland are lesser lights³⁶ –

nevertheless a regular flow abroad of Scottish university students ensured that the Scottish church was no intellectual backwater.

This can be demonstrated also in what may be thought a perverse way by noting how little trouble was caused in Scotland by the activities of heretics. There is no hint of infection of orthodox belief by the doctrines of the thirteenth-century Albigensians in France. It was only with the dangerous spread of the ideas of John Wyclif and John Hus in the early fifteenth century that the alarm was raised following the arrival in Scotland of comparatively minor challenges to orthodox belief. The English Franciscan friar James Resby was tried (probably at Perth in 1408) and condemned for Wyclifite doctrines; and the German Paul Kravar from Hussite Prague was condemned at St Andrews in 1433. In both cases the trials and executions were arranged by Laurence of Lindores as inquisitor of heresy – a Scot who had learned his orthodox theology at Paris. The point of substance is that no other subversive thinkers are known in fifteenth-century Scotland, and these two were visitors, not native Scots. Abbot Bower relates the story of these two trials with apparent relief that heresy had been nipped in the bud before the canker had spread.³⁷ It was to be nearly the next century before Scotland was to be troubled by heresy again.

More constructively the faith of the Scots about the year 1500 was to be nourished by the outstanding efforts of Bishop William Elphinstone of Aberdeen to collect materials on a national basis for two new service books in the form of a martyrology (which survives only in manuscript) and a breviary (notably distributed by the new technique of printing).³⁸ These works were the product of a team of scholars whom the bishop set to work to provide liturgical material referring to the saints venerated in Scotland not only nationally (like St Andrew and St Margaret), but also regionally in all the various dioceses. In fact the standard of historian's skills in bringing such diverse materials together was not sufficiently critical for the work to earn the respect that would lead to lasting usage, and no second edition was ever produced. This may have been because such possibly morbid concentration on past saints clashed with more optimistic humanist attitudes that were then becoming popular throughout Europe (including Scotland); but at least there is here some evidence of serious concern for the spiritual health of the Scots as a nation, with due emphasis on the different local traditions that were part of their history.

Part of the pattern of the Scottish Wars of Independence after 1290 was a drawing away of Scottish churchmen from earlier natural contacts with English churchmen towards more comfortable relations with the French. The lasting Franco-Scottish alliance had its cultural as well as its political and military aspects, and fourteenth-century young Scottish clerics studied at Orleans and Paris rather than Oxford or Cambridge, as well as at papal Avignon.³⁹ This paved the way for a staunch alliance of the French and Scottish churches during the Great Schism in the papacy of 1378–1418 in support of the succession of popes based on Avignon, while the English church stayed loyal to the rival popes based on Rome. It took only a few years for the Scottish episcopate to comprise only men who owed their elevation to the Avignonesse popes, so that they and their successors had a vested interest in helping these popes to retain their authority. Under the duke of Albany as governor of the kingdom (in the absence of the young King James I as a captive in England from 1406 to 1424), they refused to follow the French example of withdrawing obedience from the two (and eventually three) rival popes. Scotland, indeed, took little part in the Council of Constance of 1414–17 that was called to deal with the problem

of the Schism, and which eventually secured recognition for Martin V as the one universally recognized pope. She was the last country to come grudgingly to accept his authority in 1419.⁴⁰ But by then her middle-ranking clergy were avid to take advantage of Martin's willingness to exercise his powers of provision and indulgence in favour of those who accepted him as true pope. The Franco-Scottish alliance was at its most active (if not particularly successful) stage in the 1420s, when in the days of Joan of Arc many Scots from noble and knightly families fought in France for King Charles VII against the English.⁴¹ Such interests were to keep up barriers between Scottish clerks and the English universities and the English church in general, with the Scots still looking to the continent for career advancement.

Scottish religious priorities are exemplified over the years by changing interests in the kinds of church buildings that were erected anew or extended.⁴² Such remains as can be identified as dating from the early twelfth century are modest structures, of which possible examples are St Rule's church at St Andrews and the so-called St Margaret's chapel in Edinburgh castle; and the new cathedral at Glasgow that was dedicated in 1136 (which has all been rebuilt) may well have been of similar dimensions. But enthusiasm for supporting the reformed international monastic orders was already attracting such lavish contributions from the king and various noblemen as well as the faithful generally that, at places such as St Andrews, Kelso and Jedburgh, followed by many others such as Melrose, Dundrennan and Arbroath, the planning of major stone structures of architectural distinction became possible. Appreciation of the sheer scale of these new enterprises compared with anything that then survived from the many earlier centuries of Christianity in Scotland enables us today to share in the spiritual excitement of the age. This was to continue well into the thirteenth century as at monastery after monastery buildings were steadily rebuilt on a larger scale, with the Cistercian house of Sweetheart in Galloway being founded as late as 1273. As far as stylistic inspiration and building skill are concerned, modern writers have suggested links with similar constructions in Northumberland, Yorkshire and even distant Lincoln, for it seems likely that the same masons could have worked on both sides of the open political border in these days before the Wars of Independence, at a time when the Scottish royal family and various noble families held lands and exercised patronage in both countries.

The incorporations of secular clergy that were established during the first half of the thirteenth century at all the Scottish cathedrals of the time except St Andrews and Whithorn took some time to accumulate sufficient funds for similarly lavish building schemes. The way had been pioneered improbably in Norwegian Kirkwall in Orkney from about 1137, when inspiration and techniques employed previously at both Durham and Dunfermline appear to have been imported. There must have been knowledge of this project in the kingdom of Scotland, where from the 1180s the earlier cathedral at Glasgow was being replaced by a much grander edifice than the little building of 1136 (though not so grand as the final replacement built from the thirteenth century onwards that is to be seen today). As with the abbeys, the thirteenth century brought what has been called 'a remarkable outburst of cathedral building'⁴³ at Dornoch, Fortrose, Elgin and Aberdeen in the north, Brechin, Dunkeld and Dunblane in Angus and Perthshire, modestly on the island of Lismore in Argyll, more substantially at Peel on the Isle of Man (part of Scotland from 1266), and exceptionally by communities of Premonstratensian regular canons at Whithorn in

Galloway and Augustinian regular canons at St Andrews. Most of these structures were conceived on a less pretentious scale than that of contemporary cathedrals in England or on the continent, but they must have given satisfaction for their worth as religious investments in a country with a small population.

Less ecclesiastical building was possible in the harsh decades of financial depression and political reverses of the fourteenth century; and when work on repairs and improvements did start again, architectural historians emphasize that inspiration no longer came from England but from the Low Countries and France. The name of John Morow from Paris is associated with work by him at Melrose and Paisley abbeys as well as St Andrews and Glasgow cathedrals about the end of the century, and parallels with models in the Low Countries have been traced in early fifteenth-century work at St Andrews and Aberdeen.⁴⁴ As with matters intellectual and political, so did Scottish architects at the end of the middle ages turn from models in England to others on the continent.

Changes too occurred in the relative popularity of long-standing church practices. Only one substantial monastic community was founded in the fifteenth century, when King James I in 1429 brought the strict order of the Carthusians to Perth.⁴⁵ It fitted with changing emphases in monastic ideals that this order (which was new to Scotland) laid stress on the separate spiritual pilgrimages of the individual monks of the community, who lived like hermits in their own rooms, rather than on values practised in communal groups. The pursuit of personal salvation was their common goal. Benefactors of church enterprises were now inclined to spend their money on local parish churches, whether situated on their lands in the country or in the many small burghs (none of which had more than two or three parish churches, and most of them only one). Burgh churches in particular became objects of local pride in places such as Elgin, New Aberdeen, Dundee, Stirling, Edinburgh, Haddington, Ayr and Dumfries. Though only a handful matched in scale and grandeur the 'wool churches' of East Anglia, or the urban churches of the major English or continental towns, they were accessible to local families who wished to secure a happy afterlife for their ancestors and themselves by establishing perpetual chaplainries for regular masses to be said for named souls believed to be passing through Purgatory.⁴⁶ For example, thirty-two chaplainries were established in Holy Trinity church, St Andrews, forty-six in St Giles church, Edinburgh, and thirty-seven in St John's church, Perth.⁴⁷ Such endowments provided priests with a useful financial base from which to follow other clerical activities. And there was a growing custom of endowing not only single chaplainries but also small groups of them to serve a number of altars (sometimes in a special extension to the parish church), or even a large group as a 'college' in a church specially built for the purpose. Nearly thirty of these collegiate churches were established before 1500, and in the following year the grandest of them all was to be founded by King James IV as the Chapel Royal in Stirling Castle.⁴⁸

Pietistic attitudes are observable also in two other related religious practices of the late middle ages – pilgrimages and indulgences. Participation in the former popularly served as earthly penance which would earn credit for reducing time spent in Purgatory in the afterlife. These might be short outings to local shrines, but among the more demanding expeditions considered to be especially worthwhile were visits to Tain, St Andrews, Dunfermline, Glasgow and Whithorn.⁴⁹ James IV was noteworthy for his repeated pilgrimages to the first and last of these. From the eleventh century

onwards ferries across the Firth of Forth at Queensferry near Edinburgh and at Earlsferry between North Berwick and Elie had eased the journeys of pilgrims from the south to Dunfermline and St Andrews. Even greater merit was attached to pilgrimages to Rome, to Compostela in Spain, and to the Holy Land. Such religious practice could be one way of securing an indulgence, that is, a recognition by the church of a person's absolute or partial right to share in the infinite treasury of merits of Christ, the Blessed Virgin and all the saints. Another way of securing the full indulgence was to obtain from the pope the privilege of direct entry to heaven on making full confession of one's sins and dying repentant. A partial indulgence, on the other hand, could be obtained for a contribution to a good cause, such as a financial contribution to a cathedral-building fund,⁵⁰ or more picturesquely in 1419 to a fund for building a bridge over the muddy River Eden near St Andrews, necessitated by the recent tragic drowning there of fifteen priests, which it was feared might make it necessary to move the recently founded university elsewhere.⁵¹ It has been claimed that by the mid-fifteenth century indulgences were obtainable at most cathedrals, monasteries, collegiate and large burgh churches, and many ordinary parish churches as well.⁵²

This mechanical rather than spiritual attitude towards indulgences illustrates one aspect of what is sometimes called the growth of the lay spirit in later medieval Europe. In Scotland certainly many of the clergy, while financially supported by the endowment funds of the church and the offerings of the faithful, led careers that had little to do with religious practices. It is not that they were heretics, but rather that the evangelical spirit was burning low, and the emphasis on material standards was widespread. The fifteenth-century kings led from the top in negotiating with successive popes until by 1487 they had a dominant place in deciding the principal appointments to bishoprics and abbacies,⁵³ and family connections were beginning to have more weight in many such promotions rather than a proven professional record. The church's property was more and more being controlled by lay administrators, who could well be suitable appointees by lay standards but whose main interests were not ecclesiastical. The clergy were still clerks/clerics, though their monopoly of literacy was beginning to be breached, more obviously perhaps in the towns than in the country – though it is worth emphasizing that it was a minor landholder of knightly status in West Fife who about 1440 commissioned Abbot Walter Bower to compile in Latin his massive *Scotichronicon*, telling and reflecting on the story of Scotland's past.⁵⁴ The seeds of the fundamental challenge to accepted church life that was to come in the following century had been planted.

NOTES

- 1 Donaldson, 'Bishops' sees'.
- 2 McNeill and MacQueen, *Atlas*, pp. 336–8, 347–60; Watt, *Series Episcoporum*, series 6, vol. 1, chapter introductions.
- 3 R. Somerville, *Scotia Pontificia* (Oxford, 1982), passim.
- 4 Watt, *Series Episcoporum*, series 6, vol. 1, p. 2; Robertson, *Concilia Scotiae*, vol. 1, p. lxxxvi, n. 3.
- 5 G. W. S. Barrow, ed., *The Acts of Malcolm IV King of Scots 1153–1165, Regesta Regum Scottorum*, vol. 1 (Edinburgh, 1960), p. 65.

- 6 See above, n. 2.
- 7 Cf. Dowden, *Church*, pp. 113–14.
- 8 Watt, ‘University men’, p. 9.
- 9 Watt, ‘University graduates’, p. 84.
- 10 Grant, *Independence and Nationhood*, p. 98.
- 11 *Ibid.*, pp. 98–9.
- 12 Dilworth, *Monasticism*, pp. 6–8.
- 13 *Ibid.*, p. 9.
- 14 Bower, *Scotichronicon*, vol. 9, pp. 28–9; cf. Cowan and Easson, *Religious Houses*, pp. 143–56.
- 15 Cowan and Easson, *Religious Houses*, pp. 114–39.
- 16 Robertson, *Concilia Scotiae*, vol. 1, esp. pp. xxvi–xxvii, xl–xli, lvi–lviii, lxi–lxiii, lxxxv–lxxxviii.
- 17 J. Donnelly, ‘Skinned to the bone: Durham evidence for taxation of the church in Scotland’, *Innes Review*, 50 (1999), pp. 1–24, esp. pp. 7–10.
- 18 *Ibid.*, pp. 10–13.
- 19 J. H. Burns, *Scottish Churchmen and the Council of Basle* (Glasgow, 1962).
- 20 Watt, ‘Provincial council’, *passim*.
- 21 See above, n. 4.
- 22 Dowden, *Bishops*, *passim*.
- 23 For both bishops and abbots see W. M. Brady, *The Episcopal Succession in England, Scotland and Ireland 1400–1875*, vol. 1 (Rome, 1876), pp. 123–6 (for bishops), pp. 164–210 (for abbots); for ‘services’ see A. I. Cameron, *The Apostolic Camera and Scottish Benefices 1418–1488* (Oxford, 1934), pp. 1–34.
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- 27 Grant, *Independence and Nationhood*, p. 93.
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- 30 Watt, ‘University men’, *passim*.
- 31 D. E. R. Watt, ‘Scottish student life abroad in the fourteenth century’, *Scottish Historical Review*, 59 (1980), pp. 3–21.
- 32 Cf. Watt, ‘University men’, *passim*.
- 33 Watt, ‘University graduates’, *passim*.
- 34 Bower, *Scotichronicon*, vol. 9, ch. 15, ‘The Sources’.
- 35 *Ibid.*, pp. 236–43.
- 36 For Scotus and Lindores see D. E. R. Watt, *A Biographical Dictionary of Scottish Graduates to A.D. 1410* (Oxford, 1977), pp. 168, 343–5; for Ireland see J. H. Burns, ‘John Ireland and *The Meroure of Wyssdome*’, *Innes Review*, 6 (1955), pp. 77–98.
- 37 Bower, *Scotichronicon*, vol. 8, pp. 67–73, 277–9.
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- 40 Bower, *Scotichronicon*, vol. 8, pp. 87–93.
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- 42 See R. Fawcett, *Scottish Abbeys and Priors* (London, 1994) and *Scottish Cathedrals* (London, 1997).
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CHAPTER TWENTY-ONE

Wales: Religion and Piety

HUW PRYCE

By 1100 Christianity had been established in Wales for over six centuries. How far this early medieval inheritance influenced the development of the church and religion in the later middle ages, and how far it was swept aside by the combined forces of reform and conquest, are questions that lie at the heart of any assessment of Welsh ecclesiastical history between 1100 and 1500. That major changes took place in this period, especially in the twelfth century, cannot be denied. The formation of dioceses with clearly defined boundaries and their subjection to the authority of the archbishop of Canterbury, the creation of parishes and the introduction of Benedictine monasticism (most notably the Cistercians) all served to bring Wales into line with wider European patterns of ecclesiastical organization and provision. Likewise the popularity of cults of universal saints, reflected, for example, in devotion to the Virgin Mary and in pilgrimages to Rome and Compostela, or the proliferation of roods and rood-screens in the later middle ages, show that piety in Wales had much in common with that practised elsewhere in western Christendom. Yet this narrative of modernization or 'Europeanization' requires immediate qualification, for it is complicated by the durability of institutions, customs and mentalities originating in the pre-Norman period which helped to ensure that the church in medieval Wales retained some distinctive characteristics.

The impact of both European reform and English political domination is a central theme of Glanmor Williams's seminal study of the Welsh church from the Edwardian conquest of 1282–3 to the Reformation, first published in 1962. The wide range of its coverage, embracing the secular church, religious houses, religious literature and ecclesiastical architecture as well as popular beliefs and practices, is all the more remarkable given the lack of certain kinds of source material that historians of the church in much of the later medieval West can take for granted. For example, no medieval episcopal registers survive from Llandaff and St Asaph, those of St David's begin only in 1397, and Bangor is represented by a fragment from 1408–17; parish registers are entirely lacking; Welsh ecclesiastical court records are extremely rare.¹ A hallmark of Williams's book is its pioneering approach to the problems of interpretation posed by the nature of the extant evidence, in which a

thorough analysis of those records that are available (particularly the thirteenth-century papal taxations and the *Valor Ecclesiasticus* of 1535, papal letters and English chancery enrolments) is combined with a sensitive reading of religious poetry and prose in Welsh, sources previously studied mainly by literary scholars.

For the formative period from the late eleventh to the late thirteenth century the fullest treatment remains that of J. Conway Davies, in the introductory chapters to a collection of calendared documents published in the 1940s. Though it retains much of value and its scope has yet to be superseded, Conway Davies's work has worn less well than Williams's – partly because its coverage is less comprehensive, partly because important aspects of it require revision in the light of subsequent studies. The historiography of recent decades has thus paid significantly greater attention to twelfth- and thirteenth-century developments than to those of the later period. One characteristic of this more recent work has been the close study and re-evaluation of particular bodies of source material, including the Book of Llandaff, the writings of Gerald of Wales, episcopal *acta*, compilations of Welsh customary law and religious literature. Such studies have been accompanied by, and indeed helped to sustain, a diversification of the historiographical agenda. Thus, for example, in addition to a continuing preoccupation with the distinctiveness of the Welsh church as reflected by the survival and adaptation of native institutions within a changing framework of ecclesiastical organization, important work has been published on monasticism and, especially in the 1990s, on the cults of female saints.

Reorganization and Reform of the Secular Church

In 1100 there were bishops in Wales, but their areas of authority fluctuated. By 1150 the four territorial dioceses of Bangor, Llandaff, St Asaph and St David's had been established, and their subdivision into archdeaconries, rural deaneries and parishes was well under way. Norman conquest clearly played a big part in these changes, though whether it caused or rather merely accelerated them is open to debate. Certainly, diocesan development was more rapid and thorough in south Wales, subject to extensive Norman settlement from the late eleventh century onwards, than in the north. True, the Breton Hervé was appointed to the see of Bangor in 1092 in the wake of the short-lived Norman conquest of Gwynedd; but he fled for his life within a few years, and it is likely that a territorial diocese only began to be established under his eventual successor, David the Scot (1120–39). North-east Wales lacked a bishopric until the foundation of St Asaph in 1141. The reorganization of the Welsh church in the first half of the twelfth century is associated above all, therefore, with two bishops: Urban of Llandaff (1107–34) and Bernard of St David's (1115–48). Both were highly ambitious, exploiting their churches' traditions about the past to make novel claims to rights which they advanced through (ultimately unsuccessful) appeals to the papacy, thereby generating controversies reflected in a relative abundance of records.

Most of what is known about Urban, almost certainly a Welshman trained as a priest at Worcester, derives from a collection of sources that he was probably responsible for compiling: *Liber Landavensis* or the Book of Llandaff. This early twelfth-century Gospel Book contains saints' Lives, copies of papal privileges and other documents, notably 158 charters purportedly recording grants of land to earlier

bishops of Llandaff. Its aim was to support Urban's claims both to a wide territorial diocese, extending as far as Gower in the west and Archenfield (Ergyng) in the east, and to extensive episcopal estates, claims that were challenged by the neighbouring bishops of St David's and Hereford. Understanding of *Liber Landavensis* as a source for the study of pre-Norman Wales has been transformed by Wendy Davies, who has demonstrated that most of the charters it contains are derived from authentic early medieval documents. She has also examined the context of its compilation in the early twelfth century, a topic recently reassessed in detail by John Reuben Davies, who has argued that the main part of the manuscript was written in support of Urban's claims during his pontificate rather than, as some scholars have held, in commemoration of his struggle after his death.

As a Norman and former chaplain to Henry I's queen, Matilda, it is not surprising that Bernard reorganized the diocese of St David's, the largest and richest in Wales, on continental and English lines by defending its territorial integrity against Urban's attempted encroachment, as well as by establishing archdeaconries and a cathedral chapter in collaboration with the Welsh clergy of his church. The most ambitious result of this collaboration, however, was Bernard's campaign, probably launched in the later 1130s, to obtain papal recognition of St David's as a metropolitan see with jurisdiction over the other Welsh bishoprics in a province independent of Canterbury. But, like later efforts to raise St David's to an archbishopric, between 1198 and 1203 by Gerald of Wales (whose writings are our main source for both his and Bernard's campaigns) and by Owain Glyn Dŵr in the early fifteenth century, his campaign was to end in failure.²

That Urban and Bernard were determined protagonists of the interests of their sees is clear enough. But, viewed as a whole, how effective were twelfth- and thirteenth-century Welsh bishops in promoting the agenda of ecclesiastical reform through improving the standards of the clergy (notably by eradicating clerical marriage), reducing the control of churches by secular lords and kin-groups and imposing the norms of indissoluble, monogamous marriage on the laity? A number of recent studies have given grounds for doubting the extent to which the establishment of the new territorial dioceses opened the church in Wales to reforming forces. After all, churchmen with unimpeachable reforming credentials such as John of Salisbury (d. 1180), Gerald of Wales (d. c.1223), the subject of several important studies in recent decades, and Archbishop John Pecham (d. 1292) were damning in their criticisms of the Welsh clergy. True, such condemnations belonged to a rhetoric developed by twelfth-century Anglo-Norman churchmen that stigmatized the Welsh as barbarians, a rhetoric which can be seen as giving ideological legitimacy to Anglo-Norman and English conquest and colonization in Wales.³ The attempts made from the mid-thirteenth century onwards to promote reform through producing instructional works in Welsh, discussed below, should also be borne in mind. Yet the criticisms cannot be dismissed as mere fabrications fed by prejudice. Gerald of Wales and Pecham had first-hand experience of the Welsh church. The archbishop conducted a visitation of all Welsh dioceses in 1284, in the wake of Edward I's conquest, commenting adversely on the ignorance, incontinence and irregular dress of the clergy, comments that were markedly more severe than those he made with respect to the English dioceses he had visited earlier in his pontificate.⁴ At the very least, such criticisms raise serious questions about the effectiveness of Welsh bishops in eliminating

practices such as clerical marriage, hereditary succession to benefices and portionary churches that drew general condemnation from reform-minded churchmen at this time.

One answer to what bishops did in their dioceses is given by the *acta* they issued. The publication of editions of the episcopal *acta* of Llandaff (1140–1287) and of St David's (1085–1280) is therefore greatly to be welcomed. Though many of these documents had already been identified and calendared by Conway Davies, the provision of Latin texts together with introductions and notes marks a significant advance. The *acta* reveal much about bishops' relations with religious houses possessing churches and lands within their dioceses, as well as about the identities and roles of diocesan personnel such as archdeacons. Light is also shed on the formation of cathedral chapters: indeed, the St David's edition includes thirteenth-century statutes issued for the chapter preserved in the early sixteenth-century Statute Book of St David's, a source of major importance for medieval Welsh ecclesiastical history whose publication in its entirety is long overdue.⁵ Recent work by Matthew Pearson on the four medieval Welsh cathedral chapters in the twelfth and thirteenth centuries has underlined the precocity of St David's, where a formally constituted chapter was established by Bishop Bernard, by comparison with the other Welsh dioceses, whose bishops appear to have been served by a household (*familia*) of clerics until the late twelfth or early thirteenth centuries.

The relatively late development of cathedral chapters in the majority of Welsh bishoprics serves as a warning not to overstate the scale and pace of change resulting from the creation of territorial dioceses. So, too, does the comparative paucity of episcopal *acta*. In both southern dioceses the survival rate over the twelfth and thirteenth centuries averages less than one a year, and the rate is almost certainly even less for the dioceses of Bangor and St Asaph, whose *acta* have not yet been published (nor has Conway Davies's projected third volume of *Episcopal Acts* calendaring these and related documents ever appeared). Even allowing for archival losses, it appears that the numbers of *acta* produced were small by comparison with those issued by English bishops. This can be explained in part as a consequence of episcopal vacancies and absences. The see of Bangor was vacant for considerable periods in the twelfth century, notably from c.1094 to 1120 and from 1161 to 1177, and two of its thirteenth-century bishops, Richard (1237–67) and Anian I (1267–1305/6), spent many years in English exile on account of their differences with the princes of Gwynedd.⁶ Peter de Leia of St David's (1176–98) was also often absent, enjoying the hospitality of English monasteries, as was Godfrey of St Asaph (1160–75).

Such absences highlight a fundamental obstacle to episcopal effectiveness: poverty. Peter de Leia, for example, seems to have concluded that it made better economic sense to set up home with a few clerks in English abbeys than to maintain an episcopal household at St David's.⁷ The poverty of the Welsh dioceses was no doubt a disincentive to ambitious, schools-trained clerics with a strong commitment to a reforming agenda. There were exceptions, of course. Gerald of Wales wanted to be bishop, indeed archbishop, of St David's, and sought to promote reform as archdeacon of Brecon. Cadwgan, Cistercian bishop of Bangor (1215–35/6), composed theological writings, prayers and a treatise to help priests in hearing confessions; Thomas Wallensis of St David's (1248–55), formerly archdeacon of Lincoln under Bishop

Grosseteste, was famed for his learning; Anian II of St Asaph (1267–93), a Dominican, possessed a sizeable library including books of canon law.⁸

Yet even if they wished to improve the standards of their clergy and uphold the norms of canon law, the bishops faced considerable obstacles. Although in the upland regions of Wales bishops possessed the patronage of most parish churches, the deeply entrenched practice of hereditary succession to benefices effectively restricted their room for manoeuvre in presenting clergy to livings: Gerald of Wales complained of the violent reaction that followed if a bishop dared to present someone other than a member of the kin controlling a church, while the bishop of St Asaph was accused in 1222 of allowing priests' sons to inherit their fathers' benefices on payment of a fee. To understand the extent to which the church in Wales was reformed in the twelfth and thirteenth centuries an entirely 'top-down' approach is insufficient: we need to consider not only the bishops but also their clergy and attitudes to the church in society at large. If it is accepted that reformers were broadly correct in emphasizing the shortcomings of the Welsh church by comparison with the yardsticks of the church in England and on the continent and the norms of the new canon law, it does not follow that theirs is the only perspective that requires attention. Equally if not more important is the question of what the church meant to the majority of clergy and people in Wales.

Several studies have sought to assess the significance of native Welsh ecclesiastical institutions in the twelfth and thirteenth centuries in their own right, rather than simply as relics of a pre-Norman landscape largely submerged by a powerful wave of ecclesiastical reorganization and reform.⁹ Particularly valuable in this regard is the testimony of the Welsh lawbooks, whose earliest surviving versions were written in the late twelfth and thirteenth centuries. True, these pose formidable problems of interpretation, not least because some of the material in the texts was obsolete at the time of redaction. Moreover, they are mainly concerned with secular custom, and nowhere treat the church at any length. Nevertheless, the law-texts offer unique insights into how the church was viewed from within Welsh society, especially in north-west and south-west Wales, the regions from which most of the extant redactions derive. For example, rules on sacrilege and ecclesiastical sanctuary illuminate the status of major native churches, in most cases probably pre-Norman foundations, headed by men bearing the title of 'abbot'. The abbot and his clergy (termed canons or *clasmyr*) were regarded as heirs of the church's founding saint, and thereby as being entitled to receive various payments. In addition, such churches were permitted to grant sanctuary within a zone far more extensive than that allowed under the classical canon law (Gerald of Wales states that these areas were marked out by bishops). These and other rules suggest that the owners of major native churches enjoyed a privileged form of land tenure that they would have been reluctant to surrender. Also significant is the lawbooks' attitude to marriage. None of the early compilations contains any acknowledgement that marriage fell under the jurisdiction of the church, and their acceptance of divorce, reflected in rules focusing on the division of property (down to the bedclothes) as well as children between the husband and wife, went far beyond the separation of spouses or annulment of marriages allowed under canon law. True, some texts, especially from south Wales, echo canonical norms in denying inheritance to sons born out of wedlock and to priests' sons. All in all, however, the Welsh lawbooks are remarkably impervious to the requirements of the canon law on

marriage by comparison with most other collections of customary law of the same period in Europe.

Doubts about the effectiveness of the new diocesan structures established in Wales, coupled with a clearer appreciation of the resilience of native ecclesiastical institutions, have served to undermine the validity of reform as a central concept for understanding the development of the Welsh church in the twelfth and thirteenth centuries. The challenge now is to try to pull the disparate strands of recent work together to construct a more complex and convincing picture of ecclesiastical change.

The Religious Life

No assessment of ecclesiastical provision would be complete without considering monasteries and other opportunities for following a religious life. This subject has attracted considerable attention in recent decades, notably from F. G. Cowley and David Williams. The development of monasticism in Wales lends support to the view that ecclesiastical change was an adjunct of Norman conquest and settlement. Though the most important pre-Norman churches were sometimes termed ‘monasteries’ (Latin: *monasteria*) in the sources and contained groups of clergy under abbots or bishops, bearing comparison with late Anglo-Saxon minsters, Benedictine monasticism was first introduced into the country by the Normans.¹⁰ The conquerors not only endowed English abbeys with Welsh churches and their lands, for instance Gloucester abbey received Llanccarfan in Glamorgan, but they also established nineteen priories in south Wales dependent on Benedictine abbeys in England and France, of which seven attained conventual status. The priories were located in centres of Norman lordship such as Abergavenny, Brecon, Carmarthen, Chepstow and Pembroke, and thus represented external domination rather than any indigenous movement for religious renewal.

The impact of Benedictine monasticism only spread more widely across Wales with the advent of reformed religious orders, especially the Cistercians. Here, too, Normans took the lead. Robert fitz Martin, lord of Cemais in Dyfed, established a Tironian priory at St Dogmaels that was raised to the status of an abbey in 1120; Richard de Granville founded a Savigniac house at Neath in 1130; and the first Welsh Cistercian abbey, Tintern, a daughter of L’Aumône, was founded by Walter fitz Richard, lord of Chepstow, in 1131. However, it was Cîteaux’s daughter house of Clairvaux in Burgundy, under its hugely influential abbot St Bernard (d. 1153), which had the most profound influence on the development of the Cistercians, and indeed of monasticism more generally, in medieval Wales. One daughter house was founded by Robert of Gloucester, lord of Glamorgan, at Margam in 1147. Much more influential, though, was Clairvaux’s daughter at Whitland (Carmarthenshire), a community apparently first established in 1140 on a different site sixteen miles farther west by Bishop Bernard of St David’s. Though originally a Norman foundation, Whitland attracted the support of Rhys ap Gruffudd (the Lord Rhys) (d. 1197), native ruler of Deheubarth (south-west Wales), who also acquired, through conquest, the patronage of Whitland’s first daughter, Strata Florida in Ceredigion, founded in 1164 by the Norman lord of that region, Robert fitz Stephen. Thanks in large measure to the example of the Lord Rhys, the filiation of Whitland spread into other regions of Wales

under native rule in the later twelfth and early thirteenth centuries, with the foundation in Powys (north-east Wales) of Strata Marcella (1170) and Valle Crucis (1201), in Maelienydd (in mid-Wales) of Cwm-hir (1176), in Gwynllŵg of Llantarnam or Caerleon (1179), and in Gwynedd of Aberconwy (1186) and Cymer (1198 or early 1199).¹¹ Staffed by Welsh monks and *conversi*, the Whitland filiation became closely identified with the Welsh princes and with Welsh culture.

The Augustinian canons also found favour among the Welsh. As elsewhere in Britain and Ireland the Augustinians provided an economical means of introducing a regular life into existing churches. Welsh lords granted the native *monasterium* of Trefeglwys in Arwystli (mid-Wales), as well as the church of Nefyn on the Llŷn peninsula in Gwynedd, to Haughmond abbey in Shropshire in the 1140s or 1150s, and Llywelyn ap Iorwerth (d. 1240), prince of Gwynedd, appears to have refounded the ancient ecclesiastical foundations of Bardsey, Beddgelert and Penmon as Augustinian priories.¹² Another development in the thirteenth century, and one which has received little attention of late, was the patronage bestowed on the mendicant orders by both English settlers and the Welsh. Dominican houses were founded at Bangor, Brecon, Cardiff, Haverfordwest and Rhuddlan, Franciscan friaries at Cardiff, Carmarthen and Llan-faes on Anglesey. True, the impact of the friars on Wales should not be overstated: towns were small, and Cardiff was unique in supporting both main orders.¹³ Nevertheless, the presence of the mendicants provides further evidence that Wales was not isolated from contemporary European trends in the provision of religious houses.

The study of benefactions to religious houses depends principally on the availability of charters recording donations, sales or leases of land. Recent work has added to the numbers of such documents in print, notably Una Rees's edition of the Haughmond cartulary and Graham Thomas's edition of Strata Marcella charters, while K. L. Maund's handlist of the *acta* of native Welsh rulers in the twelfth and thirteenth centuries has identified almost 300 charters, of which the majority were issued in favour of monasteries. There has also been some analysis of religious patronage. For example, a study of foundations by the Clares includes discussion of their patronage in Wales (one branch of the family held the lordship of Chepstow and another held Ceredigion intermittently in the twelfth century); while an examination of Margam abbey's exceptionally rich collection of charters has shed valuable light on the Welsh landholders of upland and western Glamorgan who made benefactions to the abbey in the late twelfth and thirteenth centuries.¹⁴ Nevertheless, more work is needed on the relations between religious houses and their benefactors, in order to clarify the expectations of both parties, the extent to which grantors' powers of alienation were restricted by their kin or lord and the significance of differences in the types of grants (for example, between donations and sales).

The success of the Cistercians in particular in attracting both recruits and patronage from the Welsh suggests that there was a demand from within Welsh society for new kinds of religious institutions. One way of looking at Cistercian growth in Wales, and the same is true of the support given to the Augustinians and the friars, is to see it as part of a broader pattern of cultural adaptation and assimilation, in which fashions initially introduced by settlers from the Anglo-French world subsequently caught on among the indigenous population, and especially its elite. It is important to stress that Welsh rulers were ready to bestow patronage on Anglo-Norman foundations:



Map 21.1 Dioceses, religious houses and other churches in Wales, c.1300. After R. R. Davies, *Conquest, Coexistence, and Change: Wales 1063–1415* (Oxford, 1987), map 4, with additions.

Gruffudd ap Cynan (d. 1137), king of Gwynedd, made gifts to the Benedictine abbeys of Chester and Shrewsbury on his deathbed, his son Cadwaladr ap Gruffudd (d. 1172) was a patron of Haughmond (whose neighbour he became after Henry II granted him the Shropshire manor of Ness), while the Cistercian houses of Basingwerk, Margam and Whitland attracted benefactions from the Welsh. As elsewhere in Europe, patrons no doubt expected a mixture of spiritual and temporal benefits. For example, Welsh rulers may have supported the new religious orders not only because they considered these to be spiritually more efficacious, but also because they provided visible emblems of their power and, crucially perhaps, were more amenable to their control and influence than the old-established native foundations held by kin-groups. If so, religious patronage needs to be set in a broader context of attempts to increase princely authority in the late twelfth and thirteenth centuries, attempts that involved curbing the privileges of high-ranking freemen (Welsh: *uchelwyr*), including the abbots and portioners of the major churches described in the laws and other sources.

The recruitment of monks and *conversi* by Cistercian houses also suggests that those houses satisfied religious needs among the population at large. It has been argued that one crucial element in Cistercian success in Wales was that the white monks tapped into an existing tradition of ascetic, eremitical life expressed, for example, in traditions about Dark Age saints such as St David.¹⁵ If this interpretation is correct, there are grounds for concluding that the spread of the Cistercians was generated in part by pressures from within Welsh society for religious renewal, and cannot be explained merely in terms of exposure to new cultural norms from the Anglo-French world, norms imposed in the areas outside marcher control by native rulers. Hermits are certainly well attested in Wales in the twelfth and thirteenth centuries; moreover, one hermit, Meilyr, played a central part in an abortive attempt in the later twelfth century to establish a Cistercian house at Pendar in upland Glamorgan. Since little is known of the precise circumstances in which Welsh Cistercian houses were founded, or of the identities of their early abbots and monks, it is important to keep an open mind about the influence of local demand, which in some cases at least may have been more extensive than that of an individual patron. Although, apart from the Savigniac houses of Basingwerk and Neath, there are no clear examples of originally independent reform-monasteries being incorporated by the Cistercians in Wales, recent criticism of the paradigm of colonization as the driving force behind Cistercian expansion in western Europe generally merits consideration in a Welsh context. If the requirement in Cistercian legislation of sending an abbot and twelve monks from a mother house to its daughter was not necessarily always followed in practice, the question arises of how far new foundations depended from the outset on local recruitment and thus on a readiness by some to participate in a new kind of religious life.¹⁶

The nature of that life is difficult to assess because of the lack of sources. No Welsh Cistercian abbot is commemorated in a biography, and most extant Cistercian writing from medieval Wales is devoted to historiography – including the Annals of Margam and, most notably, the Welsh chronicles generically known as *Brut y Tywysogyon* ('The Chronicle of the Princes') – rather than to spirituality. Little is known of the contents of Welsh Cistercian libraries, apart from that of Margam (which possessed 242 theological books in the early fourteenth century), although recent work on medieval

Welsh manuscripts has underlined the importance of Cistercian scriptoria as centres of book production. Much more is known about the political and economic history of the abbeys than about their internal organization and devotional life, though statutes issued by the General Chapter illuminate disputes between abbeys and disciplinary problems, particularly difficulties with bibulous *conversi*. What it meant to be a monk in, say, Whitland or Strata Marcella in the twelfth and thirteenth centuries is, therefore, difficult to determine with any precision. Certainly, abbots sought to emulate contemporary architectural fashions in the construction of their abbey churches and conventual buildings, and no Welsh Cistercian house was accused by the General Chapter of gross breaches of discipline such as those that led to Stephen of Lexington's visitation of the Irish monasteries affiliated to Mellifont in 1228.¹⁷ At the same time, the filiation of Whitland formed a distinctive regional group in which Cistercian monasticism was customized to conform with Welsh cultural and political aspirations: as such, its houses were as much 'Welsh' as 'Cistercian'. Indeed, these abbeys appear to have continued native ecclesiastical traditions, reflected in some features of manuscripts and charters produced in their scriptoria as well as in the continuation of annals originating in the early middle ages. In important respects, then, the spread of the Cistercians in Wales marked an adaptation of the old ecclesiastical order rather than a complete break with the past.

This conservatism may also help to explain another striking feature of organized religious life in medieval Wales: its overwhelmingly male character. Nunneries were few and small. They comprised two Cistercian houses, one founded at Llanllŷr in Ceredigion by the Lord Rhys before 1197, the other at Llanllugan in Cedewain (in mid-Wales) by the region's lord, Maredudd ap Rhobert, in the early thirteenth century, together with a Benedictine priory at Usk founded before 1236. In addition, a Cistercian nunnery may have been established briefly at Llansanffraid in Elfael in the 1170s as a daughter house of Strata Marcella.¹⁸ The reasons for this paucity of provision are unclear. The extent to which marcher lords had connections with nunneries in England remains to be explored, and thus we can only speculate whether they thought that these offered a more secure option for female members of their families than foundations in Wales. But why did Welsh princes and lords establish so few nunneries? Late medieval Welsh poetry depicting nuns as objects of male erotic fantasy, an attitude also found in some continental and English poetry, has been cited as evidence that men in the upper echelons of Welsh society were hostile to a separate religious life for women, believing instead that women should marry and bear children to ensure the perpetuation of families.¹⁹ Aspects of this interpretation are, it must be admitted, open to question. How far a particular genre of poetry, represented by perhaps only five poems, articulated wider social attitudes is uncertain; and in any case, since it dates from the fourteenth and fifteenth centuries, this poetry is of limited relevance to understanding why so few nunneries were established during the period of Welsh monastic expansion in the twelfth and early thirteenth centuries. More importantly, it may be doubted whether the pressures in favour of marriage were markedly stronger in medieval Welsh society than elsewhere in Europe.

Nevertheless, the general point that attitudes and conditions in Welsh society were unfavourable to the foundation of nunneries is plausible. Since women could not normally inherit land (though at the princely level some received gifts of dower in

the thirteenth century), it was difficult for them to found religious houses themselves, in contrast to aristocratic wives and widows in, for example, England.²⁰ In addition there seems to have been no tradition of female religious communities in pre-Norman Wales. Although later medieval hagiographical accounts claim that the Dark Age female saints Gwenfrewi (Winefride) and Melangell led communities of nuns, all that is known of native Welsh ecclesiastical establishments from the eleventh century onwards indicates that they were owned and staffed exclusively by men. Indeed the eremitical community on Priestholm off the north-east coast of Anglesey, described by Gerald of Wales at the end of the twelfth century, denied entry to women; there were similar communities on Bardsey Island and at Beddgelert.

Of course, the prevalence of clerical marriage meant that Welsh churches did have a strong female presence in the form of the clergy's wives and, no doubt, servants. Notwithstanding the derogatory comments of reformers such as Gerald, it is even possible that to be a priest's wife involved elements of a religious vocation, expressed through the duty of providing hospitality and charity, though there is no evidence that this view was held in medieval Wales.²¹ Yet this is a far cry from the provision of religious communities specifically for women. It was possible, however, for women in medieval Wales to lead a solitary religious life, for a number of twelfth- and thirteenth-century sources offer glimpses of anchoresses, such as the one living in a cell next to the church at Overton in Flintshire in 1284.²² Like their male counterparts, these female recluses probably continued a tradition of piety that originated in the pre-Norman period.

Church and People

By the late thirteenth century the essential elements of the ecclesiastical framework of later medieval Wales had been established. True, this framework did not remain static over the following two centuries. From the mid-fourteenth century onwards the combination of increasing royal intervention and papal provisions resulted in a marked reduction in the numbers of Welshmen appointed as bishops in Wales, while communities in religious houses were generally much smaller than they had been in the heyday of monastic expansion. New religious foundations were few after the Edwardian conquest: they included collegiate churches at Llangadog (1283, moved to Abergwili in 1287) and Llanddewibrefi (1287), hospitals such as those at Swansea (1332) and on the coast of Arudwy, possibly at Egryn (by 1391), and a house of Austin friars at Newport (1377).²³ Consideration of the fourteenth and fifteenth centuries has focused mainly, therefore, on the development of ecclesiastical institutions originating earlier in the middle ages and on the character of religious devotion in society as a whole.

It is probably fair to say that recent studies have refined and amplified rather than radically revised Glanmor Williams's picture of the church in late medieval Wales. For instance, the emphasis Williams placed on the damaging consequences for the church of the Black Death, followed by the destruction resulting from the Glyn Dŵr rising of the early fifteenth century, remains unchallenged, as does his case for a recovery after the mid-fifteenth century reflected in the rebuilding and embellishment of churches (a trend also found in England at that time). Nor has any evidence been

adduced to modify the view that ‘traces of Lollard connexions with Wales are slight and inconclusive’.²⁴ Yet detailed examination of particular bodies of source material has added valuable texture to Williams’s account. For example, further light has been shed on clerical standards by an analysis of clergy mentioned in the extensive court rolls of the marcher lordship of Dyffryn Clwyd, and an unpublished dissertation on wills in later medieval Wales contains much of relevance to an understanding of piety and attitudes to death. The few surviving Welsh liturgical manuscripts have also received close attention, notably the fourteenth-century ‘Penpont Antiphonal’, the only extant Welsh antiphonal, which contains the Latin rhymed office of St David, and two manuscripts used at Bangor cathedral: a pontifical of the earlier fourteenth century (which, as was the case in the other Welsh cathedrals, followed the Use of Salisbury) and a missal acquired in the early sixteenth century.²⁵ Studies of individual Welsh regions and towns have likewise contributed valuable insights into ecclesiastical provision and religious devotion, such as the endowment of chantries, and set these firmly within specific social and spatial contexts.²⁶

A key strength of Williams’s book was its pioneering integration of the evidence provided by Welsh literature, both prose and poetry. The prose works are of a didactic or devotional character and range from short texts such as the Athanasian Creed or Lord’s Prayer to a version of the *Promptuarium Bibliae* (a synopsis of the historical books of the Bible, and known in Welsh as *Y Bibyl Yngghymraec*), saints’ Lives and the mystical treatise *Ymborth yr Enaid* (‘The Food of the Soul’), the final part of what was originally a longer work, *Cysegrlan Fuchedd* (‘The Pure and Holy Life’); many, though not all, of these works were translated or adapted from Latin originals. The strict metre poetry, composed by professional poets known as *cywyddwyr*, includes numerous poems on religious themes, such as the saving power of Christ, the virtues of particular saints or roods (those of Brecon and Chester were especially popular) and the need for confession. Following the lead of literary scholars, Williams interpreted the prose writings as attempts by some clergy, extending from around the mid-thirteenth to mid-fourteenth century, to advance the reforming agenda of the Fourth Lateran Council (1215) by educating both poorly educated priests and the laity, especially members of the Welsh gentry, in essentials of the Christian faith. His emphasis, therefore, was largely on what the texts revealed about the aspirations of their authors, some of whom at least were friars, rather than on their intended audience and readers. By contrast, while sensitive to the accomplishments and repertoire of individual poets, Williams showed how poetry could be read to illuminate wider religious attitudes and practices, such as pilgrimage, among the laity, or at least the upper echelons of native society from whom the poets and their patrons were drawn.

Both the prose and poetry have continued to receive critical attention, principally from literary scholars engaged in the editing and analysis of texts. The religious prose has been reinterpreted by Iestyn Daniel, who has argued that *Ymborth yr Enaid* was not, as has usually been held, a translation or adaptation of some unidentified Latin work but rather an original composition in Welsh by a Dominican friar datable to the mid-thirteenth century. Indeed, he has attributed not only the majority of the religious prose texts but also the prose tales to the friars. These interpretations are, of course, debatable; but the continuing interest in the religious prose texts is welcome, given the tendency for them to be overshadowed by the secular narratives.

That Welsh was used to produce a complex mystical treatise is itself notable, and serves to highlight the status and vigour of the vernacular prose tradition as well as the way in which Wales participated in trends of spirituality found elsewhere in later medieval Europe.²⁷ The impact of religious prose texts is, admittedly, still difficult to assess, as surviving medieval manuscripts containing them are relatively few: there are seven containing the whole or part of *Ymborth yr Enaid*, for example. One potentially fruitful approach has been adopted by Brynley Roberts, who has sought to deduce the intended audience of religious prose texts by classifying them according to their style rather than their genre. For example, the simplest form of didactic texts, consisting of lists, were probably for the instruction of parishioners, while theologically and stylistically more complex texts such as the two versions of the Athanasian Creed may well have been aimed at parish priests and intelligent lay men and women; *Ymborth yr Enaid*, on the other hand, must originally have been intended for well-educated clerics (probably friars), though the earliest extant copy of it is contained in an important collection of religious texts, the Book of the Anchorite of Llanddewibrefi (1346), prepared for a lay patron.

Investigation of later medieval Welsh piety is heavily dependent on the evidence of poetry because other kinds of source material are so few. For example, primers or Books of Hours, whose abundant survival provides a crucial body of evidence for Eamon Duffy's interpretation of 'traditional religion' in late medieval England, are very rare. True, it is highly likely that such texts were in lay ownership in Wales by the late fourteenth century; indeed, by that period a Welsh verse adaptation (known as *Gwassanaeth Meir*) had been made of the 'Hours of the Virgin', which formed an integral part of the primer.²⁸ Yet it remains unclear how extensively private devotion in late medieval Wales involved the reading of religious texts in any language. It is worth noting, for example, that an examination of 366 Welsh wills from the late thirteenth to mid-sixteenth centuries revealed that book bequests were made by only about 3 per cent of testators.²⁹ On the other hand, there is plenty of evidence to show that religious devotion in later medieval Wales bore many resemblances to that elsewhere in western Europe. Poetry reveals a lost world of worship and piety, focused on the crucified Christ depicted on rood screens, saints (both Welsh and universal), wall-paintings and pilgrimage within Wales and beyond.³⁰ Moreover, this picture is confirmed by the survival of material remains, including traces of 300 rood-screens as well as some wall-paintings and stained-glass windows. Other sources shed light on the piety of settler families in Wales: for example, Edmund Grey, lord of Ruthin (Dyffryn Clwyd), issued a proclamation exiling all clerical concubines from his lordship in 1447, and converted the collegiate church of St Peter's in Ruthin into a short-lived Augustinian priory of the order of Bonshommes in 1478, while in Pembrokeshire the Perrot family employed private chaplains in the fifteenth century.³¹

One aspect of piety that has attracted considerable attention in recent years has been the cult of saints. For example, Elissa Henken has drawn on medieval and later sources to analyse the motifs in traditions about native saints such as Cadog and David. The cults of female saints in Wales have received detailed examination for the first time by Jane Cartwright, who has emphasized the importance of the cult of the Virgin Mary, especially from the thirteenth century onwards, and argued that universal and Welsh female saints were equally popular. In addition, the twelfth-century

Latin Lives of St Winefride (Gwenfrewi), patron of Holywell, have been reassessed, as has the significance for an understanding of attitudes to relics of the translation of her bones from Gwytherin (Denbighshire) to Shrewsbury abbey in 1138. Whereas there was apparently a reluctance in pre-Norman Wales to disturb the bodies of saints, Anglo-Norman enterprise and influence resulted in a number of translations to new shrines in the twelfth century, although this by no means displaced reverence for secondary relics such as bells and Gospel Books, which remained a prominent feature of Welsh religion throughout the middle ages and well beyond.³² If it was built to house the relics of St Melangell rather than, as has recently been suggested, providing a canopy over her grave, the splendid Romanesque shrine at the church of Pennant Melangell (Montgomeryshire) provides a further example of a translation. St Melangell's cult was given new expression at the end of the fifteenth century with the construction of a rood-screen depicting scenes from the saint's life, and a Latin account of the saint, probably based on earlier written materials, was composed either then or in the earlier sixteenth century.

Saints' cults thus illustrate the interplay between native ecclesiastical traditions and external influences that is central to an understanding of the church and religion in later medieval Wales. One striking feature of the Welsh saints venerated in this period is that almost all were reputed to have lived in the so-called 'age of the saints' centring on the sixth century, in contrast to many other European countries, where the cults of early medieval saints were supplemented by those of new saints – in north-western Europe comprising mainly secular rulers and bishops – from the twelfth century onwards.³³ (The most notable new Welsh cult in this period was that of the hermit Caradog, buried at St David's after his death in 1124, who was the subject of an unsuccessful canonization process initiated by Gerald of Wales.) The reasons for this Welsh pattern of sanctity have yet to be clarified. What is clear is that devotion to native saints remained powerful in the fifteenth century, as shown, for instance, by the proliferation of Welsh poems in their honour, by the popularity of pilgrimage to St David's and other Welsh shrines such as Llandderfel (where a life-sized wooden effigy of the patron saint, Derfel, sitting on a horse or stag was constructed probably towards the end of the fifteenth century), as well as by the example of Melangell already cited.³⁴ Such devotion was part of the pre-Norman inheritance which distinguished religion in Wales from that in other societies. Yet it should also be stressed that such distinctiveness was not in itself unusual (cults of Anglo-Saxon saints continued to flourish in late medieval England), nor did it preclude reverence for universal saints: the shrine of the Virgin Mary at Pen-prys in the Rhondda numbered among the most popular pilgrimage destinations in fifteenth-century Wales. Wales thus exhibited a combination of the indigenous and the universal characteristic of late medieval piety throughout western Europe.

Two general points may serve as a conclusion to this survey. First, the development of ecclesiastical organization and institutions in medieval Wales requires further study. One way forward would be to examine the history of individual dioceses or regions in depth from the late eleventh century to the eve of the Reformation in order to map more precisely changes in ecclesiastical provision, including the ways in which major churches of pre-Norman origin were integrated into the new diocesan and parochial frameworks as well as the impact of new religious foundations, and to locate these developments in a wider context of political, social and cultural

change. Ideally such studies should include some attempt to relate the development of settlement patterns to the formation of parishes. It is generally recognized that parishes crystallized round knights' fees in the lowland areas of south Wales that were settled early by the Normans, while in regions under native rule until the later thirteenth century parishes tended to be coterminous with larger settlement units, often townships; but these generalizations require further testing through the investigation of parochial development in individual localities.³⁵

Second, the interdisciplinary approach and comparative perspective adopted by Glanmor Williams and others remain essential. As the sources for the study of medieval Welsh ecclesiastical history are limited in quantity and range, it is all the more important to utilize all the available evidence, including literary texts and material culture. In addition to recent editions of episcopal *acta* and charters, the publication of both the twelfth- and thirteenth-century poetry of the princes and works of numerous later medieval poets has made important bodies of written source material more accessible than before, while the surveys of Welsh churches carried out by the archaeological trusts in Wales on behalf of Cadw: Welsh Historic Monuments are of great potential value.³⁶ At the same time, interpretation of the evidence needs to be informed by an awareness of ecclesiastical history elsewhere in medieval Europe. For one thing, this can help to stimulate new research agendas: for example, recent work on benefactions to English and French monasteries raises questions that could profitably be asked of Welsh monastic patronage as revealed by charters. Above all, comparison is fundamental to any assessment of how far particular ecclesiastical institutions or religious practices were distinctive to Wales.

NOTES

- 1 Jack, *Medieval Wales*, ch. 5.
- 2 Richter, 'Canterbury's primacy'; Richter, *Giraldus*, pp. 38–52; G. Williams, *Welsh Church*, pp. 225–8.
- 3 Bartlett, *Gerald*, pp. 27–45, 158–77.
- 4 Walker, 'Welsh church', pp. 44–5.
- 5 Jack, *Medieval Wales*, p. 131.
- 6 Pryce, 'Esgobaeth'.
- 7 J. C. Davies, *Episcopal Acts*, vol. 2, pp. 437–43; Barrow, *St Davids Episcopal Acta*, pp. 7–8.
- 8 Goering and Pryce, '*De modo confitendī*'; Barrow, *St Davids Episcopal Acta*, pp. 12–13; Jones, 'Llyfr Coch', vol. 2, ch. 2.
- 9 J. Evans, 'Early church'; J. Evans, 'Survival'.
- 10 Pryce, 'Pastoral care', pp. 48–55.
- 11 For the last two houses see Hays, *History*; J. B. Smith, 'Cymer'.
- 12 Johns, 'Celtic monasteries'; Jones Pierce, 'Bardsey'; Pryce, 'Church of Trefeglwys'.
- 13 Easterling, 'Friars' remains the fullest treatment; also G. Roberts, *Aspects*, pp. 215–39.
- 14 Ward, 'Fashions'; M. Griffiths, 'Native society'.
- 15 For a classic statement of this view see Lloyd, *History*, vol. 2, pp. 595–6; also Cowley, *Monastic Order*, pp. 46–50.
- 16 Cf. Berman, *Cistercian Evolution*, ch. 3.
- 17 Robinson, *Cistercian Abbeys*; cf. O'Dwyer, 'Crisis'.
- 18 D. Williams, 'Cistercian nunneries'; Cowley, *Monastic Order*, p. 38.

- 19 Cartwright, 'Desire'; Fulton, 'Medieval Welsh poems'.
- 20 Cf. Thompson, *Women Religious*, pp. 169–77.
- 21 Cf. Berman, *Cistercian Evolution*, p. 102.
- 22 J. Edwards, *Littere Wallie*, p. 65.
- 23 G. Williams, *Welsh Church*, pp. 18, 71; R. Griffiths, *Boroughs*, pp. 191–2, 276–8; *Calendar of Papal Letters 1362–1404*, p. 363.
- 24 G. Williams, *Welsh Church*, p. 237.
- 25 O. Edwards, *Matins*; Harper, 'Bangor pontifical'; Huws, *Medieval Welsh Manuscripts*, ch. 14.
- 26 Carr, *Medieval Anglesey*, esp. ch. 9; Jack, 'Religious life'; R. Griffiths, *Boroughs*.
- 27 O. Davies, *Celtic Christianity*, ch. 6.
- 28 Huws, *Medieval Welsh Manuscripts*, pp. 19, 21, 278; Ll. Smith, 'Inkhorn', p. 206; B. Roberts, *Gwassanaeth*.
- 29 Chandler, 'Will', pp. 123, 181–2.
- 30 E. Roberts, 'Crefydd'.
- 31 Jack, 'Religious life', pp. 152–4; Turvey, 'Priest', p. 15.
- 32 Winward, 'Lives'; J. M. Smith, 'Oral and written', pp. 338–42.
- 33 Cf. Vauchez, *Sainthood*, chs 10–11.
- 34 G. Williams, 'Poets'; W. Evans, 'Derfel'.
- 35 Cf. J. C. Davies, *Episcopal Acts*, vol. 1, pp. 49–54, vol. 2, pp. 455–7; Gresham, 'Medieval parish and township boundaries'.
- 36 Gruffydd, *Beirdd*; Parry Owen, *Cyffres*; E. Evans et al., 'Medieval churches'.

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CHAPTER TWENTY-TWO

Ireland: Religion and Piety

HENRY A. JEFFERIES

Medieval Irish church history has attracted the attention of surprisingly few practitioners since the days of its doyen, Professor Aubrey Gwynn, SJ.¹ His paradigm, of a church reorganized and revitalized in the twelfth century before the advent of the Anglo-Normans in 1169–71 and declining subsequently into disorder and torpor, still prevails. It was incorporated by John Watt into his volume on *The Church in Medieval Ireland*, which is still the only modern study of the subject. The republication of Watt's survey in 1998, twenty-six years after its first appearance, is a tribute to the fine quality of his work but also a reflection of the lack of substantive progress in the subject over the intervening quarter of a century. However, it is now possible to provide new insights into the reforms effected in the Irish church in the twelfth century, and to offer a revised interpretation of the state of the church and religion in Ireland in the century or so prior to the Tudor reformatations.

Background

Compared with the church elsewhere in western Europe the administrative structures of the Irish church were anomalous until the 'reform' implemented in the twelfth century. Having developed outside the bounds of the Roman empire the early Christian church in Ireland adapted itself to a country without civil dioceses or cities. Bishops in Ireland became responsible for oversight of the church within each of the myriad petty kingdoms whose borders fluctuated according to the political fortunes of their rulers. As a consequence Irish bishops were extremely numerous by comparison with their counterparts elsewhere in northwestern Christendom. Furthermore, theirs was an office of sacerdotal function and honour rather than one with effective disciplinary authority.² Symptomatic of the anomalous position of bishops in Ireland was the fact that the chief centres of the early Irish church were not the cathedrals but the larger *monasteria* in which bishops resided under the jurisdiction of an *airchinnech*, a 'superior' who was often a layman who had been elected to office by the Irish manner of 'hereditary succession'. A smaller number of *monasteria* were headed by a *banairchinnech* or female superior, such as the major

ecclesiastical centre at Kildare. The *airchinnech* of one of the greatest *monasteria* commanded very considerable wealth and manpower, not only through the resources of his own *monasterium* but as overlord of a *paruchia*, a federation of dependent *monasteria* and churches scattered over extensive parts of Ireland and interspersed between those of other *paruchiae*.

With a church dominated by the rulers of great *monasteria* it is hardly surprising that the early Irish church was long perceived by historians as being 'monastic' before the twelfth century. However, Richard Sharpe has argued persuasively that the Latin term *monasterium*, as used in early Christian Ireland, was more akin to the English term 'minster' than to the 'monastery' of Benedictine usage.³ These were communities of priests and other religious, some of whom may have been monks and/or nuns, together with the peasants who farmed the church's lands. Significantly, the early Irish law tracts made no distinction between the farmers of church land and those men who were dedicated to a routine of liturgical services and 'monastic' discipline: each was designated as a *manach* (usually translated simply as 'monk').⁴ In the largest of the *monasteria*, like Armagh, Cork or Derry, the distinction between monks proper and the farmers of church land was more clear-cut than in the very many small early Irish *monasteria*, which may have had only one or two priests and a clan of peasant *manaig* associated with them down to the twelfth century.

While the records and monuments of the greater *monasteria* have survived in far greater measure than those of the lesser churches, explaining their greater prominence in Irish ecclesiastical historiography, the far more numerous smaller *monasteria* and other churches were most important as centres for the provision of pastoral care for the great majority of the people of early Christian Ireland.⁵ They have been likened to the parish churches of modern times.⁶ Irish law tracts held the *airchinnech* responsible for ensuring that at least one priest was available at his church to provide baptism, communion and the singing of psalms and other prayers for the dead. The priest had to proclaim the Word of God and be a 'soul friend' to his people. For his part the priest was reckoned to be entitled to a house and some land and food renders from the people he served. However, at a time before the payment of tithes was general, the *monasteria* were financed primarily by the food renders or refectations of the *manaig*, and many of the other churches that lacked a substantial endowment of land also failed to secure the services of a priest.⁷

The evidence suggests that before the twelfth century the church in Ireland provided a system of pastoral care which was comparable with that elsewhere in Christendom. Nevertheless, by the eleventh century the office of bishop in the Irish church seemed anomalous compared with the rest of northwestern Europe. The attempt to restructure the administration of the Irish church in order to improve the quality of Christian practice in Ireland is known to historians as the 'twelfth-century reform'.

The Formation of Dioceses and Parishes

The twelfth century has long been seen as a watershed in Irish ecclesiastical history, a period in which the Irish church experienced 'reformation and revolution', a 'transmutation' from an institution that was 'monastic in organisation and abbatial

in administration' into one that was 'diocesan in organisation and episcopal in administration'.⁸ However, studies of the twelfth-century reforms have often been vitiated by a Catholic nationalist agenda which sought to demonstrate that the Irish church had already been reformed before the advent in Ireland of Henry II in 1171.⁹

Historians have traced the origins of the reform movement to foreign influences, particularly in the late eleventh century.¹⁰ There was a short letter sent by Pope Gregory VII to Turlough O'Brien, the predominant king in Ireland, and to the chief clergy and aristocrats of Ireland, c.1074, but it was generic in nature and offered no agenda for reform.¹¹ More importantly, Lanfranc and Anselm, successive archbishops of Canterbury following the Norman Conquest, had a purposeful and informed pastoral concern for the Irish church. Their letters to Turlough O'Brien and Muirchertach, his son and successor, and to Irish churchmen identified causes for concern in the Irish church which had been relayed to them from Irish sources, possibly the bishops of Dublin, a suffragan see of Canterbury's.¹² The archbishops of Canterbury urged the O'Brien kings to convene synods or councils of clergy and laymen to reduce the excessive number of bishops in Ireland, and to regularize the manner of episcopal consecration, the exaction of fees for such consecrations, and the administration of the sacraments of baptism and confirmation. Their letters also expressed great concern with uncanonical sexual relationships among the Irish. None the less, Anselm's letter to Muirchertach O'Brien in 1096 shows that nothing had been done to remedy the matters raised by Lanfranc twenty-two years earlier. Indeed, five more years were to pass before O'Brien convened the synod of Cashel (1101), the first of the reforming synods of the twelfth century.

The decrees of the first synod of Cashel promoted a programme of modest reform that fell far short of the agenda proposed by the archbishops of Canterbury.¹³ They demanded that from thenceforth no *airchinnech* should be a layman or have a wife, an attempt to impose clerical celibacy upon the leading figures in the Irish church. The right to sanctuary was restricted in an attempt to safeguard churches from destruction by the enemies of sanctuary-seekers – a common occurrence at that time. Decrees were passed demanding that churches be freed of demands for secular tribute or taxation, and that clergy and poets be exempt from the jurisdiction of secular courts and judgements. Finally, the synod decreed that 'no man should have intercourse with either his father's wife or his grandfather's, either his sister or his daughter, or his brother's wife, or any other woman so closely related'. Unfortunately, there is no way of determining what effect, if any, this tentative programme of reform had. One suspects that little was achieved since the synod proposed no new means by which these pious declarations could actually be put into effect. The failure of the synod of Cashel would certainly explain why reform-minded clerics were forced to consider structural reorganization of the Irish church in order to give effect to the changes they desired.

O'Brien convened a second synod in 1111, this time at Rathbreasail, under the auspices of Gilla Easpuig (anglicé Gilbert), Ireland's first papal legate.¹⁴ The synodal decrees have not survived, but contemporary annals record that the synod enjoined 'uprightness and good conduct upon all, both laity and clergy'. More significantly, the synod gave effect to Gilla Easpuig's thesis on *De statu ecclesia*¹⁵ and ordered the restructuring of the Irish church into two metropolitan provinces, with twelve suffragan sees each subject to Armagh and Cashel respectively. All of the new dioceses,

excepting the see of Limerick, O'Brien's capital city, were centred on major *monasteria*. Though older historians simply assumed that the dioceses proposed at Rathbreasail were successfully established, it is actually far from clear as to what extent the synod's decisions were implemented.

What seems to have happened in many cases is that the *airchinnigh* of those *monasteria* that were designated for cathedral status were promoted to episcopal orders.¹⁶ In other words, in one man were combined the spiritual office of bishop with the temporal authority of the most powerful of the *airchinnigh*. The *airchinnigh* of lesser *monasteria* often found themselves with a new ecclesiastical overlord but they generally retained control of their existing estates and succession to the office of *airchinneach* of lesser *monasteria* continued to be determined by the customary Irish practice of hereditary succession. It was a pragmatic compromise that threatened existing interests as little as possible while committing the Irish church to structural reorganization. However, this merging of the two offices was sometimes a protracted affair as some unreformed older office-holders inconveniently lived on, and as some *airchinnigh cum* bishops insisted on retaining overlordship over smaller *monasteria* or churches that lay outside the bounds of their newly created dioceses.¹⁷ Furthermore, the process of reform lost momentum when the hegemony of its royal patron, Muirchertach O'Brien, collapsed in 1116–18. Indeed, it was to be another three and a half decades before the papacy finally gave its blessing to the emerging diocesan structure of the Irish church.

In 1152 Cardinal John Papiron, papal legate, convened a national synod at Kells.¹⁸ It addressed issues that still concerned the reformers, including illicit sexual relationships and the exaction of fees for the administration of sacraments and other examples of simony. However, the synod's chief significance lies in its reordering of the dioceses of Ireland. Papiron brought four *pallia* (symbols of archiepiscopal authority) from Rome to Ireland, with archbishops being appointed to Tuam and Dublin as well as the two existing metropolitan sees of Armagh and Cashel, in recognition of the political ascendancy of O'Connor of Connacht and of Dublin's status as Ireland's premier city. Additional suffragan sees were also authorized, particularly in the western province of Tuam.

Historians have traditionally regarded the synod of Kells as the culmination of a successful process of reform, mainly because the diocesan network ratified at Kells remains, with modest changes, to this day.¹⁹ However, there has been a failure to consider whether the process of reform actually made any significant difference to the pastoral ministry of the church. This lack of engagement may be attributed, to no small degree, to an anxiety among Catholic Irish historians to avoid providing justification for the papal bull *Laudabiliter*. This bull, issued by Pope Adrian IV in 1155, invited England's Henry II to 'march into' Ireland and 'extend the boundaries of the church' and to correct the 'downward course of vice' in that land. In the past Irish historians have sought to discredit *Laudabiliter* by questioning its authenticity (which is now firmly established), and by highlighting the fact that Adrian IV was the only Englishman ever to become a pope.²⁰ Adrian's English background may, admittedly, have coloured his disposition towards Henry II, and one may argue that he allowed too little time for the work at Kells to take effect. None the less, there is convincing evidence that the Irish bishops were themselves very disappointed with the progress of the twelfth-century reforms, so much so that they



Map 22.1 The dioceses of Ireland, c.1300.

themselves endorsed the intervention of Henry II in the hope that he would enforce the reforms they desired.

The second synod held at Cashel (1172), which coincided with the Anglo-Norman invasion of Ireland, reflected the lack of reform effected on the ground.²¹ It

reiterated earlier decrees prohibiting uncanonical sexual relationships between persons related by blood or marriage. It reiterated the demand that tithes be paid to parish churches: it is clear from late twelfth-century charters that previous demands for tithes had fallen on deaf ears. The synod repeated earlier demands that the Irish nobility should cease exacting levies on church properties. It also issued some decrees concerning baptism and funerals. Henry II's support was enlisted to give effect to the decrees.

The dissatisfaction of the Irish bishops is reflected clearly in Pope Alexander III's letter to them in 1172.²² The pope referred to their reports, and those of others, to the effect that 'the Irish race has been infected with . . . many enormities of vice' and had 'cast aside the religion of the Christian faith and the fear of God'. The pope, therefore, welcomed Henry II's invasion of Ireland, was 'overjoyed' at the subjection of 'that barbarous, uncultured race, ignorant of divine law', and directed the Irish bishops to support the king of England in ruling Ireland and in rooting from it 'the filth of such abominations'. Alexander III's intemperate language echoes that of his predecessor's bull, *Laudabiliter*, but also that of Bernard of Clairvaux's *Life of Malachy*. Bernard declared that Malachy, a leading Irish reformer, ministered 'not to men but to beasts . . . men so shameless in regard of morals, so dead in regard of rites, so stubborn in regard of discipline, so unclean in regard of life. They were Christians in name, in fact pagans'.²³ The important point here is that it was Malachy and his Irish companions who provided the information which Bernard then presented in his own inimitable rhetorical style, just as Alexander III drew much of his information from the Irish bishops.

What the Irish reformers told Bernard and the popes is now impossible to define. However, Gerald de Barry (alias Giraldus Cambrensis), who visited Ireland in 1185–6, may provide a clue: he claimed that bestiality was 'a particular vice' of the Irish, though his description of the progeny of one such relationship undermines his credibility somewhat.²⁴

Henry II had not come to Ireland as a crusader, but the advent of the English did result in the Irish church coming into closer conformity with the universal church. In the south and east of Ireland, English lords typically established parishes around their knights' fees or manors, giving rise to a network of small and compact parishes with clergy supported by the payment of tithes.²⁵ The English pattern of a parochial rector or, where the tithes were granted to a religious house, a vicar, was established. Cathedral chapters with four dignitaries modelled on English practice were put in place.²⁶ Most importantly, the English system of church courts was transferred to Ireland, with the English royal government acting as the church's 'secular arm' – precisely what the Irish bishops needed if they were to impose their canonical ideals on the Irish laity.

English settlers built many new cathedrals and parish churches in the incorporated boroughs, including Kilkenny, Kildare, Waterford and most impressively in Dublin, where a second, secular, cathedral was built, apparently because of poor relations between the new English archbishops of Dublin and the Augustinian chapter of nearby Christ Church.²⁷ The colonists tended to build in styles imported from western England. English architectural forms are also in evidence in Irish-founded cathedrals like Armagh and Cashel. However, it seems that in the countryside small pre-invasion church buildings continued in use long after the advent of

English settlement, often to be replaced by larger buildings only in the fifteenth century, though occasionally surviving to become the chancel of the later medieval building.²⁸ Unfortunately, as there has been extremely little archaeological investigation of medieval parish churches in Ireland it is not possible to determine the degree of continuity between the parochial churches in colonized districts with those of the pre-invasion past, though it was considerable. That hints at considerable continuity in the provision of pastoral care across the watershed created by the invasion.

In Connacht, Ireland's most western province, a synod of 1210 formally transferred possession of church lands to the bishops.²⁹ About the same time parish formation began with extensive rectories being delineated around individual *tuatha* or tribal territories.³⁰ Later, in the wake of English conquest, the patronage of rectories on non-church lands was assumed by the invaders while those on church lands were retained by the bishops and cathedral chapters. Yet, within the boundaries of each of the extensive rectories, a number of fairly uniform-sized vicarages with cures of souls were subsequently created whose patronage lay with the local bishop or cathedral chapter. In the west of Ireland, as in most of Ulster, the parochial tithes were usually subject to tripartition or quadripartition, with the bishop receiving a third or a quarter of the tithes respectively, as happened also in the Scottish dioceses of Sodor and Argyll, a practice which, though unknown elsewhere in the British Isles, was common on mainland Europe.³¹

In much of Ulster the smaller *monasteria* generally became parish churches. The *airchinnigh* (anglicé erenaghs) commonly survived as tenants of the diocesan bishops. Post-medieval sources show that the erenaghs were still regarded as clergymen as late as the seventeenth century.³² They retained the former monastic obligations of providing hospitality to pilgrims, travellers and strangers, were obliged to maintain a proportion of the parish church, usually a third, and gather the bishop's share of the parochial tithes and to render it to him, usually in the form of bread and ale.

Pastoral care in the Ulster parishes with an erenagh was entrusted to a vicar. In return he enjoyed a share of the tithes, either a third or a quarter according to the custom of the diocese, together with a manse and small glebe and the fees charged for the administration of certain sacraments. The office of rector seems to have been a sinecure.³³ Parishes in such areas tended to be large but, because of the often difficult terrain and the fact that agriculture was less commercial than that practised by the English, tithe revenues were low.³⁴ Indeed, it is conceivable that the clergy in Gaelic Ireland were unable to exact tithes as fully as their counterparts within the English lordship. Furthermore, responsibility for the maintenance of church buildings in most of Ulster fell upon the beneficed clergy and erenaghs only, a considerable burden which they found very difficult to bear.³⁵ By contrast, in colonial areas there were church procurators or churchwardens responsible for gathering money from parishioners to maintain the nave of the parish church and related costs.³⁶

The church in Gaelic regions continued to encounter great difficulty in imposing canonical standards either on the clergy or laity.³⁷ Clerical celibacy was never effectively imposed, and the priesthood retained a hereditary character. Irish marriage practices may not have been entirely oblivious to canonical requirements, but the

canons were very commonly breached. By contrast with colonial Ireland, where the church could call upon the crown's officials to act as its 'secular arm', there were no comparable bureaucratic structures for the administration of justice in the independent Irish lordships. Thus, while resorts to Irish lords to act as the church's 'secular arm' were common, they were hampered by the fact that members of the Irish secular elites themselves tended to enjoy what the church regarded as the most 'deviant' lifestyles in the sense that they indulged in polygamous relationships, divorced at will, sometimes preyed upon church tenants and frequently resorted to pillage and violence.³⁸ The Irish bishops, in their endorsement of Henry II's intervention in Ireland, were correct when they concluded that, in the absence of an Irish monarchy, the church's canonical code could not be imposed comprehensively on the people of Ireland without the support of English royal government.

Monasticism

In the twelfth century a number of the largest *monasteria* were reorganized with the monks proper being segregated from the rest of the community. At Derry such segregation was achieved at the cost of eighty or more dwellings being demolished to make way for an exclusive monastery compound.³⁹ Many of the segregated monastic communities adopted the rule of the Augustinian canons, as happened, for example, at Armagh, Clogher and Cork. These canons observed a flexible rule in which priests took monastic vows but were allowed to conduct a pastoral ministry, in addition to celebrating monastic offices in their abbeys, without the requirement of manual labour. It was this flexibility, which resembled the traditional customs of the Irish church, that resulted in the order of the Augustinian canons having the greatest number of houses in Ireland from the twelfth century onwards.⁴⁰ The *Céile Dé*, one of the strictest indigenous religious orders in Ireland before the twelfth-century reforms, survived at Armagh and Devenish, but seemingly not elsewhere.⁴¹

Benedictine houses were very rare in Ireland compared with England. The greatest Benedictine foundation was that of the English adventurer John de Courcey at Downpatrick.⁴² Yet there was an important Irish Benedictine community on mainland Europe in the twelfth century, the *Schottenklöster*, with nine houses in German lands and which, in 1177–80, took charge of a monastery in Kiev, then capital of Russia. The Cistercian order came to Ireland under the dual patronage of Malachy of Armagh, a leading Irish reformer, and Bernard of Clairvaux. The close relationship between these two reformers is reflected not only by Bernard's *Life of Malachy* but by the striking fact that the skulls of those two saints share a reliquary at Troyes cathedral to this day. The first Cistercian house in Ireland was founded at Mellifont in 1142. Three decades later there were no fewer than fifteen Cistercian monasteries in Ireland, and of the twenty-five subsequent foundations fifteen were Irish and ten were English.⁴³ These great abbeys were imposing in their scale and in their architecture and gave an impressive physical expression to the ecclesiastical reforms in progress.

Yet there remained considerable continuity, not only in the small buildings that continued in use as parish churches and chapels and the continuation of many older religious communities under an Augustinian guise, but even among the Cistercians.

Assimilation to Irish customs set in early among the new orders, with Irish monks erecting separate eremitical cells in the old manner and dependent cells for nuns being attached to monasteries.⁴⁴

The records of the Cistercian order reveal how pervasive was the influence of Irish customs even within that most prescriptive of orders, despite repeated efforts to impose conformity to the strictures of Cîteaux. The original community of French Cistercian monks sent to Ireland returned after two years as a result of tensions with their Irish confrères who, Bernard observed, were 'little disciplined and . . . found it hard to obey observances that were strange to them'.⁴⁵ Bernard's successors were less understanding and complained that the discipline of the order was observed only in the wearing of the habit.⁴⁶ When Stephen of Lexington, abbot of Stanley in Wiltshire, was sent to Ireland in 1228 to reform the Cistercian order, he found Mellifont and a number of other monasteries transformed into fortresses, with armed monks and lay brothers ready to bar his entrance. Stephen persisted, however, and through persuasion and the support of the 'secular arm' he imposed rigorous regulations upon the Irish Cistercians. More dramatically, he broke up Mellifont's affiliation of monasteries, assigning its daughter houses to monasteries in England or Clairvaux. He forbade the appointment of Irishmen as abbots in most monasteries until such time as they had become 'acclimatized' to Cistercian observances. These draconian measures gradually brought the Cistercians in Ireland into closer conformity with the prescriptions of Cîteaux.⁴⁷

The twelfth-century development of monasticism in Ireland is symptomatic of the reform process as a whole. One finds impressive evidence of the adoption of broader European norms in ecclesiastical organization. Yet the novel institutional forms adopted overlay very strong elements of continuity in terms of outlook and practice. These raise doubts about the ability of the Irish reformers to transform Irish society, and its clergy, into model Christians by Roman standards without the coercive mechanisms of the English common law acting in conjunction with the church courts to impose the church's canonical strictures upon them. None the less, the religious enthusiasm that inspired the twelfth-century reforms was real enough, even if the novel disciplines of the continental orders proved hard to observe. By 1230 there were about 200 religious houses for men in Ireland, compared with forty-six in Scotland and thirty-three in Wales.

From the second quarter of the thirteenth century the expansion of monasticism in Ireland came to an end as religious enthusiasm among the wealthy found a new and cheaper outlet in the form of investment in friaries for the new mendicant orders. The advent of the mendicants in Ireland was remarkably early, and their expansion across Ireland was strikingly swift. The first Dominican houses were founded (in Dublin and Drogheda) in 1224, and the first Franciscan foundations (in Youghal and Cork) in 1229–31. Within half a century these two orders had no fewer than forty-six friaries between them and the advent of the Carmelites in 1272 and the Augustinian friars in 1282 helped to increase the number of mendicant houses to eighty-five by 1340.⁴⁸

Though the first friars to come to Ireland hailed from England and the first mendicant foundations were established in colonial towns, the orders attracted patronage and recruits from both nations in medieval Ireland. Through their expertise in preaching and evangelization they exerted great influence in the small colonial towns

where they were based. However, through preaching tours the mendicants' influence also pervaded much of the countryside. Friars were commonly called upon to deliver the obligatory quarterly sermons in parishes whose parish priests were incapable of preaching.⁴⁹ To judge by the number of foundations financed by lay men and women, the bequests granted to them in wills and the common request of lay folk and clergy alike to be buried in mendicants' habits in the friaries' graveyards, it is clear that the friars were very effective in inspiring religious enthusiasm.

The Secular Clergy

The advent of the English began a process of radical transformation of the personnel of the church across much of Ireland. The conquerors imposed candidates of their own nation upon Irish sees, at first in a piecemeal fashion but more systematically from 1217. In that year William Marshal, lord of Leinster and a key figure in the regency council which governed England during the minority of Henry III, promulgated a veto against the promotion of Irishmen as bishops or as members of cathedral chapters.⁵⁰ Irish churchmen complained directly to Pope Honorius III, who unreservedly condemned such blatant discrimination though he was unable to prevent it completely. Under the infamous Statutes of Kilkenny (1366) Irishmen were prohibited from holding any benefice or other office in the church in colonial Ireland.⁵¹ This discrimination persisted into the sixteenth century, though it was vitiated in practice by the contraction of the English colony in Ireland from the early fourteenth century which rendered the prohibition increasingly inoperable beyond the Pale around late medieval Dublin, and also by the readiness of many Irish clergymen to purchase a grant of denizenship.

Henry III extended to Ireland the procedure already agreed between King John and Pope Innocent III for the appointment of bishops in England.⁵² This allowed cathedral chapters to elect a bishop, but only after they had secured permission from the crown to hold an election and had accepted that the crown's assent was required for their election to take effect. Meanwhile the crown held the temporalities of the see for the duration of the vacancy. The system gave the crown very considerable influence over the election of bishops in Ireland. By 1254 eleven Irish sees were held by foreigners, almost a third of the total, while the crown was involved in some measure in the appointment of at least sixteen of the remaining twenty-three bishops.⁵³ The anglicization of the hierarchy of the Irish church led in turn to Englishmen, often close relations and clients of English bishops or abbots, being promoted to the more remunerative benefices. Colonial lords also preferred to have English clerics appointed to benefices in their gift. Consequently, across much of colonial Ireland the Irish church took on a distinctly English character.

The large-scale colonization of Ireland and the displacement of considerable numbers of Irish people onto marginal lands, and the exclusion of Irish churchmen from benefices over much of Ireland, were not consequences anticipated by the Irish bishops who had greeted Henry II in 1171–2. Inevitably there arose profound alienation and hostility on the part of the Irish towards the English colonists. From early in the thirteenth century English crown officials complained that Irish clergymen were very hostile towards the colonial community.⁵⁴ Dónal O'Neill, king of the Irish in Ulster, complained to the papacy that colonial clergymen declared that it was

no sin to kill an Irishman.⁵⁵ Divisions ran deep between churchmen of the two nations within the diocesan church, and within monasteries. In 1291 a clash between Irish and colonial friars at a meeting of the provincial council of the Franciscans at Cork left several clergymen dead!⁵⁶

Against this stark evidence of antagonisms between the two nations within the medieval Irish church, one must also point to evidence of churchmen attempting to maintain peace between the two communities and of churchmen appealing to the English crown to promote reconciliation in Ireland.⁵⁷ One cannot altogether discount the influence of such efforts. None the less, it was the contraction of the English lordship in Ireland, combined with a significant degree of acculturation between the two nations, that was eventually to lead to the easing of tensions.

Even within the Pale, where English influences remained strong, *modi vivendi* were achieved in time. In Armagh, for instance, the (usually non-Irish) archbishops directly administered only that part of their diocese *inter Anglicos*, where their consistory court and administrative procedures operated within the parameters of the English common law, whereas in the northern parishes *inter Hibernicos* the archbishops worked in partnership with the predominantly Irish cathedral chapter at Armagh and other local Irish subordinates in carrying out much of the routine administration. This formalized division of the diocese of Armagh, which even involved convening separate synods for the clergy *inter Anglicos* and those *inter Hibernicos*, appears, however, to have been unique.⁵⁸ Perhaps more common was the situation in Kildare diocese where distinct benefices were customarily held by priests of a particular nation and all were supposed to work together for the well-being of the church and their parishioners.⁵⁹ Nevertheless, problems remained, as in Dublin, where colonial antagonisms against Irish churchmen seem still to have run deep into the sixteenth century.⁶⁰

Despite the twelfth-century reforms, the priesthood among the Irish beyond the English colony retained something of a hereditary character throughout the middle ages. Wherever *erenaghs* survived as tenants on episcopal lands it was quite common for a member of the *erenagh's* sept or clan (and sometimes even the *erenagh* himself) to be the rector or vicar of the local, or another, parish.⁶¹ A significant number of *erenaghs* supported schools that offered varied curricula, some of which, like their southern counterparts, included courses specifically designed for young men aspiring to the priesthood.⁶² Doubtless the quality of these schools reflected the varying abilities of their masters, but the best of them produced students who proceeded to study at university in Oxford or, more rarely, further afield, and then returned to Ireland as graduates qualified to work in administrative offices in the church or as teachers in their own right.

In Irish society there was little or no stigma attached to clerical marriage or concubinage. The obituary of Cathal mac Manus Maguire (d. 1498), a canon of Clogher and Armagh, famously eulogized him as a 'turtle-dove of chastity' though he and his wife had no fewer than twelve children that we know of.⁶³ In Co. Kilkenny, an area which was much colonized though it became gaelicized to a considerable degree by the late middle ages, the rector of Knocktopher in 1553 explained to a newly arrived Protestant bishop, John Bale, that it was considered an honour for a clergyman to have a bishop, or an abbot or a prior, as his father!⁶⁴ Irish historians, however, have long disapproved of intimate relationships between medieval clergymen and women,

seeing them as evidence of immorality. Clerical dynasties have been identified and it is easy to find references to the sons of bishops, abbots and parish clergy who followed their fathers into the church. Yet a key point is that these clergymen's sons were often well educated and, having acquired a dispensation for being the fruit of their parents' sin, were often better qualified for the offices they secured than was the average priest. In any event, the hereditary character of the priesthood over much of Ireland was simply part of a broader pattern wherein the professions among the Irish (including law, medicine and poetry) were generally associated with specific families.⁶⁵ At a time when most priests were trained through a form of 'apprenticeship' with an older priest, the 'professionalization' of the priesthood within certain families could actually have served to maintain standards.

The lesser clergy in colonial parts of Ireland have not been much studied, though work on the end of the middle ages suggests that the poverty of parochial benefices in Ireland discouraged men from gentry families from pursuing a career in the church. Those few men from wealthy backgrounds who did enter the church enjoyed the advantage of a good education (financed by their parents, doubtless), and were reasonably assured of promotion to senior positions in the church.⁶⁶ A similar pattern prevailed in Gaelic regions where the native aristocracy provided very few priests for the very poorly remunerated parochial benefices, though a number of them rose to become bishops or heads of monasteries or priories.⁶⁷ At the very lowest levels of the church across colonial Ireland, including the Pale, the holders of the least remunerative benefices and the very numerous unbeneficed curates with cures of souls were predominantly Irishmen.⁶⁸

Overall, the existence of two nations created tremendous rifts within the Irish church. However, the animosities between the two nations were ameliorated over time and, even within the Pale, the most anglicized enclave in Ireland, the church learned to encompass clergymen of the two nations with a reasonable degree of harmony.

Later Middle Ages

As John Watt observed, historians have believed that there was 'an overall degree of disorder in the late medieval Irish Church not far short of the total breakdown of organised religion in that war-torn country'.⁶⁹ However, recent work has challenged this consensus, at least for parts of Ireland.⁷⁰ Jefferies's work on Armagh has revealed compelling evidence of a revival in the fortunes of the church in that diocese from the mid-fifteenth century. Annual diocesan synods were used to good effect to exhort the parish clergy to maintain high standards, and as opportunities for what we might call 'in-service training'. Visitations were conducted regularly and Armagh's consistory court seems to have processed the same kind of suits as its counterparts in southern England and to have dealt with them to some effect. Anthony Lynch has characterized the fifteenth-century archbishops of Armagh as 'extremely conscientious and hardworking'.⁷¹

In the part of Armagh diocese that lay in the Pale, there was a dense network of parish churches and chapels with resident priests in place to cater for the pastoral needs of the population. From c.1450 onwards there was considerable investment in the extension and ornamentation of parish churches and chapels, and many were

completely rebuilt. While similar research is needed for other dioceses, there is evidence that this pattern of increased spending on the fabric of the church was replicated across the Pale and in the outlying English urban settlements in Ireland.⁷² It seems that a general economic recovery in the English lordship in Ireland allowed the devotion of greater resources to the church than had been possible since the calamitous years of the fourteenth century when Ireland was beset by famine, plague and political turmoil. It is likely that the greater spending on religion also reflected some increase in piety.

As well as improving the fabric of their local churches and chapels, there was a remarkable increase in the numbers of chantries founded by lay folk on the eve of the Tudor reformations, replicating a pattern found also in northern England. Colm Lennon has revealed the existence of a very rich religious culture in late medieval Dublin with many religious and craft guilds which employed priests to celebrate mass for the souls of their members and relatives.⁷³ Mary Ann Lyons has highlighted the intense lay piety among the gentry of Kildare, another part of the Pale, who invested in chantries, elaborate funerary monuments and various benefactions to the church.⁷⁴ Generally, late medieval wills (although these survive in relatively small numbers and chiefly for middling to wealthy townspeople) reflect a strong concern for the welfare of their souls after death.⁷⁵ The wills invariably include bequests for the celebration of intercessory masses, as well as gifts of cash or clothing to the local parish clergy, some money for the fabric of the local church or for the purchase of sacred ornaments, offerings for the maintenance of perpetual lights before hallowed statues, together with a bequest to one or more of the local mendicant communities.

In general, the evidence suggests that in the most anglicized parts of Ireland the diocesan church was in relatively good order by English standards and the laity engaged in forms of piety that would have been readily recognizable to their fellows in England. Brendan Bradshaw found evidence of significant contemporaneous investment in monasteries across much of colonial Ireland, though he has queried whether it was matched by any upsurge in monastic spirituality.⁷⁶

Studying the church *inter Hibernicos* is more difficult than that in the Pale because of the relative dearth of documentation, and progress has been piecemeal and slow since Canice Mooney's pioneering survey.⁷⁷ His work on education, preaching and devotional literature revealed very strong continental and English influences in the piety disseminated in manuscripts and propounded from pulpits in the later middle ages. Yet Fr Mooney concluded, wrongly I feel, that the 'rot had gone deep' in the church and that the one 'gleam of hope' lay with the mendicant friars.

Between 1400 and 1508 no fewer than ninety new friaries were founded in Ireland, chiefly in Gaelic and gaelicized districts.⁷⁸ Half of those were Franciscan Third Order foundations with small communities who supported the ministry of the local diocesan clergy and offered education to children. This remarkable expansion among the mendicants may safely be taken as a reflection of a contemporary religious revival among the Irish. Nor was this simply a matter of numbers; many of the new communities of friars were 'Observant', committed to a stricter observance of their rules.⁷⁹ Observantism won over most of the existing communities, and thoroughly penetrated friaries in the Pale and in outlying towns. William Neely and Brendan Bradshaw have posited a late medieval religious revival inspired by the friars in

Kilkenny and in the cities of the south and west respectively. The work of the friars has long been seen as a factor in the survival of Catholicism across Ireland in the face of the Tudor reformations.

Recent work by Jefferies on the diocesan church across much of Ulster has shown that the greatest problem for the institution was not clerical concubinage and the tendency of the sons of churchmen to seek preferment in the church, but the poverty of the institution. The prevalence of subsistence agriculture among the Irish and the frequency of petty wars depressed clerical incomes from land and tithes. The beneficed clergy and erenaghs had considerable difficulty in maintaining the parish churches from their own resources alone. Yet, though church buildings were often in a poor state, there were resident clergy in place to meet the pastoral needs of the laity, except in those districts wasted by war. Indeed, it is the resilience of the diocesan church in conditions of widespread lawlessness and sporadic warfare that was its most striking feature.

Conclusions

'It was the medieval Church which refused Protestantism and remained Catholic at the reformation. In the long perspective of Irish history that must surely rank as the most important single contribution of the middle ages in the shaping of modern Ireland'.⁸⁰ Thus John Watt declared in the conclusion of his *Church in Medieval Ireland*. Historians today would be more cautious about making such a claim, while not dismissing it entirely. Beside the evidence of widespread breaches of the strictures of canon law by the clergy and laity, most notably in the realm of sexual relationships, there is a growing realization that the institutional church continued to provide a level of pastoral care which was comparable with that elsewhere in Latin Christendom, and there is also an increasing appreciation of the strength of late medieval piety in Ireland. None the less, historians are conscious now, as never before, of the tremendous amount of research still required into almost every aspect of the medieval Irish church, religion and piety. The role of women in the church, in particular, has been conspicuously neglected. One can take solace, however, in the quickening pace of progress over recent years.

NOTES

- 1 Most of his work is conveniently accessible in Gwynn, *Irish Church*. See also *The Medieval Province of Armagh*.
- 2 Hughes, *Church*, pp. 132, 234–6; Watt, *Two Nations*, pp. 2–5; Watt, *Medieval Ireland*, pp. 10–11.
- 3 Sharpe, 'Churches and communities', pp. 101–2.
- 4 Charles-Edwards, 'Pastoral role', p. 67.
- 5 Sharpe, 'Churches and communities', p. 109; Jefferies and Johnston, 'Early churches', pp. 58–61.
- 6 Hamlin, 'Early church in Tyrone', p. 94.
- 7 Charles-Edwards, 'Pastoral role', pp. 68–77; Ó Corráin, 'Early Irish churches', p. 339.
- 8 Kenney, *Sources*, p. 747; Hughes, *Church*, p. 263.
- 9 Irwin, 'Historiography', pp. 19–29.

- 10 Hughes, *Church*, pp. 253–62.
- 11 Gwynn, *Irish Church*, pp. 84–98, though an examination of the letter itself shows that Gwynn exaggerated its significance.
- 12 *Ibid.*, pp. 50–67, 68–83, 99–115.
- 13 *Annals of Ulster*, s.a. 1101; O’Grady, ‘Senchas Síil Bhriain’, pp. 174–5.
- 14 *Annals of Ulster*, s.a. 1111; Keating, *Foras*, pp. 298–306.
- 15 Fleming, *Gilbert of Limerick*.
- 16 Simms, ‘Frontiers’, pp. 185–6.
- 17 *Ibid.*, pp. 188–9.
- 18 Keating, *Foras*, pp. 312–17; Gwynn, *Irish Church*, pp. 218–70.
- 19 Hughes, *Church*, p. 274; Watt, *Medieval Ireland*, p. 27.
- 20 *Expugnatio*, pp. 144–6; Sheehy, ‘Laudabiliter’, pp. 45–70; Watt, *Two Nations*, p. 36.
- 21 *Expugnatio*, pp. 98–101.
- 22 Sheehy, *Pontificia*, no. 5.
- 23 *Bernard’s Life of St Malachy*, p. 37.
- 24 Gerald de Barry, *The History and Topography of Ireland* (Harmondsworth, 1979), p. 74.
- 25 Otway-Ruthven, ‘Parochial development’, pp. 111–22.
- 26 Nicholls, ‘Cathedral chapters’.
- 27 Barry, *Archaeology*, pp. 141–4; Rae, ‘Architecture’, pp. 745–9.
- 28 Glasscock, ‘Land and people’, p. 221; Barry, *Archaeology*, pp. 140–1.
- 29 *Annals of Clonmacnoise*, p. 224.
- 30 Nicholls, ‘Rectory’, pp. 53–84.
- 31 *Ibid.*, pp. 54, 65.
- 32 Jefferies, ‘Erenaghs’, pp. 16–19.
- 33 Jefferies, *Priests and Prelates*, pp. 69–70, 76–81; Jefferies, ‘Derry diocese’, p. 185.
- 34 Jefferies, *Priests and Prelates*, pp. 32–8, 70–3; Jefferies, ‘Dromore’, pp. 124–7.
- 35 Jefferies, *Priests and Prelates*, p. 72; Jefferies, ‘Visitation’.
- 36 Jefferies, ‘Laity’, pp. 77–8.
- 37 Nicholls, *Gaelic and Gaelicised*, pp. 73–9, 92–102.
- 38 *Ibid.*, pp. 73–9; Watt, *Medieval Ireland*, p. 204; Jefferies, *Priests and Prelates*, pp. 115–16.
- 39 *Annals of Ulster*, s.a. 1162.
- 40 Watt, *Medieval Ireland*, pp. 45–6; Nicholls, ‘Gaelic society’, pp. 435–6; Rae, ‘Architecture’, p. 740.
- 41 Nicholls, ‘Gaelic society’, p. 435.
- 42 Gwynn and Hadcock, *Religious Houses*, pp. 102–9.
- 43 *Ibid.*, pp. 116–36; Rae, ‘Architecture’, pp. 737–43, 745.
- 44 Nicholls, ‘Gaelic society’, p. 436.
- 45 Quoted in Watt, *Medieval Ireland*, p. 52.
- 46 *Ibid.*, p. 54.
- 47 *Stephen of Lexington*; Watt, *Medieval Ireland*, pp. 54–9.
- 48 Watt, *Medieval Ireland*, pp. 60–86.
- 49 Jefferies, *Priests and Prelates*, pp. 52–4.
- 50 Watt, *Two Nations*, pp. 71–3; Watt, *Medieval Ireland*, pp. 100–4.
- 51 Watt, *Two Nations*, pp. 198–216.
- 52 *Ibid.*, pp. 75–80; Watt, *Medieval Ireland*, pp. 104–9.
- 53 *Ibid.*, p. 89.
- 54 Watt, *Two Nations*, pp. 184–5, 189–97.
- 55 *Ibid.*, pp. 186–8.
- 56 Fitzmaurice and Little, *Franciscan Materials*, pp. 63–4.
- 57 Watt, ‘Confrontation and coexistence’.
- 58 Jefferies, *Priests and Prelates*, pp. 83–118.

- 59 Lyons, *Kildare*, pp. 70–2.
 60 Murray, ‘Diocese of Dublin’, pp. 99–102.
 61 Simms, ‘Frontiers’, pp. 178–84; Jefferies, ‘Derry’, pp. 180–2, 189, 192.
 62 Jefferies, *Priests and Prelates*, pp. 75–6.
 63 *Annals of Ulster*, s.a. 1498.
 64 Bale, ‘Vocacyon’, p. 447.
 65 Nicholls, *Gaelic and Gaelicised*, pp. 79–84, 92–8.
 66 Jefferies, ‘Laity’, pp. 75, 81.
 67 Jefferies, ‘Derry’, pp. 188–9.
 68 Jefferies, *Priests and Prelates*, pp. 47–8; Lyons, *Kildare*, p. 71.
 69 Watt, *Medieval Ireland*, p. 183.
 70 See in particular Jefferies, *Priests and Prelates*.
 71 Lynch, ‘Religion’, p. 8; Lynch, ‘Bole’, pp. 103–4.
 72 Jefferies, ‘Early Tudor reformations’; Bradshaw, ‘Reformation in the cities’, p. 446; Neely, *Kilkenny*, pp. 35–7.
 73 Lennon, *Lords of Dublin*, pp. 122–50.
 74 Lyons, *Kildare*, pp. 82–96.
 75 Murphy, ‘High cost’, pp. 111–22; Lennon, *Sixteenth Century*, pp. 122–4; Jefferies, ‘Laity’, pp. 80–1.
 76 Bradshaw, *Dissolution*, pp. 25–6, 35–6.
 77 Mooney, *Church in Gaelic Ireland*, passim.
 78 Watt, *Medieval Ireland*, p. 113.
 79 *Ibid.*, pp. 193–202.
 80 *Ibid.*, pp. 216–17.

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PART IV

Education and Culture

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CHAPTER TWENTY-THREE

England: Education and Society

JO ANN H. MORAN CRUZ

The history of medieval English education is grounded in the contributions of its nineteenth-century pioneers, particularly H. Rashdall (1858–1924), who wrote the first scholarly survey of European medieval higher education, and A. F. Leach (1851–1915), a lesser-known, more controversial scholar, whose documentary explorations began the modern study of English grammar education. It has advanced through the cumulative efforts of twentieth-century scholars who have moved from an institutional towards an integrative approach, incorporating analyses of literacy and social change, with greater attention to the interaction of Latin and vernacular languages, cultural concerns, informal modes of learning, readership, social mobility and the history of texts.

Within this developing field, despite some differences of understanding, the enterprise has been cooperative rather than conflictive. In the past there have been disagreements between medievalists and early modernists over the extent and nature of medieval education.¹ To the degree that early modernists have posited an educational revolution they have tended to devalue earlier educational investments. Among medievalists there have been differences of opinion over patronage patterns, the evolutions of Cambridge and Oxford, the extent to which education was laicized or the laity educated, the analytic framework relating literacy and orality, and relations between the educative uses of French, Latin and English. Except with regard to university education, there has been little in the way of comparative analysis, either with the continent or within the British Isles.

Elementary and Grammar Education

A. F. Leach's publications focused on English secondary (grammar) education, emphasizing its secular ecclesiastical (rather than monastic) origins and damning the educational impact of Edward VI's suppression of chantries and collegiate churches in 1547. Although Leach exaggerated the long-standing nature of many schools, he none the less drew attention to the wealth of evidence for medieval schooling. Recent historians, most particularly Nicholas Orme, while eschewing Leach's overgeneral-

izations, have underlined the availability of medieval education, filling out our picture of grammar and, to some extent, elementary education.²

Prior to 1300 elementary and grammar schools were not physically separate.³ The glosses in teaching materials suggest that schoolmasters did not clearly delineate reading from grammar, and 'grammar' appears to have indicated only the principal subject of study.⁴ Such schools might teach song (plainsong and, increasingly, polyphony), training students to read and/or memorize the language of the liturgy. They might also, but not necessarily, teach writing. They certainly taught reading and the rudiments and then the niceties of Latin grammar.

By the fourteenth century, elementary teaching was more clearly differentiated from grammar. While some elementary instruction continued within grammar schools, much of it was now done independently, in parish churches, in convents, associated with chantries, and in households. At this entry level some children learned to read and sing both, others learned only to sing or only to read. Small children in 'petty schools' learned their alphabet, simple prayers and scriptural passages in Latin and, increasingly, in the vernacular. Between 1300 and 1500 'petty schools' and reading or singing scholars are mentioned more frequently; lists of primers and elementary readers surface in wills and inventories; and, by the 1540s, chantry certificates detail elementary schooling offered by chantry chaplains. Thus, one can more easily document elementary schooling, the provision for which appears to have grown after 1300.⁵

Grammar schools tended to be more institutionalized and grammar masters more often cited in documents. Thus, the number of grammar schools compiled by Leach, Orme and also by Moran is a closer approximation to reality than lists of elementary schools. Grammar schools were established in cathedrals and collegiate churches, by guilds and town councils, in lay and clerical households, in chantries, and by individual founders and independent grammar masters. Friaries normally recruited youths with some education, although their *studia* (developing quickly from their thirteenth-century foundations) offered grammar or required a student to attend a local grammar school until his learning was sufficient to move to higher studies. By the mid-thirteenth century, Franciscan *studia* at the custodial level (located in seven sites: London, York, Norwich, Newcastle, Stamford, Coventry and Exeter) taught grammar as well as logic, philosophy and moral theology. Individual convents may also have offered instruction in grammar. The Dominicans generally developed external grammar schools for prospective boys entering the order, although this changed as they accepted younger boys by the fourteenth century. By the fourteenth century, some monasteries and houses of Augustinian canons had external schools (called almonry schools) that attracted poor and middle-class boys, and most had separate Latin grammar schools for young men intending to be monks.

Grammar schools open to the public first emerged in any number in the twelfth century, although recorded instances that early are somewhat arbitrary and may be a serious underestimate. Reasons for this development include the importance Latin assumed after the Norman Conquest, the growing needs of parish churches and ecclesiastical administrations, the recruiting needs of monasteries for educated youths as child oblations diminished, and the increasing demand of government and large landowners for literate officials.⁶

After 1300 grammar education expanded further. For instance, in York diocese between 1300 and 1500 there were, at any one time, between fifteen and twenty-five recorded grammar schools, with numbers climbing through the two centuries; by 1548 they rise to almost seventy.⁷ Reasons for this post-1300 growth have been insufficiently explored but certainly include an increased interest on the part of both churchmen and laity in endowing education; demand for priests in the wake of plague deaths and a growth in chantry and collegiate foundations; papal and synodal legislation promoting clerical learning; liturgical needs (including parish church choirs); greater demand for literacy among the laity; and a developing sense of schools as sacred spaces where prayers for benefactors' souls would be well cared for. The economic prosperity of late medieval rural England may also be partly responsible.⁸

Within this context of expanding educational resources, what and how were students learning? In 1980 J. J. Murphy asked why twelfth-century Latin pedagogy was so successful, producing, as it did, a class of clerks comfortable with at least a pragmatic use of Latin. He attributed the success to a commonly used system of instruction (derivative from classical Latin pedagogy) in a context where Latin was useable.⁹ What this commonly used pedagogy was, however, is difficult to ascertain. For the twelfth century we have descriptions by John of Salisbury, Alexander Nequam and Hugh of St Victor.¹⁰ There are surviving school manuals, catalogues and booklists from the eleventh century onward; for the fourteenth and fifteenth centuries, there are scattered booklists of school libraries, foundation deeds, inventories and school-books mentioned in wills. The best sources are surviving grammatical manuscripts, which tell us which texts were commonly used and offer, in the accompanying glosses, some sense of the method of instruction.

Beginning pedagogy in reading and/or song focused on a child's ability to recognize Latin and pronounce it correctly, but not necessarily to understand it grammatically. Often this involved mostly memorization. Then Latin grammar taught parts of speech, the construction of Latin words (orthography) and sentences (syntax), and vocabulary (including etymologies, word definitions and vernacular translations), thereby training scholars to read, understand and express Latin correctly. More advanced Latin training included prosody (metre and accentuation), composition and the rudiments of rhetoric and logic, including disputation.

Beginning Latin readers normally used primers (readers with the Hail Mary, Paternoster, Creed, Ten Commandments and basic Christian prayers), the Psalter and other texts (such as antiphonals or books of hours) used in divine services. For beginning grammar scholars, Donatus's *Ars Minor* formed the basis for most medieval elementary Latin grammars. By the thirteenth century the *Liber Catonianus*, a collection of texts containing the *Disticha Catonis* (a third-century poetry collection of moral sayings) was commonly used along with the *Doctrinale* of Alexander de Villa Dei, the *Graecismus* of Eberhard of Bethune, and a variety of texts that waxed and waned in popularity.¹¹ There are discernible shifts over the centuries. Most twelfth-century grammar texts derived from the classical tradition. By the thirteenth century there was a gradual move to texts with a Christian emphasis; indeed, the greatest part of Latin grammatical materials circulating in England from 1200 to 1500 were composed by tenth- to thirteenth-century Christian continental authors.¹² Nevertheless,

some classical texts continued in use: Horace's *Satires* was a standard school text, and the *Aeneid* was always an advanced grammar text. Ovid, Statius, Lucan and Juvenal were less commonly part of the curriculum. At the advanced level Priscian's *Institutiones grammaticae*, particularly the books on syntax, were annotated and discussed by grammarians at length, although rarely used directly in the classroom.¹³ It should be emphasized, however, that while common texts might have circulated among grammar masters, individual teachers tailored instruction to their own interests and abilities, often editing, adapting, compiling, commenting on and even composing texts. By about 1350 grammatical exercises called *Vulgaria* or 'Latins' (colloquial sentences and dialogues used for translation exercises from English to Latin and vice versa) were becoming popular – a testament to the growing exclusivity of English as the language of instruction.

It is a commonplace among historians of medieval English education that a dramatic shift in Latin pedagogy occurred in the fourteenth century. According to the fourteenth-century report of John Trevisa, John of Cornwall, a grammar master at Oxford in the 1340s, began to teach Latin grammar in English rather than, as was customary, in French. This method passed to others so that, Trevisa reports, by 1385 Latin was everywhere taught in English. Although one can generally credit a significant shift from the use of French to that of English, T. Hunt has shown, in his study of glosses to grammatical texts, that English and French were both languages of instruction as early as the thirteenth century. Indeed, the schoolroom use of English probably continued post-Conquest, while French was used from perhaps the late twelfth century.¹⁴ Thus, the mother tongue was not normally a barrier to learning. Schoolmasters, however, may have needed to manage three languages for pedagogical purposes, particularly between 1200 and 1350. Even late in the fourteenth century, Oxford teachers were ordered to alternate French and English in teaching Latin in order to maintain knowledge of French.¹⁵

The earliest surviving French and English primers date from the late fourteenth century, while the first surviving Latin grammatical texts written in English date from the fifteenth century,¹⁶ as do French grammars (teaching French).¹⁷ Thomson has shown that John Leland (d. 1428) at Oxford was the source for most Middle English grammatical texts, which were adapted, circulated and further adapted from his lectures. The main source for French grammars was also Oxford.¹⁸

Oxford masters dominated the field of grammar between the late thirteenth century and 1500.¹⁹ John of Cornwall's school at Oxford has already been mentioned, and one of his students, Richard Penrych, flourished at Oxford in the 1360s. C. R. Bland assumes that the pedagogy of Cornwall–Penrych spread throughout the country, an assumption that invites exploration.²⁰ In the early fifteenth century, John Leland attracted students from around England. By 1500 the Oxford grammar tradition centred on Magdalen College, first founded by Bishop Wainfleet of Winchester in 1448 and including a university college and free grammar school. This unusual combination came into being at a time when private, fee-paying grammar instruction at Oxford was ebbing (as it was elsewhere in England), and endowed, free education was coming to the fore. Indeed, the establishment of Magdalen probably hastened the end of the practice of teaching grammar for fees at Oxford. Magdalen College grammarians (including John Stanbridge, John Holt, John Anwykyll and Andrew Scarbot [fl. 1480s and 1490s] but not, as traditionally assumed, Robert

Whittington) as a group reached out to incorporate humanist materials in their texts but overall did not break sharply with the methods of late medieval grammar teaching. Their influence spread via the printing press and the dispersal of Magdalen-trained schoolmasters throughout southern (but not northern) England.²¹ Out of this late medieval-early humanist tradition came 'Lily's Grammar', published in 1540 for the first time and, by royal command, used throughout England.

This late medieval bookishness is in contrast with earlier centuries. In the twelfth and thirteenth centuries instruction was primarily oral (the teacher, not the students, having access to texts), sometimes accompanied by tablets and a writing stylus and sometimes divorced from writing altogether. The bulk of grammatical texts were in verse, which made memorization easier. But by the fourteenth century schoolbooks became more available and the amount of memorization declined, although it was never marginalized.²² A shift from versified grammars to prose accompanied the decreasing dependence on memorization.

There may also have been greater access to a writing education. Late medieval manuscripts sometimes include leaves with writing exercises, suggesting that writing was taught together with reading and grammar. On the other hand, it was not taught as a matter of course. Writing was a difficult art, and schoolmasters were not always trained to teach it. By the fifteenth century, however, students could hire scribes for private writing lessons, if they were not taught writing in school.

In summary, various trends are apparent in medieval grammar education, including the increasing use of books and written exercises, more Christianized texts with vocabularies, syntax and spelling divorced from classical Latin roots, and the growing importance of the vernacular. After 1500, however, the return to classical sources with the importation of humanism, the availability of printed books (largely a post-1490 phenomenon) and a strengthened royal authority in the wake of the Reformation, changed Latin grammar instruction more dramatically than any change that had evolved from 1200 to 1500. The sixteenth century also experienced greater rigidity of forms in the classroom and greater conformity in the use of texts, while it became less common to see, as one might in the middle ages, children learning together with young adults.

Higher Education (Liberal Arts, Philosophy, Law, Theology and Medicine)

Students pursuing post-grammar education within England might attend selected cathedral schools, a course of study at either Oxford or Cambridge University, or, by the fourteenth century, legal studies at the Inns of Court. Monks, friars and Augustinian canons could study logic, philosophy, canon law and theology in *studia* within their own houses.

There was a long tradition of learning in the cathedrals of western Europe. This was confirmed by Third Lateran (1179), which ordered that 'in every cathedral church a master is to be assigned some proper benefice so that he may teach the clerics of that church and the poor scholars', and reinforced by Fourth Lateran (1215) with the added stricture that every cathedral support a master teaching liberal arts while metropolitan churches were to support a theologian teaching scripture to priests and others.²³

England did not, however, experience the great revival of learning in secular cathedral centres that tenth- and eleventh-century continental Europe did, and other than a brief treatment in Edwards, *The English Secular Cathedrals in the Middle Ages*, there is no synthetic study of the educational contribution of secular English cathedrals. When such schools did emerge in twelfth-century England, they did so slowly, since English scholars could go abroad and take advantage of curricula in established continental schools. Thus, 'England's scholastic development virtually skips the age of the great cathedral schools'.²⁴ None of the English cathedral schools that developed rose to the level of a *studium generale* (a school with one or more superior faculties – theology, law, medicine – as well as a foundation faculty in arts and philosophy), although some, such as Lincoln, Exeter, Hereford, Salisbury and perhaps St Paul's in London, came close. The cathedral schools functioned more as *studia particularia*, with fewer masters, a more limited range of faculties, and perhaps a more provincial catchment area.

Given liturgical demands, song schools existed in all cathedrals, perhaps most notably at Canterbury, Lincoln and York. It would also be surprising to find a cathedral that did not offer grammar education under the auspices of a chancellor who would normally, but not always, appoint the grammar master. Often these masters tried to enforce a monopoly of grammar teaching in the surrounding area, since, contrary to provisions made at Third Lateran, they sometimes lived off fees they received. In their monopolistic efforts, however, they were not always successful. Cathedral grammar schools could be large, accommodating dozens of students and sometimes over a hundred boys.

A number of twelfth-century English cathedrals, such as Canterbury (a monastic institution), Exeter, Lincoln and York, had flourishing schools of theology and some training in canon law. Lincoln seems to have come closest to a *studium generale*. Grammar, the arts, and possibly theology and law were available at St Paul's, London, while Hereford offered liberal arts with an emphasis on the natural sciences, especially astronomy, astrology and *computus* (calculations of the ecclesiastical calendar). Schools at Salisbury emerged when Oxford scholars migrated there in 1238. By the second half of the thirteenth century Salisbury had, briefly, the essentials of a *studium generale*, including a college founded in 1262. The rising universities and the new schools of the friars attracted students away from the cathedrals, which more and more became schools for local clerics. None the less, a tradition of theology training²⁵ and some training in law appears to have survived, even after the Black Death when cathedrals had difficulties finding qualified chancellors.

In contrast to cathedral schools, the history of English universities has been well researched.²⁶ Scholars have refined and corrected the information and emphases first offered in Rashdall's monumental three volumes, *The Universities of Europe in the Middle Ages* (1895). They have overturned Rashdall's conclusion that Oxford derived from students migrating from Paris, and that the early governance structures of Oxford and Cambridge were copied from Paris. They have moved beyond his focus on legal and constitutional developments, redrawn his picture of decline in late medieval universities, and corrected his minimalist treatments of Cambridge and the monastic role in education and other less overarching assessments.

Oxford's origins are obscure; scholars, following R. W. Southern's lead, place its origin in the late twelfth century. The origin of Cambridge is clearer; it emerged fol-

lowing a dispersal of students and faculty from Oxford in 1209. Neither university developed from cathedral schools, as Paris did, for neither town housed an episcopal see. Oxford was favoured by its geographical location (at a meeting point between various routes and near the royal palace of Woodstock). It already housed several religious communities and, in the twelfth century, was a centre for royal government, a place to hear ecclesiastical disputes, and possibly a centre for business training and luxury book production. Oxford perhaps benefited from difficulties English scholars had studying in Paris during the Becket–Henry II struggles and the wars with Philip Augustus; it might have profited from scholars in the 1190s fleeing Northampton, where another centre of higher learning had developed.²⁷ By the end of the twelfth century, and certainly by 1190, contemporaries were describing Oxford as a place where the study of arts, law (both canon and civil) and theology took place. An official papal grant to Oxford scholars in 1214 regularizing their relationship with the townspeople is usually taken as the legal founding of Oxford; at that time it was placed under the authority of a chancellor appointed by the bishop of Lincoln. The technical term *universitas* (corporation) was recognized officially by the crown in 1231 and in 1254 by the papacy.

Cambridge, while it also sat on a trade route (between East Anglia and the north and west of England) and was graced with numerous religious institutions, trade fairs and a community of Jewish moneylenders, was poorly placed in terms of climate and terrain. Its development as a university might have been due more to the regional ties of those masters who settled there in 1209, most of whom were from Cambridge and East Anglia. The official status of Cambridge as a university was recognized by Henry III in 1231 and Pope Gregory IX in 1233, although it was not granted the status of *studium generale* by the papacy until 1318, by which time the term had come to mean a universally recognized educational institution with papal authorization of the *ius ubique docendi*, namely, the right of its graduates to teach in other schools without further examination. Both universities received royal support in the thirteenth and fourteenth centuries, particularly under Henry III and Edward III, and the royal suppression of incipient universities at Northampton in 1265 and later at Stamford²⁸ ensured their monopoly status into modern times. The range of privileges given Oxford and Cambridge over the centuries resulted in remarkably privileged corporations with powerful economic and judicial privileges and immunities.

Both universities offered training in the seven liberal arts, natural, moral and metaphysical philosophy, law, medicine and theology, although Cambridge was always the smaller and less well-recognized of the two universities. Students learned by hearing lectures, attending debates and review sessions, reading, and eventually engaging in debates and giving lectures themselves.

Arts students needed to be competent in Latin grammar, and, regardless of earlier training, the average university student was likely to pursue additional studies in grammar. Oxford was famous for the grammar schools attached to Merton College and later to Winchester and Magdalen Colleges, and there were other grammar schools scattered in the city and suburbs. Cambridge University, in contrast, was less well supplied with grammar schools although some halls and colleges provided grammar instruction when needed, and Peterhouse had a grammar school attached briefly.

Grammar also became a field of study for future grammar teachers, especially at Godshouse, Cambridge, founded in 1448 by Henry VI and William Bingham (rector of St John Zachary, London) to produce grammar masters in response to a perceived dearth and because, as Bingham pointed out, the universities had no endowments to support their training. By the fourteenth century, both Cambridge and Oxford offered master's degrees in grammar, although numbers graduating from this faculty in any given year were small; most grammar teachers who trained at either university probably did not complete the degree programme.

Within the arts curriculum the focus on grammar was different from this teacher training; students read Donatus's *Barbarismus* or Priscian and studied the logical analysis of grammar (speculative grammar) in order to understand the meaning and reality attached to words through the study of signification. In addition, the arts curriculum, which culminated in BA or MA degrees, focused on logic and natural philosophy. Rhetoric had a rather amorphous place in the university curriculum. While rhetorical texts (poetic texts, exemplary epistolaries and some drama) were available and apparently read (but most likely literally and as part of advanced grammar), rhetoric had little statutory standing. This changed towards the end of the fifteenth century when humanist interest in poetry and the rhetorical treatises of Cicero, pseudo-Cicero, Boethius, Aristotle and, after its rediscovery in 1416, the *Institutio oratoria* of Quintilian gained popularity.²⁹

Between 1200 and 1500 it was logic that dominated the arts curriculum, along with natural philosophy. Students read the Old Logic, the New Logic and books of natural philosophy, such as Aristotle's *Physica*, *De anima* and *De caelo et mundo*. Logic shaded almost imperceptibly into natural philosophy, largely because of the reliance upon Aristotle in both fields as well as the scholastic method by which texts in natural philosophy were approached. Introductory collections and commentators on these works were also read in addition to a variety of contemporary writers such as Thomas Aquinas, Robert Grosseteste and Duns Scotus. Neither at Oxford nor at Cambridge did one school of philosophy dominate, partly because of the relatively short-term relationship between a regent master and his students. The length of time for the BA was minimally three to four years and as long as eight years, with students entering the university at varying ages, sometimes as young as fourteen or as old as their twenties and thirties. Each student was required to register with a regent master who might take on a large supervisory role in the student's academic career. In the fifteenth century, as colleges became more numerous, students were increasingly taught within halls and colleges; as a result, university lectures became less central to the university experience.

The length of time for the Master of Arts degree was usually three to four years. At the MA level Aristotle's moral and metaphysical writings, plus commentators, might be read, although natural philosophy far outweighed attention given to moral and metaphysical matters. From the end of the thirteenth century and especially in the fourteenth century, students read a proliferation of texts on logic and natural philosophy produced in fourteenth-century Oxford.³⁰ As the fifteenth century wore on, however, the tradition of commenting on, or contributing to, the discipline of logic was largely spent. Valued as utilitarian in the twelfth century, by the fifteenth century logic was no longer considered vocationally directed.

MA candidates were expected to take part in disputes, and they lectured cursorily on a variety of texts, including the Bible. At this level students could no longer depend on inculcating lectures, sermons and debates by memory or with note-taking. They had to begin building up their own library of specialized texts.

Beyond grammar, logic and rhetoric (the traditional trivium) and the study of philosophy, quadrivial studies (arithmetic, music, geometry and astronomy) were encountered mostly at the MA level. MA students heard lectures on basic mathematical functions such as enumerating with Arabic numbers, performing arithmetical operations, and understanding square and cubic roots (mostly contained in John Sacrobosco's *Algorismus* and Boethius's *Arithmetica*). The use of arithmetic for commercial purposes was not taught at English universities. Astronomy, with its adjunct astrology, had statutory status at Cambridge. It also attracted a number of scholars to Merton at Oxford; students were likely to have read and may have been expected to dispute on such elementary works as John Sacrobosco's *De sphaera*. Further study included the *Compotus*, Ptolemy's *Almagest* and a generic work entitled *Theorica Planetarum*. Astronomy and astrology were prerequisites for study in the field of medicine. The scholar intent on pursuing science further, someone like Roger Bacon, did so outside the confines of the university. For geometry Euclid's *Elements* were read; geometry might be a precursive study to astronomy, but normally it was marginal to university studies, learned outside its walls for the practical purposes of measuring and surveying. The scientifically inclined might also read treatises on optics, perspective, statics and kinematics, particularly at Oxford, which was pre-eminent in these fields in the thirteenth and early fourteenth centuries. Music, taught either theoretically (as an adjunct to theology or to the sciences) or practically, would not normally have been encountered by most university students. Only by 1431 at Oxford and the late fifteenth century at Cambridge was music assigned a place in the curriculum, with MA students required to read Boethius's *De musica*. University degrees in music were sometimes given to reward a successful musical career rather than as a result of academic work. Overall, courts, cathedrals, monasteries, chapels (including college chapels) and parish churches, rather than universities, were the training grounds of musicians.³¹

From the arts faculty, students might go forward into theology, law or medicine. Until the fourteenth century theology was the most prestigious of the faculties, after which it began to be supplanted by law and arts. It was the monks and friars who dominated the theology faculty. Only about one quarter of the theology students at Cambridge were secular clergy; in fourteenth-century Oxford the secular clergy moved towards parity, however. Since regular clergy were normally trained in grammar, logic, natural philosophy and theology within their own schools, they were subject to regulations requiring those who did not study or lecture (determine or reign) in arts at the university to take two extra years of graduate studies. Similar regulations governed the faculties of law and medicine. Secular clergy were more likely to go forward in canon law; normally law students had little or no training in arts. Finally, some small number of arts students with an interest in astronomy and natural philosophy might enter the field of medicine. The largest portion of arts students did not go on to other studies; only some undetermined proportion of them, in fact, ever completed the BA or MA.

In European universities prior to 1359, only Oxford, Cambridge and Paris housed schools of theology. Subsequently this distinction diminished as schools of theology opened, first at Florence and Bologna, and then at other universities (especially the newly founded German universities). Theology at thirteenth-century Oxford and Cambridge was closely allied with the methods, personnel and curriculum of the theological faculty at Paris. Many of the questions and texts used derived from Paris. By the fourteenth century, however, Oxford's theological faculty emerged as an independent and highly original nursery of theological opinion.³² The theological faculty at Cambridge never attained the stature that it did at Oxford.

The theological programme of study focused on biblical study along with, by the 1240s, lectures on Peter Lombard's *Sentences*. In their final years, theology students were expected to offer sermons (in English as well as Latin), lectures and disputations. The curriculum in theology, which took ten to fifteen years to complete, was not particularly attractive to secular clergy who could not easily find support for this lengthy programme of studies, although two popes (Honorius III in 1219 and Boniface VIII in his papal bull 'Cum ex eo' in 1298) did allow for five and then up to seven years of study at a university with support from the revenues of a benefice.³³ General chapters of the monastic and mendicant orders, however, required their convents and provincial authorities to support a specified number of students in the graduate faculties, particularly theology, although this could be a hardship for local convents. These students also had access to the rich library resources of the orders. Their numbers and resources made it easier for monks and mendicants to dominate the theological faculties.

Medicine required six years of study and four years of disputing and lecturing and graduated the smallest number of doctorates (at Oxford, 1 per cent of recorded students, mostly clergy). Students read Galen, Hippocrates, Aristotle and various Salernitan, Islamic, Byzantine and Jewish authors. They had no training in the empirical practice of anatomy, surgery or pharmaceuticals, although many did advise patients. Most hands-on medicine was the province of guilds of surgeons, barbers and apothecaries that, unlike in some continental universities, had no role in English academics.³⁴

With regard to law, we know that the first generation of English-trained civil lawyers was taught by Master Vacarius, an Italian-trained civil lawyer, in the mid-twelfth century, although where in England Vacarius taught is unclear. By the thirteenth century both universities offered faculties in canon and civil law³⁵ (the only universities north of the Alps to do so), with canon law taking priority; civil (i.e., Roman) law was, however, a necessary complement. Aspiring administrators, particularly those planning to enter ecclesiastical service or engage in diplomacy, would have found it useful to have studied both. Initially the basic texts used both at Cambridge and Oxford were Gratian's *Decretum* and Vacarius's *Liber Pauperum*. Subsequently the Justinian *corpus juris civilis* replaced Vacarius, and the *Decretales* and more recent collections of canon law began to displace the *Decretum*. Generally three years of civil law were a prerequisite for canon law, although priests and those in regular orders were not permitted to study civil law and would have required dispensations. Degrees for the Bachelor of Civil Law took six years, while the doctorate took from thirteen to fifteen years. A Bachelor in Canon Law took three years and another seven for that doctorate. Years in practice sometimes counted towards

a degree, and graces could shorten the time. Doctors in both laws were, however, relatively rare. Attendance in the law curriculum sometimes threatened the arts faculty, while, in the fourteenth and fifteenth centuries, a growing English common law tradition competed with civil law.

An apprentice-style education in common law (the study of English case law and the practice of secular courts) began perhaps as early as the mid-thirteenth century in the royal courts. Sometime early in the fourteenth century lawyers and aspiring law students began to reside in hostels in Holborn, west London. These hostels evolved, by the early fifteenth century, into the four great Inns of Court (Inner Temple, Middle Temple, Grey's Inn and Lincoln's Inn); there were also lesser Inns (of Chancery) for students at a more elementary level. Studying the common law required learning a rather peculiar Law French and Latin. Every indication is that it was the sons of well-to-do families who had the languages, interest and funds to attend the Inns of Court and Chancery. Expenses of residence were not cheap, and fines exacted for not attending lectures or moot court could become oppressive. By memorizing statutes and writs, arguing cases, attending or pleading moots, listening to or reading lectures explaining points of law, and attending the courts, students absorbed a good deal of the law of the land. Some went on, after about three years, to become barristers; others returned home to use their familiarity with common law at the local level.

Education for Households, Business and Crafts

England had a long-standing tradition of household education, going back at least to King Alfred's time. And, as with Alfred's mother, women had significant roles in teaching languages and first letters to their children. Upper-class boys, however, usually moved from the care of a female-headed household to a male-ruled environment about ages six to seven, after which they might be in the care of a monastery³⁶ or a master who taught reading and Latin grammar. Upper-class girls had mistresses devoted to their care who might teach them reading in the vernacular and perhaps the Latin of the Psalter or, later, book of hours. It was normal for aristocratic parents to send their children to another family's household, to a convent, or to an abbatial or episcopal household in the case of boys. Whether a boy was destined for an ecclesiastical or a lay career does not seem to have mattered. Thus, most aristocratic laymen, by the thirteenth century, were likely to have had some acquaintance with Latin grammar.

The royal household, in particular, was a training ground for youths who might learn song in the royal chapel, legal procedures, management of household departments, grammar, manners, languages, military skills and courtly accomplishments; aristocratic households sought to imitate the offerings of the royal court.

Towards the end of the middle ages, aristocratic families were sending their children to public grammar schools, influenced by the prestige of schools like Winchester (founded in 1382) and Eton (founded by Henry VI in 1440). Once out of a household or grammar school (usually about age fourteen), sons of nobility might go to university, less likely to a monastery or friary, into legal training, or into an administrative position or the military until they could set up their own household. Aristocrats appear at university as early as the mid-thirteenth century, although

they were mostly slated for ecclesiastical careers. Only after 1400 did noble youths planning lay careers enter the universities in any number.³⁷

Boys further down the social scale who needed training in literate skills might employ private teachers. In any urban area of sufficient size, there were scribes and priests willing to teach writing for fees. In rural areas scribes wandered from place to place teaching writing for short periods of time, while parish clergy probably also taught writing on the side.³⁸ The point of this instruction, called the *ars dictaminis*, was to develop an ability to write for pragmatic purposes, composing letters and learning formularies for various legal and financial documents.

The most popular centre for instruction in the *ars dictaminis* was Oxford, where a student could learn business and legal skills in various languages. There were probably teachers at Oxford who taught Latin composition as early as the thirteenth century. Learning in French is first associated with these schools of dictamen in the 1360s, while English emerged only in the fifteenth century. These 'schools' were semi-independent, located in the shadows of the university and regulated by Oxford so that their lectures did not prejudice the ordinary Oxford lectures. Students who attended might be aspiring or working merchants needing a pragmatic knowledge of French to trade with Flanders or Gascony; they might be soldiers with military ambitions who needed French and some practical literacy; they might be administrators and estate managers needing to know how to write wills, do conveyancing or keep accounts in more than one language. Even the clergy needed some French, as its use continued in convocations and monasteries into the fifteenth century. By the fourteenth and fifteenth centuries we know the names of several teachers of these 'business schools', because of their propensity to self-advertise.³⁹

Some aspiring professionals were self-taught. By the thirteenth century there were treatises on accounting, conveyancing and estate management available to educate estate owners, their managers and clerks.⁴⁰

Very little has been written regarding the role of apprenticeships in reading and writing instruction. We know more about technical training for a particular craft than we do about any schooling.⁴¹ Non-aristocratic parents at all levels might negotiate for their children to be apprenticed to a craft for a fee from age twelve on. The master reciprocated with obligations, sometimes including educating the youth to read and write. In the more privileged guilds (such as the London goldsmiths), the level of educational expectation increased during the fourteenth and fifteenth centuries, with most apprentices able to read and write or at least to write out their apprenticeship oaths.⁴² The scrivener's guild in London, where an education would seem to be essential, insisted, in 1497, that any boy lacking sufficient Latin grammar was to be sent 'to grammar school unto such time as he have or by reasonable capacity may have positive grammar'.⁴³ Additional evidence of the literacy of craftsmen comes from a study of fifteenth-century wills from the city of York, in which twenty-six artisans (mostly men in the more prestigious crafts) mention books, usually primers.⁴⁴

Social Mobility and Gender

Apprentices tended to be drawn into urban centres from rural, farm families, since the career of a craftsman was considered a social step up, although this dynamic

diminished in the plague years as depopulation made labour expensive and husbandry more remunerative. Grammar and university educations were also possible avenues to a profitable career, but measuring social mobility through education is not an easy project. Although massive research has already been done, most notably in A. B. Emden's study of individuals attending Oxford and Cambridge, more prosopographical research is needed to document the movement of individuals from home through schooling into career.⁴⁵ Despite the incompleteness of data, however, we can hazard some generalizations.

Throughout the period discussed here, sons of lower- and middle-class families moved up the social ladder, primarily through educational means. While one can always name specific individuals who rose from humble backgrounds to prominence, the relative abundance of records from the fourteenth century on makes it possible to track the origins of some university students. Student backgrounds ranged from noble to lower gentry to merchant, richer peasant and yeoman status. Oxford attracted students from the south, south-west, some northern dioceses, west midlands, Wales and Ireland. Cambridge had a somewhat more regional intake, from the eastern and northern counties.⁴⁶ The universities appear to have been 'open access communities . . . designed to accommodate students of ability irrespective of social origins'.⁴⁷ Illegitimacy does not appear to have been a bar. Admission remained, until the rise of the colleges, a matter of an individual master agreeing to teach a student. A sufficient acquaintance with Latin to follow the lectures and disputations, in addition to monies for fees, food, lodging and books, was all that was required. Most students probably depended upon financial support from parents, relatives or charitable benefactors, along with monies they earned, perhaps as servants, copyists or tutors. Patronage from well-to-do and well-connected laity or churchmen became crucial at the end of one's education. Particularly for those at the advanced level, who had devoted years to an education, the prospect of a benefice or an elevated administrative slot must have been expected and any failure a bitter disappointment. For some students, the *studia* of the mendicants and, to some degree those of the monks and canons (with increasingly impressive libraries and private study spaces), provided the resources for an education and a secure career.

Despite institutional flexibility at the universities, there was probably a high attrition rate. The academic schedule was demanding; many careers did not depend upon completing a degree, and the costs were sometimes simply too high. Model letter collections, even if exaggerated in tone, make clear how difficult the financial situation could be.⁴⁸ The role of universities as a conduit for social mobility may have diminished in the fifteenth century with the rise of colleges, their commons' fees, and required residencies in halls and colleges. Financial and patronage supports may also have weakened in this period.⁴⁹ Papal schism and growing nationalism diminished papal patronage. There may have been a decrease in available parish rectorships, while licences to study also declined significantly after the 1340s. On the other hand, inflation in the post-plague period, without increases in fees, might have made university studies more affordable. Poor students were often exempted from fees, while others might secure loans at low or no interest or alms to defray costs. The growing availability of elementary and grammar schooling (more and more of it endowed), particularly in rural areas, should have increased prospects for sons of yeomen, husbandmen and artisans to attend university.⁵⁰ On the other hand, the fact that many

schoolmasters still charged fees made it less likely that lower-class families could afford schooling at any level. Still, by the end of the fifteenth century clerical ordinations were up dramatically, while a growing number of scholars remained laymen, all of which suggests increased access to education.⁵¹

The emerging lay role in education is one of the more marked developments in late medieval education. R. N. Swanson argues that there was a usurpation of patronage by the laity in the fifteenth century. Moran argues that grammar schools were increasingly funded and frequented by interested laity. Courtenay suggests that academic schedules changed in the fourteenth century to accommodate lay scholars returning home during harvest seasons.⁵² The laicization of the common law and medicine is part of this development, as was the growing interest in business education. Fourteenth- and fifteenth-century educational developments increasingly benefited laity who were pursuing careers demanding literate skills beyond the confines of the church.

The schooling described above was a resolutely masculine preserve. Female education was outside the concern of grammar schools and universities and was also peripheral to the more informal modes of medieval education. In various ways, however, women did involve themselves in learning and literacy; they were readers, sometimes writers, teachers, students, and particularly patrons and benefactors.

Fragmentary evidence shows that the teaching of elementary Latin reading or song did not exclude girls, who were sometimes pupils in reading schools or present in parish choirs.⁵³ This was also the case for reading French.⁵⁴ It was uncommon, but not unknown, for women to be schoolmistresses, teaching petty scholars and elementary reading. Anchoresses occasionally acted as teachers, although it was frowned upon. At higher levels of society, girls might be tutored at home or taught in nunneries. Nunneries offered an education to girls and sometimes to very young boys; the income they received was generally much needed, as convents tended to be poorly endowed. A convent education, with a nun as novice mistress or choir director, included training in French and Latin (at a minimum sufficient for participating in divine service and singing in choir). More Latin may have been learned in convents at the beginning of our period, although perhaps not very grammatically. By the fourteenth and fifteenth centuries, nunneries showed a marked dependence upon the vernacular and declining acquaintance with Latin.⁵⁵

Girls might be taught to read the vernacular and possibly sufficient Latin to follow the Psalter, but they were not traditionally taught Latin grammar. They were less commonly taught to write, and writing remained a relatively rare accomplishment for medieval women. For example, Norman Davis has shown that the Paston women, in the fifteenth century, had only rudimentary writing skills. Only at the end of our period did a few relatively well-known families (Thomas More's household is best known) hire tutors to teach their daughters Latin grammar. Nevertheless, female readers were frequently portrayed in romances,⁵⁶ and they certainly provided an audience for romances and, in the later middle ages, for various devotional and mystical treatises. Their wills make clear their access to books and their concern that these books go to specific beneficiaries, often other women. The fourteenth- and fifteenth-century artistic conventions of the Virgin with a book teaching the boy Jesus, or St

Anne teaching the Virgin Mary, suggest that the mother–reader–teacher ideal had resonance in late medieval society.

Despite this we know relatively little about a wife's role in introducing her children to book learning, although this might have been common practice. A vocabulary poem 'Nominale sive verbale' from 1300 includes, in a list of female occupations, 'woman teacheth child on book',⁵⁷ while a thirteenth-century *Traité* by Walter Bibbesworth, written at the request of Lady Dionysia de Munchesney, was intended for her children's education. Given the extent to which the French language was privileged in English society, it is likely that the wife's role was more crucial than we can document for upper-class and aspiring families for whom French was a social and professional necessity.

Finally, women were among the first to endow education. One of the earliest efforts to endow a local grammar school was Lady Berkeley's foundation of Wotton-under-Edge (Gloucestershire) in 1384. The foundation supported a grammar master and two poor scholars.⁵⁸ A number of women were also among the first to endow university halls and colleges. John Balliol's widow put the 'House of Balliol' on a permanent footing in 1282. At Cambridge Clare Hall, a struggling college, was shored up in 1336 with a gift worth £20 a year from Elizabeth de Burgh (Lady Clare), who followed it with three more benefices.⁵⁹ She later bestowed governing statutes upon Clare and promoted the education of local youths, sending them to Oxford and Cambridge. As D. Leader describes her, 'she was the first in a distinguished line of energetic women whose benevolence transformed late medieval Cambridge', a line that included the countess of Pembroke in the fourteenth century, Queens Margaret of Anjou and Elizabeth Woodville in the fifteenth century, Dame Alice Wyche who endowed a lecture of divinity at Cambridge in 1472, and particularly Margaret Beaufort, whose patronage of Cambridge University profited Christ's College, Jesus College and St John's College. She was also instrumental in establishing professorships in divinity at Oxford and Cambridge, a preachership at Cambridge, and a grammar school at the chantry college of Wimborne.⁶⁰

Literacy

Late medieval schooling came in many varieties and levels, affecting men and women differently. Given the complexity it is difficult to draw conclusions as to its impact on medieval literacy levels. This difficulty is compounded by the contested scholarship in the field of literacy, where earlier models drawn from ethnography and historical studies and earlier analytical efforts to tie literacy to a host of social and intellectual conditions have come under serious criticism.⁶¹ Any studies of literacy must address the dynamic interconnectedness of literacy, orality and aurality, be highly sensitive to context, and avoid any notion of one mode triumphing over another. In England between 1200 and 1500, the growing acquaintance with texts and with reading and writing was accompanied by and did not necessarily diminish the practice of reading aloud, listening and memorizing.⁶²

Medievalists need to differentiate reading ability from writing competency (a more technically difficult skill) from the propensity to listen to readings (perhaps for interest or in the interest of time rather than because of illiteracy). 'Reading' a text might

mean, as John of Salisbury put it, ‘the activity of teaching and being taught, or the occupation of studying written things by oneself’.⁶³ In addition, ‘literate’ meant something different in the twelfth century (literate in Latin) than it did in the fifteenth century (when it included French and English); nor was this the same thing as being ‘lettered’ (having elementary knowledge of Latin). ‘Laicus’ implied illiterate earlier in our period, even if ‘clericus’ throughout the period did not necessarily imply a very high level of Latin learning. The widespread use of seals to authenticate documents means that signature literacy is not helpful in estimating medieval literacy. Medievalists also need to differentiate learned literacy from pragmatic literacy (reading or writing in the course of transacting business) from recreational literacy (cultivated reading).⁶⁴ Except for those with a university education, most individuals read Latin for business or devotional purposes and were undoubtedly more comfortable with the vernacular.

There was, during this period, a dramatic extension of the written word, both in terms of being heard (for example, through preaching or through university lectures) and being read (with increasing numbers of readers and more and more books to read). From 1100 on virtually every English king was literate in Latin as well as French and later English. Aristocrats, perhaps less literate in Latin reading in the twelfth century (and therefore more remarked upon), were normally literate in French literature and French legal discourse by the mid-thirteenth century. Latin learning may have been somewhat less deeply ingrained. But between 1200 and 1500 any study of literacy among aristocratic families must involve the interplay of three languages.

The difference between reading and writing literacies is particularly important for women, where reading was more acceptable than writing. Well-to-do women learned Latin for devotional reading and French and later English; their ability to master Latin grammar was limited. Female interest in books, however, was marked by the end of the middle ages.

As one moves down the social scale, there was a growing need for pragmatic literacy, first among merchants and gentry, then among the higher guilds. Sylvia Thrupp has estimated that 40 per cent of the London merchant class could read by the fourteenth century. By 1500 some husbandmen and artisans could read if not write, although the overall literacy rate probably did not exceed 10–25 per cent of the adult male population.⁶⁵

In sum, while we cannot directly correlate schools, careers and rising literacy, and remain hampered by insufficient sources and contested categories, it is none the less clear that the educational accomplishments of medieval England were considerable and the expansion of literacy remarkable. Nearly every social class was involved, at some level, whether signing one’s apprenticeship oath, managing an estate, making one’s will, securing a deed, reading for devotional or recreational purposes, entering a religious order, seeking preferment at court or among the aristocracy, becoming a clerk or scrivener, or simply following the divine service. Clearly, reading and writing and the educational means to those ends were of increasing value. As such, the dynamics surrounding the shifting relationship between literate and oral modes of learning, in terms of gender, social mobility, economic resources, and cultural and religious values, are of more than passing interest for our understanding of modernity.

NOTES

- 1 See the writings of Lawrence Stone, W. K. Jordan, Joan Simon, David Cressy and, on the continent, François Furet. More recently this has changed. See O'Day, *Education and Society* and Jewell, *Education in Early Modern England*.
- 2 For a nicely balanced appreciation of Leach's work, see Miner, *Grammar Schools*. See also Moran, *Growth of English Schooling*, pp. 3–12. For Orme, see especially *English Schools*.
- 3 Orme, *Education in the West of England*, p. 3.
- 4 T. Hunt, *Teaching and Learning Latin*; Reynolds, *Medieval Reading*.
- 5 Moran, *Growth of English Schooling*, tables 3–5; Orme, *Education in the West of England*, p. 27.
- 6 Southern, 'From schools to university', pp. 1–2.
- 7 Moran, *Growth of English Schooling*, tables 1 and 2.
- 8 Dyer, *Standards of Living*, esp. chs 5, 6; Moran Cruz, 'Education, economy, and clerical mobility', pp. 200–2.
- 9 Murphy, 'Teaching of Latin'.
- 10 John of Salisbury, *Metalogicon*, Book 1, chs 12–25; Alexander Nequam in his *Sacerdos ad altare accessus*, cited in Reynolds, *Medieval Reading*, p. 7; Hugh of St Victor, *Didascalicon*, Book 2, chs 28–9; Book 3, passim.
- 11 T. Hunt, *Teaching and Learning Latin*, vol. 1, ch. 3.
- 12 Bonaventure, 'Teaching of Latin', pp. 11–13; Miner, *Grammar Schools*, pp. 150–1.
- 13 T. Hunt, *Teaching and Learning Latin*, pp. 83–4; Bland, *Teaching of Grammar*, pp. 60–5.
- 14 Kibbee, *For to Speke Frenche Trewely*, chs 1–2.
- 15 Richardson, 'Letters'; *Statuta Antiqua Universitatis Oxoniensis*, ed. Gibson, p. 171.
- 16 Bland, *Teaching of Grammar*, p. 43; Thomson, *Descriptive Catalogue*.
- 17 Kibbee, *For to Speke Frenche Trewely*, pp. 85–92.
- 18 Thomson, *Descriptive Catalogue and Edition*; Merilees, 'Teaching Latin in French'; Rothwell, 'Teaching of French'.
- 19 R. Hunt, 'Oxford grammar masters'. The first such teacher may have been Master Richard of Hambury (fl. 1280s).
- 20 Bland, *Teaching of Grammar*, p. 8.
- 21 Orme, *Education in Early Tudor England*.
- 22 Moran, *Growth of English Schooling*, pp. 33–6.
- 23 *Decrees of the Ecumenical Councils*, pp. 220, 240.
- 24 Southern, 'Place of England', p. 204; R. Hunt, 'English learning', pp. 160ff.
- 25 For Exeter, see Orme, 'Education and learning', pp. 196ff. For York, see Dobson, 'Later middle ages', p. 72. Similarly, London, Wells, Salisbury and Lincoln probably continued with lectures in theology.
- 26 See the writings of A. Cobban, D. Leader, J. I. Catto, M. B. Hackett, A. B. Emden, and many others.
- 27 Richardson, 'Schools of Northampton', and Southern, 'From schools to university'.
- 28 A secession of northern masters from Oxford in 1333 threatened to establish a *studium generale* at Stamford.
- 29 Leader, *History of the University of Cambridge*, pp. 117–21.
- 30 Courtenay, *Schools and Scholars*.
- 31 Harrison, 'Music at Oxford'; Orme, *Childhood to Chivalry*, pp. 163–70. Both men and women learned to sing and play instruments in English court society.
- 32 Courtenay, *Schools and Scholars*.
- 33 Boyle, 'Constitution "Cum ex eo"'.
34 Getz, 'Faculty of medicine', p. 373.

- 35 Boyle, 'Canon law before 1380', pp. 534–9.
- 36 This was not an option, however, once the practice of oblation disappeared in the mid-twelfth century.
- 37 Orme, *Childhood to Chivalry*, pp. 66–74.
- 38 Moran, *Growth of English Schooling*, p. 51.
- 39 Richardson, 'Business training'; Kibbee, *For to Speke Frenche Trewely*, p. 84.
- 40 Oschinsky, *Walter of Henley*, introduction.
- 41 H. Swanson, *Medieval Artisans*.
- 42 Hanawalt, *Growing Up*, pp. 139, 144.
- 43 Moran, *Growth of English Schooling*, p. 51.
- 44 H. Swanson, *Medieval Artisans*, p. 164.
- 45 R. Swanson, 'Learning and livings'.
- 46 Cobban, *English University Life*, pp. 14–17.
- 47 *Ibid.*, p. 7.
- 48 Richardson, 'Business training', pp. 265–8.
- 49 Lytle, 'Patronage patterns'. For the debate around this issue, see R. Swanson, 'Universities, graduates, and benefices' and 'Learning and livings', and Evans, 'Number, origins and careers', pp. 526–38.
- 50 Moran Cruz, 'Education, economy, and clerical mobility'.
- 51 Moran, 'Clerical recruitment'; Moran, *Growth of English Schooling*, ch. 6.
- 52 Courtenay, *Schools and Scholars*, pp. 10–13.
- 53 Moran, *Growth of English Schooling*, pp. 69–70.
- 54 Kibbee, *For to Speke Frenche Trewely*, pp. 87–92.
- 55 Power, *Medieval English Nunneries*.
- 56 Coleman, *Public Reading*, p. 83.
- 57 Skeat, 'Nominale sive verbale', cited in Orme, *Childhood to Chivalry*, p. 16.
- 58 Orme, *English Schools*, pp. 188–9.
- 59 Underhill, 'Elizabeth de Burgh', pp. 276, 278.
- 60 Leader, *History of the University of Cambridge*, pp. 82–3, 229, 262, 275–81.
- 61 Coleman, *Public Reading*, chs 1–3.
- 62 Clanchy, *Memory to Written Record*.
- 63 *Metalogicon*, Book 1, ch. 24.
- 64 Parkes, 'Literacy of the laity'; Britnell, *Pragmatic Literacy*.
- 65 Thrupp, *Merchant Class*, pp. 156–68; for the higher range, see Moran, *Growth of English Schooling*, based upon estimates of reading literacy. For more conservative estimates, see Cressy, *Literacy and the Social Order* and Poos, *Rural Society*.

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FURTHER READING

The best introduction to the history of English medieval secondary education is N. Orme, *English Schools in the Middle Ages* (London, 1973). He provides an analysis of household education among the aristocracy in *From Childhood to Chivalry* (London, 1984). Information on elementary education is limited, but is treated at some length, in a regional context, in J. H. Moran, *The Growth of English Schooling, 1340–1548: Learning, Literacy, and Laicization in Pre-Reformation York Diocese* (Princeton, NJ, 1985). For medieval literacy, the best introduction remains M. T. Clanchy, *From Memory to Written Record: England, 1066–1307* (2nd edition, Oxford, 1993), while a recent survey of many of the methodological issues and debates surrounding the analysis of literacy is contained in J. Coleman, *Public Reading and the Reading Public in Late Medieval England and France* (Cambridge, 1996). The universities have been particularly well researched. For Cambridge see D. Leader, *A History of the University of Cambridge* (Cambridge, 1988). Medieval Oxford is fully investigated in the first two volumes of *The History of the University of Oxford*, gen. ed. T. H. Ashton (Oxford, 1984, 1992). The articles, by different scholars, include extensive bibliographical support with comments on debates and the state of current research. Two books by A. Cobban (*The Medieval English Universities: Oxford and Cambridge to c.1500* and *English University Life in the Middle Ages*) are essential for the study of the two universities. For further reading in the educational roles of the monastic and mendicant orders, a topic that was slighted within the constraints of this survey, see especially W. J. Courtenay, *Schools and Scholars in Fourteenth-century England* (Princeton, NJ, 1987), ch. 2, B. Roest, *A History of Franciscan Education (c.1210–1517)* (Leiden, 2000), as well as, for Oxford, R. B. Dobson, 'The religious orders 1370–1540', in J. I. Catto and R. Evans, eds, *The History of the University of Oxford*, vol. 2 (Oxford, 1992), ch. 13. For a bibliography of specific works relating to particular orders, see S. Forde, 'The educational organization of the Augustinian canons in England and Wales, and their university life at Oxford, 1325–1448', *History of Universities*, 13 (1994), p. 50. Another area that was not addressed is education in London (other than the Inns of Court and Chancery) and in other provincial towns, as well as education at the regional level. Courtenay's book *Schools and Scholars* has in chapter 3 a nice survey of educational provisions in London, Norwich and York. See also J. H. Moran, *Education and Learning in the City of York, 1300–1560* (York, 1979). For regional studies see N. Orme, *Education in the West of England, 1066–1548* (Exeter, 1976) and the study of pre-Reformation York diocese by Moran cited above. There is no single work one can go to for a survey of women's role in medieval English education or for a discussion of education for business or within the craft guilds. On the topic of education and social mobility, an excellent summary of the research is offered by T. A. R. Evans, 'The number, origins and careers of scholars', in J. I. Catto and R. Evans, eds, *The History of the University of Oxford*, vol. 2 (Oxford, 1992), ch. 12.

The role of colleges and halls in the evolution of Oxford and Cambridge, alluded to briefly in this chapter, is treated at length by Cobban, *The Medieval English Universities*, ch. 4, and also in 'Colleges and halls 1380–1500', in J. I. Catto and R. Evans, eds, *The History of the University of Oxford*, vol. 2 (Oxford, 1992), ch. 14.

CHAPTER TWENTY-FOUR

England: Art and Society

VERONICA SEKULES

The ancestry of the art history of the middle ages in England may be traced back to two main academic traditions: nineteenth-century antiquarianism and central European art history from the periods immediately before and after the Second World War. Both traditions were concerned in different ways with providing a precise vocabulary and methodological framework for the description and categorization of visual material. While the influence of both remains discernible in current approaches, studies now are much more contextual, moving in the direction of a wider consideration of ideas within a cross-disciplinary cultural framework.

The tradition of antiquarianism made its mark most enduringly on the terminology for periods, styles and details of English medieval architecture and decoration. Between the first quarter of the nineteenth century and the beginning of the twentieth century, description of the styles of Early English, Decorated and Perpendicular, for example, and classification of decorative features such as ‘stiff-leaf foliage’, ‘dog-tooth ornament’ and ‘ogee’ arches and mouldings, were made by antiquarians such as Thomas Rickman, John Henry Parker and Francis Bond, in terms which are still remarkably prevalent.¹

Many of the scholars who came to England from Europe during and after the Second World War were trained in a quasi-scientific method (influenced by scholars such as Heinrich Wölfflin and Alois Riegl) to concentrate on visual comparison and careful structural analysis, treating each artefact as if it were an historical specimen that belonged in a specific methodological context. Pioneering work in discovering and publishing English medieval art, establishing an historical and cultural framework that took account of contemporary developments on the European mainland, had already begun in the 1920s with Adolf Goldschmidt’s inclusion of English ivories in his European *Corpus* and was continued in post-war England for manuscripts and sculpture respectively, by Francis Wormald and George Zarnecki. Redefinition of English sculpture as ‘Romanesque’ was crucial to Zarnecki’s approach in aligning it within a European context.² The study of iconography, the science of representational traditions and subject matter, was itself a continental import, brought to the study of English medieval art notably by Otto Pächt and Meyer Schapiro.³ Nikolaus

Pevsner's *Buildings of England* (first editions from 1951 to 1968) reclassified the study of medieval and later architecture, while in his essentializing style in the reprint of his Reith lectures of 1955 as *The Englishness of English Art*, he sought to define a 'geography of art', characterized by a taste for close observation, order and clarity, and the integration of structural elements with decoration and narrative.⁴ This kind of back projection of issues from those of current concern has been a consistent feature of approaches to art history as well as history, and reveals changing methods as well as attitudes. The concept of nationalism and the extent to which the visual arts betray national characteristics was given much more circumspect treatment in the 1990s political context of a united Europe than it had been a decade after the end of the Second World War when Pevsner was writing.⁵

To some extent, the character of art history has been affected by the continuing pragmatic work of surveying the available field and publishing new monuments and images. Such cataloguing initiatives as the British Academy *Corpus of Romanesque Sculpture* (1990 onwards)⁶ and the Harvey Miller *Survey of Manuscripts Illuminated in the British Isles* (1975 onwards) are invaluable research tools, but are primarily descriptive and are not intended to extend the framework for discussion beyond their specialist field. British Archaeological Association annual conferences have broadly continued the antiquarian tradition. Written up in a series of Transactions, they have to some extent stimulated essays across disciplines as archaeologists and historians worked alongside art and architectural historians but the overall approach is still contained mainly within the context of monographic and localized studies.

For medievalists, the impact of what was termed 'new art history' of the mid-1980s, whereby the broad philosophical and cultural discourses around objects became paramount, was minimal. It was a movement which principally applied to later periods, yet it may have stimulated a more consistent annexation of methods and interests from contingent disciplines as a means of widening the cultural framework within which objects were discussed. More pragmatically, the tendency towards interdisciplinarity, especially between historians of literature, visual arts, music, politics, economics and the church, was stimulated not by theory but by conferences, notably the annual Harlaxton conferences begun in 1984. Two exhibitions, *English Romanesque Art* at the Hayward Gallery in 1984 and *The Age of Chivalry* at the Royal Academy in 1987, paralleled a series of major medieval exhibitions in France and Germany in providing vehicles for a reappraisal of the subject within a popularizing framework. The latter, especially, followed continental precedent by its organization according to themes and patronage issues (such as kingship, pilgrimage, nobility and knights, towns and merchants, the heavenly Jerusalem) and broke new ground with some of its contextual discussions (such as 'Attitudes to the visual arts', 'The language of images', 'Women and art').⁷

A developing interest in secular art, including work on women's patronage by John Carmi Parsons and Madeleine Caviness, John Cherry's general survey of decorative art, and T. A. Heslop's work on castles, shows concerns with both elite and popular consumption and in various ways examines the contribution of different audiences to the climate of artistic production.⁸ Peasant culture has always been difficult to examine as a visual phenomenon and art-historical studies, such as Michael Camille's studies of the Luttrell Psalter, have had to take account of the fact that representations of peasants are always mediated by the context of ownership or social

obligation and responsibility.⁹ There has also been a growing trend for thematic and cross-disciplinary examination of visual phenomena. For instance, Kay and Rubin's edited collection on the body is characteristic of the deliberate exploration of differing cultural and historical perspectives which impinge on the visual arts.¹⁰ Such studies are reflecting a movement away from art history as a terminology-laden quasi-science and much more towards a broadening sense of visual culture in which ideas take precedence over the minutiae of visual analysis.

Architecture and Patronage

In the *Gesta regum Anglorum* (1126) William of Malmesbury characterized the Anglo-Saxons as having lived sumptuously in small and meagre buildings whereas the Normans created ample and spacious buildings which they inhabited frugally.¹¹ His comment gives us a perceptive characterization of one of the major transitions in taste in the arts during the century after the Norman Conquest, away from lavish adornment with gold and jewels and towards large arcaded spaces. The question as to what extent the Normans brought wholesale new development, especially in architecture, has often been raised and never fully answered. Richard Gem and Eric Fernie have both tended to favour the idea of slow incremental change, highlighting the extent to which late Anglo-Saxon church buildings in the century before the Conquest had already been developing on ever more ambitious scales and were very up to date in relation to contemporary buildings on the continent. Around the middle of the eleventh century, Edward the Confessor's new abbey church of St Peter at Westminster (consecrated in 1065 and some thirty metres in length) or Abbot Wulfric's rebuilding of St Augustine's Canterbury, with its central rotunda (completed c.1059), were arcaded ecclesiastical buildings clearly of a European character, the former comparable to Jumièges in Normandy (consecrated 1067) and the latter to William of Volpiano's church at St-Bénigne at Dijon (1001–18) or to St-Sauveur at Charroux, western France (consecrated 1047).¹²

Whatever developments in the provision of church buildings were already in train, it is nevertheless clear that the Conquest marked a dramatic increase in both the scale and numbers of new monastic and cathedral churches. The fact that these were built under the aegis of a church leadership comprising mainly newly recruited Norman bishops and abbots implies that new patronage inspired new standards.¹³ Some ten of the greater churches, including St Albans, Lincoln, Old Sarum and Bury St Edmunds, were extended or built anew in the 1070s, while the 1080s and 1090s saw the building afresh of cathedrals and abbey churches at St Paul's, London, Ely, York, Gloucester, Tewkesbury, Norwich, Durham and Chester (plate 24.1). There never seems to have been any prescribed form for the appearance of Anglo-Norman churches, but there was remarkable consensus about their scale and spatial arrangements. All the English buildings are constructed on a system of bays made of rounded arches resting on heavy piers, linked normally by groin vaults and lit by small arched or circular windows. Pier forms often alternate between circular and composite, the latter made up of a core surrounded by smaller attached shafts which link to upper elements of the elevation. Elevations are built up with tiered vaulted arcading to form upper galleries facing into a taller central vessel which forms the nave to the west and choir to the east. There have been attempts to link the development of upper arcades

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Plate 24.1 Nave of Norwich cathedral looking east, showing decorated piers at the crossing, c.1100. (Photo: School of World Art Studies and Museology, University of East Anglia)

with functional needs of the liturgy, for example, to supply a need for new processional routes and chapels, and while evidence is compelling that they were used liturgically, it is just as likely that they represented a particular taste for openness and light.¹⁴ As reflected in the collective name 'Romanesque' given to this phase of architecture, both form and detail were descended from late Roman sources. This applied equally to the various derivations of geometric and volute capitals down to such specialized features as the Giant Order (see Glossary below) found at Gloucester (consecrated 1100), Tewkesbury (consecrated 1123) and Oxford (1180s).¹⁵

Around new churches came wider developments in the urban landscape, and architecture became one of the outward 'signs of a new Norman order'.¹⁶ Recent work on Norman stone castle keeps of the early 1100s has emphasized their purpose as status symbols establishing 'an architectural language of power'.¹⁷ The character of some of the most significant examples, the White Tower at the Tower of London, Colchester, Norwich and Orford, shows that royalty and the aristocracy were as much concerned with creating commodious accommodation for the establishment of a comfortable lifestyle as they were in protecting themselves from attack.¹⁸ Norwich castle keep was a royal building, begun under William Rufus and finished by Henry I. By 1136 it had been taken over by Hugh Bigod, earl of Norfolk. Inside, the rooms were large and well lit with huge windows, consistent with what is known about William Rufus's love of luxury. The exterior was from the start extensively decorated with blind arcading, the main entrance-archway carved with beakhead voussoirs and little hunting and legendary scenes. This marks an unusual appropriation of ornament normally associated with ecclesiastical buildings and the closest parallel for this lavish treatment is Norwich cathedral. Norwich castle keep was 'architecturally the most ambitious secular building in western Europe' and, as such, overtly expensive and ostentatious, with the probable intention to inspire awe.¹⁹

Colour, Light and Sanctity

Colour, in the form of wall-paintings, covered the wide plain surfaces of stone groin vaults and their supporting walls in Romanesque buildings of the twelfth century. Chapels and aisle-paintings surviving at the cathedrals of St Albans, Winchester or Norwich, and the regional schools of parish church paintings in Suffolk or Sussex, give hints of the former richness of the coloured interior and the stories they told. Paintings in the Holy Sepulchre chapel at Winchester, for example, transformed that space into an evocation of Christ's tomb at Jerusalem.²⁰ The discovery of Christ's body at the tomb by the Maries also appears as part of an Apocalypse scheme at the parish church of Kempley in Gloucestershire, and it is shown there as it appeared in liturgical drama.²¹

Buildings from the thirteenth century onwards look lighter, more attenuated and increasingly enhanced by linear surface ornament. Such changes are normally attributed to stylistic development: a combination of change in taste, for example for the pointed arch, and greater technical sophistication leading to a general tendency to make structures thinner and lighter. However, in England there were numerous historical and social factors that contributed both to change and to the spread of fashions. Furthermore, change happened very gradually and continuously through an incremental effect of different influences over several decades. It is generally believed

that the shift away from heavy masonry and towards translucent glazed windows was first manifest c.1140–50 in France at the abbey of St Denis and at churches and monasteries in the environs of Paris, and was expressly associated with a group of influential monastic and courtly patrons. However, one of the earliest important schemes of glass in Europe must have been in England at the choir of Christ Church cathedral, Canterbury, dedicated in 1130 but probably complete some years earlier. ‘Nothing like it could be seen in England, either for the brilliancy of its glass windows, the beauty of its marble pavements, or the many coloured pictures which led the wandering eye to the very summit of the ceiling’, so wrote William of Malmesbury in the *Gesta Pontificum*.²² All this perished in the fire of 1174, but surviving fragments of painting in St Anselm’s and St Gabriel’s chapel in the crypt attest to the brilliant colour that must have characterized the earlier works.²³ The promotion and steady growth of the cult of St Thomas à Becket towards the end of the twelfth century provided a new rationale for the rebuilding of the east end. A Frenchman, William of Sens, was chosen as the first master-mason, succeeded by William the Englishman who, ironically, created a more French-looking design. According to the famous accounts by the Canterbury monk Gervase, the new building was taller and more finely detailed than the old, supported on coloured marble columns, carved details having been ‘made with a chisel rather than an axe’.²⁴ The painted wooden ceilings were replaced with stone vaults that were also covered with paintings. Despite these refinements, the choir of Canterbury cathedral (1175–8) is still dominated aesthetically by the heavy masses of stone arcading and is as much characterized by the use of contrasting colours in the shafting and emphasis on linear pattern in the architecture as by the polychromy of the stained glass. Becket’s Corona (1175–84) combines the two, with heightened and attenuated arches of the main arcade allowing light through into the central space from the many stained-glass windows of the outer chapels.²⁵ Stained-glass windows in the aisles and clerestory of the choir and Trinity chapel and Corona were once complete with learned schemes representing the genealogy of Christ and a typology of the Old and New Testaments and scenes from the life and miracles of Thomas à Becket.²⁶

It is not until the writings of Robert Grosseteste (1175–1253) that we have a comprehensive discussion in England about the aesthetics of light. Before becoming bishop of Lincoln in 1253, Grosseteste was regent master and chancellor of the University of Oxford and while he was immensely influential there and initiated its specialism in the science of optics, detailed discussion of his work was no doubt most resonant within the world of academic theology. Grosseteste developed a metaphysics of light grounded in theology and mathematics: God created light on the first day and it was the bearer of all form, with the capacity to generate itself. It radiated in straight lines and from it the world derived geometrical shape and regularity. It was both in itself beautiful and enabled beauty in all things to be enhanced. There is little doubt that the aesthetics of light also greatly interested medieval artists. It is evident from the steady increase in the use of stained glass, and from the extensive use in all the arts of bright colours and reflective surfaces such as enamel, polished metals and jewels, that the aesthetics might have been theorized but that this had a secure foundation in contemporary taste.

Partly facilitated by technical advances that made it possible to produce larger expanses of coloured glass, window tracery had become a major design element by

the middle of the thirteenth century in northern France, at buildings such as Reims (*c.*1212) and the transepts of St Denis (*c.*1240). Henry III's new church for the abbey of St Peter at Westminster (1245–72) was probably the first major building in England to make bar tracery – and the larger areas of stained glass it enabled – a major design feature (see Glossary below). But colour was extended at Westminster through the extensive patterning of the interior to the furnishings and tombs. The Westminster Retable, the former high altarpiece, dating from towards the end of the century, combines jewel-like figure painting in richly coloured oils with gabled and foliate and diaper decoration, once all gilded and set with enamels, glass and gems. It demonstrates in miniature the striking pattern and colouristic effects once seen throughout the building but now largely obscured by later changes and additions.²⁷

Sculpture, Ornament and Symbolism

The dual purpose of architectural ornament both to enrich visually and to enhance spirituality was well understood in England and exploited in medieval churches in a number of different ways, variations depending on current taste and on particular local historical circumstances. In its simplest and least symbolically charged form, geometric carving was abundant in the twelfth century, as architectural embellishment around arches and on piers, notably at Durham both in the church and the castle, and in the nave arcades at Gloucester. At Durham cathedral (begun 1093), linear pattern is used as a means of integrating mouldings and geometric ornament into the elevation designs as an enlivening device, and is one of the features that led scholars to attribute its building to an English rather than a Norman designer.²⁸ Another aspect of the ornament adds to the symbolic meaning of the church. Decorated piers at both Durham and Norwich cathedral priory (begun 1096) are arranged around the high altars, it has been suggested, as a deliberate feature to enhance the holiness of the space (plate 24.1).²⁹

Figurative carvings and painted images appeared at strategic points such as entrances, chapel and choir screens, furnishings and altars throughout churches, and especially during the twelfth century reinforced the idea of the Incarnation and other important aspects of Christian teachings. Historiated capitals were used as devices to introduce narrative and to enhance symbolism. At Southwell minster, high up over the crossing piers, capitals (*c.*1100) were almost invisibly sited, yet their carvings define very explicitly the function and symbolism of the choir in the space beyond, depicting the entry of Christ into Jerusalem, the Last Supper and a priest celebrating high mass. Occasionally an example survives of very close correlation between writings on church symbolism and an incidence of figure sculpture. The carvings on the three tympana of the south porch of the abbey of Malmesbury (*c.*1160) show the twelve apostles on either side to east and west, and Christ in majesty over the doorway (plate 24.2). The imagery perfectly illustrates a statement by St Augustine (quoted by Durandus, bishop of Mende, in his work on the symbolism of churches) saying that: 'The apostles and the prophets are the foundations and the portals. We go through them to the kingdom of God and when we go in them we go in through Christ, because he is the very door'.³⁰ By virtue of its corporeality, figure sculpture could give vivid illustration to stories which assisted Christian understanding and faith. But this strategic use of narrative sculpture was part of a changing fashion. For

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Plate 24.2 Christ in majesty, tympanum over the south porch entrance, Malmesbury abbey, Wilts., c.1120. (Photo: A. F. Kersting)

example, reliefs from the former screen divisions under the central crossing tower and choir aisles at Chichester cathedral (c.1108–23) depict a scene of Christ performing the miracle of the raising of Lazarus in front of his weeping relatives who believed him to be dead. However, by the early fourteenth century these reliefs were already hidden behind the newer wooden choir stalls.³¹ The stalls performed a different function as seats for the choir, so they not only represented a practical change but also marked a strong change in aesthetic attitudes, being decorated with foliate ornament and blind tracery with no narrative content.

Following its pioneering appearance at Westminster, architectural polychromy became fairly widespread in England in the later thirteenth century: the cathedrals of Lincoln and Salisbury and St Mary's church at Beverley are prime examples. It was as much evident through contrasting colours of masonry, black marbles being used alongside light grey limestones, as it was through paintings and glass. The effect is a bit like the flickering of light and shade and in each case we find lavish use of foliate decoration on mouldings and capitals evocative of organic growth. From the thirteenth century there was an increasing interest in accurate portrayal of elements of the landscape, seen, for example, in the famous capitals of the chapter house of Southwell minster (c.1290) whose leaves are clearly observed from nature.

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Plate 24.3 Matthew Paris, Map of Britain, c.1255. BL. Cotton Claudius D VI, f. 12v. (By permission of the British Library)

The phenomenon has never been fully explained but may have been related to growing widespread influence of the natural philosophy of Aristotle, whose works became disseminated in the universities around the middle of the thirteenth century, or it may have reflected what Alexander Murray has described more generally as the regularizing effect of the impact of science and mathematics on the study of nature.³²

Maps and Places

Visual images of real locations are rare in medieval England, but when there was a need to depict the minutiae of daily existence or to make an accurate record, it could be and was done. Hence we have the remarkable example of the detailed waterworks plan of Canterbury cathedral in the Eadwine Psalter (c.1150–60). Many images, especially in calendar pictures or in the borders of Psalters, give vignettes of rural life. One of the most frequently cited is the early fourteenth-century Luttrell Psalter where rural pursuits at the bottom of nearly each page demonstrate the labour in the Lord's domain. Place, landscape and people are represented in lively but stylized form with carefully judged, but not too much, observational detail. Even on authenticating images, such as seals, buildings appear only in summary form to show essential features. The seal of the city of Exeter of c.1200 is a typical example of a generalized fortified tower type, common throughout Europe.³³ An exception is the very accurate view of the city of London made for the seal of the barons in 1219, which, while being clearly represented with spatial recession, retains a strongly symbolic function in being presided over by a proportionately giant figure of St Paul as the city's protector.³⁴

Although art does not on the whole record a broader sense of the environment, there was a developing visual concept of its shape and boundaries. During the reign of Henry III, the chronicler and artist Matthew Paris made four maps of Britain which constitute the earliest maps of a nation in Europe.³⁵ (Plate 24.3.) They may have been stimulated by a particular interest by this king in images representing the place and shape of Britain in a world context: he also had *Mappae Mundi*, pictures of the world, on the walls of his palaces at Westminster and Winchester. There was also a wider interest at the time for depictions of the world, which seems to have been a common factor between English and German religious houses from the mid-twelfth century. These images of the world form a distinct group and include large-scale examples for display, such as the Hereford world map, made in Lincolnshire, the Ebsdorf map made in northern Germany, as well as smaller manuscript versions, such as the so-called Psalter map now in the British Library.³⁶ The last three, all made after the 1260s, show Jerusalem at the centre of a world held in place or presided over by the body of Christ, and it is possible that they were commissioned in an attempt to reclaim a Latin Christian identity for the Holy City which had become an urgent matter after its fall to the East in 1260. To Matthew Paris himself can also be attributed an interest in the world, its boundaries, travel and the visual identity of his country. He made the first visual itineraries since antiquity that recorded pilgrimage sites on the way to Rome and the Holy Land, and as such he must have been well aware of the traditions of travel literature and depiction, but also infused them with an especially sharp personal vision and knowledge.

Personal Piety and the Friars

By the middle of the thirteenth century the physicality of figure sculpture, discussed above in terms of symbolism, was used for affective purposes more than for instructional narratives. Christ's suffering body on the cross or his wounded body resurrected from the tomb became more frequently represented in church art than the nativity, infancy and miracle images of a century earlier. This change was undoubtedly part of a revolution in the means of religious teaching and of the spread of ideas that took place in the early thirteenth century with the foundation of the mendicant friars. Principally guided by the order of friars preachers, or the Blackfriars, founded by St Dominic, and the Franciscans or Greyfriars, founded by St Francis, the movement towards preaching in the community, outside the fabric of the established church, began. This new peripatetic preaching force, skilled at telling stories and ready to move among the people, rapidly prospered, benefiting from royal and aristocratic patronage. It was an urban movement and gradually communities founded new large, aisleless churches in towns such as Boston, Hull, Norwich, Oxford and London that became the repositories of many rich tombs, all destroyed at the Dissolution. By their example and their modes of preaching and worship, the friars inspired the trend towards the increasing assumption among lay people of personal responsibility for good conduct in their religious life. Among the consequences for art was a steady rise in the use of personal devotional aids, such as small paintings or images of saints and chapel reliquaries.

Papal injunctions, such as that for the regular confession of sins and performance of due penance which had been made by Innocent III in the Fourth Lateran Council of 1215, also had a direct effect on works of art. Closely in its wake came guidance manuals recording the sins and their consequences, such as William of Waddington's 'Manuel de Pechez' of the mid-thirteenth century and Robert of Bourne's 'Handlyng Synne' of 1308. Greater urgency was given to the questions of the fate of the soul after death by the papal confirmation of the existence of Purgatory in 1274.³⁷ The need for each member of the faithful to account personally for living a virtuous Christian life had a steady impact on a whole variety of visual exemplars provided to guide behaviour, warn against excesses and demonstrate virtuousness. Apocalyptic and Last Judgement imagery became more frequent. More than twenty lavishly illustrated apocalypse manuscripts were produced in England during the third quarter of the thirteenth century. It has also been suggested that this sudden explosion of interest in these books reflects an obsession with the coming of Antichrist, possibly stimulated by the fear of Mongol invasion following their reaching eastern Europe in the early 1240s.³⁸ Almost all the apocalypse manuscripts have text in French, suggesting secular patrons. Such expensive products are also often courtly works. The most extensively illustrated, the Trinity Apocalypse (Cambridge, Trinity College MS R.16.2), with seventy-one full-page miniatures and eleven pages with scenes from the Life of St John, is also one of the earliest (c.1255–60). Its patron is not known for certain, but it is believed likely to have been made for Eleanor of Provence, queen of Henry III, and influenced by the Franciscans. The Lambeth Apocalypse (Lambeth Palace Library MS 209) was made c.1260–7 for Eleanor de Quincey, countess of Winchester (d. 1274), who appears in the heraldic costume of her first husband Roger de Quincey (who died in 1264) in one miniature, kneeling

in homage before the Virgin and Child. It is one of a group of five which are related stylistically and were probably written and illuminated in London. Her book is unique among the group as it contains many devotional images strongly emphasizing a penitential theme (plate 24.4).

The Douce Apocalypse (Oxford, Bodleian Library Douce 180) was made c.1270 for Edward I and Eleanor of Castile, possibly also under Franciscan influence, and is one of four of these books associated with court artists working in London at another centre than that which made the Lambeth group.³⁹ Stylistically closely related to painting in the palace of Westminster and a little earlier than the Westminster Retable, it has been described as providing idiosyncratic variants of French painting styles.

For personal prayer and devotions, illustrated Psalters were the books of choice until the end of the twelfth century. Several of the more famous examples, such as the Shaftesbury Psalter (London, BL Nero CIV) and the Psalter of Christina of Markyate (Albani Psalter, Hildesheim, St Godehard), are known to have been made for wealthy religious women. Devotional manuscripts in secular ownership were often more than aids to prayer, and acquired a kind of ceremonial status. The Grey-Fitzpayne Hours (Cambridge, Fitzwilliam Museum MS 242, c.1300) is such an example, given on the occasion of marriage as a precious asset and family heirloom. From the beginning of the fourteenth century the Psalter was largely supplanted by the Book of Hours as an aid to private devotions. This marks a mass shift of emphasis in religious practice as prayers and offices dedicated to the Virgin form the core of the Book of Hours. Most of those in daily use were quite humbly produced and small enough to be held in the hand, but great patrons, such as Mary and Eleanor de Bohun, had several fine and lavishly illustrated examples each.⁴⁰

Art, Power and Social Responsibility

Works of art commissioned by medieval kings and queens demonstrated a consistent awareness of their broader continental context and a consciousness of the power of art to enhance their status. As rebuilding of the palace and the abbey of Westminster under Edward the Confessor, Henry III and Edward I indicate, it is to the king's works that we often must look for the first importation of ideas from abroad and then to their wider dissemination and influence. A Savoyard mason, James of St George, was responsible for the design of the ten castles erected on behalf of Edward I in Wales. Built in order to secure the territory won during his three campaigns between 1277 and 1294, they acted as a means of defence and aggression: as 'signs as well as the means of political change'.⁴¹ Enhancement of royal palaces and places of worship was a constant feature of the later middle ages, not only as a matter of duty but as a means of political propaganda and prestige. Despite a reputation for the exacting of heavy taxes to fund the wars with France, King Edward III and his queen, Philippa, spent more on extension and refurbishment of Windsor castle than any other monarch for any other palace building during the whole middle ages.⁴² As was the case already in the eleventh century, these royal works show the very distinctive uses of art in its widest sense for the demonstration of power. Both Edward and Philippa were highly conscious of the reinforcement of high status through visual display, concentrating considerable resources on personal adornment, ceremonial and dynastic imagery.⁴³ Edward's foundation of the Order of the Garter turned

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historical hero-worship – the uniting of his patronage of St George and his interest in King Arthur – to a new level of court ceremonial which in turn stimulated a whole new series of material results from costume and furnishings to buildings and new ritual practices.

Around the turn of the thirteenth and fourteenth centuries the fenlands were pasture for sheep producing the highest-quality wool in Europe, and the rich trade through the ports of the Wash and the resulting commerce via the bankers of Italy and Flanders created a period of local wealth which was in itself propitious for artistic patronage. However, the benefits were mainly apparent after the economic peak and most of the building activity in northeastern England from Sleaford to Boston, Lynn, Newark, Howden, Selby and York dates from after Edward III's taxation had stifled the wool trade.⁴⁴ Of these, only three were monastic or foundations for secular canons. Most of the rest were parish churches in market towns or in rural situations, paid for by a combination of patronage from the local manors and their own rectors and ecclesiastical patrons. At Sleaford, Boston and Newark we see the emergence of a newly powerful patronage by local merchant or bourgeois families who founded chantries for prayers to be said for their souls and associated these with building activity for an aisle or a window. It was thus that parish church art inevitably provided exemplars for virtuous and religious behaviour, in association with the maintenance of the established social and moral order. Patrons took their responsibilities for moral guidance seriously and it is notable that images of peasants are confined to its boundaries at the edges of roofs and monuments, while saintly figures, echoing the dress and deportment of the well-bred, occupied the prominent positions in tabernacles, the portal sculptures and the altar furnishings. Most of the parish churches in the area are rich in examples of small figures carved as roof and buttress corbels, which show men and women engaged in daily occupations alongside monsters and grotesques. Varying between reading from their primers to shouting or playing instruments, these images demonstrate a range of types of behaviour, most of it rowdy.⁴⁵ An example of how social control might operate through such imagery is a corbel sited prominently in the nave of Sleaford, representing an especially animated version of 'Tutivillus and the Gossips', he being the devil who wrote down the words of the women who gossiped in church. It exists here as a warning to those tempted to disrupt services in a similar fashion.⁴⁶ Similarly, in manuscripts, like the Luttrell Psalter (*c.*1340), the arduous labour of what we can take to be Sir Geoffrey Luttrell's workforce is represented on the edges of pages, framing the text of the psalms. They are complex figures, existing here partly as a kind of pastoral conceit, a mark of his ownership, but also as a reminder of his social responsibilities and of the virtues and misfortunes of manual toil.⁴⁷

Furnishing the Liturgy

A major impetus for building and elaboration of existing great churches during the latter part of the thirteenth and first half of the fourteenth centuries in particular was the enhancement of the settings for devotion to saints. Shrines of St Werburgh, at Chester, at St Albans, and of St Frideswide at Oxford were given new, elaborately carved stone bases often depicting scenes from their lives and enabling the gold shrines to be elevated for better display.⁴⁸ Cathedrals especially promoted their own

cults of bishops and a remarkable amount of building activity, for example at Salisbury for St Osmund (canonized in the fifteenth century), at St Paul's, London, for Bishop Niger, at Chichester for St Richard, and at Lincoln for Bishops Hugh, Grosseteste and Remigius, can be associated with enhancement of their spiritual status or even attempts to achieve their canonization.

There was also a widespread trend for the elaboration of the setting for worship. As part of this, screen divisions, especially those with a liturgical purpose in marking the transition from nave to choir, increased in size and complexity. We have records of the choir screen at Lincoln erected in St Hugh's time. It seems to have consisted of a simple low wall supporting a series of posts carrying the beam which supported the rood, and must have allowed views through to the high altar. It was replaced in the early fourteenth century by a massive solid stone pulpitum covered in rich diaper and foliate ornamental carving and decorated by tall niches capped with nodding ogee-headed canopies. Despite the fact that any large figures that might have stood within the niches have gone, the effect is still of great decorative richness. The pulpitum served both as a grand entrance and processional route, for it had a ceremonial door through the centre; a locus for the reading of the gospels from its roof; and a place for display of the rood. It also formed the backdrop to the elaborate pinnacled wooden choir stalls, another developing phenomenon of the later medieval church in the great ceremonial around worship. Great pulpita or choir screens of similar type survive at the cathedrals of Exeter (1317–25), St David's, York (1480–1500), and Canterbury. The Exeter screen, like earlier counterparts on the continent, especially Naumburg or Hildesheim in Germany, once had a sequence of Passion scenes carved in relief around the top of its main facade. The Canterbury and York screens both preserve their figures: a row of what may be intended to represent either biblical or historical English kings. Perhaps as the seat of archbishoprics, this imagery was intended to represent in both places the notion of temporal authority. The first such appearance of a gallery of kings was on the facade of Reims cathedral, the coronation church for the kings of France. However, in England the phenomenon also appears on the facades of Lincoln (c.1380) and Exeter (c.1380), demonstrating the pervasiveness of the visual culture of royalty through frequent reinforcement of the image of the crowned king.

As had been the case at Westminster abbey in the mid-thirteenth-century altar furnishings, especially retables and reredoses often echoed in concentrated form elements of the design of the buildings they adorned and could form a focal point. The great eastern reredos at Exeter cathedral (c.1325), of which now only fragments and descriptions survive, once formed an enormous screen of carved, painted and gilded figures in niches rising from the altar to the stained-glass window above. There the imagery of saints in canopied niches was continued in translucent form to the roof. It was part of a lavish provision of furnishings for the choir, which included a great choir screen and the largest remaining, and possibly the largest-ever, wooden bishop's throne (1316–24) of the middle ages.⁴⁹ Also devoid of figures now, but originally dependent on them for its impact, the Neville screen behind the high altar at Durham (c.1380) is a free-standing reredos allowing glimpses through between the finely carved buttresses and foliate pinnacles of its canopywork to the space behind.⁵⁰

Figurative imagery, and of course rich colours and gilding, are also found on medieval church vestments, often designed by the same artists who made manuscripts. The death and burial of the Virgin are embroidered in panels on the Syon cope, along with her coronation, scenes from the life and Passion of Christ and representations of saints. It is a magnificent ceremonial robe in red and green silk, gold and silver thread, and represents a type of which several examples are known. The craft of English embroidery was specialized and renowned, already having a great reputation in the middle ages as attested from its use for diplomatic gifts. It is one of the few medieval art forms known by its country of origin: 'Opus Anglicanum'. The Clare chasuble remains as a rare and mutilated survivor of a once-typical example of a religious textile which came to the church via secular ownership. It was made for Margaret de Clare between the date of her marriage to Edmund Plantagenet, nephew of Henry III, in 1272, and 1294, when the couple divorced. Figures of the Crucifixion, the Virgin and Child and the martyrdom of Stephen are set within cusped quatrefoils, all worked in gold and silver thread on a blue silk ground. While Margaret came from a family who maintained among their female members strong traditions for the commissioning of religious art, we learn otherwise of the detail of chapel furnishings for pious women from chance survivals, such as the inventory of Margaret, Lady Hungerford, dating from c.1487.⁵¹

Solid and Void in Fourteenth- and Fifteenth-century Art and Architecture

Occasionally it is possible to identify an artistic personality from the middle ages whose works show real inventiveness and the power to have effected change. Michael of Canterbury was one such example. He became one of the most favoured architect-masons working in royal service during the first part of the fourteenth century. He first appears as designer for one of the twelve crosses made to commemorate the funeral journey from Harby (Notts.) to London for Edward I's queen, Eleanor, in 1290. He is believed to have been involved with the design of some of the royal and other notable tombs at Westminster that make such a significant contribution to the aesthetic effect of the interior. But much more far-reaching in terms of influence was his later work for Edward III and Philippa as the architect of St Stephen's chapel in the palace of Westminster, begun in 1292 but its construction continuing until almost the middle of the fourteenth century.⁵² This building, incorporating decorative elements in the form of sculpture and painting, tracery and glass as integral rather than additional to its fabric, both continued a long-standing trait in English building yet also moved it on to a new style. Most innovatory was its external decoration, in the extension of window-tracery mullions to merge with blind tracery attached to the surrounding masonry, creating an all-over vertically emphasized lace-like pattern blending solid and void. It came to exemplify elite taste and its enduring popularity is attested by its continued reappearance for more than a hundred years. For example, the Beauchamp chapel at Warwick (1441–52), one of the best-documented surviving buildings of the late middle ages, ultimately still owes the form of its decorative exterior to the aesthetic characteristics invented at St Stephen's chapel (plate 24.5).

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Plate 24.5 Exterior elevation of Beauchamp chapel, St Mary's, Warwick, 1441–52. (Photo: A. F. Kersting)

Increasing the transparency and surface decoration of buildings required a combination of technical and aesthetic invention. Early experiments included the Octagon at Ely cathedral (1322), an elaborate glazed wooden lantern vault uniting the upper central parts of the cathedral in replacement for the collapsed crossing tower.⁵³ The 1330s saw a number of new choir designs in the west of England, each of which allowed narrower passages, greater verticality and more light into the centre of the church. At Wells cathedral the upper gallery or triforium of the choir elevation is effectively made up of a series of ogee-gabled niches linked to tall clerestory windows by vertical mullions. The choir of Gloucester, a signature building for what was later defined as the 'Perpendicular style', was probably designed by Thomas, the son of Michael of Canterbury, and is a tour de force of the blending of solid and void through vertical linking of sculpture and glass. In the extension of tracery from wall surface to gallery to window, the mass of masonry disappears into an ordered yet decorative system of arcaded panels with vertical mullions and shafts. These lead up to a lierne-vaulted canopy (see Glossary below) studded with gilded angel bosses. The stained glass in the east window acted as a display of war-heroes and saints, probably commemorating the battle of Crécy but also having the aesthetic effect of dissolving the solidity of the end of the building in a wall of coloured light

of unprecedented scale.⁵⁴ An even more influential development took place at Gloucester in the cloister, built between 1351 and 1364, with the first appearance of a fan-vaulted roof, representing a technical as well as an aesthetic landmark. Tracery and infill were united in single blocks of masonry giving the impression of greater unity and smoothness than was possible before. It was some years before the form of vault was attempted for a wide span over a central vessel, the most famous example being over the central vessel of the chapel of King's College, Cambridge, by the architect John Wastell (from *c.*1490).

Death and Commemoration

The effects of the Black Death of 1348–9 on English art are still being estimated and reassessed. It has been suggested that up to half of the population was lost in successive waves of epidemic which reoccurred until well into the fifteenth century, with a commensurate proportion coming from the ranks of those concerned in various ways with artistic projects. Certainly, looking at the artistic patronage in any region, it is possible to see a diminution in activity in the years around the middle of the century. This is apparent for the second half of the fourteenth century in Lincolnshire, where work by the local school of masons suddenly becomes formulaic, having been consistently inventive until the 1340s. During the plague years, two of the arcades for the new cloister at Norwich cathedral priory were filled with wooden tracery rather than stone. The plague has been held to account for the austerity in architectural taste from the second half of the fourteenth century, for the rejection of exuberant carving, curvilinear tracery and nodding ogee arcades in favour of simple arcades, straight lines, muted colours and low-relief ornament.⁵⁵ The most obvious place to look for consequences is in commemorative imagery found in manuscripts and tombs. It has been suggested that the urgent consciousness of the fragility of human life led to a greater sense of anxiety in the representation of mortality, leading to such phenomena as the transi or cadaver tombs of the end of the fourteenth and into the fifteenth centuries.⁵⁶ Economically, the effects of plague mortality were drastic, records showing a fall in value of land as well as reduced population. Repercussions on the level and extent of patronage of parish churches included a hardening of the tendency, already beginning earlier in the fourteenth century, for expenses and responsibilities to be shared among a wider social group. Yeoman patronage became more common. For example each of the four arms of Salle church (Norfolk), a parish church on a very grand scale which happens to be perfectly preserved, was paid for by different families, who came not from the great aristocracy but were tenants occupying the four local manors. Thomas Brigg paid for the south transept in 1440 and Thomas Rose or Roos, who died in 1441, the north. The Kerdeston, Ufford, Brewes and Boleyn families are associated with the nave and porch between 1401 and 1430. As was normal for parish churches, the chancel seems to have been paid for by the rector John Necton (1441–60), supported by a consortium of the other benefactors, plus the grander families, including earls and dukes who owned property nearby.⁵⁷ Some of the Salle benefactors are commemorated in effigy on brasses set into the pavements. At the large town parish church of the Holy Trinity at Long Melford in Suffolk, inscriptions in stained-glass windows recorded benefactions to the fabric made between 1481 and 1496. These were made by several

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Plate 24.6 Donor image, stained glass. Holy Trinity parish church, Long Melford, Suffolk, 1480s. (Photo: School of World Art Studies and Museology, University of East Anglia)

local families, most of them paying for relatively modest portions, such as a single window or a portion of an arcade. Some panels survive which depict kneeling images of some of these benefactors shown in their heraldic finery (plate 24.6). Such memorials in glass had many advantages for an age in which church patronage was more widely shared: they were relatively economical, they could also be readily multiplied and they were highly decorative, having an obvious impact on the character of the building.

Artistic repercussions from the Lollard movement of the very end of the fourteenth century were variously felt until well into the fifteenth century. The movement was centred around the influence of John Wyclif, his insistence on worship in the vernacular, his repudiation of the church's doctrine on the sacraments, and his rejection of any form of images. Fear among his critics of the dangers of adherence

to his views was probably more acute than the real likelihood of his gaining large-scale support.⁵⁸ In terms of iconoclasm, whatever small outbreak against images that accompanied the Lollard cause was vastly outweighed by wholesale destruction in the sixteenth and seventeenth centuries under Henry VIII, Edward VI and Cromwell. It has been suggested that a likely consequence of Lollardy was an orthodox backlash resulting in reinforcement of some of the core values of Catholicism, especially in relation to the sacraments. Depiction of the honouring of the sacraments was manifest in liturgical furnishings such as the large series of seven-sacrament fonts in East Anglia (including a fine example at Salle church). These mostly date from post-1450, and while they have been directly connected to a delayed rural reaction against Wyclifite heresy, they might equally reflect a general trend that had been occurring since even before the Plague to consolidate elements of lay religious instruction.⁵⁹ Bishop Fleming of Lincoln (1420–31) does, however, provide us with a documented example of an individual opponent who fuelled his own fight against heresy in a number of ways. He began his career as a supporter of Lollardy, but later turned against it and founded Lincoln College, Oxford, as a means of defending the sacred texts from the ignorant laity ‘who profane with swinish snouts its most holy pearls’.⁶⁰ His chantry chapel at Lincoln cathedral preserves two effigies, each demonstrating the vulnerability of the human condition; the one above is of his vested body trampling a dragon, while below is his image in a state of decay as a cadaver.

To fifteenth-century bishops, the chantry chapel with integral altar was what the grand canopied tomb had been to previous generations, and these enclosed, elaborately screened spaces became expressions of hierarchy and power as well as devotion to their memory. Many examples survive, including Bishop Goldwell at Norwich (d. 1499), who built the choir there, and Bishops Longland and Russell (1495) at Lincoln, whose chapels are opposite Fleming’s flanking the entrance to the Angel choir, and Bishops Fox, Beaufort (d. 1447), Wayneflete (d. 1486) and William of Wykeham (d. 1404) at Winchester. Wykeham’s chantry was founded during his lifetime. It was situated in the nave of the cathedral, which was in course of being rebuilt at his expense. He had been a wealthy and notable patron, trained in supervision of grand projects by his work for Edward III in realizing the building works at Windsor in the 1350s and 1360s. He founded both New College, Oxford (1379), and Winchester College (1382), its feeder school, and in the course of his benefactions had occasion to commission some really significant works of art and architecture. Pre-eminent among them were stained-glass windows made both for Winchester College and New College by Thomas the Glazier of Oxford. Perhaps as another consequence of plague, the custom of founding chantries for the perpetual commemoration of the soul received a new impetus in the later fourteenth and fifteenth centuries, and the chantry chapel became highly developed as a miniature architectural form. Among notable secular lords who had chantries devoted to their memory are counted some of the most remarkable foundations of the middle ages. These include the Berkeley chapel at Bristol founded in 1348 by Thomas, Lord Berkeley, and his wife Margaret, the Beauchamp chapel at St Mary’s, Warwick (1443–53), containing the brass and marble tomb of Sir Richard Beauchamp, for which all the artists are documented (plate 24.5). That the collegiate church of Tattershall, Lincolnshire, founded by Ralph, Lord Cromwell, in 1439 supported six priests and a corresponding number of choristers and clerks suggests that an elaborate ritual was envisaged

for prayer to the benefactors. It was also a charitable foundation and a great aesthetic extravagance, originally resplendent with an extensive programme of glazing.⁶¹

The art of the later fifteenth century in England has yet to receive serious scholarly appraisal. In the past it has suffered from an implicit value judgement, that it was of lesser quality than contemporary art in Italy and the Low Countries and therefore deserved a corresponding lower level of attention. However, recent research and publications are revealing of the sources of ideas and of finance, the innovative artists and patrons who gave the arts of this period their various characteristics in their many different contexts.⁶² It is a mark of how art history of the middle ages has changed over the last twenty-five years that, because details of style and connoisseurship are being sidelined as major means of analysis, it is at last beginning to be possible to review the position of English fifteenth-century art within a broad history of ideas, as an integral part of a wider European culture.

GLOSSARY

Bar tracery: window tracery with an open-work effect formed principally from glazing patterns made by ribs of moulded stone. This form appeared from the second quarter of the thirteenth century and replaced the earlier fashion for pierced shapes of glass set into a background of solid masonry.

Lierne vault: liernes are the interim ribs that connect roof bosses between axial ribs which form the principal formal structure of the vault. It is the liernes that enabled both the creation of complex zig-zag and star patterns and the proliferation of bosses, and it is believed that this fashion began in the first quarter of the fourteenth century.

Giant Order: a Classical form described by Vitruvius and current throughout the middle ages, whereby thick piers supporting the upper elevation rise uninterrupted for its entire height and have an intermediate gallery suspended behind them.

NOTES

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- 2 Zarnecki, *English Romanesque Sculpture*; Zarnecki, *Later English Romanesque Sculpture*.
- 3 O. Pächt, *The St Albans Psalter* (London, 1960); M. Schapiro, numerous articles including 'Cain's jawbone that did the first murder' (1942) and 'The image of the disappearing Christ' (1943), both reprinted in M. Schapiro, *Selected Papers*, vol. 3, *Late Antique, Early Christian and Medieval Art* (London, 1980).
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- 5 J. Alexander, 'Medieval art and modern nationalism', in G. Owen-Crocker and T. Graham, eds, *Medieval Art: Recent Perspectives: A Memorial Tribute to C. R. Dodwell* (Manchester, 1998), pp. 206–23.
- 6 Best viewable on a website: www.crsbi.ac.uk.
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- 11 Dodwell, *Anglo-Saxon Art*, pp. 232, 255.
- 12 Fernie, *Architecture of the Anglo-Saxons*, pp. 154–61; Fernie, *Architecture of Norman England*, p. 16; R. Gem, 'Introduction', pp. 9–14, and 'The Anglo-Saxon and Norman churches', pp. 90–122, in R. Gem, ed., *St Augustine's Abbey Canterbury* (London, 1997).
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- 14 A. Klukas, 'Altaria Superiora: the function and significance of the tribune in Anglo-Norman Romanesque' (Ph.D. thesis, University of Pittsburgh, 1978).
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- 16 Fernie, *Architecture of Norman England*, p. 19.
- 17 Heslop, *Norwich Castle Keep*, p. 58.
- 18 Webb, *Architecture in Britain*, p. 70.
- 19 Heslop, *Norwich Castle Keep*, p. 66.
- 20 D. Park, 'The wall-paintings of the Holy Sepulchre chapel', in *Medieval Art and Architecture at Winchester Cathedral*, British Archaeological Association Conference Transactions for the year 1980 (1983), pp. 38–62.
- 21 S. Rickerby, 'Kempley: a technical examination of the Romanesque wall paintings', in S. Cather, D. Park and P. Williamson, eds, *Early Medieval Wall Painting and Painted Sculpture in England* (BAR British Series, 216, 1990), pp. 249–62.
- 22 William of Malmesbury, *De Gestis Pontificum Anglorum*, ed. N. E. S. A. Hamilton (1870), p. 234.
- 23 Paintings from St Gabriel's chapel are illustrated in Dodwell, *Pictorial Arts*, ill. 348, 349.
- 24 Frisch, *Gothic Art*, pp. 21–2.
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- 27 P. Binski, *Westminster Abbey and the Plantagenets: Kingship and the Representation of Power 1200–1400* (New Haven, Conn., 1995), esp. ch. 5, pp. 141–74.
- 28 Fernie, *Architecture of Norman England*, pp. 162–73, citing Bony and Zarnecki.
- 29 Fernie, *Norwich*, pp. 129–33.
- 30 Guilelmus Durandus, *The Symbolism of Churches and Church Ornaments, a Translation of the first book of the Rationale Divinorum Officiorum*, ed. Neale and Webb (Leeds, 1843).
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- 33 *Romanesque*, cat. 378, p. 319.
- 34 Illustrated in Sekules, *Medieval Art*, pl. 16.
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CHAPTER TWENTY-FIVE

England: Literature and Society

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Literature in its Historical Context

For modern readers, making sense of a literary text from medieval England, whether originally written in Latin, Anglo-Norman or one of the dialects of Middle English, necessarily involves a self-conscious effort of historical understanding. When, at the end of the B-text of Langland's *Piers Plowman* (probably dating from before 1380), a friar named 'Sire Penetrans Domos' (i.e., he who enters houses) appears as an ally of the Antichrist (B.XX:341), many modern readers of the text are quite likely to be uncertain of the exact status of a friar as opposed to, say, a monk. They are even less likely to be aware of Langland's allusion to the forerunners of the Antichrist mentioned in 2 Timothy 3.6 whom St Paul prophesied would 'creep into houses' in the Last Days, or of thirteenth- and fourteenth-century debates about the legitimacy of the mendicant orders in which the friars' opponents marshalled such biblical texts in order to attack them as '*antichristi*'. The task of any historically based literary criticism is thus to provide modern readers of medieval literature with some plausible context (social, political, religious, intellectual or intertextual) which allows them to grasp the contemporary significance of any particular work.

Yet, disappointingly, attempts by historians to contextualize medieval works of imaginative literature (defined here as works of verse, drama or narrative fiction) have often taken the form of a search for allusions to real-life people and places within literary texts, as in the quest for an historical model from the thirteenth or fourteenth centuries for the outlaw-hero of the *Gest of Robyn Hode* (early fifteenth century). Of course, realistic details do frequently occur in fictional texts: Robin Hood's main enemy in the *Gest* (apart from the sheriff of Nottingham) is the abbot of the real-life monastic house of St Mary's, York. Nevertheless, when works of fiction involve external reference to actual historical people, these characters are never just passive reflections of social reality. Rather, they are active interpretations of reality which express, through the use of social stereotypes and stock literary conventions, some particular ideological viewpoint. Hence the proud, grasping abbot of St Mary's in the *Gest* is not simply an individual who happens to be corrupt. More significantly,

he embodies the avarice and pride for which the prelates of the medieval church were regularly denounced in contemporary estates satires such as John Gower's *Vox Clamantis* (c.1381) (III, 1:10–20). Indeed, even the actions and behaviour of Robin himself, as revealed by the *Gest*, conform closely to the stereotype familiar from other medieval outlaw-tales.

If literary texts are of significance to the medieval historian, it is not, therefore, because they 'mirror' historical fact. We should not, for instance, suppose that Langland's 'Sire Penetrans Domos' provides evidence for the corruption of the mendicant orders by the late fourteenth century. On the contrary, the accusation that the friars were illegitimate *penetrantes domos* was one which, by this date, had been made against them for almost a century and a half. Rather, medieval literature is of historical interest because literary texts were themselves partisan interventions in the ideological conflicts of the day. Medieval writers thus often addressed in verse the kinds of issues which we today would deal with in prose form, as when a thirteenth-century canon of Leicester abbey turned to poetry to celebrate the defeat of an attempt by the abbey's villeins to assert their freedom in the royal court.¹ Much of this verse was occasioned by immediate political events at home or abroad. The focus of this chapter, however, is on the more general ideas about the social order to be found within medieval imaginative literature and on the sources of these ideas in the work of contemporary philosophers, theologians and preachers.

If the attempts of historians to make sense of medieval literature have often been hindered by a tendency to search for allusions to real-life people and places, we might expect the social ideology of medieval texts to be better explicated in the work of modern literary critics. Certainly, much recent critical theory, most notably that associated with feminism and new historicism, has provided a welcome emphasis on the need to see literary texts as engagements with the concerns of specific societies at particular times rather than as instances of some timeless canon of 'Great Literature' which speaks to us across the ages about the 'human condition'. It is this historically specific approach, in which literary texts are understood as 'strategic interventions' in which contemporary power relations of estate, class and gender are 'negotiated, reinforced and challenged',² that has been adopted here. Yet, in general, modern literary critics have tended to stress the 'challenge' mounted by works of medieval literature in their negotiation with the dominant forms of authority and inequality of the day rather than emphasizing their role in 'reinforcing' the contemporary social hierarchy. As a result, literature comes to be seen as providing a 'sanctioned space for the expression of social dissidence',³ as when Chaucer's *Canterbury Tales* (c.1388–1400) is interpreted as a sceptical subversion of the traditional medieval ideology that presented the social orders as bound together by ties of mutual harmony and 'common profit', or when his 'Miller's Tale' is seen as an 'improbable victory' over the forces of social and ideological hegemony.⁴ By contrast, it will be argued here that, far from mounting a challenge to the official ideology of the day, the literary texts that survive from medieval England are, overwhelmingly, partisan expressions of that very ideology. Such works were intended not to subvert but rather to perpetuate the existing social order and were thus hostile to those members of society whose actions threatened the status quo.

How then were contemporary social inequalities between classes and orders described and justified by medieval philosophers, theologians and preachers, and

how were such ideas put to work in literary texts? To what extent did a reliance on Christian teachings create tensions within medieval social theory, and how did medieval authors attempt to resolve such tensions? If most medieval literature was intended to reinforce the status quo, to what extent can we identify a challenge to the official ideology of the day within medieval English literature? How did medieval writers make sense of the inequalities between men and women which were one of the most fundamental aspects of medieval English social structure?

Literature and Social Ideology

For much of the medieval period the clergy had a virtual monopoly of learning, so that nearly all intellectual activity was in effect a branch of theology. In a society where the church dominated learning, even lay writers, such as Gower and Chaucer, adopted the basic assumptions of the official, theologically grounded view of the world. In pre-industrial societies those social groups that enjoy wealth, power and status tend, in Max Weber's words, to 'assign religion the primary function of legitimizing their own life pattern and situation in the world'.⁵ This was certainly true of medieval society where Christian theology provided, in Engels's words, a 'halo of sanctity' for the social inequalities of the day.⁶ As with all ideologies that seek to maintain the existing state of things, medieval philosophers, preachers and poets sought to legitimate what in reality were transient social arrangements by presenting them as being stable and enduring. Thus, far from simply 'reflecting' the existing social hierarchy, ideology distorts and obscures reality in the interests of particular social groups. Medieval texts thus tended to present contemporary social inequalities as the expression of some unchanging 'divine will' or essential 'human nature'. In particular, like all ideologies, medieval social theory functioned as a means of social legitimation by first invoking a series of positive but indeterminate abstractions ('love', 'gratitude', 'charity' etc.), and then investing these terms with a particular, loaded social content. When Gower's *Mirour* (c.1377) (26425–36) and Langland's *Piers Plowman* (B.VI:315) denounced the wage increases demanded by the impatient labouring classes of the post-plague era, they did not do so simply because of the economic or social consequences of rising wages. They also justified their views on the more abstract grounds that such wage demands were contrary to the notion of 'reason'.

Of all the abstractions that underpinned medieval conceptions of social structure, perhaps the most fundamental was that of a divinely ordained 'natural order' of things in which, whether in society or in the universe as a whole, everything had its own rightful place. As the eagle explains to Chaucer in the *House of Fame* (c.1373–8), 'every kyndely thyng that is / Hath a kyndely stede there he / May best in hyt conserved be' (730–64). As Chaucer's Parson puts it, God has created all things in their rightful order and nothing without order. It is only in hell that there is no order since those who are damned 'been nothyng in ordre, ne holden no ordre' (X:217–18). The Parson is alluding here to Wisdom 11.21, where God is said to have 'ordered all things in measure, and number and weight', this being one of the most frequently cited of all biblical texts within medieval literature.⁷ As the final passus of *Piers Plowman* puts it, God made all things 'in mesure', even the stars (see Psalm 146.4), setting each thing at definite and fixed number (B.XX:224–70).

Within this outlook, the ‘order’ said to characterize the universe was seen in terms of a hierarchy made up of complementary parts. According to Aquinas’s *Summa Theologiae*, all ‘species in nature are arranged in steps: compounds above elements, plants above minerals, animals above plants, men above other animals, and under each of these headings one species above another’. The occupants of the higher steps of this hierarchy possess greater and greater abilities since they are less and less confined by matter, whilst humanity possesses an ‘ability which physical matter in no way shares: the power of mind’. Since ‘God’s wisdom is the cause of the distinctions and the inequality of things’, each step in the hierarchy exists to serve the higher ones: plants serve animals and animals serve men (47:2, 76:1). We can see this outlook in the debate between the two birds in *The Owl and the Nightingale* (c.1189–1216), where much of their argument centres on which of them is of most use to humanity. Similarly, in *Mum and the Sothsegger* (c.1409), the bee is praised on the grounds that, in the example which it offers, it is the creature ‘pretiest in his wirching to profite of the people’ (991). It was this attitude that underlay the bestiaries and lapidaries in which animals and precious stones were seen as existing to teach humanity a moral lesson. For instance, in the thirteenth-century verse *Bestiary*, the Whale, whose supposedly sweet breath was believed to draw fishes to him, was interpreted as signifying the devil, whose fragrant breath also lures men to their downfall (149–58, 187–92). The only restriction on such interpretation was that, as John of Salisbury in his *Policraticus* (1150s) put it, ‘the more important is never the sign of the less important thing. Consequently, any substance may signify man, since he possesses something in common with all things’ (II, xvi:94–6).

The view of the universe as a whole as constituting a divinely ordained and meaningful hierarchy formed, in turn, the basis of the view of human society which the official ideologists of the medieval period never tired of propounding. Thus Peter Idley’s *Instructions to his Son* (c.1445–50) argues that just as in heaven, ‘an ordre is kepte’, so the creation of due order in this world requires ‘somme to obeie and somme to governe’ so that ‘welthe, worship and love’ might be maintained.⁸ In the words of Robert Mannyng’s *Handlyng Synne*, a handbook for preachers of the early fourteenth century, ‘God hath ordeynyd all mens state’ (i.e., social rank) (2211). Perhaps the best-known expression of this view of society as a divinely ordained hierarchy was that of the ‘tripartite’ conception in which society was seen as being made up of three functionally defined orders or estates: the *oratores*, those who pray; the *bellatores*, those who fight and rule; and the *laboratores*, those who work. Thomas of Wimbledon’s sermon *Redde Rationem Villicationis Tue* (1389) provides a classic exposition of the tripartite view of society when he says that, in the church, three ‘offices’ are needed: those of the priests, knights and labourers. Just as in the vineyard there is a division of labour between those who cut away the branches of the vines, those who make trellises to support the vines and those who dig away the earth, so Christ calls on men to work in diverse manners. The task of the clergy is to cut away the ‘voide braunchis’ of sin, that of the knights is to maintain God’s law and to defend the country from foreign enemies, whilst that of the labourers is to ‘travayle bodily’. However, whilst in a narrow sense ‘travayle’ is equated here with the manual labour performed by the third estate, in a broader sense all three orders are said to be working in this world for the good of the others: without priests, the people would be damned; without knights, the people could not live in peace;

without the labourers, the knights and priests would starve. Man is thus a social animal since, unlike the horse or sheep, he is by 'kynde' dependent upon his fellows for necessities such as food and clothing. For this reason, each estate and craft should love the others: social unity is premised on a social division of labour. Those who refuse to fulfil their estate-function and live 'aftir noon staat ne ordre' in this life are thus condemning themselves to hell in the next life, the place of everlasting horror 'that noon ordre is inne' (25–97). The idea that the ethical pursuit of one's worldly calling is itself a religious duty was not, therefore, an invention of the 'Protestant ethic' of the sixteenth century. For medieval texts such as the *Fasciculus Morum*, a handbook for preachers from the early fourteenth century, the pursuit of the 'active life' and an engagement in temporal activities such as ploughing, sowing and reaping were in themselves 'holy and honourable' in their function as an antidote to the sin of sloth (V.v:1–10).

All the assumptions of the tripartite conception found in sermons such as Wimbledon's were rehearsed in works of literature such as Gower's *Vox Clamantis*. Here, once more, it is claimed that the state or order of the world consists of three estates, the clergy, knighthood and the peasantry: the one teaches, the second fights, the third tills the fields (III, 1:1–10). In the *Canterbury Tales*, the most virtuous of the pilgrims are those who perform the labours of the three traditional estates: the Knight, who has fought on crusade for God and the true faith (I:43–78); the Parson, who is a good shepherd to his flock (I:477–528); and his brother, the Plowman, a true worker who lives in charity with his neighbours (I:529–41). As Chaucer's Parson concludes, heaven is given to those that will labour, 'and nat to ydel folk' (X:716). Even the Lollard text *Jack Upland* (early fifteenth century) adopted the traditional conception of society when, following Wyclif, it presented the ideal tripartite division of society as an analogy for the Holy Trinity itself: the lords who provide justice represent the power of the Father; the priests who preach and pray represent the wisdom of the Son; and the commons who labour to support themselves and the other estates represent the good will of the Holy Ghost (4–17).

The tripartite conception of society was extremely long-lived. Historians often tend to interpret the significance of works in terms of the date of their original composition, but it should not be forgotten that texts such as the early fourteenth-century *Fasciculus Morum* or Thomas of Wimbledon's late fourteenth-century sermon continued to be read and copied afresh well into the next century. Even newly composed or newly translated works continued to rehearse the traditional tripartite account of social structure. Thus, almost a century after Wimbledon's sermon on the three estates, William Caxton's translation of the mid-thirteenth-century *The Mirror of the World* (1481) was still repeating the conventional claim that there were three kinds of people in the world: clerks, knights and labourers, each of which existed to serve the others (pp. 29–30). Whereas modern readers expect authors to construct a persuasive authority for themselves by the power of their personal voice and the originality of their vision of the world, medieval writers tended to claim authority through an appeal to some established external truth. The 'alterity' of medieval texts can thus be seen not merely in their explicit views about the universe and the human condition but also in their underlying assumptions about how we should go about writing (and reading) literary works in the first place.

Nevertheless, it cannot be stressed too strongly that, despite the analogies that could be made between the three orders of society and the three persons of the Holy Trinity, the essential point of the tripartite conception was not that society actually consisted of three orders. In fact, far more important was its underlying ethic in which all of the social groups were seen as performing functions that were complementary and mutually beneficial. The ideological core of medieval social theory is to be found not in any specific claims about the number of social estates that existed, but rather in its basic moral assumptions and conceptual framework. After all, when it was necessary, medieval preachers and poets were perfectly capable of presenting the social hierarchy in more complex terms than those provided by the traditional tripartite view. In the *Vox*, Gower states that there are three estates of men in the world (the clergy, knighthood and peasantry), yet in practice he has also to include within his moral critique a discussion of the sins of the merchants, craftsmen and lawyers, classes who fitted uneasily into the traditional tripartite conception (III, chs 11, 14; VI, ch. 1). To allow for these other social groups, Bishop Thomas Brinton (d. 1389) even claimed that God had ordained four kinds of men (the clergy, secular lords, merchants and labourers [II, p. 259]), whilst in 1442 Bishop John Stafford divided society into six groups: the prelates, the lower clergy, the knights, the merchants, the cultivators, and the artificers and common people.⁹ The central purpose of all of these theories was not empirical and sociological but normative and ideological. However many particular social groups were identified, the moral message remained the same: each order was dependent on the services of the others and so should live in harmony with its fellows.

Since the functions of the estates were seen as complementary and mutually beneficial, it followed that social harmony depended upon each individual working at his estate duties for the common good. Thomas Hoccleve's *The Regement of Princes* (1412) thus warns against the avaricious pursuit of 'synguler profit' at the expense of the 'profit commun': when the Romans were of one heart, they were masters of the world, it was their own internal divisions that brought about their downfall (5237–50). The reciprocity that should exist between the social orders is illustrated in *Piers Plowman* when Piers promises the knight that he 'shal swynke and swete and sowe for us bothe' all of his life if, in return, the knight will 'kepe Holy Kirke and myselve / Fro wastours and fro wikked men that this world destruyeth' (B.VI:25–8). A variety of metaphors was invoked to express this conception of society as comprised of interdependent and complementary parts. In Jacobus de Cessolis's *The Game of Chess*, printed in two English editions by Caxton (1474 and c.1483), society is compared to a chess set with its king, knights and pawns (i.e., the commons). In *Mum and the Sothsegger*, as in the *Policraticus* (VI, 21–2), human society is likened to a beehive whose members work at their various tasks for the 'common profit' of all (991–1086). By contrast, the fourteenth-century preacher John Bromyard argued that the order of the 'various ranks in the community should be like the position of the strings upon the harp', so that harmony was produced by each man being in his proper place and performing the duties of his own station.¹⁰

However, the fact that medieval social theorists identified a reciprocity of interest between the estates based on their mutual respect and exchange of functions by no means implied that there should be an equality between the orders. As Brinton's

sermons (II, p. 458) and the *Fasciculus Morum* (III.viii:51–2) argued, in Paradise humanity had lived according to the law of nature, with equality, freedom, a community of goods, and no need for legal or political constraints. But the Fall of humanity had brought social inequality, private property and political institutions into the world: servitude was thus introduced into the world by sin. Similarly, Cessolis's *The Game of Chess* claimed that before the Fall the earth brought forth fruit without human effort, only with sin was the curse of labour introduced (see Genesis 3.17–19). In this post-lapsarian world, it is, as Thomas of Wimbledon said (98–103), the duty of each man to work according to his 'degree': those who are labourers or craftsmen should 'do this trewli' (2 Timothy 4.5); those who are servants or bondsmen should be 'soget and low' and in fear of displeasing their lords (1 Peter 2.18). Within society there is a natural and rightful order that should exist. As Chaucer's Parson said, the common profit could not be had, nor peace and rest on the earth, unless God had ordained that 'som men hadde hyer degree and som men lower' (X:773). Similarly, for John Gower's *Confessio Amantis* (1390), just as it was natural that the 'crop' should be above the 'root', so the temporal rulers should be respected in their estate whilst the people should be 'in obeissance' (Pro. 104–18). But, in return for their worldly privileges, the priests and knights would, on the day of judgement, have to answer not just for themselves but also for those in their care whom they should have defended or prayed for (100–44). As *What Profits A Kingdom* (1401) puts it, God may have 'made lordis governoures', but he had given them this power in trust in order to maintain the churchmen and labourers. They should therefore remember that all men are mortal and will one day have to account for their behaviour to God (129–52).

This stress on the inevitability of social hierarchy, along with an awareness of the existence of multiple social groups, was certainly apparent in the metaphor to which many medieval writers appealed in order to illustrate their social ethic, that of the human body. As John of Salisbury said, 'though a body has several members, all do not have the same function, each has its own to perform'. Perfect harmony and beauty are achieved when 'each part keeps, as is meet, the part allotted to it' by nature (I, 4:32, 34). Predictably, the members of the body were interpreted in hierarchical terms: just as some parts of the body were deemed to be superior to others, so the parts of society were perceived as forming an ordered hierarchy. Gower's *Confessio* thus claimed that 'reason' demanded that the members of the body should bow down before the head even though, in return, the head should respect their loyalty and take their counsel (Pro. 151–6). Similarly, John Lydgate's translation of Guillaume de Deguileville's *The Pilgrimage of the Life of Man* (1426) took it for granted that just as it was absurd that the foot should be as good as the head, so it was wrong for all men to be of one social condition (11374–6). Preachers such as Brinton developed in detail the metaphor of society as a body (I, p. 111), as did the author of *The Descryvynge of Mannes Membres* (early fifteenth century), which compared each member of the body to a particular rank of society, from the head (the king), through the breast (priests), backbone (lords), thighs (merchants), legs and feet (craftsmen), down to the toes (the servants). All of these, even the lowest part, are necessary for the good of the whole: just as the body cannot stand without toes, so masters cannot exist without servants (9–80). By such means, works such as Lydgate's *Pilgrimage* elided the occupational division of labour with social inequality so that the self-

evident necessity of the former became a justification for the inevitability of the latter (11364–79).

Central to this hierarchical view of society were the concepts of ‘justice’ and ‘gratitude’. Justice is a foundation of ‘natural law’, i.e., the general moral principles implanted in us by God which we arrive at via the exercise of our reason and which should underlie the positive law of any specific nation. Following Cicero and St Ambrose, works such as Robert of Basevorn’s *The Form of Preaching* (1322) defined the just man as ‘he who renders to everyone his due’, whether it is to his superior, equal or inferior (ch. XXXIX). As Thomas Hoccleve’s *Regement* put it, justice is giving to each person that which ‘longeth to his propre dignite’ (2645–7) so that each receives his just deserts in due and proper measure. It was this concept that allowed Langland to distinguish between the rightful ‘mercede’, which is the ‘mesurable hire’ that ‘treuthe’ requires a master to pay his faithful labourer, and the wrongful ‘mede mesurelees’, which the powerful use to maintain evildoers (C.III:290–350; B.III:230–56). By these means the notion of justice could be invoked in order to justify social inequality since, as Brinton said, ‘justice demands that masters should rule over servants and that servants should be subject to their masters’ (II, p. 458). If it has been divinely ordained that each should receive his due, it followed that, as Hoccleve said in his *Regement*, ‘justice’ requires that the inferior should remain subordinate to his superior and render the obedience that was due to him just as, in return, the powerful should love and care for those in their care (2468–71). Works such as Lydgate’s *Troy Book* (1412) were thus extremely hostile to what they saw as the fickleness and instability of the commons (IV:4976–95, 5411–12). Similarly, for Gower’s *Mirour*, it was a ‘great wrong’ when the post-plague scarcity of labour put the lords ‘in the power of the peasant class’. Writing on the eve of the Peasants’ Revolt of 1381, he warned that the ‘impatient nettle’ of the commons ‘will very suddenly sting us all before it is brought to justice’ (26473–96), i.e., before it is returned to its proper place.

Yet, although ‘justice’ meant that each man could require the rendering of that which was owed to him by others, social theorists also taught that ‘gratitude’ was needed so that each would recognize and reward the services he received from others. As usual, this social virtue was presented as part of the natural order of the universe, as when Bromyard said that even plants showed their gratitude to the sun, displaying it through their colour and scent.¹¹ Gower’s *Confessio* thus punningly uses ‘unkindnesse’ to mean not only ingratitude but also unnaturalness to one’s ‘kinde’ in its discussion of ingratitude, a vice which is said to be hated by every living thing (V:4885–5162). His *Mirour* condemns the ingratitude both of those masters who fail to reward the work of the poor people and of those workers who do not return the goodness and love that their masters have shown them: even the dog ‘in its fashion loves and defends its master dead or alive, but an ungrateful man never bears you love or loyalty’ (6589–6732). Similarly, *On the Corruptions of the Times* (c.1456) laments a world which is ‘turnyd up-so-doune’ in which ‘The comonys love not the grete’. The concepts of justice and gratitude thus allowed medieval social theory to combine an emphasis on the inevitability of social inequality with a belief in the fundamental harmony and reciprocity of interest between the different social orders. For the author of the *Fasciculus Morum*, the poor need the rich for charity just as the rich need the poor for the spiritual efficacy of their prayers: each carries the other’s

burden (V.xxiii:103–17). As the character ‘Labour’ teaches in Lydgate’s *Pilgrimage*, there must be a difference between those of high and low estate since social equality would only produce ‘confusioun’ in the world, a state within which all, including the poor themselves, would suffer (11364–409).

That the official conception of society in terms of harmony and reciprocity was a normative ideal rather than an empirical account of reality can be seen in the recognition by medieval moralists that conflict within society was inevitable. After all, the existence of sin meant that people would fail to carry out their estate function, use their social position for their own personal gain rather than for the common profit, and would seek to usurp the functions and privileges of the other estates. As *This World is Variable* said, ‘rest’ would come to society only when the broom plant bore apples, i.e., never (19–24). Yet, whilst the shortcomings of those who failed to perform their estate functions were regularly denounced by poets and preachers, such weaknesses were not seen as the result of any inherent flaw within the social system itself but rather were explained as the product of individual sin. They were regarded as flowing from the failure of individuals to live up to their estate-ideals, not from any deficiency in these ideals *per se*. For the *Fasciculus Morum*, disobedience to God or to one’s earthly superiors and a lack of humility and patience when corrected by one’s superiors were all instances of the sins of pride and wrath (I.vii:39–41; II.vi:31–4). In his *Confessio*, Gower identifies rightful order, love and justice with unity, whereas ‘confusioun’ and discord are equated with ‘divisioun’. Just as Chaucer’s Parson (X:217–18) and Thomas of Wimbeldon saw hell as a place of no order (94–6) so, for Gower, human society, with its conflict and hate, comes to resemble hell itself: ‘In hevene is pes and al acord, / But helle is full of such descord / That ther may be no loveday’ (i.e., reconciliation). He contrasted the mutual ‘love’ between the different ranks that provides the main means ‘To kepe a regne out of meschief’ with the ‘division’, ‘discord’ and ‘hate’ that he saw as characterizing the sinful society of his own day. He therefore attacked the papal Schism and the rise of heresy amongst the clergy, bemoaned the decline of urban society which once ‘knewen no debat’, and lamented the condition of the third estate, which had become like a barrel without hoops that is burst open by the fermenting liquor within (Pro. 106, 120–31, 149–50, 348–51, 851–2, 967–72, 1045–7). It is internal division that destroys a kingdom (III:2350–4) and so, as *What Profits A Kingdom* says, makes it liable to external attack (113–16).

The individual sin responsible for creating social disorder was, like social unrest itself, presented as the product of internal division and as an inversion of a rightful, natural order. Following St Gregory’s *Moralia* (VI, 20:20–6), the *Policraticus* (IV, 1) and the *Secretum Secretorum* (pp. 80–1), works such as Gower’s *Confessio* (Pro. 945–53), *Vox* (VII, 8:640–50) and *Mirour* (26869–940) presented human nature as a combination of all the steps of the natural hierarchy. Man is thus an ‘entire world’ in himself, he is a microcosm of the macrocosm of the universe: like the angels, he has rationality; like the beasts, he has the five principal senses; like the plants, he grows; like the stones, he exists. For medieval thinkers, the sins that would bring us to hell were the result of our higher, rational, spiritual nature, which we share with the angels, giving way to our lower, fleshly nature, which we share with the beasts. For Chaucer’s Parson, sin is therefore an inversion of the rightful hierarchy of God, reason and man so that the world is ‘turned up-so-down’ (X:263). As Hoccleve’s

Regement put it, just as it is wrong for the superior man to obey the inferior, so sin is the product of reason giving way to sensuality (5090–5103). As Boethius (IV, pr.3, m.3), John of Salisbury (I, 1:19; VIII, 12:306–7, 24:413–14), the *Fasciculus Morum* (V.xvii:14–15, 134–9) and Thomas of Wimbledon (271–2) said, in abandoning the reason that marks him as human, the man who falls into sin becomes like an animal, ravaging like a wolf or stinging like a scorpion. In his *Vox*, Gower too used the idea of sin as an inversion of the natural and rightful order of things: man becomes like an irrational beast ‘so long as vice governs the actions of the body’ (VII, 21:1170–9). For Gower, the wage demands of the labourers of his day showed that they were ‘a race without the power of reason, like beasts’ and he predicted that the lords would give way to them ‘unless justice shall have been obtained by means of fear’ (V, 10:651–2).

It is this idea of sin as bestial which forms the basis of the account of the Peasants’ Revolt given in Book I of Gower’s *Vox Clamantis*. Here, in the narrator’s dream-vision, the rebels allegorically undergo a double transformation from men into farmyard animals and from farmyard animals into ravaging beasts: asses refuse to ‘bend their backs under a heavy load’ but instead become like ‘raging lions’ and seek ‘the horses’ rightful place for themselves’ (I, 2:190–211). In ideology, what are actually social relations are often reduced to personal characteristics, as when the *Vox* presents the Peasants’ Revolt as an expression of the rebels’ immoral attachment to wrongdoing and their desire for slaughter (I, 10:750–70). Alternatively, the ground of concrete social relations could be vacated in the opposite direction, as when Gower inflates the role of the rebels into that of being the followers of Satan who are waging an apocalyptic battle against the righteous. But, from either perspective, whether individual or cosmological, the revolt ceased to be a real historical event with multiple economic, social and political causes and became part of the universal assault of vice upon virtue.

Given their emphasis on preordained hierarchy and the necessity for each member of society to perform the duties of his own particular estate, medieval ideologists were not only hostile to social conflict but were even suspicious of social mobility. As Thomas of Wimbledon said, instead of thinking of his own personal advancement, each man should remain in the estate to which God had called him (98–118; see 1 Corinthians 7.20). For the moralists, a desire for social elevation was an expression of the sins of pride and greed, and social mobility itself was seen as unnatural. In his discussion of urban society in the *Vox*, Gower claims that ‘when a poor man is elevated in the city through an unexpected fate, and the unworthy creature is allowed to reach the height of honour, then nature suddenly groans at the changed state of things and grieves at the unaccustomed rarity’. Even more bluntly, he continued, ‘Nothing is more troublesome than a lowly person when he has risen to the top – at least when he was born a serf’ (V, 15:850–60). However, the belief that each man should remain in the degree within which he was born could pose problems for ecclesiastical status since the requirement of clerical celibacy meant that the clergy of western Christendom could not constitute an hereditary estate. Nevertheless, in practice it was often assumed that the clergy would be drawn from those of relatively high degree. Even works such as Langland’s *Piers Plowman* and the Lollard *Pierce the Ploughman’s Crede* (c.1393–1401) (744–59), which were sympathetic to the sufferings of the (patient) poor, could argue that those of low birth were more suited

to labouring and cleaning out ditches than to enjoying the wealth, status and power that could come with an ecclesiastical career. As Langland put it: 'bondemen and bastardus and beggares children, / Thyse bylongeth to labory, and lordes kyn to serue / God and good men, as here degre asketh' (C.V:65–7).

From the twelfth to the fifteenth centuries, philosophers, preachers and poets turned to this shared stock of concepts, arguments and metaphors to justify social inequality and to criticize social unrest and social mobility. However, this does not mean that the official ideology of the day was somehow timeless and unchanging. On the contrary, its very reliance on all-purpose abstractions meant that this conception of society could readily be adapted to specific circumstances. Thus in his *Vox*, Gower assumed that the achievement of 'justice' and 'reason' on earth required the enforcement of the contemporary labour legislation, which demanded that contracts of employment should be by the year so as to ensure a supply of relatively cheap labour for the employers (V:630–50). Even traditional stereotypes could come to have a new significance as times changed. For instance, the image of the ascetic crusader-knight was a familiar one which had been invoked by moralists from the time of St Bernard to the estates-satire of *The Simonie* (c.1340) (248–58).¹² Nevertheless, it acquired a new relevance when used by Chaucer for his pilgrim-Knight (I:43–8) at a time of contemporary weariness with the stalemate reached in the Hundred Years' War, when writers such as Philippe de Mézières in his *Letter to King Richard II* were arguing that instead of killing their Christian brothers, English and French knights should be turning 'their weapons against the enemies of the Faith' (pp. 14–15).

Nor does the fact that there was an enduring, official ideology in medieval England that legitimated contemporary inequalities of wealth, status and power mean that the works written within its broad framework were characterized by a monolithic uniformity of attitude and opinion. On the contrary, the abstractions upon which society's established ideology was based proved to be extremely elastic and could be used for a variety of conflicting purposes. Thus, whilst texts by clerical authors, such as the *Policraticus* (IV, 3) and the *Fasciculus Morum* argued that 'the life of those who receive tithes, such as pastors, vicars and prelates, is not to be examined by those who render tithes' (I.x:19–20), this view was explicitly rejected by a layman such as Gower, who in each of his three main works offered lengthy denunciations of the failings of the secular and regular clergy. As he says in the *Vox*, 'if thy brother trespass, rebuke him, and thereby make him return to God' (III, ch. 22). Similarly, whilst some poems, such as *God Spede the Plough* (c.1500), displayed a sympathy for the poor peasant who, as *Money, Money!* (fifteenth century) put it, laboured in the snow and rain for 'small geynes and much payne' (57–60), other works, such as Gower's *Mirour*, were more hostile to the third estate: 'peasants are not at all honest, courteous or gentle unless they are obliged by force to be so' (26461–72).

Furthermore, even if there was a common ethic of social reciprocity underlying many medieval works of literature, the rhetorical techniques with which this ethic was conveyed could be extremely varied. In Gower's works, the social message is expressed through a prolix didacticism which modern readers may find unattractive. By contrast, in Chaucer's 'General Prologue' to the *Canterbury Tales*, the traditional social ethic is conveyed through a subtle use of irony. When Chaucer describes the Monk, who loved to go out riding and hunting, as a 'manly man, to been an abbot

able' (I:167), an appreciation of the author's satirical humour is dependent upon a knowledge of works such as John of Salisbury's *Policraticus*, which says that the pursuit of hunting 'precludes advancement in holy orders for its votaries' (I, 4:34). Chaucer's humour has sometimes been interpreted as a challenge to Gower's blunt moralizing, but, in fact, didacticism and irony provided two alternative routes to the same moral goal, that of criticizing those who did not perform the social duties expected of their order and degree.

All of the ideas from medieval thought and literature examined above would seem to confirm the modern view in which society's official social theory is seen as a mechanism of social control that contains popular unrest by creating general 'consent to the dominance structured throughout a particular society'.¹³ The continued power of specific social groups is thus seen as being legitimated and perpetuated through the internalization by members of the lower orders of some hegemonic 'dominant ideology' that shapes their perception of society and their place within it. Medieval thinkers themselves, such as John of Salisbury (V, 7) and Robert Rypon (early fifteenth century), seem to have anticipated this view of social order when they claimed that 'the unity of the state exists in the agreement of its minds'.¹⁴ Nevertheless, it should also be stressed that in preindustrial societies, with their relatively limited access to education and (before the era of printing) restricted circulation of texts, works of ideology, rather than being intended for the population as a whole, were often aimed at an elite audience, one whose members tended already to be convinced of the virtues of the existing social order. John Gower was thus presumably preaching to the converted when he dedicated a copy of his Latin *Vox*, with its denunciation of the murder by the rebels of 1381 of Simon Sudbury, to Thomas Arundel, one of Sudbury's successors as archbishop of Canterbury. Indeed, the *Vox* originally had rather more to say about the failings of the friars (IV, chs 16–24) than it did about the shortcomings of the third estate (V: chs 9–10) – at least until the rising of 1381 made the perfidy of the 'unruly serfs' a rather more pressing issue for England's rulers and led Gower to add to the text his extended attack on the rebels.

Nevertheless, even though the Latin of Gower's *Vox*, which was replete with quotations from Ovid's *Metamorphoses*, was not intended for popular consumption, its general outlook, with its emphasis on acceptance of one's place within the social order, was one that enjoyed a wider popular circulation in the form of sermons and treatises of penance. Indeed, this ideology was not simply confined to the realm of ideas expressed in sermons and in books. It was also given concrete, institutional expression in such practices as individual confession, where priests were required to quiz their parishioners on whether they had 'failed in reverence to their lords', had withheld or badly performed the services that they owed them, or had been guilty of murmuring and withdrawing from work when rebuked for their slackness.¹⁵ Institutional and literary expression of this ideology came together in the civic drama associated with the Corpus Christi processions in towns such as York and Coventry. Here the cooperative enterprise of putting on the guild-plays was combined with the message of 'status, hierarchy and the role of authority' emphasized by the Corpus Christi procession itself, social order and unity supposedly being reaffirmed through 'shared rite and shared ritual', even if, in practice, the social consequences of the plays were not always as harmonious as town rulers would have liked.¹⁶

Tensions within Ideology

In many ways, then, medieval Christian theologians and preachers managed to offer an intellectual justification for contemporary social inequalities, a justification whose underlying assumptions are also apparent in a range of literary texts. Yet, the very fact that the official ideology of the day was expressed in terms of an other-worldly religion could also create a tension between the ideals of the moralists and the reality of the medieval social hierarchy. After all, the outlook of a text such as *A Letter on Virginity* (early thirteenth century), which saw the enjoyment of the transient riches of this life as like licking honey off thorns (p. 7), was not necessarily the most natural for the legitimization of the privileges of a feudal aristocracy whose lifestyle was based on conspicuous consumption and material display as the visible markers of social status. As the late thirteenth-century lyric *Contempt of the World* said, the rich have their paradise in this life and so should not also expect paradise in the next. Mannyng's *Handlyng Synne* explicitly denounced the luxury and display characteristic of the tournaments favoured by the knightly class, which he saw as the occasion for all seven deadly sins: the 'tourneours' should rather be called 'tourmentours', since they 'tourmente al wyth synne' (4588–4634). The Christian commonplace that, as John of Salisbury (VIII, 15:336), Mannyng (3036–9) and Chaucer's Wife of Bath (III:1170) put it, true nobility lay not in one's birth but in the nobility of one's deeds was similarly in contradiction with the pride in personal rank that characterized the secular aristocracy. As the *Fasciculus Morum* argued, by nature we are all born of 'one condition': God did not make the rich from gold and the poor from clay (I.v:98–163; III.viii.48–54). Rather, as Mannyng (3034–5) and Chaucer's Parson said, we are all descended from one father and one mother and we are all of one nature, 'rotten and corrupt, bothe riche and povre' alike (X:461).

Given this attitude, medieval moralists could not simply lapse into the kind of Panglossian satisfaction with the present which we perhaps associate with modern justifications of the social status quo. On the contrary, medieval poets frequently drew on the pessimistic tradition of works such as Innocent III's *De Miseria Condicionis Humane* (a translation of which, now lost, was made by Chaucer, c.1387–94), which saw man as being conceived in sin, born to pain and performing depraved and shameful things before finally becoming 'food for worms' (I:1). This *contemptus mundi* was adopted in poems such as Gower's *Confessio*, which asserted that 'every worldes thing is vein' (Pro. 560). This pessimism about human affairs meant that, unlike modern counter-ideologies, medieval moralists could not criticize the present in the name of a better future. Instead, their critique of society was gloomy and backward-looking, presenting the world as growing old and becoming, in the words of Gower's *Confessio*, 'fiele and vil' (Pro. 887). Works such as the *Confessio* (Pro. 93–117, 193) and *Piers Plowman* (B.XV:531–45) thus contrasted the failings of contemporary society with the righteousness of (unspecified) 'daies olde', when each man had carried out the duties of his estate and there was 'the poeple stod in obeissance / Under the reule of governance'. Such views were hardly novel in the late fourteenth century but had been anticipated by earlier writers such as the author of *A Song on the Times* (*temp.* Henry III), for whom the state of the world 'is always becoming miserably worse' (14). They often took the form of a list of the 'Twelve Abuses' (as in the poem of that name), which attacked the rich for their lack of charity, the poor

for their pride, the ‘*plebs*’ for being ‘without discipline’, and so on. As a result, when medieval poets were positive about the existing state of society, their praise was usually intended ironically, as when *The World Is Upside Down* complimented the commons for having overcome pride, the knights for their liberality and the priests for living a life of poverty. Similarly, in John Lydgate’s *So as the Crabbe Goth Forward* (early fifteenth century), the social estates were said to be fulfilling their functions in just the same way that the crab goes forward, i.e., the reverse of this is really the truth.

As in the clerical *sermones ad status*, so the authors of those literary works that lamented the current state of society felt obliged to address the specific sins of their own immediate audience. Since works of literature were often aimed at members of the upper classes, their authors often warned the rich and powerful of the consequences of their characteristic sins of pride and greed, although the poet who wrote *Truth Is Unpopular* ruefully noted that he did not expect any reward for such honesty. As the author of *A Sirvente Against King Henry* (c.1229) said, ‘I wish neither for the gifts and favours – nor to obtain the good-will – of the rich, with their false wisdom’ (1–3). For the author of *A Song on the Times* (c.1308), it was those of the highest social station who most ‘i-charged beth with sinne’ (7–8). Hence the need for the message from God to the chivalric hero of the fourteenth-century romance *Sir Isumbras* reminding him of the dangers of ‘pryde of golde and fee’ (51). Moralists such as Mannyng thus invoked the view of social relations as a system of reciprocal obligations not simply to justify the labours of the poor, but also to denounce the uncharitable rich (6073–90) and to criticize those landlords whose exactions from their bondsmen exceeded reason and due measure: God may have granted them lordship, but he had not granted them leave to commit open robbery (2201–20).

Medieval people were well aware of the advice offered by Jesus to those who would be perfect: ‘sell what thou hast, and give to the poor, and thou shall have treasure in heaven’ (Matthew 19.21). Yet this counsel of extreme perfection, by which all men would have been reduced to a life of apostolic poverty, was hardly suited to the lifestyle or social attitudes of the dominant social groups (clerical or lay) of medieval England. Clerical teachings might have emphasized the respect due to the poor on the grounds that all men are descended from one earthly father, but a chivalric treatise such as *The Boke of St Albans* (fifteenth century) could be more openly contemptuous of churls and bondmen: just as peasants might say that all men come from Adam, so Lucifer and his devils could say with equal justification that we are all come from heaven. Moralists therefore attempted to reconcile the ideals of Christian virtue with the reality of feudal social inequality and sought to explain how men could live a moral life within the confines of the existing social order. A text such as *The Ladder of Perfection* of Walter of Hilton (d. 1396) may have emphasized the superiority of the ‘contemplative’ life which ‘belongs especially to those who for love of God forsake all worldly honours, riches and outward affairs’ (I, chs 2, 3). Nevertheless, following St Augustine’s *City of God* (XIX, 19) and St Gregory’s *Moralia* (19:44–5), Hilton also emphasized that the ‘active life’ of those with wealth and power was a way to salvation provided that, as Augustine said, they use their position to ‘promote the well-being of the common people’. Ideally, as Hilton argued in his *Mixed Life*, a lay lord should combine ‘bodily’ works with ‘ghostly’ (i.e., spiritual) tasks (101–5). Yet,

in itself, the rightful rule of a man over his household, children, servants, neighbours or tenants was also a legitimate way to 'traveile' through the exercise of charity and the putting away of idleness (101-5, 154-9, 325-6). It is no good just to worship Christ, thus arraying the 'head' of the church, if this is done at the expense of neglecting the 'feet' of the body, i.e., children, servants and tenants (273-309).

For many writers, the key to leading a virtuous 'active' life within this sinful world was, in John of Salisbury's words, 'moderation in all things' (I, 4:34; VIII, 8:272). Thus, in taking food and drink, John of Salisbury advised neither extreme asceticism nor excessive indulgence but rather the Aristotelian path of moderation, of 'merry sobriety' as opposed to the shameful self-indulgence in which man makes himself into a beast (VIII, 5:253-4; VIII, 8:272-3). Man may be 'born to labour' (Job 5.7), but even the wisest sage cannot live without recreation: no duty is properly performed without moderation (II, 2:68; VIII, 12:315-16). Similarly, the author of the *Fasciculus Morum* cited a number of Christian authorities to show that excessive asceticism when carried out 'without moderation' could actually weaken the body so much that it would become 'too weak to carry out its good work' (VI.iv:20-7). Walter Hilton's *Mixed Life* agreed that a lay man or woman should exercise 'discretion' in pursuing spiritual occupations: such tasks should not be done at the expense of one's health or of doing charitable works (781-94).

More generally, the ethic of moderation could be employed to justify hierarchy and inequality within society as a whole. In the *Policraticus*, for instance, John of Salisbury launches into a virulent attack on the rich whom he presents as greedy and incapable of true friendship. He even says that 'each rich man is unjust or the heir of the unjust' and that the rich will always sacrifice others for their own good. Yet he does not conclude from this that such unjust possessioners should be deprived of their wealth. Rather, he tells us that his criticism is aimed not at 'him who possesses wealth' but rather at 'him who is enamoured of it'. It is not the possession of wealth *per se* that is to be altered, but rather our attitude to it: possessing wealth is legitimate provided that we make wealth into our slave rather than putting ourselves into its service (III, 12:212, 214; IV, 5). In a sense, love of self is innate in all men, it only becomes a fault if taken to excessive lengths and so grows into the sin of pride. Not all self-interest is wrong and the possession of adequate wealth for one's station in life is not criminal; it is the way we go about seeking wealth and the uses to which we put such wealth that lead us into sin (III, 3:176; VIII, 16:343). As Hilton's *Mixed Life* argues, it is not only those who forsake worldly pomp and wealth who will be saved but also those who, having riches and worship, set no store by them but live a life of 'dread and meekness' (721-32). For writers such as Hilton and John of Salisbury, giving charity to the needy and deserving was, of course, central to a life of virtue. Yet, like Gower in the *Confessio* (V:7641-7700), John of Salisbury also advised a middle way between reckless prodigality and avarice: 'your fortune should not be so locked up that liberality cannot open it, nor so unguarded that it is accessible to everyone' (VIII, 2:235, 13:323). It is the clash between the extremes of avarice and prodigality that is represented in the alliterative debate-poem *Wynnere and Wastoure* (c.1351-66), the unstated implication being that the resolution of such debate is to be found in the virtuous middle way which, as Sir John Clanvowe (d. 1391) put it in *The Two Ways* (304-20), stands 'bitwene the extremities that ben vices'. Indeed, for John of Salisbury, even virtue itself should be moderate and

‘marked by its own boundaries’ so that the virtue of charity should not become the sin of vain and excessive prodigality (III, 3:176; VIII, 4:241–2, 13:317).

The ideals of discretion, measure and moderation thus provided a means of reconciling the demands of Christian asceticism with the reality of contemporary social inequality. As the *Fasciculus Morum* put it, ‘The sin of pride does not in clothes reside / But rather in a heart that’s full of pride’. Therefore, ‘it is not clothes that are worthy of blame but their misuse’ (I.iii:47–8; I.v:13–14). In other words, God does not ‘hate riches nor scorn those who possess them. But he hates those who put riches before him’ (IV.x:123–4). Similarly, the author of *A Lerynyng To Good Levyng* (early fifteenth century) says that it is not the possession of wealth in itself that is wrong but the endless pursuit of material goods at the expense of others, which is characteristic of the sin of avarice. God does not require all men to be poor but demands that rich and poor should each make a reckoning to him according to their own particular estate (13, 57–61, 148–9). Whilst a poem such as *The Contempt of the World* could criticize the noble lords and ladies who lived a life of hunting and feasting, in general it was assumed, as in the case of the lordly Bertilak of *Sir Gawain and the Green Knight* (late fourteenth century), who heard a mass before he went out hunting (1135–6), that the demands of piety and a life of noble leisure could be reconciled. Indeed, works such as *Sir Gawain*, Chaucer’s ‘Knight’s Tale’ and Gower’s *Confessio* directly addressed the question of how the chivalric and noble values of martial prowess, lordship and romantic love could be put to legitimate moral ends. If texts such as Hoccleve’s *Regement* warned the rich and powerful against harming the poor and advised those of high estate to be humble (2831, 3585–91), the humility they recommended did not require all to adopt the ideal of apostolic poverty. Instead, each man could aspire to an attitude of humility within his estate by, for instance, renouncing gluttony and only eating that which was necessary for one’s bodily health (3809–10).

Furthermore, if, through a lack of humility, the rich failed in their duties to the poor, the latter were not seen as possessing any effective means of enforcing such obligations. Whilst Langland attacked the rich who delighted in fine food and clothing and ignored the suffering of the poor (B.X:58–9; XII:240–59; XIV:156–62), he offered the poor themselves no means of social redress. All that they could hope for was that those who suffered poverty and pain in this world would know the bliss of heaven in the next life. In the meantime, Langland’s advice to them was that they should remember Cato’s words on the need ‘to bear patiently the burden of poverty’ (B.XIV:163–4; VI:314). Similarly, although Chaucer’s Parson warns feudal lords against plundering their own tenants (X:755–64), he also advises all men to suffer patiently the wrongs that others do them and prophesies that those that hunger and thirst in this life will have ‘the plentee of joye’ in the next world (X:1056, 1080).

Literature and Social Protest

But what of those who would not ‘bear patiently the burden of poverty’? To what extent can we find within works of medieval literature a challenge to the society and dominant ideology of the day? Was medieval English literature ever the vehicle for, in Mannheim’s terms, a ‘utopian’ outlook which sought to transcend the social reality

that the official ideology was intended to legitimate? As Mannheim pointed out, such utopian worldviews are rarely simply the opposite of the dominant ideology of the day. Rather, the fact that the abstractions with which ideology works are so elastic and that all ideology contains its own internal contradictions means that an official ideology can often be put to rather surprising social purposes. Indeed, it has been said that 'it is almost impossible to formulate the idea of a utopia without making use of concepts borrowed from the dominant ideology'.¹⁷ In medieval England, it was the fact that, as we have seen, the official ideology was so suspicious of wealth and power which meant that it could be adapted to utopian ends and to provide a justification for social protest and resistance.

This was certainly true of John Ball, the rebel leader of 1381, whose sermons, at least as imagined by the chroniclers Froissart and Walsingham, put rather traditional and familiar teachings to revolutionary new purposes.¹⁸ After all, Ball was only echoing orthodox writers such as Mannyng when he said that, in the beginning, 'all men were created equal by nature' and 'we be all come from one father and one mother, Adam and Eve'. Even his claim that things would not go well 'till every-thing be in common' had its counterpart in the orthodox belief of works such as *Love God and Drede* that the world's goods are not really our own possessions but belong to God, and that we will have to make a final reckoning to him for our use of them (25–32). Similarly, the verses in Ball's cryptic letters of 1381, preserved for us by the chroniclers,¹⁹ have been seen as 'extremely conventional' in their form and language. Certainly, they seem to call upon traditional literary complaints against the 'twelve abuses' in their denunciations of pride, covetousness, lechery, gluttony, envy and sloth. Where Ball was radical was in his conclusion that those in servitude need not wait for their reward in the next life but should provide themselves with a practical remedy here and now.²⁰

Although the revolt of 1381 was itself a failure, the late fourteenth and fifteenth centuries were to witness a revolution in English society as serfdom disappeared and the English peasantry won its freedom. Yet, this revolution was to be gradual and silent. Of the ideological assumptions that underlay the piecemeal, local struggles of the peasants for freedom, we have little evidence in literary form. True, the *Gest of Robyn Hode*, with its message that those with moral right on their side could take justice into their own hands, might have served as a corrective warning to the rich and powerful about the consequences of failing to carry out their side of the social contract.²¹ But, significantly, the *Gest* itself does not focus on peasant hostility to landlords. Instead, its social sympathies lie with a poor knight who is oppressed by the abbot of St Mary's in the latter's capacity not as a landlord but as a usurer. The ballad thus becomes anti-clerical and, in its opposition to the sheriff of Nottingham, an attack on the corruption of royal officials rather than an assault on the landlord class. It is not difficult, therefore, to see how even Sir John Paston (a Norfolk gentleman whom one does not normally think of as a social subversive) was able to employ a servant who performed in a play of Robin Hood and the sheriff of Nottingham.²²

Medieval texts could, of course, draw attention to the sufferings of the poor, as in the 'Second Shepherds' Play' of *The Towneley Plays* (c.1500), where the shepherds complain of their life of oppression, poverty and labour: they work in the snow and the rain whilst their master sleeps (XIII:25–33, 59–60, 84–91, 222–34). Such

complaints, as in the *Song of the Husbandman* (temp. Edward II) or *A Song on the Times* (c.1308), seem to have been particularly common in the first half of the fourteenth century, a time of poverty, famine and heavy taxation. Yet even these works of complaint assume that the rich who plunder the poor will receive their punishment in the next world, not in this life. And even where the sufferings of the *laboratores* are acknowledged, a rhetorical ‘displacement of oppression’ could shift the blame away from the propertied classes, as in the case of Chaucer’s ‘General Prologue’ where it is the Reeve who becomes the scapegoat for the harshness of the manorial regime.²³ As a result, literary works tend to present popular revolt and protest from the viewpoint of its enemies, such as Gower or the authors of *On the Rebellion of Jack Straw* (1381) and *On the Slaughter of Archbishop Sudbury* (c.1381), rather than from that of the rebels themselves. Even when a work such as *What Profits A Kingdom* presents popular revolt as a response to injustice, it was still more inclined to cite the ‘gret harm’ done in such risings as a warning to the lords about how they should behave than to sympathize with the rebels themselves (25–32, 101–4). Like Hoccleve’s *Regement*, which warns of the dangers that come from the ‘folye’ of popular revolt (2780–6), such poems assume that they are addressing an audience of the rich and powerful rather than those who are suffering from poverty or injustice. Only rarely do the grievances of the lower orders receive direct expression in literary form, as in the poem *A Trade Policy* (c.1463–4), which attacked the sharp practices of merchants and clothiers by which the clothworkers’ real wages were reduced: ‘The pore have the labur, the ryche the wynnynng’ (70–100). The ideas of those who attacked the wealth, status and power claimed by the clerical estate are far better represented in the surviving literature, in the form of Lollard texts such as *Pierce the Ploughman’s Crede*, *Jack Upland* or *The Complaint of the Ploughman* (a fifteenth-century work that was assigned to Chaucer’s Plowman in sixteenth-century editions of the *Canterbury Tales*), than is the counter-ideology implicit in the class struggles mounted by contemporary peasants against their landlords.

Literature and Gender Ideology

All of the conceptions and moral ideals that we have seen medieval authors employing in their discussions of the social order in general were to be put to work in contemporary representations of gender. As with society as a whole, medieval ideologists assumed that the relations between the sexes should take the form of a mutually beneficial division of labour. Inevitably, this arrangement was not seen as involving the equality of the sexes but was presented in terms of a divinely ordained hierarchy. As God said to Eve on her expulsion from paradise: ‘Thou shalt be under thy husband’s power and he shall have dominion over thee’ (Genesis 3.16). Just as social servitude was introduced into the world as a result of sin, so, as *Dives and Pauper* (c.1405–10) argued, it was only when Eve sinned that woman was made subject to man (VI.iv:35–9). It is true that St Paul had said that, once united in Christ, ‘There is neither Jew nor Greek: there is neither bond nor free: there is neither male nor female’ (Galatians 3.28). But just as this did not mean that there should be social equality between freeman and bondman in this world, neither did it entail the earthly equality of men and women. The dominant assumption of medieval gender ideology was, of course, that sexual inequality was inevitable and that it was women who were,

as John of Salisbury put it, the 'weaker sex' (II, 17:101; VIII, 2:235). Even the author of *Dives and Pauper*, who by medieval standards was relatively sympathetic to women, assumes that men have a greater strength, intelligence and reason than women, although his point was that this superiority meant that man's weakness in resisting the devil's guile was all the more serious an offence (VI.v:4–6).

Just as the social inferiority of the *laboratores* assumed in the tripartite theory was compatible with a variety of attitudes to them, from the sympathetic to the contemptuous, so the assumed inferiority of women could lead to a range of different opinions about them. At one extreme was the literary tradition of misogyny represented by such works as the Anglo-Norman poem *Le Blasme des Fames* (c.1275–1325), whose message is that woman is the root of 'every evil' (39). As we have seen, the cosmic hierarchy ranked men between the reason of the angels and the fleshly sensuality of the beasts, sin being equated with the triumph of our lower natures over the higher. Inevitably then, in his diatribe against women, the author of *Le Blasme* presents woman as irrational, carnal and bestial. It was through her 'weaker wit' that mankind was expelled from paradise (21), she hates rationality (28), she sows depravity and social disunion (34–60), she is as venomous as a snake, deceitful as a fox, destructive as a rat (70–98). As the Middle English *Scorn of Women* put it, if the whole world was made of parchment, the ocean of ink, every stick a pen and every man a scrivener, even this would not suffice to write of 'womans trechery' (36–42). Given the currency of misogyny within medieval thought, even the apparent praise of women and of marriage by medieval writers was often meant ironically – or at least was read as such. A fifteenth-century lyric, *What Women Are Not*, begins: 'Of all creatures women be best' but, before going on to list women's virtues (their patience, ability to keep a secret, their refusal to spend their husbands' money at the alehouse etc.), adds '*Cuius contrarium verum est*': 'the contrary of which is true'. Likewise, John Lydgate's praise of women in his *Beware of Doubleness* should, a manuscript gloss tells us, be read '*per antiphrasim*', i.e., to mean the opposite of what it explicitly says.

In response to this tradition of virulent anti-feminism, some writers felt obliged to offer a defence of women. Yet, even these writers did not advocate the social equality of men and women in the modern sense. Rather, those who sought to vindicate women were obliged to fight the battle on the ground chosen by the misogynists themselves: that of women's moral worth. Once more, an issue of general social inequality was transformed into a question of individual morality. Thus, when works such as *Le Blasme des Fames* claimed that woman was a fickle creature who 'shunned fidelity', one who loves for two or three days and 'on day four seeks new company' (98–120), pro-women texts such as Chaucer's *Legend of Good Women* (c.1386–7) or the late fifteenth-century *The Assembly of Ladies* replied that, in fact, it was women, not men, who were faithful and true in love. Just as *Le Blasme* predictably invoked Eve in order to denounce women's treachery (13–24), so texts such as the Anglo-Norman *Le Bien des Fames* (thirteenth century) (11–18) or *The Thrush and the Nightingale* (thirteenth century) (169–92) invariably cited the heavenly pre-eminence of the Virgin Mary as a reason why men must hold women dear.

Those writers who wished to avoid the extremes of misogyny often portrayed the rightful relationship between men and women in terms of the 'mean'. Chaucer's Parson (X:925–9) expressed this idea with the help of a traditional *topos* (one also

invoked by Gower's *Mirour* [17521–52] and *Dives and Pauper* [VI.iv:27–34]) when he said that Eve had not been made from Adam's head since this would have symbolized a claim to female mastery. Yet neither had God made Eve out of Adam's foot: 'for she ne sholde nat been holden to lowe; for she kan nat paciently suffre'. God had not intended woman to be man's master or his slave but, by making Eve out of Adam's rib (Genesis 2.21–3), had shown that he meant that woman should be a fellow to man. Nevertheless, if this analogy signified that husbands should respect their wives as their companions, this did not mean that they should treat them as equals. On the contrary, like social relations in general, the rightful relationship between the sexes was presented in terms of a natural hierarchy and a complementary division of labour in which each should labour for the common profit of all. Thus Chaucer's Parson argued that a wife should be 'subject' to her husband so that a married woman had no right to 'swere ne to bere witnesse withoute leve of hir housbonde, that is hire lord'. A woman should seek to please her husband, not by the beauty of her clothes, but rather by serving him honestly, being modest in her manner and discreet in her words and deeds. In return, a man should love his wife as much as Christ loved the church, i.e., so much that he was prepared to die for it (X:928–37).

That for Chaucer's Parson the mean between female mastery and female subjection should turn out to be not the equality of men and women but the casting of woman in the role of man's 'respected inferior' speaks volumes not only about clerical teachings on the relations between the two sexes, but also about the nature of medieval social theory in general. Within medieval ideology, rightful order throughout the universe, whether within heaven, nature, society, the family or the individual, was understood in homologous terms. Within each realm, hierarchy was justified by the use of similar modes of argument: an appeal to the past, to established authority and to analogical justification. Within each realm, rightful order was understood in terms of shared abstractions: divinely ordained natural order, hierarchy, unity, truth, reason, justice, complementarity, reciprocity, love, charity, patience, gratitude, common profit, measure and moderation. However, if stasis and harmony were the official ideals of the day, even medieval preachers and poets recognized that they would rarely be lived up to in a world that was characterized by change and conflict. It was precisely because of the challenges to the social order that existed in reality that medieval preachers and poets strove so eagerly to stabilize and harmonize the social status quo in the realm of thought.

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- 3 John Beverley, quoted in S. Fish, *Professional Correctness: Literary Studies and Political Change* (Cambridge, Mass., 1999), pp. 28–9.
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- 5 M. Weber, *Economy and Society*, vol. 2 (Berkeley, Calif., 1978), pp. 491–2.

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E.E.T.S.: Early English Text Society.

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CHAPTER TWENTY-SIX

Scotland: Culture and Society

LOUISE O. FRADENBURG

Preliminary Considerations

Historical scholarship on late medieval Scotland has given short shrift to education and culture, focusing chiefly on kings, wars and (occasionally) the havoc they wreak on cereal production. Even political theory, Colin Kidd notes, ‘has been largely ignored’, owing to ‘an all-too-common machismo’ manifesting its anxieties ‘in disdain for the “soft” study of philosophers in their closets’.¹ Disdain for ‘soft’ history often means disdain for the arts of interpretation, which are practised each time we try to understand what someone or something, past or present, is saying to us. We have no choice but to learn these arts, since our survival depends on them. But is an interpretation knowledge? We can quantify and test interpretive activity, and clarify the patterns that structure communication. But quantification cannot address the irreducible specificity of each expressive or interpretive act – said by *this* person at *that* time in *this* way – and as a corollary it cannot close down the unpredictability and mobility of language (verbal, visual or musical). Interpreters work in the realm of probability – a necessary place, and one in which scientists and mathematicians are often much more comfortable than historians.

The belief that social entities like ‘nations’ depend on military strategy and cereal production leads inevitably to the devaluing of cultural history. Those who are largely excluded from military activity or landowning will be of little real interest. The lives of women and children are still disregarded by historians of the later middle ages, though essays like R. James Goldstein’s ‘The women of the Wars of Independence’ give hope for the future.² The topics of ethnic and social diversity in late medieval Scotland have been similarly depressed.³ Symptomatically, Scotswomen and highlanders can often be found (and often together) in ‘popular’ rather than ‘scholarly’ histories (e.g. Elizabeth Sutherland’s *The Five Euphemias*), ill-respected by academic historians but, with the usual irony, actually read by ‘everyday’ people.

What have been the consequences of these predispositions for our understanding of the *interdependence* of political, economic and cultural life in medieval Scotland? In addition to narrowing topics of investigation, they have allowed us to assume that

'hard' topics are, in fact, hard. Customs and values are neither epiphenomenal nor womanish by comparison with a hard subject like monetary policy. Monetary policy is an *aspect* – indeed, a famously incalculable aspect – of the practice of everyday life of a people. Nor is monetary policy a 'modern' concern. Rational calculation occurred during the middle ages, just as prejudice does in modernity. And cultures we think of as 'ancient' or 'peripheral' readily influence powerful modern ones. According to Robert Crawford (*Devolving English Literature*) and Gauri Viswanathan (*Masks of Conquest*), the academic study of English literature began in India and Scotland, not in England. The changes produced by exchanges go in all directions. In the later middle ages England influenced education and the arts in Scotland. But the reverse is also true. Richard Bailey proposes that we think about contact between Older Scots and Middle English in terms of "scotification" of the English' rather than simply 'anglicization' of the Scots.⁴ According to Hector MacQueen, 'there was a close historical relationship between the common laws of Scotland and England' – *Regiam Majestatem*, the famous compilation of Scottish law dating from the early fourteenth century, was almost wholly derived from the English *Glanvill* – but 'it was generally against . . . the threat of dominance or takeover by English law that the identity of Scots law was . . . most commonly asserted'.⁵ When a text moves across a border, the results are unpredictable.

Observations on Method

In the late 1970s Gregory Kratzmann's *Anglo-Scottish Literary Relations* began to map the field of Anglo-Scottish influences, a project furthered by Priscilla Bawcutt's 'Crossing the border' and A. A. MacDonald's call for 'research into patterns of cultural interpenetration' among England, Scotland and 'without'.⁶ Well-known examples of Scottish influence on English literature include Francis Kinaston's Latin translation of Robert Henryson's *Testament of Cresseid* (c.1640), William Thynne's inclusion of the *Testament* in his 1532 edition of Chaucer's *Works*, Shakespeare's use of the *Testament* in *Troilus and Cressida*, and, via Holinshed's *Chronicle*, of Hector Boece's *Scotorum Historiae . . . vulgari* as his source for the story of Macbeth.⁷ But this kind of 'high-canon' history is only part of the story. MacDonald cites as an example of a lesser-known but well-travelled text the *Contemplacioun of Synnaris*, by the Observant Franciscan William of Tours, an enormously popular work probably first composed for James IV's Passiontide retreats at Stirling and conveyed to England by Richard Fox, bishop of Durham, after he visited the Scottish court during negotiations for the marriage between James and Margaret Tudor.⁸ MacDonald's work is a fine demonstration of the need to study how and where texts travel.

R. J. Lyall has argued that we need to value non-canonical and anonymous works – *Rauf Coilzear* (popular enough to have been printed in 1572 by Lekpreuik), *King Hart*, *The Freiris of Berwik* – and we need to see Gaelic, Older Scots and Latin writing (and, Paul Robichaud would stress, oral tradition) 'together'. Otherwise 'our understanding of medieval and Renaissance Scottish literature will never be whole'.⁹ We have work to do; only one medieval Gaelic piece is printed in *The Poetry of Scotland*, and that only in part. M. I. Mackay et al. might be forgiven for feeling that even in 'many allegedly "Scottish History" books', '[t]here seems to be almost a conspiracy of silence about [Celtic] people, language and culture'.¹⁰ The acquisition of languages

is always daunting, but in advance of despair we should undertake much more scholarly collaboration than we do now.

Study of cultural interaction between the Lowlands and the Highlands has been hampered by the absence of archival evidence and the scholarly conviction that a tree does not fall in the forest unless a record is made of it. Archives, however, do not yield neutral evidence. To use them well, we need to understand the specific purposes for which they were created. It is no surprise, for example, that royal archives make royal activity look somewhat deliberate and precise. Norman MacDougall's contention that late medieval chronicles overdramatize events and paint with too much local colour clarifies where legends conflict with records and shows how these two kinds of documentation differ.¹¹ But archival analysis is itself quite chancy, and careful reading even of historians highly critical about sources reveals that a very wide web indeed can be spun around two or three laconic records. We can do more with oral material than distrust it; we can learn to analyse it and improve current methods for doing so. At the very least, we can collaborate with experts in oral history. The late Eric Cregeen remarked that 'there is a strong *prima facie* case for approaching the history of the Highlands with a mind alert to the claims of oral tradition'.¹² Given the rich mixture of literacies in late medieval Scotland, it is hard to believe we have gone so long without doing so.

Devaluing *tout court* the evidence offered by the chronicles can also put serious limits on our historical knowledge. As Goldstein notes, the chronicles are the best source of information about women's activities during the Wars of Independence. They are also refreshingly matter-of-fact about Margaret Tudor by comparison with Cardinal Wolsey, Victorian historians and contemporary archival scholars. Moreover, while the local prejudices exhibited by some chroniclers should make us cautious about believing everything they say, they are crucial evidence for the history of the coalitions and conflicts that made up the late medieval kingdom of Scotland. The 'anonymous chronicler' revised Fordun as he did because he was more at home in southwestern Scotland, and a far greater fan of the Steward.¹³ As Goldstein's *The Making of Scotland* demonstrates, to understand the ideological purposes of chronicles, we *must* study their dramatic narratives.¹⁴ In a very fine article, Juliette Wood shows that medieval chroniclers used folklore to convey their ethical and psychological interpretations of history.¹⁵ Watt acknowledges the importance of 'official records' to modern historians, but points out that Bower actually copied important documents, like the Declaration of Arbroath, into his chronicle, so that Scots would have access to them and understand 'why Scotland should be a free nation'.¹⁶ Of Hector Boece's work, Farrow acknowledges that *Scotorum Historiae* is 'historically questionable by modern standards', but 'it is addressed to a wide audience, not to specialist interest, and in this respect, Boece is to be commended for the universality of his appeal'.¹⁷ Barbour's *Bruce* and Harry's *Wallace* share with the chroniclers the idea that history-writing *unavoidably* shapes history.¹⁸ As Roger Mason puts it, for the chroniclers 'history was not simply descriptive, it was also prescriptive'.¹⁹ What Wood, Boardman, Watt, Farrow and Mason find in the chroniclers is a desire to fight in their own way for Scotland's future.

Problems also arise in the study of relations between Gaelic and Lowlands Scotland because of the assumption that these two cultures interacted only with difficulty. Gaelic Scotland is too easily typed as a 'tribal' culture (kinship, chieftains, cattle, bards

and private justice), the Lowlands as a ‘national’ culture (kingship, commerce, clerks and magistrates). But medieval Highlands culture was not ‘earlier’ than Lowlands culture, nor lost in time, nor developmentally challenged. It was ruled neither by noble savages nor the *lex talionis* but by laws and customs developed over thousands of years. What is sometimes called ‘private’ justice does not obstruct law and order; it pursues them in its own terms. For many of us, compensation for wounding or slaughter seems the strangest aspect of older law (despite the popularity of ‘wrongful death’ suits, at least in the United States). But the right to give and receive compensation was not abolished in Scotland until 1976, and had last been invoked in 1972.²⁰ It is of utmost importance that historians not make assumptions about what is ‘old’ and what is ‘new’, what is ‘primitive’ and what is ‘modern’. How do we measure the difference between a ‘survival’ and a ‘current’ practice?

The Highlands and the Lowlands

The kingdom of Scotland drew on its Irish connections from very early on in fostering its sense of identity. According to Dauvit Broun, ‘Gaelic royal ancestry conferred legitimacy not only on the kingship but on other secular powers’.²¹ Not until the mid-thirteenth century did descent from ancient Irish kings cease to be displayed at the inauguration of a Scottish king. Gaelic was then ‘fast disappearing from court and cloister in the kingdom’s heartlands’.²² On the plus side, this means that Gaelic was at home in the kingdom’s heartlands until the middle of the thirteenth century. The picture is different for the later middle ages, but in order to understand it we need to consider how *recently* the Gaelic language had shared space and places of power with Lowlands English.

Broun argues that later fourteenth- and fifteenth-century chronicles ‘plainly present the Scots as one people with the Irish’, even though all-Scots king-lists had already been developed.²³ Gaelic culture retained ideological power as part of the kingdom’s history. But this was not all. There is ‘substantial evidence of long-lasting bardic dynasties, including that most remarkable one, the MacMhuirichs, [lasting] . . . from c.1220–1800’.²⁴ Gaels and Gaelic culture were still at home in Perth, Angus and the Mearns throughout most of the fifteenth century; *The Book of the Dean of Lismore* was produced in Perthshire in the earlier half of the sixteenth century.²⁵ The lordship of the Isles deliberately promoted Celtic laws and customs, which, besides the sheer fact of its rebelliousness, was one reason why it seemed so threatening to the monarchy.²⁶ This may be why a 1504 statute, promulgated shortly after the suppression of the lordship by James IV, provides that ‘the kingdom was to be “reulit be our soverane lordis ane lawis and commone lawis of the realme and be nain other lawis”’.²⁷

The arts also seem to have flourished in the MacDonald lordship. In the last half of the fifteenth century the lords of the Isles patronized ‘major schemes of construction . . . at the abbey and nunnery of Iona’, with ‘rich carving’ similar to that on the monumental sculpture that also thrived in the west Highlands.²⁸ The use of interlace on these graveslabs and crosses is probably ‘a deliberate piece of antiquarianism’, ‘a revival rather than the continuation of an older tradition’.²⁹ The fifteenth-century *clàrsach* preserved in Trinity College, Dublin, is also carved in what

Bannerman calls ‘the vigorous, self-confident and native West Highland style . . . developed in the . . . Lordship of the Isles’. He also suggests that the bagpipe may have been invented in the lordship at this time.³⁰ Partly *because* the suppression of the lordship was so dramatic and drawn out, Lowland Scots could not easily have been unaware of the dynamic political and artistic culture in the west.

James IV’s 1507/8 tournament of the wild knight and black lady made spectacular use of materials and iconography drawn from the Highlands. It is likely that James himself jousted as the wild knight, which would have indicated symbolic kinship with the part of Scotland he had just suppressed. Why would he do so?³¹ Members of his court show little sympathy for the rebels, as is shown by William Dunbar’s ‘Epetaphe for Donald Oure’ [or Dubh]. James, however, may have wanted to re-emphasize the kingdom’s ties to Gaeldom and their role in legitimizing the right of kings to its throne. Possibly, doubts about his role in his father’s death had not faded altogether by 1507/8; but undoubtedly he wanted to win back loyalty from the west Highlands and Isles, while showing his international visitors how firmly (and, after the bitter end, graciously) he controlled his ‘autonomous regions’.

James’s interest in the Highlands was not for public consumption only. Payments to bards and harpists are listed in the accounts for his reign. Only one witness, Pedro de Ayala, says that James spoke Gaelic, and James’s knowledge of the Highlands probably did not go far or deep. But his sensitivity to the symbolic power of the Highlands and Isles cannot be questioned. His hunting trips and spiritual retreats to the Highlands helped to mark them as an ‘oneiric horizon’, a fantastic place promising purification and/or hyperstrength to those willing to brave its hardships.³² This fantasy seemed more like a nightmare to Dunbar, if ‘The Dregy of Dunbar Maid to King James the Fowrth being in Strivelling’ is any indication. In this poem Dunbar develops the contrast between Highlands emptiness and Lowlands plenty parodied by Mackay and friends’ imaginary ‘titles for guidebooks such as “Exploring the Wide Open Spaces of North Britain, with a Short Glossary of Common Pictish Place-Names”’.³³

Clearly, the oneiric and mnemonic functions of Gaelic law and custom still had purchase in the solemn pageantry of the fifteenth century, and in other recreational and spiritual pursuits of its elites. Knowledge of Gaelic language and culture held on in the north-east and actually gathered strength in the lordship of the Isles. We cannot write a history of the kingdom of Scotland that begins with flourishing Gaeldom and ends in fantasies, fear and ignorance of the ‘wild Scots’.³⁴ Even in ‘mainstream’ Lowlands Scotland, Gaelic custom retained considerable power *within the realms of symbolic behaviour*, because everyone knew that the Highlands and Isles were alive in history, not preserved in amber.

For these reasons, the cultural stakes of Dunbar’s ‘Flyting’ with Kennedy were higher than its hilarity – or scholarly tradition – might suggest. In this satiric exchange, Dunbar defames Gaelic language and poetry; Kennedy defends ‘Gaelic oral culture’.³⁵ But the ‘Flyting’ is a *convergence* of the two traditions. Dunbar had no bardic training, but he was familiar with bardic forms, which included, prominently, satire and insult. Satire is always a sign of interest, however ambivalent; Kennedy is memorialized in Dunbar’s ‘Lament for the Makaris’, which means that Dunbar saw him as a *Scottish* poet.

Panegyric was also prominent in bardic tradition.³⁶ The Scottish poet Giolla Críost Brúilingeach describes Tomaltach MacDiarmada as the famed ‘white-footed son of Connacht, / O great handsome Tomaltach’, ‘O golden-haired one’. This kind of praise made a powerful impression on some Lowlands writers. Sir Richard Holland, in his beast-fable *The Buke of the Howlat*, satirizes the panegyric skills of a show-off ‘bard owt of Irland’: ‘Or Deremyne, O Donnal, O Dochardy droch; / Thir ar his Irland kingis of the Irischerye’. After his performance the bard is reproved for his exaggerations or ‘lesingis’. *Howlat*’s parade of (and competition between) different poetic traditions also includes the ‘juglour’ Jay who could ‘Mak of a gray guss a gold garland’. But despite his hostility towards his rivals, Holland has an impressive aural command of their work. Like Dunbar, he was well acquainted with bardic performance. His sensitivity to the cultural and political implications of style is also in keeping with the complex situation of his own verse. If an ‘alliterative revival’ actually took place in the later middle ages, Holland’s poem is its earliest exemplar in the north.³⁷ If, as some scholars have argued, the alliterative revival expressed local and/or magnate resistance to the continentalism of monarchical courts, *Howlat*’s defence of the ‘current political and social standing’ of the Douglasses would have had had special resonance; he was exiled to England on their account.³⁸ Holland’s ‘popular history based on symbolism and past deeds’ knows and shows that literary form can be a formidable weapon.

We might, however, justifiably ask how Holland’s attempt to make us ‘rejoice to hear of Douglas’ – or, for that matter, Dunbar’s attempts to make us rejoice to hear of James IV – differ from bardic panegyric. Probably composed for the wedding of Margaret Tudor and James IV, Dunbar’s ‘The Thrissill and the Rois’ symbolizes James as Lion, Eagle and Thistle. No doubt James IV was spirited, but it is no more likely that he lived up to these representations than did Tomaltach MacDiarmada’s hair. Furthermore, Dunbar’s verse can be quite as stylized as that of Giolla Críost Brúilingeach; his ‘aureate’ diction has been a critical theme for at least a hundred years. It is not inconceivable that Latin and Anglo-Norman and French court poetry had been learning from bardic poetry (and vice versa) for centuries. Derick Thomson remarks that Giolla Críost Brúilingeach’s poem in praise of Tomaltach MacDiarmada ‘demonstrates how many contacts there were between Irish and Scottish Gaeldom in early times, not least in the exchange of poems and poets’,³⁹ and these habits of travel and learning were not confined to Gaeldom; at minimum we know that harpists and storytellers visited James IV’s court, and *Howlat* itself is a dystonic vision of contact between poets learned in different traditions.

It is also conceivable that courts tend to require certain kinds of symbolic service whether they are Celtic, Anglo-Norman or Scottish. Bardic and court poetry were both performed, often to (or in tandem with) music, preceded or followed by spectacle or oratory, in specially ornamented spaces.⁴⁰ Bards were members of proud lineages; nothing in continental or Anglo-Norman court traditions seems to correspond to this particular organization of talent, learning and kinship. But French medievalists in particular have argued that later medieval court poetry is generally engrossed by the vulnerability of symbols and symbol-makers to manipulation by powerful patrons. Dunbar has been linked to the tradition of the French *rhétoriqueur* poets, for whom the court is a *cadre* which pressures speech and forces the poet’s desire to take refuge in rhetorical *tours de force* and indirection.⁴¹ To be a rhetorician is not

simply to use rhetorical figures but to be in all ways and always a performer. For Dunbar, this would have meant, at least on important 'occasions', oral performance. Perhaps he, like Holland, sometimes projected some of the burdens of his own role onto the bardic performance tradition.

Written Culture

In later medieval Scotland written culture begins to thrive alongside oral culture. The revival of signatures in place of seals dates from the mid-fifteenth century, encouraged by the exposure of Scottish diplomats to English and continental documentation.⁴² The professionalization of written culture forged lasting links between literature, law and book production; notaries were examined on grammar and language as well as writing skills and legal knowledge.⁴³ Few Scottish manuscripts survive from that time, but those that do indicate the importance of legal inscription (many are copies of *Regiam Majestatem*). Giolla Críost Brúilingeach's poem on Tomaltach MacDiarmada is from *The Book of the Dean of Lismore*, a remarkable manuscript of early Gaelic poetry written 'in secretary hand in a phonetic spelling based on lowland Scots'.⁴⁴ Scribes and editors often recreated the works they copied. Newlyn has shown that the Bannatyne Manuscript puts forth its own extra-misogynistic interpretation of Henryson's poetry.⁴⁵ Selden Arch B. 24, the only extant Chaucerian miscellany produced in Scotland, preserves the unique copy of *The Kingis Quair* and was probably compiled for a Sinclair family wedding. Its 'occasional' inspiration might explain the otherwise unattested ending given to Chaucer's *Parliament of Fowls*, in which the formel eagle meets her match and a peacock (Juno's bird) celebrates the union.⁴⁶ The Sinclairs, however, were not simply anglophiles. Lord Sinclair was well travelled and paid attention when he travelled. He drew up the plans for the fabulous Roslin Chapel (c.1450), using motifs from southern France and possibly Spain, and brought 'artificers' 'from other regions and forraigne Kingdomes' to build it.⁴⁷

Lyall calls Selden Arch B. 24 'a rare example of book ownership by laymen' and reminds us that 'not a single medieval Scottish library has remained intact'.⁴⁸ We do have evidence of what some of those libraries contained, notably the list of holdings in the largest private library in early sixteenth-century Scotland, that of John Grierson, provincial of the Dominican order in Scotland.⁴⁹ Clerics and laymen imported manuscripts from the continent, sometimes very beautiful ones. The so-called 'Ruskin Bible' in the Benedictine abbey of Dunfermline, the Culross Psalter, the Cambuskenneth Missal and the Arbuthnot Hours are all fine examples of liturgical manuscripts owned or produced in Scotland at this time. The first printers in Scotland, Chepman and Myllar, were clearly drawn to religious as well as secular materials: the Aberdeen Breviary was one of their first issues; they shopped overseas for texts like Andrew Myllar's *Expositio Sequentiarum*. They were also interested in treatises on language: another of Myllar's purchases was John of Garland's grammar treatise *Multorum Vocabulorum Equivocorum Interpretatio*, and Chepman may have been responsible for a Middle Scots version of Aelius Donatus's *Ars Minor*.⁵⁰

The oral transmission of knowledge was also effective, from lay to clerical culture and back again. It was not cut off from written culture, nor vice versa. We can see this in *The Book of the Dean of Lismore* and in the chronicles. Many of the extant late medieval Scottish manuscripts were copies of Bower's and Fordun's chronicles,

including the beautifully illuminated copy of Bower now in the Corpus Christi College Library, Cambridge. But these very manuscripts provide crucial evidence about what lay Scots told each other (and no doubt themselves) about the history of their country. The ‘anonymous chronicler’ was, Boardman suggests, a secular cleric in the service of an aristocratic lord, ‘and the principal sources for his narrative were laymen, passing on their own experiences or recounting well-known and popular tales’.⁵¹ Bower ‘was the product of the traditional university system of medieval Europe as it was transferred to Scotland at [the cathedral monastery of] St. Andrews’; he knew the classics (e.g. Aristotle, Seneca, Valerius Maximus), and read contemporary writing by the mystic Bridget of Sweden and the Oxford philosopher Robert Holcot. But he also gathered local knowledge and oral traditions and, as we have seen, used them to foster Scotland’s independence.⁵² A spoken tale is not still a spoken tale once inscribed into a manuscript, but the resulting hybrid shows that oral and written culture can work together in inspiring ways.

Lyll notes that most of the non-liturgical manuscripts produced in fifteenth-century Scotland date from 1470 onwards and links this explosion of secular book-making to the emergence of the notaries.⁵³ *The Deidis of Armorie* is a late fifteenth-century heraldic treatise copied by Adam Loutfut and his associates for Sir William Cumming, a lawyer with ‘important magnates among his clientele’, when he was Marchmont Herald (later Lyon King of Arms, the office also held by Sir David Lyndsay).⁵⁴ The entire manuscript, Harley 6149, is according to Ouwen ‘very up to date’ and includes ‘nearly all the medieval classics’ on heraldry, as well as adding fashionable bestiary lore to its discussions of heraldic symbols.⁵⁵ But unlike the Aberdeen Bestiary, the *Deidis* is not a beautiful manuscript. It is an ‘occupational’ manuscript, designed primarily for instruction. It shows that, in the later fifteenth century, books were comfortably being used to convey the working knowledge needed by lay officers of the king. And, like the Asloan Manuscript, it demonstrates the importance of relatively modest manuscripts to study of the dissemination of culture and knowledge at this time.⁵⁶

Cities and Nations

Writing (like oratory and printing) is both skill and medium, useful to all domains of society, hence able to move easily between them and capable of transmitting more than information – for example, pride in the power of letters. Did this development in secular literacy reflect, or help to create, a more culturally homogeneous nation? Some historians doubt that nations existed before the early modern period, but that, of course, depends on how one defines a ‘nation’. It was not unusual for small countries threatened by the imperialism of their neighbours (like Scotland and Denmark) to redevelop classical discourses of love of *patria* quite early on.⁵⁷ Its struggle against England schooled Scotland in definitions and defence of sovereignty. The chronicles and epics are ample evidence of national pride. But the late medieval period especially relished territorial symbols, of all kinds. The thistle flourished; first used as a royal symbol in 1470, on the precocious silver coinage issued by James III,⁵⁸ it appeared in a wide range of ornamental contexts – embroidered on cushions, carved into wood panels, engraved in glass, made into poems.

In 1507/8 the Chepman and Myllar press in Edinburgh began printing important works of Scottish poetry and prose – by Dunbar, Henryson, John of Ireland, and more. It is hard *not* to see some element of national pride, or at least pride in the Scottish vernacular, in their principles of selection. Early in the sixteenth century the Aberdeen Breviary, first issue of the Chepman and Myllar press, put Scottish saints, hence *local* traditions, on the liturgical calendar. Territorial symbolism in the later middle ages included burgh pageantry; Aberdeen had earlier given Margaret Tudor a royal welcome (for which Dunbar probably wrote his poem ‘To Aberdein’). Besides the Breviary, the ‘stylistic revivalism’ of Aberdeen included a reprise of Romanesque architecture, described by Ian Campbell as ‘a conscious . . . manifestation of contemporary Scottish nationalism’.⁵⁹ Similar signs of cultural vigour can be seen in other eastern burghs. Dunfermline (where the poet Henryson probably lived), Dunkeld and St Andrews were also active in the Romanesque revival and the scoticization of the church. New churches were built in Linlithgow (St Michael’s), Stirling (the church of Holyrood) and Perth (St John’s kirk).

Edinburgh emerges as politically pre-eminent at this time (*c.*1470–1512). James III moved parliament to Edinburgh and kept it there; after his reign it stayed there, and for most intents and purposes Edinburgh became the capital of Scotland.⁶⁰ This comparative stability was accompanied by the usual paradoxical intermingling; royals, magnates, churchmen and townspeople, many from other places, co-created striking examples of their mutual association, like the strange, beautiful Fetternear Banner of the confraternity of the Holy Blood, attached to St Giles, which included merchants, nobles, James IV and Gavin Douglas. The Trinity College church in Edinburgh, constructed under the auspices of Mary of Gueldres, was home to the brilliant and uncanny Trinity panels, and to an organ gifted by James III.⁶¹ James III also fostered the musical traditions of the Chapel Royal in Stirling; the composer Robert Carver would later be associated with the Chapel Royal, as was Thomas Galbraith, clerk of the Chapel under James IV, a talented painter who probably illuminated many of the Chapel’s service books as well as solemn court documents like the stunningly beautiful confirmation of the marriage treaty between James IV and Margaret Tudor.⁶² Because at this time cultural production organizes itself more clearly in and around urban centres, it is well served by analyses of the arts as part of a town’s economic and political activity – and vice versa. We must, however, remember that cultural production does not *depend* on urban centres, and that Scotland’s rural regions were, as we have seen, not ‘empty’ of the benefits of civilization.

The Universities

One of the most striking features of educational and cultural endeavour all through the middle ages was its itinerancy, but itinerancy continued to be important in Scotland longer than in some other parts of Europe, because its universities were not established until the fifteenth century. D. E. R. Watt argues that the excitement of education abroad may actually have fed the desire of Scots for a ‘university of their own at home’.⁶³ Once that desire was fed, the founding of colleges and universities became a vigorous aspect of late medieval Scottish culture, laying the groundwork for Scotland’s future eminence in the fields of law and medicine.

Itinerancy, tutelage and institutionalization supported each other closely in late medieval Scotland.⁶⁴ Tutelage was certainly the chief means of educating the secular nobility, and probably played a significant role in any house of means. Its importance during the minorities of this period was inestimable; indeed these lengthy minorities concentrated attention on educational matters all through the fifteenth and early sixteenth centuries. Royal tutors often were, or became, powerful politicians, whether at court or in church. While still a captive, James I and his tutor bishop Henry Wardlaw sponsored the petition to Pope Benedict XIII to found and confirm the privileges of the new University of St Andrews.⁶⁵ Lyndsay was not James V's official tutor, but he was companion to the king in his youth, and appealed to that relationship when exhorting the king in later life.

Before *and* after the founding of the Scottish universities, formal Scottish educations were often continental. Many studied at the universities of Paris (260 names are recorded from 1340 onwards) and Orléans (in sufficient numbers to constitute a separate 'nation'). At the University of Paris, the Scots were sorted with the 'English nation', 'a composite group which after the outbreak of the Hundred Years' War in 1337 contained hardly any Englishmen and was largely controlled by clerks from the Empire and Scandinavia'.⁶⁶ (Then, as now, an education in Paris meant getting acquainted with the rest of Europe.) Many of these graduates were pioneers in the development or use of book-production technologies. James Liddell, who received his MA from the University of Paris c.1483, was the first Scot to have his works printed during his lifetime. David Lauxius or 'Loys' [Lowis], a near contemporary, took his bachelor of arts degree at Paris in 1494; he was a close associate of the French humanist and editor Jacques Lefèvre d'Étaples.⁶⁷

Travel and Transformation

During this period, for reasons of education but not exclusively, many Scots were voyagers – including William Elphinstone, the genius behind the Aberdeen Breviary and subject of the first painted portrait of a Scot. Scots travelled abroad frequently and in some numbers, and brought back ideas about art and architecture, as well as book manuscripts; many, like Elphinstone, transcribed or translated manuscripts and brought them home to Scotland. Forty-seven Scots and their retinues, amounting to another 197 people, were granted safe-conducts to visit Rome in 1453 alone.⁶⁸ Dean Brown travelled there in 1497. Priscilla Bawcutt points out that Barbour, Dunbar, Holland, Gavin Douglas, John Mair and Sir David Lyndsay all visited England.⁶⁹ These movements of people, ideas and artefacts had significant consequences for the character of late medieval Scottish culture; they were instrumental in giving Scotland its flair for discrimination.

Noblewomen, princesses and queens travelled at least once in their lives, and their journeys transformed relationships between places – as, usually with less mileage, did the movements of townswomen and farmers. Like pilgrims, women bore news of outer worlds and brought new ideas and manners with them. When they were 'great', they also became symbolic embodiments of 'influence' itself – of the power, on the grandest level, of one polity to transform another. Scottish women carried Scotland with them when they went to live in foreign lands, just as Mary de Guise brought France with her when she came to Scotland in the sixteenth century. James I's eldest

daughter Margaret, dauphine of France, wrote lyric poetry and patronized Alain Chartier. Her sister Isabella, who became duchess of Brittany in 1442, and Eleanora, who married the archduke of Austria in 1449, were both bibliophiles. Isabella owned many stunningly illuminated Books of Hours. Eleanora gave to the monastery of Neustift in the Tyrol a precious 1467 printed edition of St Jerome's *Epistolae*.⁷⁰ The beautiful manuscript of the *Aeneid* now in the Edinburgh University Library bears her mark. And like her sister Margaret, and her father, she wrote poetry. Her enormously popular translation (into German) of the French romance *Ponthus and Sidonia* was published in Augsburg in 1483.⁷¹

As noted earlier, Mary of Gueldres founded Trinity College church. Like Margaret of Burgundy in England, she fostered the growth of Observant Franciscanism in Scotland, the order which oversaw James IV's spiritual retreats in Stirling and helped to turn the Chapel Royal into a centre for sacred music and painting.⁷² The Italian Jacopo Filippo Foresti wrote a saintly biography of Margaret of Denmark, queen to James III, shortly after her death (*De plurimus claris selectisque mulieribus*, Ferrara, 1497). According to Priscilla Bawcutt, Margaret Tudor's marriage to James IV excited English interest in Scottish literature. Margaret Tudor was also a patron of William Dunbar and Gavin Douglas. Both writers were exceptionally learned in English vernacular poetry. The history of the role played by Scottish women – and French and Danish and English women – in Scottish cultural transmission has scarcely begun to be written, but we need to follow their trails if we are to understand how cultural creativity and change came about in this period.

The Problem of English Influence

By now it will be clear that English influence on Scotland was only part of a large, diverse network of cultural references and resources. But the question of English influence on Scottish culture has been especially controversial. How thoroughgoing was it? What forms did it take? In architecture, northern English features appear in Sweetheart abbey and in the 1389 rebuilding of Melrose abbey, but the work done on Melrose abbey in the next century was French-inspired (and may have been executed by the French master-mason who constructed Roslin chapel). Church architecture often drew on the Low Countries (e.g. the church of St Mary's at Haddington), when it was not reviving 'native' Romanesque forms and 'transitional' styles.⁷³ The Trinity altarpiece, by Hugo van der Goes, is from the Low Countries, as was its close artistic relative, Margaret Tudor's Book of Hours.⁷⁴ The prayerbook of Master James Brown, dean of Aberdeen, came from the same tradition of painting.⁷⁵ James IV had an Italian mason in his service in 1511, who was responsible for the 'remarkable classical consoles' added in that year to the roof supports of the Great Hall of Edinburgh castle.⁷⁶ In short, in fifteenth- and sixteenth-century architecture English features were largely eclipsed by continental or revivalist styles.⁷⁷ But in the sphere of literature, English features were not eclipsed. Is it possible to discern any shapes or trends in all of this? No, but yes. Late medieval Scots were well informed in their tastes; they chose astutely from both native and foreign resources, and the results were felicitous and eclectic.

The phrase 'Scottish Chaucerians' was often applied to James I, Dunbar, Douglas and Henryson until the beginning of the 1980s. The phrase was later supplanted by

the more inclusive ‘Middle Scots poets’. Some scholars repudiated the notion that the Middle Scots poets extensively imitated Chaucer’s verse. Others argued about terms like ‘extensive’ and ‘imitation’. Did Gavin Douglas’s use of Virgil in the *Eneados* display medieval, and specifically Chaucerian, pathos, or was his translation more ‘humanist’ in its aims? When James I returned to Scotland from imprisonment in England and initiated an ambitious Lancastrian-like legislative programme covering everything from fish weirs to judicial conduct – for which his ‘Chaucerian’ poem, *The Kingis Quair*, might be taken as analogue – was he a slavish imitator, a visionary importer or the formerly pent-up king of a country whose love of the law was of long standing, even if it sometimes hated its application? Was he, as Jean Chartier described him, a ‘good justiciar’, or a poor judge of Scottish realities?⁷⁸

Authenticity and imitation are not our only alternatives; debates about them often obscure the fact that each culture is a distinctive assemblage of ideas and resources that come from anywhere and everywhere. Scotland in the later middle ages was a place where curiosity about foreign objects and their uses was specially intense. Painstaking source studies have shown that continental poets inspired Middle Scots writers at least as much as Chaucer.⁷⁹ The Middle Scots admired Chaucer, but they also rewrote his work to suit their own purposes (typically, by refinishing it). They exercised the same kind of bold discrimination that designed Roslin chapel and introduced *all’antica* glass roundels into the queen’s oratory at Holyrood. The link suggested by Joanne Norman between Dunbar’s ‘Dance of the Sevin Deidly Synnis’ and Roslin chapel’s ‘unique example in Britain of a procession of deadly sins’ epitomizes the talent Scottish culture displays at this time for choosing and changing images of great dynamism and resolution. The Roslin carvings are themselves an instance of the focused, imaginative receptivity characteristic of late medieval Scottish culture, to which Dunbar gives a last, manic turn of the screw.⁸⁰

Judgement: Learning and the Law in Late Medieval Scotland

Legal culture also displays considerable energy at this time for borrowing, domesticating, unifying and diversifying. Animated by the compilation of *Regiam Majestatem*, this activity was also galvanized by the question of whether Scotland could have only one law, or many. The lengthy minorities and regencies of fifteenth- and early sixteenth-century Scotland repeatedly raised questions about rights of succession and the exercise of regnal power. One result of James III’s fractious relations with his nobility (and close kin) was the development of the laws of treason. These circumstances made the organization of power almost as absorbing as the pursuit of independence.

Robert Henryson was probably a notary, and if so, he would have ‘had an important place in the operation of the law’ and ‘a wider sphere of activity than the notary in England’.⁸¹ Perhaps this is why legal motifs and judgements appear everywhere in his poetry. Judgement was a theme of utmost importance in medieval art, but the steadiness of Henryson’s focus on it is distinctive. *The Testament of Cresseid* is the most legalistic of all versions of the story of Troilus and Criseyde, featuring blasphemy, forespeakers, parliaments, sentences, and indeed testaments, as well as Cresseid’s acquiescence to living under ‘the law of lipper leid’, or ‘leper’s law’. *The Moral Fabillis* are full of trial scenes and repeatedly question whether the official courts

improve on other kinds of justice. They are clear about the risks any vulnerable animal takes when trying to get justice from courts run by predators in administrative clothing. Better, perhaps, to have them skulking about in the fields, where they can't fool you by claiming to represent a higher power. On the other hand, indoors at least you know where they are.

It is the power of law to set limits that interests Henryson above all; hence his attraction to the story of Orpheus (frequently moralized in the middle ages). If limits are absolute, what is the purpose of moral education? What deafens us to counsel? What if learning comes too late, or makes no difference? Perhaps because Henryson was (possibly) a schoolmaster, he understood how difficult learning really is. He emphasized this difficulty within the fables themselves – a genre traditionally associated with the education of the young – and extended it to other stories. One of Henryson's fables, 'The Lion and the Mouse', may have been intended as commentary on the spectacular deafness of James III to the complaints of his miserable nobility.⁸² This fascination with the faculty of judgement (which, in medieval faculty psychology, specifically involves sifting through sense-data) is not, however, Henryson's alone; it is a defining feature of late medieval Scottish culture. It can be seen in the popularity of *moralitates*, in 'The Thrie Priestis of Peblis', and in John of Ireland's *The Meroure of Wyssedome*, a book of good counsel addressed to James IV which James Burns describes as 'striking' for its 'frank emphasis upon command as the essence of law and judgment'.⁸³ Later medieval Scottish writing urgently *addresses an ear*. It pleads, advises, instructs, calls to arms or memory. This desire to be heard is the result of the sometimes bewildering variety of voices audible in late medieval Scotland, of which *Howlat* might stand as the literary epitome.

Dunbar's oeuvre includes many moral poems, which he infused with mood and affect as few other medieval writers could, making us feel the immobilizing *gravitas* of melancholy or, as in the 'Deidly Synnis', the crackling, febrile excitement of transgression. The *Aeneid*, the basis for Douglas's *Encados*, was a school text and, in the middle ages, a morality tale. In the *Commedia*, Dante celebrated the sublime instructional power of the *Aeneid*; Douglas reprised this with a difference, namely his own intertextual guide, Maffeo Vegio, *auctoritas* of the 'thirteenth book' of the *Encados*. *King Hart* is a moral tale; *Rauf Coilzear* is an alliterative romance about a collier who unwittingly aids Charlemagne-in-disguise; the concerns of both poems are reflected and refracted in the writings of Sir David Lyndsay. Lyndsay's *Dreme* is a 'mirror' in the form of a dream-vision about good government. In its Preface, he recalls the time when he told bold tales to the young James V – about Hector, Arthur, Julius Caesar, Pompey, Jason and Medea, Hercules, Sampson and Troilus; the Sieges of Thebes, Troy and Tyre; and Red Etin and the Gyre Carling. J. E. H. Williams comments that '[when] Lyndsay first told the Gyre Carling to the royal child, the tale would have drawn for James a memorable verbal landscape of his kingdom's wondrous origins, placing in perspective his harsh . . . experience of . . . factionalism and captivity. When Lyndsay recalled the tale [in the *Dreme*] in 1528, . . . the potential for the realm's restoration was now in the hands of the newly-empowered king, whose sieges were real.'⁸⁴ Like Henryson, Lyndsay used legal motifs in his writing, notably the parliament in his morality play *Ane Satyre of the Thrie Estaitis*. He was also interested in political reform. As Milligan puts it, his poetry developed 'innovative imagery that . . . associated the respectable labourer-stereotype [John

the Commonweal or John Upland] with the . . . communitarian values of the commonweale'.⁸⁵

Conclusion

With John of Upland we have, in a way, come home, after surveying the criss-cross of cultures, 'native' and otherwise, that paradoxically made late medieval Scotland unique. The country responded with vigour to these complexities, learning from pressure, turning uncertainty into opportunities to make things new. Scottish architecture built on old foundations, and this is as good a metaphor as any for the inspired reception Scotland gave at this time to European and local artistry and learning. Calling up the talents of other cultures is itself a talent, highly prized in centres of power. In Scotland this talent was displayed by kings, queens, chroniclers, Highlanders and Lowlanders; by the clerics who worked so hard to arrange the repair and embellishing of Scottish churches, and the artisans, 'domestic' and 'foreign', who painted ceilings and cut stone; by great lords, lawyers, notaries and schoolmasters. Scots went everywhere, and everywhere went to Scotland.⁸⁶ A great deal of misery too often accompanied this activity, but my argument is not that the Scots transcended hardship by piping. In the later medieval period Scots experimented with solutions for everything from fish weirs to harps to conflicting law codes to insensible rulers to the rebuilding of abbeys on the Borders. Its cultural and educational activity was part of this business.

Scientists also came to the court of James IV. James conducted experiments with the guidance of a 'foreign' alchemist, John Damien, who was given a laboratory in Stirling castle.⁸⁷ Jenny Wormald has said of Damien's attempt to fly from the castle's battlements that it may have been 'an echo of the world of Leonardo da Vinci; but . . . nothing more typifies the prosaic nature of Scottish society; Damien neither flew nor died a dramatic death, but dropped gracelessly down into a midden'.⁸⁸ This view of late medieval Scottish culture instances a far-too-common projection back onto the middle ages of post-Reformation virtues of plain-speaking, hard-headedness and lack of sentimentality, and makes one long for Turbet's unvarnished love of Carver's 'burning individualism' and 'most sublime music'.⁸⁹ Scepticism about alchemists or early experiments in flight conducted by scholars wearing wings made partly of chicken feathers is not a bad thing, and it is hard to forget Dunbar's extremely funny (and invidious) poem on the occasion of Damien's fall from pride. But Leonardo da Vinci did not live in a 'world' entirely separate from the Scottish court; nor would scientific experiments there be but an 'echo' of efforts on the continent. James IV founded both 'the first university in Britain to provide for a Chair of Medicine' and the Royal College of Surgeons of Edinburgh.⁹⁰ Like Damien he meant to be going places, by sea if not by air; the flagship of his new navy, *The Great Michael*, 'wasted all the woods in Fife' in the building.⁹¹ In short, Scotland was not Dogpatch, and Leonardo's own best patron was finally François I, not the unprecedented despots of Italy. The dream of flight was powerful in the courts of late medieval Europe, as it had been centuries earlier in the writing of so serious a thinker as Roger Bacon. We should not be surprised that such a globe-trotting, observant and various country as Scotland had a man inside a court who was willing to try his wings. The dream of flight, after all, is a recognition of the power of travel.

NOTES

- 1 Kidd, 'Review' of *Cambridge History of Political Thought*, p. 254.
- 2 Goldstein, 'Women'; Fradenburg, 'Troubled times'.
- 3 On cultural diversity, borders and autonomous areas see Thornton, 'Scotland and the Isle of Man', pp. 1–3; Goodman, 'Introduction'.
- 4 Bailey, 'Scots and Scotisms', p. 66.
- 5 MacQueen, '*Regiam Majestatem*', p. 2.
- 6 MacDonald, 'Anglo-Scottish literary relations', pp. 173–4.
- 7 Farrow, 'Macbeth narrative'.
- 8 MacDonald, 'Anglo-Scottish literary relations', pp. 174–5.
- 9 Lyall, 'A new maid channoun', p. 6.
- 10 Mackay and three friends, introduction to *Sar Ghaidheal*, pp. 10–11.
- 11 See Macdougall, 'Sources'; and Macdougall, 'Earle of Mar', p. 29: 'Faced with an unpromising lack of official evidence, the student of Cochranology is more or less forced to begin with chronicle sources'.
- 12 Cregeen, 'Oral tradition', p. 12.
- 13 Boardman, 'Chronicle propaganda', p. 26.
- 14 Goldstein, *Making of Scotland*, pp. 1–21.
- 15 Wood, 'Folkloric patterns'.
- 16 Watt, 'A national treasure?', p. 51.
- 17 Farrow, 'Substance and style', p. 23.
- 18 On Barbour's *Bruce* see Goldstein, *Making of Scotland*, pp. 133–214; on Blind Harry's *Wallace*, pp. 215–81.
- 19 Mason, 'Chivalry and citizenship', p. 57.
- 20 Sellar, 'Celtic law', p. 3.
- 21 Broun, 'Birth of Scottish history', p. 6.
- 22 *Ibid.*, p. 9; the inauguration was Alexander III's, in 1249.
- 23 *Ibid.*, p. 10.
- 24 Thomson, 'Scottish Gaelic poetry', p. 7.
- 25 Meek, 'Scots-Gaelic scribes', esp. p. 387 on the manuscript's 'remarkable, if not bizarre' intermingling of Gaelic and Lowland Scots.
- 26 Sellar, 'Celtic law', p. 3.
- 27 MacQueen, '*Regiam Majestatem*', pp. 10–11.
- 28 *Angels, Nobles and Unicorns*, p. 50.
- 29 *Ibid.*
- 30 Bannerman, 'Clàrsach', pp. 9, 11–12.
- 31 See Fradenburg, *City, Marriage, Tournament*, pp. 237–43.
- 32 The term 'oneiric horizon' belongs to Jacques Le Goff, 'Medieval West'.
- 33 Mackay et al., introduction to *Sar Ghaidheal*, pp. 10–11.
- 34 On the phrase 'wild Scots' see Nicholson, *Scotland*, p. 206.
- 35 See Robichaud, 'To heir quhat i sould wryt', pp. 12–14 on the 'exchange of insults about language' in the 'Flyting'.
- 36 Thomson discusses bardic praise poetry on pp. 8–10 of 'Scottish Gaelic poetry'.
- 37 See Riddy, 'Alliterative revival'.
- 38 Brown, 'Rejoice to hear of Douglas', pp. 163–8.
- 39 Thomson, in Watson, ed., *Poetry of Scotland*, p. 20.
- 40 Campbell, 'Review' of Fawcett, *Scottish Architecture*, p. 109.
- 41 Norman, '*Grand rhétoriqueur*', on Dunbar's 'ironic perspective' (p. 190). Cf. C. Edington, *Court and Culture*, on David Lyndsay.

- 42 Simpson, *Scottish Handwriting*, p. 8.
- 43 Ibid., pp. 7–8.
- 44 Meek, ‘Scots-Gaelic scribes’.
- 45 Newlyn, ‘Wryttar to the reidaris’, p. 20.
- 46 On the Selden Arch B. 24 manuscript and its version of the *Parliament of Fowls*, see Fradenburg, ‘Scottish Chaucer’.
- 47 See Norman, ‘Grotesque’, p. 63.
- 48 Lyall, ‘Books’, p. 239.
- 49 *Eye of the Mind*, p. 26.
- 50 Ibid., pp. 15, 16.
- 51 Boardman, ‘Chronicle propaganda’, p. 28.
- 52 Watt, ‘A national treasure?’, pp. 51–2.
- 53 Lyall, ‘Books’, p. 242. Lyall’s typescript ‘Fifteenth-century Scottish manuscripts: a revised checklist’ is the source of most of my observations on same.
- 54 Ouwen, ‘A Scots translation’, p. 207 and n.2.
- 55 Ibid., p. 208; the contents include *The Boke of St Albans*, Nicholas Upton’s *De Officio Militarii*, Bartolus’s *Tractatus*, Vegetius’s *De re militari*, and ‘a lightly Scotticized version of Caxton’s *The Book of the Ordre of Chyualry*’.
- 56 The Asloan Manuscript is an anthology of Scottish literature compiled by John Asloan, an Edinburgh lawyer, during the reign of James V (*Eye of the Mind*, pp. 19–20).
- 57 Post, ‘Two notes’, passim.
- 58 *Angels, Nobles and Unicorns*, p. 65.
- 59 Campbell, ‘Review’ of Fawcett, *Scottish Architecture*, p. 109.
- 60 On Edinburgh see Fradenburg, *City, Marriage, Tournament*, pp. 20–34.
- 61 Thompson and Campbell, *Hugo van der Goes*.
- 62 On Galbraith’s illumination of the treaty confirmation (London, Public Record Office E/39/81) see *Angels, Nobles and Unicorns*, p. 64. On Carver see Turbet, ‘Scotland’s greatest composer’, p. 48.
- 63 Watt, ‘Scottish student life’, p. 21.
- 64 Cherry, *Princes, Poets and Patrons*, p. 10.
- 65 See Watt, s.v. ‘Henry Wardlaw’, *Scottish Graduates*, pp. 564–5.
- 66 Watt, ‘Scottish student life’, p. 4.
- 67 *Eye of the Mind*, p. 81.
- 68 Campbell, ‘Review’ of Fawcett, *Scottish Architecture*, p. 108.
- 69 Bawcutt, ‘Crossing the border’, p. 59.
- 70 Cherry, *Princes, Poets and Patrons*, pp. 17–18.
- 71 See Stewart, ‘Austrian connection’. Stewart observes that this popular work ‘demonstrates the migration of a good story’ (p. 131).
- 72 MacDonald, ‘Anglo-Scottish literary relations’, p. 175.
- 73 *Angels, Nobles and Unicorns*, p. 64.
- 74 Thompson and Campbell, *Hugo van der Goes*; L. Macfarlane, ‘The Book of Hours of James IV and Margaret Tudor’, pp. 16–17.
- 75 *Eye of the Mind*, p. 11.
- 76 Campbell, ‘Review’ of Fawcett, *Scottish Architecture*.
- 77 Fawcett, *Scottish Abbeys and Priories*, p. 78.
- 78 Cherry, *Princes, Poets and Patrons*, pp. 14, 15.
- 79 Smith, *French Background*; Jack, *Italian Influence*.
- 80 Norman, ‘Grotesque’, esp. p. 68.
- 81 Simpson, *Scottish Handwriting*, p. 7.
- 82 See McKenna, ‘Legends of James III’: ‘if Henryson was . . . being topical . . . he was superimposing the fables onto history in order to illuminate history’, p. 15.

- 83 Burns, 'John Ireland', p. 91. The fullest treatment of this tradition remains Mapstone, 'Advice to princes'.
- 84 Williams, 'James V', p. 171.
- 85 Milligan, 'To ding thir mony kingis doun', p. 31.
- 86 P. Hume Brown, *Early Travellers*.
- 87 Cherry, *Princes, Poets and Patrons*, p. 24.
- 88 Wormald, *Court, Kirk and Community*, p. 56.
- 89 Turbet, 'Scotland's greatest composer', p. 52.
- 90 Cherry, *Princes, Poets and Patrons*, pp. 10, 23.
- 91 Pitscottie's *Cronicle*, cited by Cherry, *Princes, Poets and Patrons*, pp. 24–5.

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FURTHER READING

Not much emphasis has been given in this chapter to the question of early humanism, partly because the use of humanism to draw period boundaries between the later middle ages and the Renaissance is problematic, and particularly for Scotland. But the unsurpassed work in this field is J. Durkan's 'The beginnings of humanism in Scotland', *Innes Review*, 4 (1953), pp. 5–24.

Richard Fawcett is the most prolific and authoritative scholar of late medieval Scottish architecture. His book *Scottish Architecture from the Accession of the Stewarts to the Reformation, 1371–1560* (Edinburgh, 1994) is required reading for beginners and advanced students alike, but should, if possible, be read alongside Ian Campbell's review (see bibliography); Campbell rightly believes Fawcett does not give sufficient credit to continental borrowings.

L. O. Fradenburg, *City, Marriage, Tournament: Arts of Rule in Late Medieval Scotland* (Madison, Wis., 1991) remains one of the few attempts to treat courtly culture in late medieval Scotland comprehensively. 'City' concerns the development of Edinburgh as political and cultural centre; 'Marriage' analyses the marriage of James IV and Margaret Tudor, and associated documents, poems and performances; 'Tournament' analyses James IV's tournament of the wild knight and the black lady. Written in the American style, namely, with an eye to literary and cultural theory.

D. Gifford and D. Macmillan, eds, *A History of Scottish Women's Writing* (Edinburgh, 1997) is too broad to provide an authoritative treatment of the subject for the later middle ages, but it contains, among other very useful pieces, Anne Fraser's essay on early Gaelic women's writing (see bibliography). A useful introduction to the subject.

W. Gillies, ed., *Gaelic and Scotland: Alba Agus A' Ghaidhlig* (Edinburgh, 1989) is a collection of scholarly essays which may at times put off a beginning reader, but at least dip into this collection – 'treasury' might be a better word – of fine research on the relations between the Highlands and the Lowlands.

R. J. Goldstein, *The Making of Scotland: Historical Literature in Medieval Scotland* (Lincoln, Nebr., 1993) is also written in the American style. A learned, enthusiastic and thorough treatment of its topics which includes the epics as well as the chronicles, and with many exciting ideas about this important tradition in late medieval Scottish culture.

J. S. Richardson, *The Medieval Stone Carver in Scotland* (Edinburgh, 1964) is a classic, on one of the most important of Scottish medieval Scottish arts. Stone-carving flourished in many different parts of the country and is a touchstone for studying how artistic ideas settled or travelled. The book has to cover too much material, but it lays out the trends and will point you in many interesting directions for further thought and research.

C. Thompson and L. Campbell, *Hugo van der Goes and the Trinity Panels in Edinburgh* (Edinburgh, 1974) is admittedly a more specialized study than those mentioned above, but one which brings to life the historical and cultural contexts of these beautiful paintings, and, for those who have not seen them, contains excellent plates.

CHAPTER TWENTY-SEVEN

Wales: Culture and Society

SUSAN L. ARONSTEIN

Late medieval Welsh literature tells the tale of a people in search of a national identity within the context of over four centuries of domination, conquest and assimilation. It also narrates the history of a class struggling to assert and define itself in a society experiencing rapid social and political change. Produced by a recognized professional order functioning as spokesmen for royalty and nobility, the literature of Wales provides a unique insight into the social and political history of a country and people in flux.

Recognizing that medieval Welsh literature is inextricable from the political and social context that produced it, critics carefully base their discussions of literary themes and motifs within this context.¹ Their analyses of the texts as literature, however, generally veer away from the question of *how* these texts functioned in the formation of a national and class identity. Instead, literary analysis of medieval Welsh texts has, until very recently, been framed by the philological methodologies of traditional medieval studies. This approach stems partly from the lateness of the manuscript tradition. As is common in medieval literatures, written versions of the Welsh texts can be separated from their posited oral sources by several centuries. Because of this gap, much of medieval Welsh literary criticism focuses, in one form or another, on the question of sources: identifying the date and provenance of a manuscript; dating the 'original' text, based on linguistic and orthographical evidence; etymological studies; the creation of an 'ur' text; arguments over sources and transmission.² In addition to these more or less 'standard' medievalist approaches, discussion of early Welsh literature is coloured by an implicit nationalism, as these texts have never lost their status as important tools in the formation of a Welsh identity; questions of date and native sources take on a more immediate importance, the establishment of a 'pure' and early Welsh tradition.³ Poets and texts are then studied in their relationship to this established tradition.

Medievalists studying other vernacular literatures began moving beyond the questions posed by source and manuscript studies at a much earlier date than those

studying the Celtic literatures. As late as 1983, J. K. Bollard, in a seminal article on *The Mabinogi*, felt obliged to call on the arguments advanced about *Beowulf* by J. R. R. Tolkien in 1936 to refocus the debate around what we have rather than what we have lost. His article resulted in a major shift in critical discussions of *The Mabinogi*, as scholars turned their attention from source studies to narrative and thematic analysis; the essays, mostly from the 1980s, collected by C. W. Sullivan in *The Mabinogi: A Book of Essays*, reflect this shift.

If medieval Welsh studies was slow to adopt new critical methodology, it has been even more reluctant to adopt modern theoretical approaches. Sarah Higley's work, from the 1990s, in linguistic and speech act theory is an exception.⁴ On the other hand, general cultural studies approaches, based on a discussion of the texts in their historical and social contexts, are becoming more prominent, perhaps because they stem naturally from the questions posed by traditional source studies. Thus, Glenys Goetinck, in her 1975 book on *Peredur*, begins to move towards cultural studies in her use of thematic concerns to date and place the problematic romance.⁵ Similarly, Helen Fulton's work on Dafydd ap Gwilym from the late 1980s, while engaging the standard questions of tradition and innovation, places Dafydd's work within the debates of the re-emerging Welsh nobility, of whom Dafydd was a member.⁶ Fulton's analysis of Dafydd's work is also one of the early examples of a growing concern with feminist criticism in medieval Welsh studies, which began in the 1980s as scholars such as Morfudd Owens and Patrick Ford addressed the question of women in medieval Welsh society.⁷ Since then more explicitly feminist analyses have appeared, but they remain scattered: a few articles on *The Mabinogi* and Arthurian tales, Fulton's essay on poems addressed to medieval nuns, Dafydd Johnston's studies of erotic poetry, and Ceridwen Lloyd-Morgan's work on women's literacy and on the poet Gwerful Mechain.⁸

Earlier scholars have paved the way for the current generation of historians and literary critics and theorists. They have provided us with historical background, carefully dated texts and manuscripts, and the establishment of the literary and mythological tradition. We can now move to new questions: how did late medieval Welsh literature shape and participate in the conflicts and debates of this period of uncertainty and rapid change? In what ways did it bolster the authority of the dominant social groups and their ideology? In what ways was it the literature of a people responding to both military and cultural threat?⁹ How did the changes in the role of women, both as historical figures and literary characters, reflect changes in the needs of the patriarchal culture?

The following chapter addresses these questions within the context of society and culture in medieval Wales. Since neither economic nor political conditions during this period were conducive to the development of visual arts and architecture, this cultural overview will confine itself mainly to the native literary canon, emphasizing vernacular texts and referring to Latin works, translations and functional prose only as they shed light on the issues raised in the native tradition. When the date of a text is uncertain, its participation in cultural debates will be used as a further way of pinning it down. The chapter uses the divisions of history proposed in the Oxford/University of Wales histories; however, the exact dates of these sub-periods have been altered slightly to make sense in terms of literary, as opposed to political, history.¹⁰

Defining Identity: The Creation of *Pura Wallia*, 1098–1198

In 1098 the scholar-poet Rhygyfarch wrote a Latin *Planctus* lamenting the state of a Wales suffering under Norman control: ‘The (Normans) increase our taxes and burn our properties. One vile Norman intimidates a hundred natives . . . Nothing is of any use to me now . . . neither the law, nor learning, nor great fame, nor the resounding glory of nobility, nor honour formerly held’.¹¹ Rhygyfarch’s lament eulogizes the passing of the values and way of life of his native land. Ironically, it was written at the beginning of the political and ideological resurgence of *Pura Wallia* (native Welsh ‘kingdoms’ in opposition to the Norman-dominated marches) traditionally associated with the reign of Gruffudd ap Cynan in Gwynedd. This period saw a literary renaissance in native Wales, as the princes and their retinues asserted political and cultural independence in the face of the Norman threat.

Gruffudd ap Cynan himself figures as the father of this literary renaissance; tradition, dating to a mid-twelfth-century Latin prose *vita*, depicts him bringing Irish bards to his court from exile. While the Irish origin of the twelfth-century literary renaissance is debatable, Gruffudd’s role in it is almost certain. His reign in Gwynedd initiated a period of relative peace and prosperity in Wales (although medieval Wales was never terribly peaceful or vastly rich) and strengthened the role of the court and the position of the nobility. This period saw the beginning of the court poetic tradition known as the *gogynfeirdd* (the later early poets) and associated with the *Beirdd y Tymysogion* (Poets of the Princes) before the conquest and the *Beirdd y Uchelwyr* (Poets of the Noblemen) after the conquest.

The Poets of the Princes were the voice of the newly invigorated courtly culture. While their official patron was the prince, their audience also included his *teulu* (warband) and their poems proclaim and shore up the values of the native noble class. This class, so recently threatened by the invading Normans, was anxious to assert their traditional status and privileges. The first step in this assertion was the appeal to a native past and their supposed place in that past, based on the stories of mythology and the prince and his nobility’s descent from the ancient heroes. For instance, in his praise poem to Owain Gwynedd, Cyndellw Bryddyd Mawr links Owain and his victories to the mythological and historical deeds of Arthur and Urien of Rheged. The second step was an affirmation of the prince and warband’s military prowess, their ‘sword blade(s) in hand(s), hand(s) hewing heads . . . / Swilling of blood and revelling’¹² – a celebration of a violence conducted within an ‘ideological and mythical framework to which all Welshmen subscribed’.¹³

The audience for this early poetry, then, was a free warrior society led by a prince whose right to rule sprang from both his lineage and his military might. While this audience had traditionally been educated in an oral culture concerned with the preservation of native tradition and lore, with written culture primarily relegated to the church, in the wake of the Norman conquest the Welsh nobility had an increased need for access to the written word. The hiring of court and household scribes dates from the twelfth century, as does a steadily increasing literacy rate among both men and women of the aristocracy. In addition to an increase in general literacy, contact with the Normans introduced French literary traditions, such as *The Song of Roland* and the Arthur and Charlemagne cycles, into the native courts, while the church disseminated Latin and biblical learning.

The bards, then, could expect an audience that shared not only their warrior's values but also a basic knowledge of native, continental and biblical sources. They themselves not only belonged to this class but were also highly trained members of a professional order charged with the keeping and transmission of native mythological, linguistic and genealogical tradition. Although little evidence exists outside of the poetry as to exactly how the bards were educated, Irish parallels and the fourteenth-century bardic grammars suggest the general outline of their training. An aspiring bard would be apprenticed to a *pencerdd* (chief poet) under whose guidance he would master the body of native narratives found in the still extant 'Triads of Britain', metrical rules, and the themes, archaic vocabulary and syntactical constructions of earlier bards. The poetry from the early Poets of the Princes displays both the bards' knowledge of these traditions and their familiarity with continental and Latin texts. It is unclear how or where the bards acquired their non-native training, although a connection between bardic and religious education seems likely; the earliest written fragments of secular verse come from the monasteries and many bards retired to monastic institutions.

As members of the military elite, the bards' profession depended on a prince and warband to sing to; thus, they had a vested interest in upholding the class they nominally served. As such the poetry of the early *gogynfeirdd* is conservative and consensual. Furthermore, the art of the bard is rooted in tradition: its themes and genres are set; its complex metres dictated; its language archaic. Given its essential conservatism and its desire to create a native identity for the warrior aristocracy of *Pura Wallia* based on Wales's historical and mythological past, the poetry of these bards is backwards-looking in form, content and ideology.

The period of the early Poets of the Princes stretches from Meilyr Bydydd (fl. 1100–37), *pencerdd* to Gruffudd ap Cynan, whose poem on the battle of Mynydd Carn (1081) is the earliest surviving example of the genre, to Cyndellw Byrddydd Mawr (fl. 1155–1200), who composed poems to three princes of Powys, one of Deheubarth and one of Gwynedd, before becoming attached to the court of Llywelyn ap Iorwerth. It includes the two 'poet-princes' Owain Cyfeiliog (c.1130–97) and Hywel ab Owain Gwynedd (c.1140–70). Most of these bards' poetic duties rested in the composition and performance of praise-poetry to prince and God; additional genres included elegy, boast, *dadolwch* (gift/reconciliation poems), satire and curse, and *rheingerdd* (poems to women). Composed in traditional verse forms and an elaborate syllabic metre called *cynganedd*, based on alliteration, consonance, stress and internal rhyme, these poems celebrate the virtues and values of the warrior nobility.

It is in the genres of panegyric, elegy and boast that these values are most succinctly codified and valorized. Praise poems describe the prince as a fierce animal or protective bulwark, extol his generosity, place him in his familial and mythological genealogy, and recount his military victories, preferably against the English. These poems present arguments for the prince's rightful sovereignty and, by extension, the territorial rights and privileges of his warband. Early panegyrics to God follow much the same pattern, casting the deity in the role of a Welsh warrior-prince.¹⁴ Elegies frame panegyric with a sense of loss and prayers for the lord's soul. Boasts exalt the poet's poetic, amorous and military prowess, showing his pride in land and class.¹⁵

Yet, in spite of these poems' confident assertions, the threats posed to this class by both the Normans and internal power struggles always lurk beneath their surface. Some of the poems, such as Gwalchmai ap Meilyr's praise of Owain Gwynedd for his victory at the battle of Tal Moelfre, seem to deal more in fantasy than reality. Gwalchmai conventionally extols Owain as 'Britain's true lord' 'who neither cringes nor covets' and records a bold and bloody victory that 'abolished (the English) in the shambles' and earned him 'the fame raised of a savage sword in seven-score tongues to praise him long'.¹⁶ Gwalchmai's account of Owain's resounding victory, however, is clearly at odds with the historical record. In fact, as a result of this battle, Owain paid homage to Henry, gave up the lands between the Clwyd and Dee, and restored his brother, Cadwaladr, to his possessions.

Cadwaladr and Madog of Powys's alliance with Henry II in this attack against Owain Gwynedd points to another issue shadowing the victorious hegemony proclaimed by the court poets. This was a society, as R. R. Davies reminds us, where 'aggression was necessary for survival; continued aggression was essential for hegemony'.¹⁷ Such aggression came from within as well as without; both a prince's neighbouring rulers and his own relatives were a threat to his power, especially after the death of the reigning prince. While Welsh law specified that lineage determined the right to rule, it did not specify which scion of the royal house should inherit. This, combined with the Welsh practice of partible inheritance, dividing a man's lands among both his legitimate and illegitimate sons, made the transition of royal power particularly problematic and placed the poet in the vexed position of deciding which candidate to support. Peryf ap Cedifor's elegy for Hywel ab Owain Gwynedd indicates the fragmentation inherent in the transition of power; he laments the 'treason brewed' by 'Cristin and her sons', Hywel's own half-brothers, who killed him in the first salvo of a power struggle for the control of Gwynedd.¹⁸

While the bards traditionally supported the princes, they occasionally felt called upon to rebuke them for abuses of power, especially when those abuses encroached on the rights of the warrior aristocracy. These rebukes could take the form of curses or satires, usually related to the prince's treatment of the bard himself, or, as Charles-Edwards suggested in the case of Cyndellw's 'Privileges of the Men of Powys', the more subtle form of a rehearsal of the rights that the prince has violated.¹⁹

While the poetry of the early *gogynfeirdd* seeks to contain the internal and external threats to the native Welsh warrior aristocracy by eulogizing its virtues in terms of its heroic past, the vernacular literary prose from this period, produced by a professional class of storytellers known as the *cyfarwyddion*, is less complacent. Composed for the same aristocratic audience, this prose adds to its exposition of Wales's mythological past a questioning of the values of the warrior aristocracy. The *Dream of Macsen Wledig* (twelfth century), in its tale of a Roman emperor's quest for a British bride, provides a myth of origins, connecting the Welsh with the Romans and establishing their ancient right to the 'Island of the Mighty'. The two early native Arthurian tales *Culwch and Olwen* (1050–1100) and *Peredur* (early twelfth century) explore Wales's past military glories, extolling Arthur's ability violently to obtain and maintain his sovereignty. *Llud and Llewelys* (late eleventh century) and translations of Geoffrey of Monmouth's *Historia* (1136) deal specifically with the plight of native Britain in the face of foreign oppression. The Four Branches of *The Mabinogi* (*Pwyll, Branwen, Manawydan* and *Math*, c.1160–1220) debate the nature of sovereignty,

the role of honour and blood feud, the reliability of alliances and the use of military might. The *gogynfeirdd* valorize a warrior ethic that assures its audience their place as heirs to a heroic past; the *cyfarwyddion* also assert the glories of that Welsh past, but they do so through an exploration of its loss, often arguing against the heroic ethos that the court poets advance.

Legitimizing the Present: The Princes of Gwynedd and the Invention of the Past, 1199–1282

When Llywelyn ap Iorwerth came to power in Gwynedd (1194–1210), the conditions that had allowed *Pura Wallia* to assert a precarious native identity in the face of Norman domination had vanished. On the one hand, the end of English civil war between Stephen and Matilda meant that Henry II was anxious to re-establish Norman authority; on the other, the princes whose extended rule had ensured some measure of security and continuity in the three principalities had all died. Although the court poets continued to affirm the glories of the native Welsh warrior nobility, the disjunction between propaganda and reality was growing ever greater. Llywelyn's rise to power within this vacuum was, as one poet put it, 'the swirl of a great wind-storm in a surly February'.²⁰ And once he obtained power, he systematically sought to centralize and extend it. The forty years of his reign saw a decline in the status and rights of the free warrior aristocracy, a centralizing of native law, Gwynedd's assertion of sovereignty over the other Welsh principalities, and an increased use of alliances, treaties and judicious marriages in dealing with Norman rulership and marcher aristocracy.

Llywelyn's reign was, in many ways, a paradise for the court poets; here was a man to sing of, a man who had restored the past glories of Wales and who promised a strong and united Wales. Indeed, eight different poets, the most well known of whom are Llywarch ab Llywelyn, 'Pyddydd y Moch' (fl. 1173–1220), Einion ap Gwalchmai (fl. 1203–23) and Dafydd Benfras (fl. 1230–60), composed twenty surviving poems in his honour. In general, these poems follow the standard conventions of *gogynfeirdd* poetry, establishing the prince as the rightful lord, extolling his valour and victory in battle, and praising his generosity. However, since the bardic tradition was by definition conservative and jealous of the rights of the free warrior aristocracy, it is hardly surprising that Llywelyn's policies, many of them directed against traditions and those rights, should have caused some consternation among the poets. Elidr Sais (c.1195–1246) expresses reservations about Llywelyn's centralizing and expansionist agenda as he laments the death of Rhodri and the exile of Dafydd at Llywelyn's hands, comparing the latter to the rape of Christ's tomb by Saladin.²¹ After Llywelyn's death, he composed a poem which uses his rise to power as an *exemplum* of worldly vanity, 'the jarring of the lords – / with a flick of the wrist, it has all gone by'.²² Other poets, however, use the call to the past unity and sovereignty of Wales to justify Llywelyn's policies. Llywelyn Prydydd y Moch emphasizes a unified Wales, led by Llywelyn, as England's bane, dwelling on the 'concord in the land he rules' and the arrogance of any man 'not bound to my lord' who provides a 'thousand bards' favoured haven'.²³

While the poets from the time of Gruffudd ap Cynan on had used Wales's mythological past to form an ideological notion of Wales, Llywelyn ap Iorwerth instituted

a programme which used appeals to that same past to create Wales as an institutional reality. In addition to the court poetry discussed above, prose texts from this time, especially the law texts attributed to Hywel Dda and the Welsh versions of Chrétien's Arthurian romances *Gereint and Enid* and *Owein* (1175–1225), explicitly and implicitly further Llywelyn's programme.²⁴ The *Cyfraith Hywel's* support of a centralized government goes beyond merely codifying the law; the prologues relate the tale of Hywel Dda, the king of all Wales, who caused the laws to be collected and disseminated, a tale that clearly advocates a Wales united by a single king who gives and upholds the law.²⁵ Furthermore, the Iorwerth redaction emphasized the paramount status of the king of Gwynedd, stating that the prince of Gwynedd's 'word shall be a command to all kings of Wales, but no other king's word shall be a command to him'.²⁶ The Arthurian romances *Gereint* and *Owein* also posit Llywelyn's policies as a return to an ideal Wales, as represented by the centrality of Arthur's court to the survival of the independent 'otherworldly' kingdoms portrayed in the romances.

Llywelyn's invention of the past, combined with his military talents and political shrewdness, allowed him to accomplish much of his political programme. By the end of his reign he had centralized government and law and asserted control over his country's resources and a newly 'servient' aristocracy. In addition, his centralization of government and resources began to transform Wales's traditionally plunder-based economy into an exploitation-based economy, which allowed Llywelyn to introduce a major architectural development in Wales: Norman-style castles, built with defence, not aesthetics, in mind.

Llywelyn's return to an 'ideal' Welsh past had in reality changed the very fabric of the Welsh social order, curtailing the rights of the traditional free warrior aristocracy, bringing Wales into closer alignment with continental feudal practices and introducing the machinery of government, including an increase in literacy and reliance on written documentation. While assuring the identity of Wales as an independent principality for another two generations and, with it, audience and subject matter for the native literary tradition, Llywelyn had also sown the seeds for change within that audience. As the Welsh aristocracy's marriage and educational opportunities increased in England and the marches, they became more Norman in their cultural outlook. Literacy rates continued to grow, as did interest in non-native literary traditions; while the twelfth century is arguably the golden age of native Welsh prose tales, the prose compositions of the thirteenth century are mostly translations of English, French and Latin originals.

Beginning with Gruffudd ap Cynan, the native princes of Wales and their court poets had sought to forge a native Welsh identity; essential to this identity was the might and leadership of the rightful prince and the bonds between him and his warband. The defeat of 1282 saw the loss of these essentials, a loss that is echoed in the apocalyptic tone of the elegies for Llywelyn ap Gruffudd. Bleddyn Fardd's elegy laments the passing of Wales's saviour, 'a man slain for us'; the explicit comparison here is between Llywelyn and Christ, a comparison that suggests the failure of the Welsh heroic tradition, as the poet turns from native mythology and history to Christian themes. Gruffudd ab yr Ynad Coch picks up this theme in his elegy, which moans not only the loss of Llywelyn but the loss of an entire way of life:

See you not that the world is ending?
 Ah, God, that the sea would cover land!
 What is left for us that we should linger?
 No place to flee from terror's prison,
 No place to live; wretched is living!
 No counsel, no clasp, no path left open . . .
 All counties, all towns are now troubled,
 All households, all clans are collapsing . . .
 All children now cry in their cradles.²⁷

Self-fashioning in Post-conquest Wales: The Rise of the *Uchelwyr*, 1284–1400

Gruffudd's apocalyptic elegy, for all of its poetic overstatement, reflects the reality that confronted the bardic and aristocratic classes in 1282. With the death of Llywelyn ap Gruffudd, the execution of his brother Dafydd, and the systematic elimination and disinheritance of the native Welsh dynasties, a centuries-old way of life came to an end. What remained of the old aristocracy had to invent a new identity for itself within the conditions of post-conquest Wales; if this was true for the aristocracy, it was doubly so for the bards who had lost both the patrons and the subject for their poetry. The early poetry from this period, composed by such poets as Iorwerth Beli (fl. early fourteenth century), Casnodyn (fl. 1320–40) and Gruffudd ap Dafydd ap Tudur (fl. 1300), reflects the alarm of a formerly exalted class. Iorwerth Beli, in a poem to the bishop of Bangor, reminded him of the ancient status and privileges of the bardic class, urging him to take up the duties of patronage instead of neglecting Welsh poets in favour of foreign hacks. Casnodyn, in his diatribe against the foreign influences, took as his ideal the Welsh gentleman who had no knowledge of English.²⁸

In spite of these early diatribes, it became clear that, if the bards and the nobility were to retain a native Welsh identity and literary tradition, they would have to do so within the context of the new foreign administration. After the conquest, many of the old native aristocratic families were indeed able to settle into a life of prosperity within this context, and the *uchelwyr* (native noblemen) and the bards (many of whom were *uchelwyr* themselves) formed a co-dependent relationship that allowed for the continuation of the Welsh literary and cultural tradition. In their poetry, the poets praise the *uchelwyr* as the preservers of native culture; the *uchelwyr* respond by offering patronage to the bards and launching a campaign to preserve the literary heritage. The manuscripts for the native tales, including the invaluable *Red Book of Hergest*, all date to the fourteenth century, as do the written sources for the Poets of the Princes. Without the *uchelwyr* and their patronage, not only would the bardic tradition in Wales have come to an end but the corpus of early medieval vernacular prose and poetry would also have been lost.

In keeping with the new function and status of the Welsh aristocracy as upholders of social values and guardians of cultural tradition, the praise-poetry from this period offers a redefined ideal for the Welsh nobility. The Poets of the Princes saw Welsh identity as primarily national; the Poets of the Noblemen were interested not so much in national identity as they were in social consolidation. As a result, the appeal to a warrior ethos fades into the background and the surviving panegyrics

relocate the ideal in a generous, prosperous landholder, whose house and possessions serve as the objects of metonymic praise. This new ideal not only rewrites the warrior as the gentleman farmer but also replaces the valour and bloodthirstiness of the *teulu* with the courtly and cultural refinements of the gentleman. Poets such as Casnodyn, Gruffudd ap Maredudd ap Dafydd (fl. 1360) and Llywelyn Brydydd Hodant (fl. 1320–30) emphasize their patrons' literacy, their knowledge of Welsh, classical and continental tradition, and their ability to converse with the poets, who also pride themselves on their vast learning.²⁹

The value placed in these poems on literacy and knowledge indicates a growing awareness of the ability to read and write as the mark of a gentleman, and it seems from this time on the nobility had at least their sons educated to read and write. While there is little evidence as to how and where this education took place, historians assume that both the church and bardic schoolmasters would have served the nobility in this function.³⁰

In addition to the new aristocratic ideal of the wealthy, cultured, literate landowner presented in the praise poems, the Poets of the Noblemen introduced new forms and subject matter into the poetic tradition. In the fourteenth century, Welsh poetry took on the religious and light entertainment functions previously mostly relegated to prose. In response, the Poets of the Noblemen developed both new themes and a new metre based on rhyming couplets, *cymydd*, which was more suited to these lighter and more personal subjects. The increase in religious poetry stems, in part, from the church's assumption of literary patronage. In return for patronage, the poets adapted the form of the panegyric to accommodate the use of abbeys and churches as the basis for metonymic praise of their abbot-patrons. The poets also introduced new genres of devotional poetry in response to general religious trends, such as the influence of the Franciscans and Lateran reform, and the growth of popular Christianity. Whereas the Poets of the Princes' religious poems consisted mainly of the panegyrics to God prescribed by bardic law, accompanied by an occasional deathbed poem, the Poets of the Noblemen's religious corpus turned increasingly to the meditative lyric on the state of the poet's soul.³¹

In addition to the flowering of the religious lyric, this century saw the *rheingerdd* (poems to women) come into their own; while the Poets of the Princes did compose a handful of eulogies and elegies addressed to women, their primary focus had always been the prince and his warband. The Poets of the Noblemen, however, increasingly addressed the women, both in these traditional genres and in a growing corpus of love poetry – a development that will be discussed further in the section on Welsh women at the end of this chapter.

Dafydd ap Gwilym (c.1320–80), who many scholars see as the Chaucer of medieval Welsh literature, represents the full flowering of the Poets of the Noblemen. Widely lauded as an apolitical celebrant of love, nature and human foibles, critical discussion of him has generally focused on his native and continental sources.³² Helen Fulton, however, places Dafydd back into the mainstream of the Poets of the Noblemen as she analyses his work in its social context. Dafydd's poetry, she argues, stems from the *uchelwyr*'s need to assimilate with the Normans in the common interest of asserting class rights and privileges over the English settlers in the boroughs. Fulton's overall representations of the interests of class as they are played out in Dafydd's poetry are compelling and locate Dafydd in the ideological context of a larger poetic

tradition dedicated to the formation of Welsh aristocratic identity. This identity, Fulton argues, is formed in the combination of Dafydd's poetic types. The traditional eulogies and elegies, such as the lament for Angharad, serve to remind the *uchelwyr* of their native cultural inheritance; the love poems, characterized by the vows exchanged in 'Llw Morfudd', appeal to joint Norman and Welsh traditions and argue for the social and political integration of the two groups as a ruling nobility, one symbolized by the socially sanctioned union of lovers in the woodland; and humorous and satirical poems like 'Trouble at an Inn' express an elitist contempt for the bourgeoisie.³³ The Welsh aristocratic identity that emerges in these poems depends upon a class solidarity that supports Wales culturally but is firmly allied with the English administration under which the *uchelwyr* flourished.

Iolo Goch, a contemporary of Dafydd's, provides an image of this flourishing class in his panegyric on Sycarth, home of Owain Glyn Dŵr; he praises the house, the grounds, the productive serfs, Owain's aristocratic wife and her 'fine nestful of princes'. Owain represents the *uchelwyr* ideal: a prosperous noble, patron to bards, keeper of a fine and generous court, a Welsh nobleman who has benefited under the foreign administration. Ironically, soon after the writing of this poem, Owain would serve as the centre of the rebellion that undermined the basis of the *uchelwyr*'s identity. For, as Fulton reminds us, with Glyn Dŵr and the events of 1400, culture and politics could no longer be viewed as separate, and the *uchelwyr* had to choose.

Our Past, Our Future: The *Mab Darogan* and the Resurgence of a Political Wales, 1400–15

The *mab darogan*, or son of prophecy, is the hero of the *canu brud* (prophetic song), a genre derived from Welsh oral tradition and popularized following Geoffrey's early twelfth-century appropriation of the prophetic motif in his *Historia* and *Vita Merlini*. The *canu brud* arises out of Wales's mythology of its lost sovereignty over the island of Britain; it prophesies the return of a hero who will free the Welsh from foreign bondage and regain what was lost. In 1282 the archbishop of Canterbury recognized the disruptive potential of this genre; one of his first proclamations regarding the Welsh was that they must be weaned from their prophecies. Not surprisingly, both church and crown failed to uproot either the genre or the ideology that supported it, and times of political crisis saw a resurgence in bardic use of the prophetic motif.

The years leading up to Owain Glyn Dŵr's revolt were such a time. The period following the deposition of Richard II saw an increase in both royal neglect and exploitation of Wales. Racial tensions were heightened; the economy was in recession; and, from the middle of the century, plague was raging. Against this background of social unrest and discontent, the few remaining descendents of native royal dynasties became the focal point for political and prophetic propaganda. Because of his double royal descent, from the houses of Powys and Deheubarth, Owain Glyn Dŵr attracted the attention of the bards. In a number of early poems to Glyn Dŵr, the bardic order presents him as the hope for a renewed Welsh identity, grounded in a vision of the past that predicts the future, preparing the way for Glyn Dŵr's revolt.³⁴

Although Glyn Dŵr received wide support from both *uchelwyr* and churchmen to lead the first truly national revolt since 1282, his success was short-lived; by 1408 the revolt was all but over and by 1415, it is presumed, Owain himself was dead. The years that followed saw native Welsh national identity become the potential basis for a virtual legal apartheid.³⁵ Penal statutes were enacted, although inconsistently enforced, that forbade Welshmen to hold office, buy land in England or English towns in Wales, or become burgesses. Not surprisingly, Welsh tales, prophecies and traditions became suspect; in the early fifteenth century two monks were arrested for ‘stirring up the people by narrating Welsh chronicles and traditions’.³⁶ Furthermore, Glyn Dŵr’s scorched-earth policies had left Wales more or less devastated. In fact, the rebellion’s assertion of a Welsh political identity may have irrevocably harmed the nation’s cultural heritage; scholars can only guess at the numbers of books and manuscripts destroyed in the years between 1400 and 1408.

Living the Good Life: Assimilation and the Creation of an Anglo-Welsh Gentry, 1415–1507

The years following the rebellion were, as Glanmor Williams called them, years of recovery and reorientation. By the second half of the fifteenth century, the gentry who managed to escape retribution after the rebellion had consolidated their wealth and power; as the land market became more fluid, these emerging families, both native and *advenae* (settlers), increased their holdings, the towns became prosperous centres, and a boom in building produced one of the great ages of vernacular architecture, including the flowering of Welsh woodcarving, whose intricately carved rood screens reflect the same elaborate interweaving of details that characterizes native metrical forms. Ironically, the Wales that emerges in the late fifteenth century, in the aftermath of rebellion and in spite of a hostile legal context, is the Wales that the *uchelwyr* of Dafydd ap Gwilym’s audience had striven for: one in which an assimilated class of Welsh and Norman aristocracy had consolidated its position and power. As a result of this assimilation, literacy among the nobility in both English and Welsh increased; more Welshman (including the poets) were educated at English universities and the Inns of Court; and the influence of non-native themes and genres continued to infiltrate the Welsh literary tradition.

The role played by fifteenth-century poets such as Gut’r Glyn (fl. 1450–90), Dafydd Nanmor (fl. 1450–80), Lewis Glyn Cothi (fl. 1447–86) and Gutun Owain (fl. 1460–1500) in the production of this class identity was two-pronged. First, as the traditional keepers of genealogy, now linked with heraldry, they were charged with establishing the noble families in the line of noble descent, glossing over gaps and fabricating ancestors when necessary. Second, they functioned as publicity officers who recorded the generosity and wealth of their patrons. A common motif in their panegyric is a description of the patron’s lavish entertainments; Dafydd Nanmor’s eulogy of Rhys ap Maredudd exalts that no one has ever heard of a man who ‘dealt better his meat and mead’.³⁷ These entertainments serve as proof not only of the noblemen’s benevolence but also of their fabulous wealth, an asset that, in this period, becomes functionally more important than noble lineage.

While the bulk of the praise-poetry from this century emphasizes the good life of the aristocratic household, the warrior ethos of the earlier Welsh panegyrics has not

disappeared completely. This ethos found an outlet in the service of the English crown; Welsh noblemen and poets served the English king in the Hundred Years' War and, later, found themselves divided during the War of the Roses, when both Yorkists and Lancastrians had a strong following in Wales. In fact, individual poets, 'professionally bound to praise their patron for his loyalty to his overlord', expressed this division in their own poetry. Lewis Glyn Cothi, for instance, wrote prophetic odes to Jasper Tudor. Yet, when the Yorkist Edward IV rose to power, Lewis eulogized him as almost Welsh by virtue of his descent from Llywelyn ap Iorwerth's daughter, Gwladys Ddu.³⁸ The politics surrounding the War of the Roses led to another resurgence of the *canu brud*. Edward IV and Lord Herbert were both advanced as the hope of Wales, and Jasper Tudor was explicitly identified as the next *mab darogan*, who will 'keep warm Cadwaladr's hearth', a mantle that fell on Henry in the years leading up to the battle of Bosworth.³⁹

Henry's victory at the battle of Bosworth was hailed by the Welsh as the fulfilment of the long tradition of prophecy predicting that Welsh sovereignty would be restored in Britain. Henry himself used the rhetoric of the *canu brud* to strengthen his military and ideological claim to the English throne. He incorporated the Dragon of Wales into the coin of the realm and as a support for the royal arms; he christened his eldest son Arthur; he set aside money for the celebration of St David's day at court; he commissioned a group to draw up his genealogy, including the Welsh poet Gutun Owain; and he brought several Welsh noblemen to his court in London.

Yet, while Henry's victory was hailed as the fulfilment of the prophecies of Wales, it also marked, for a time, the end of a separate Welsh cultural identity. Many of the *uchelwyr*, whose class had supported the bards since the conquest, migrated to London; among the ones who stayed behind, the ideology that had supported the maintenance of a separate Welsh culture faded. The elite taste became for things English, and Welsh poetry went the way of Welsh prose, replaced by the models of England and the continent.

From Prize to Pawn: Welsh Women, 1100–1500

It is tempting to romanticize the position of women in medieval Welsh society. The Welsh Law of Women, while it excludes women from inheriting land, seems to grant them, by medieval standards, an unusual amount of sexual and economic freedom, allowing them equal access to divorce and an honour-price if their husband beats them for any reason other than giving 'away goods she is not entitled to give', finding 'her with a man or . . . (using) insulting language to him'.⁴⁰ In addition, the Welsh prose tradition includes a cast of strong and defiant women who frequently outsmart their rather dim male counterparts. On the other hand, a closer look at the implications of the laws of marriage, which ultimately locate the ownership of a woman's sexuality with her kin-group or her husband, and a survey of the fates of these defiant women (Rhiannon's servitude, Aranrhod's futile attempts to outwit Gwydion, Bloduedd's adultery and punishment) make it clear that the position of the medieval Welsh woman was not markedly different from that of her continental or English counterparts.⁴¹ She served as a symbol of male wealth and power, as a way of forming bonds between men, and as the mother of the next generation.

However, as Wales moved from a free warrior aristocracy, through a semi-feudal kingdom, to the time of the conquest and the rise of the *uchelwyr*, the ways in which women served these functions altered in response to the needs of the society around them. In the early *rheingerdd*, including the work of Hywel ap Owain Gwynedd, in spite of the (largely male) scholarly assertion of his work as ‘true’ love poetry, praise of women functions as displaced praise of men. The beautiful daughter/wife/lover is the symbol of the male patron’s power and status. Thus, in Hywel’s boast, his lady is figured as a prize to be won, a prize comparable to the kingdom he no less lovingly describes in the first movement of the poem. Similarly, Cyndellw’s famous panegyric to Efa, daughter of Madog ap Maredudd, casts her as a rich prize to be sought after.⁴² The women in the Four Branches, even the spirited Rhiannon, who escapes one arranged marriage only to be casually given away by her son in the third branch, also figure predominantly as ‘prizes’.

These women’s position as a prize dictates both the poet’s persona, the virile warrior, and the feminine attributes which they deem suitable for praise: beauty, riches, ‘sweet soft Welsh’, unassailable virtue. Even Efa, for whom we know a Welsh translation of the creed was commissioned, is not praised for her considerable intellectual and cultural accomplishments but for ‘her tall figure clad in gold’.⁴³ Hywel’s ‘little darling’ ‘scarcely older than a girl of ten, / child-like, well-formed’ is lauded for the passion rather than ‘unseemly speech’ that comes ‘from her lips’.⁴⁴ The ideal Welsh woman advanced in these poems is beautiful and passive; like land and riches, she is both a symbol of princely power and a prize to be rewarded to the successful warrior.

During the reign of the princes of Gwynedd, women’s function as a marital prize shifted slightly. While the surviving *rheingerdd* from this period still view women as a passive symbol, not all that distinguishable from other symbols of princely power, both Llywelyn ap Iorwerth’s policies and the prose tales reflect a changing social order. Llywelyn ap Iorwerth became an expert at exploiting women’s potential as political pawns (a position foreshadowed in Branwen’s story). He made such a political marriage himself and disposed of most of his own children in such matches, often in defiance of Welsh custom. For Llywelyn, a woman’s value was not her status as a symbol but her potential as a commodity to be exchanged in his quest for political alliances. The Welsh Arthurian romances *Owein* and *Gereint* clearly reflect this attitude, emphasizing the security brought about by the blatantly political marriages of their title characters.⁴⁵

Women’s value as a pawn to be exchanged in return for political advantage transmuted into social advantage after the conquest. In this culture, a man’s daughter was not merely another possession but also his ticket to social status. The *rheingerdd* from the period of the *uchelwyr* reflect their objects’ ‘new value as symbols of assimilation between Norman overlords and the traditional culture of the Welsh nobility’.⁴⁶ In this poetry, characterized by the work of Iorwerth Fychan, the emphasis shifts away from the association of women with land, riches and warrior activity and dwells more explicitly on the woman’s physical beauty, painting her as the ultimate object of male desire, extolling her ‘market-value’. For Dafydd ap Gwilym, women’s explicit status as a marketable commodity occasions a poetic commentary on the potential misuse of that commodity as symbolized in Morfudd’s marriage to Eiddog, the beautiful Welsh woman given to a crass and unsuitable husband.⁴⁷

The questions that surround the role played by women in the production and reception of this literary tradition are quite vexed, partly based on the paucity of documentary sources. In her article on 'Welsh women and the written word', Ceridwen Lloyd-Morgan concludes that, with the exception of the creed commissioned for Efa (which she also views as potentially suspect), there is no concrete evidence for literate women in medieval Wales. Lloyd-Morgan argues that women's lack of traditional literacy need not have excluded them from the literary community, which was, even for male poets, largely oral. However, the rigorous and conventional training required to produce court poetry would have limited women's access to the 'elite' forms of literature, and their literary production may well have been mostly confined to non-courtly verse. In fact, the two women poets who wrote in the bardic tradition during this period, Gwenllïan ferch Rhirid Flaidd (1180–1200) and Gwerful Mechain (1462–1500), were both associated with male poets, Gwenllïan through her father and Gwerful as the mistress of Dafydd Llwyd.

Gwerful, whose poetic form may have been traditional but whose content expressed a women's viewpoint, including the first Welsh contribution to the *querelle des femmes*, was an established and respected poet whose work continued to be recognized in the centuries following her death. Her poems provide an important perspective on women's place in late fourteenth-century Welsh aristocracy; her 'Reply to Ieuan Dyfi for his *cynydd* to Anni Goch' questions, *à la* Wife of Bath, the male literary tradition's right to define female identity. In response to Ieuan's catalogue of wretched woman, Gwerful proposes a Welsh *City of Ladies*, peopled with virtuous and heroic women, who were neither prizes nor pawns but actors in their own destiny.

Gwerful's assertion of women's right to self-definition comes at the end of the medieval Welsh literary tradition. This tradition chronicles the change in native Welsh aristocratic society from a warrior class based on aggression and plunder to a landed gentry celebrating its place as custodian of native culture and, finally, to the emergence of an assimilated nobility at home in the English court. A tournament held in 1507 by Sir Rhys ap Thomas serves as a metaphor for this assimilation of Welsh identity into English norms. His festivities climaxed in a masqued battle between St George of England and St David of Wales, a skirmish that ended as the two saints embraced each other, anticipating the Act of Union passed by Henry VIII in 1536.⁴⁸

NOTES

- 1 Jarman and Hughes, *Guide*, vols 1 and 2; J. Williams, *Court Poet*.
- 2 Jarman and Hughes, *Guide*; MacCana, *Mabinogi*; Breeze, *Welsh Literature*; Edwards, *Influences*.
- 3 MacCana, *Mabinogi*; Jackson, *Gododdin*; Bromwich, *Arthur*.
- 4 Higley, 'Perlocutions' and *Between Languages*.
- 5 Goetinck, *Welsh Traditions*.
- 6 Fulton, *European Context*.
- 7 Owens and Jenkins, *Law of Women*; Ford, 'Opposing sex'.
- 8 Valente, 'Gender'; Sullivan, 'Lordship'; Winward, 'Aspects of women'; Fulton, 'Guinevere'; Watson, 'Enid'; Fulton, 'Poems to nuns'; Johnston, 'Erotic poetry'; Lloyd-Morgan, 'Women and their poetry'.

- 9 Two articles in the collection *The Postcolonial Middle Ages* address this question: Cohen's 'Hybrids' and Ingham's 'Marking time'. These articles indicate that postcolonial theory provides a fruitful context for the study of medieval Wales.
- 10 Davies, *Conquest*; G. Williams, *Recovery*.
- 11 Lampidge, 'Welsh-Latin poetry', quoted in J. Williams, *Court Poet*, pp. 24–6.
- 12 Clancy, *Poetry*, p. 145.
- 13 Davies, *Conquest*, p. 77.
- 14 McKenna, *Religious Lyric*.
- 15 Fulton, *European Context*, pp. 91–4.
- 16 Clancy, *Poetry*, p. 117.
- 17 Davies, *Conquest*, p. 71.
- 18 Clancy, *Poetry*, p. 135.
- 19 J. Williams, *Court Poet*, p. 162.
- 20 Quoted in Davies, *Conquest*, p. 239.
- 21 J. Williams, *Court Poet*, p. 170.
- 22 Conran, *Verse*, p. 158.
- 23 Clancy, *Poetry*, pp. 155–6.
- 24 I have eliminated *The Dream of Rhonabwy* (c.1220) from this discussion, both because it originates in Powys and because of its obscure and anomalous – if fascinating – narrative.
- 25 Jenkins, *Hywel Dda*; Charles-Edwards, *Welsh Laws*; Pryce, 'Prologues'.
- 26 Pierce, *Ancient Laws*, pp. 48–50, quoted in Davies, *Conquest*, p. 112.
- 27 Clancy, *Poetry*, pp. 168–9, 171–3.
- 28 Jarman and Hughes, *Guide*, vol. 2, pp. 99–100.
- 29 Lloyd, 'Gogynfeirdd'.
- 30 Thomson, 'Schools'.
- 31 McKenna, *Religious Lyric*.
- 32 Edwards, *Influences*; Bromwich, 'Dafydd ap Gwilym'; Dafydd ap Gwilym, *Poems*, trans. Bromwich.
- 33 Clancy, *Lyrics*, p. 46; Dafydd ap Gwilym, *Poems*, trans. Bromwich, p. 40.
- 34 Davies, *Conquest*, p. 448.
- 35 I borrow this phrase from Davies ('Twilight', *History*, 51 [1966], pp. 143–64).
- 36 G. Williams, *Recovery*, p. 7.
- 37 Conran, *Verse*, pp. 203–5.
- 38 Jones, 'Glyn Cothi', p. 248.
- 39 *Ibid.*, p. 250; Lloyd, 'Dafydd Nanmor', p. 196.
- 40 Owens, 'Shame'.
- 41 Davies, 'Women'; Patterson, 'Honour and shame'.
- 42 Fulton, *European Context*, pp. 86–94.
- 43 Clancy, *Poetry*, p. 138.
- 44 *Ibid.*, p. 130.
- 45 Aronstein, 'Centralization', pp. 217ff.
- 46 Fulton, *European Context*, p. 95.
- 47 *Ibid.*, pp. 95–105, 124–44.
- 48 G. Williams, *Recovery*, p. 243.

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CHAPTER TWENTY-EIGHT

Ireland: Culture and Society

EDEL BHREATHNACH AND RAGHNALL Ó FLOINN

Introduction

Ireland's cultural development between 1100 and 1500 is one of the most neglected topics in Irish studies. Couched between the so-called glorious era of the early middle ages and the turbulence of the Tudor period, it has not been well served by any branch of scholarship. Since the beginning of the twentieth century scholars who ventured into the field have tended to be influenced by the dominant historiographical themes of late medieval Ireland, namely, ethnic terminology (for example, 'Gaelic Irish', 'Anglo-Irish', 'English'), the 'two-nation' theory, and the immutability of Irish (Gaelic) culture.

Archaeologists and art historians have attempted to relate artefacts and artistic trends along specific ethnic lines. They have sought constantly to compare Irish art and architecture with British models and to understand where Ireland fits into that model. However, in studies on Irish art and architecture, the period 1100 to 1500 has never been treated as one. The Anglo-Norman colonization of Ireland is the central event that has coloured observations on Irish art and architecture of the period. It has been perceived as being a cultural watershed marking the end of a continuous tradition stretching back to the 'golden age' of the eighth century and earlier. The three-volume study on Irish art by Françoise Henry, the Dublin-based French art historian and doyenne of early medieval Irish art studies, ends with the Anglo-Norman invasion in 1170, as do other general archaeological and art-historical works such as the surveys by De Paor and De Paor in 1958 and Edwards in 1990. Henry describes the cultural effects of the events of 1169–70 as follows:

In many ways, the Norman invasion marks in Ireland the end of a world, and certainly the death of original artistic endeavour. For centuries after that, art in Ireland was almost completely dominated by foreign models, and the old fire of invention was nearly always lacking, though the great sense of proportion and the decorative feeling of the old style survived for a long time.¹

Henry was merely echoing similar sentiments expressed by earlier generations. Thus, R. A. S. Macalister, Professor of Celtic Archaeology at University College, wrote in 1928 in his textbook *The Archaeology of Ireland*:

In speaking of the antiquities of the period, it will be unnecessary to make more than passing allusions to those remains which are English in all but geographical situation. Such subjects as cross-legged effigies, pavement tiles, Plantagenet coins, arms and armour, and the like, are a branch of English archaeology and even then their extension to Ireland is much more a matter of English than of Irish interest.²

This vision of the cataclysmic effect of the Anglo-Norman incursion on Irish art is one that for long received widespread acceptance, and it is easy to see why. The arrival of colonists from England was seen as a convenient point to fix the end of the political, social and artistic structures of 'Early Christian' Ireland. According to the received canon, the invaders, through conquest and settlement, put an end to established systems of secular and ecclesiastical patronage.

Advances in historical, archaeological and art-historical research have since shown that this traditional view paints too simplistic a picture. In the case of architecture, for example, the events of 1170 did not have an immediate effect. Roger Stalley has shown how Irish Romanesque architecture survived the Anglo-Norman incursions by more than half a century and that the Gothic style was not introduced into Ireland until around 1200.³ Many of the developments credited to the Anglo-Normans had in fact already been in train for a century or more due to the reform of the Irish church, the increasing influence of the English church in Ireland and the introduction of the reformed orders. All of these were to have an impact on artistic taste and style, on craftsmen and their products and on patterns of patronage. Results from urban excavations over the last twenty-five years have also revealed substantial evidence of trade between Ireland, western Britain and northwestern Europe well before the close of the twelfth century.

Until recently, remarkably little work has been undertaken on Irish art of the post-1170 period with two exceptions – ecclesiastical metalwork and architecture. The metalwork consists, in the main, of later medieval additions to earlier reliquaries (bells, book shrines and croziers) associated with early Irish saints. Their interest for scholars lay in the fact that they represented a continuity of tradition, but who none the less regarded the workmanship of the later medieval additions as inferior to that of the original work of the twelfth century or earlier. E. C. R. Armstrong, Keeper of Antiquities at the National Museum of Ireland, was one of the few to draw attention to Irish metalwork of the later medieval period in its own right. His monograph on Irish medieval seals of 1912 brought attention to their widespread use and, in particular, to the use of seals and adoption of heraldry by local Irish kings.

It is in the field of architecture that the art of later medieval Ireland has received most attention from scholars, and in particular church buildings decorated in the Romanesque and Gothic styles. In the mid-nineteenth century, Irish writers were most concerned with the architecture and sculpture of the pre-Anglo-Norman period, stressing those elements that set Ireland apart from the rest of Europe, most notably round towers and high crosses. Antiquarians such as George Petrie were of the view that some Irish churches decorated in the Romanesque style actually predated the Norman conquest of England. The key work that set Irish Romanesque and Gothic architecture in its European context was Arthur Champneys's *Irish Ecclesiastical Architecture* of 1910. In this work, the influence of contemporary English styles on both Irish Romanesque and Gothic architecture in the twelfth and thirteenth

centuries was first clearly outlined, as was the development of a distinctive Irish Gothic style in the fifteenth century. Champneys's work has stood the test of time and has had a profound influence on the work of subsequent writers, most notably on Harold Leask in the 1950s, and more recently Roger Stalley and Tadhg O'Keefe.

The 'two-nation' theory, whereby late medieval Ireland is regarded as having been divided culturally between 'Anglo-Irish/English' and '(Gaelic) Irish', has been so entrenched that until recent decades scholars did not acknowledge the possibility that cultural interaction, let alone fusion, occurred at the time. In the field of language and literature, this cultural division produced two schools of scholarship (in so far as there was any scholarly activity), one which concentrated on mainstream medieval culture in Ireland and one which focused solely on Irish language sources. In the latter school, a philosophy existed that the great body of early modern Irish language sources confirmed the immutability of Irish society from 'Celtic' prehistory to the middle ages. In recent decades, however, scholars have recognized that cultural fusion occurred and, in one of the fiercest debates to take place in Irish studies, have attempted to unravel genuinely ancient traditions from contemporary medieval material in Irish literature. The idea that there was an Irish culture that remained uncorrupted from the prehistoric period to the later middle ages no longer garners much support. A particular difficulty with regard to this period is that so many sources, particularly those in the Irish language, are either unedited or partially edited and have not been sufficiently explored to gain an understanding of the period's culture. This deficiency has been recognized by a small number of scholars who have demonstrated the value of such sources and have added significantly to the number of studies relating to the topic. The field was dominated in the mid- to late twentieth century by the scholars James Carney, Gearóid Mac Niocaill and Brian Ó Cuív, who edited texts and introduced critical analysis into the study of late medieval Irish literature. In the past two decades, Katharine Simms, who is preparing a catalogue of the syllabic poetry in early modern Irish known as bardic poetry, has demonstrated the value of this poetry as a reflection of the period's culture and mentality. Tomás Ó Concheanainn has edited Irish texts and has studied medieval manuscripts and the great schools of learning that flourished primarily in the west of Ireland. Central to Simms's and Ó Concheanainn's (and other scholars') work in this field has been the study of the origin and dynamics of the hereditary learned families who controlled these schools. Editions of Irish texts are published intermittently. Recent publications include critical editions by N. J. A. Williams of poems of the thirteenth-century bardic poet Giolla Brighde Mac Con Midhe; and A. O'Sullivan and P. Ó Riain's edition of the fifteenth-century elegies composed in the march area of the Butler lordship (Co. Tipperary) addressed to Irish and Anglo-Norman lords. In recent years, medieval narrative prose texts in Irish, including the large corpus of medical tracts, many of which remain unedited, have gained the increasing attention of scholars.⁴ With regard to Irish culture as expressed in English, French and Latin, the field also remains to be fully explored. In recent decades, scholars including Alan Bliss, Terry Dolan, P. L. Henry, Angela Lucas and Evelyn Mullally have edited and studied aspects of this literature and have sought in particular to understand it in the context of Ireland's late medieval culture as opposed to simply viewing it as part of mainstream English and French medieval culture. The examination of medieval Latin culture in Ireland has been based primarily on divisions within the medieval church – as between the

secular church and the orders who controlled learning (Augustinians, Dominicans, Franciscans). Church historians who themselves belonged to the same orders have dominated any consideration of Latin education and learning in late medieval Ireland, among them Aubrey Gwynn, Canice Mooney and Fergal McGrath.

Many questions arise in relation to education and learning in Ireland from 1100 to 1500, with the important caveat that scholars have particularly neglected this field. The primary question is that of immutability, the seemingly unchanging nature of Irish society from prehistory to the late middle ages. While this idea of an untouched society is no longer popular, a detailed response has yet to be fully developed. For example, we have to understand the origins of the hereditary learned families who dominated Irish learning of the period. A register of these families has not been compiled and without it there are difficulties in answering many outstanding questions. Were they attached to churches or to royal courts of the early medieval period and how did their status change in post-Norman Ireland? Why did Irish learning thrive in Connacht especially? How were their schools organized? How much was their learning based on an oral rather than a written tradition? That Irish society was not immutable and was open to external influence also challenges the 'two-nation' theory culturally in so far as it belies the conviction that two completely separate cultures existed with little or no interaction between them. What use, for example, did Anglo-Irish barons make of the services of Irish bardic poets? What was the relationship between schools of Irish learning and the orders who promoted Latin learning? Can cross-cultural influences be identified in works of differing languages? Whereas these questions cannot be answered satisfactorily, indications of how they are being addressed by scholars are explored in this chapter.

Art and Architecture

At the beginning of our period, Ireland may be regarded to a great extent as being culturally and ethnically homogeneous with the exception of a small but economically powerful Hiberno-Norse population based in and around the main port towns of Dublin, Waterford, Wexford, Limerick and Cork. The archaeological evidence and historical sources suggest that in the course of the eleventh and twelfth centuries craft workshops operating at the highest level were increasingly centralized in larger monasteries and in the Hiberno-Norse towns and that many of these crafts were the preserve of hereditary families.⁵

The main vehicle shaping developments in the arts in twelfth-century Ireland remained the church and its powerful secular patrons. Supporters of the reform movement in the Irish church included most of the most prominent kings and dynasts who saw support for the new diocesan structure as a vehicle for their own political ambitions. These new dioceses required church-building on a scale hitherto unknown and created an environment in which outward-looking patrons and churchmen introduced building and sculpture in the Romanesque style in the wake of the new liturgical practices required under the reforms. Some crafts, such as manuscript illumination and the limited amount of architectural sculpture, appear, at the beginning of the period, to have been exclusively the preserve of monastic workshops.⁶ Regional styles, based in workshops attached to major monasteries which functioned as quasi-urban centres, have been identified in sculpture and in metalwork.⁷

There are indications that some of these regional styles may reflect monastic affiliations and personal attitudes of royal patrons and churchmen to the reform movement. A closely related group of metalwork objects, mainly reliquaries, associated with churches of the Columban federation share many features which suggest that a Columban 'style' emerged, probably at Kells, Co. Meath and Dublin in the late eleventh century, and it is tempting to propose that the style originally developed in Dublin under the Hiberno-Norse kings who had particular affiliation with Columban sites.⁸ On the other hand, the style developed by a vigorous school of sculptors and metalworkers working under the Uí Chonchobair kings of Connacht in the first half of the twelfth century includes archaic interlace forms which are reminiscent of Irish art of the eighth and ninth centuries. The choice of archaizing elements seen, for example, on the cathedral and crosses at Tuam and in particular on the reliquary known as the Cross of Cong (plate 28.1) may well have been deliberately employed – a subtle way of forging links with the past. The archaic form and decorative elements of the Cross of Cong thus emphasized its role as relic and processional cross in evoking 'the traditional symbolism of Irish ecclesiastical authority which, since the eighth century at the latest, typically involved the carrying about of relics'.⁹

It has long been recognized that late Viking art styles, especially the Ringerike and Urnes styles (in which interlaced animals play an important part) heavily influenced Irish art of the eleventh and twelfth centuries.¹⁰ These motifs need not necessarily have arrived directly from Scandinavia, but rather indirectly through England. The importance of Dublin in particular in the assimilation and transmission of late Viking art styles has been recognized since the excavations of the Viking town began in the 1960s, and in particular with the discovery there of a large number of decorated motif-pieces of bone and stone. These motif-pieces, used by craftsmen to practise and lay out designs, bear decorative patterns commonly found on contemporary Irish metalwork, sculpture and manuscript illumination. A few are carved with motifs which can be related to Scandinavian art styles. These suggest that the late Viking Ringerike and Urnes art styles, predominant in Irish art of the eleventh and twelfth centuries, were introduced initially by these urban craftsmen.¹¹

Little is known of the architectural styles adopted by the earliest cathedrals and parish churches of the Hiberno-Norse towns. Dublin's first cathedral of Christ Church, erected by the Hiberno-Norse king Sitric, *c.*1030, has left no traces but a later medieval description indicates that it may have adopted a basilican plan rather than the plain rectangular form of contemporary Irish churches. Dublin sought its first bishops in the eleventh and early twelfth centuries from England (particularly Canterbury and Worcester) and perhaps also the continent,¹² but so little survives of its earliest pre-Anglo-Norman churches to indicate whether architectural models originated from similar regions abroad. A glimpse of the outward nature of these Hiberno-Norse towns is provided by the excavation of an urban parish church, St Peter's in Waterford, which in the mid-twelfth century had a semi-circular apse added to its nave and chancel arrangement. The apse is unique. The only parallels in Ireland are the four apsidal chapels in the transepts of the Cistercian abbey of Mellifont, Co. Louth. As at Waterford, this experiment with new forms was short-lived.

Evidence for the impact of contemporary late Anglo-Saxon art styles is hard to quantify. This may, in part, be due to the accident of survival since Irish illuminated manuscripts of the eleventh and twelfth centuries (where one might expect to find

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Plate 28.1 The Cross of Cong. Made in the 1120s for Tairdelbach Ua Conchobair, king of Connacht, to enclose a relic of the True Cross. The decoration on its plates of gilt copper alloy appears to be a conscious imitation of the ornamental styles of the eighth century. (Photo: National Museum of Ireland)

such influences) are exceedingly rare. English influence is however particularly evident in architecture. Cormac's Chapel at Cashel, Co. Tipperary, built between 1127 and 1134 under the patronage of Cormac mac Cárthaig, king of Munster, is arguably the purest expression of the Romanesque style in Ireland and has strong English west

country features (plate 28.2). Elements of English Romanesque architecture can also be detected in the earliest Irish Cistercian houses.¹³ Motifs from western France and Germany have been noted in some Irish Romanesque buildings, but whether they came directly or through England is as yet uncertain.¹⁴ There is growing evidence, as yet imperfectly understood, for influences infiltrating into Ireland from the continent, from Imperial Germany in particular, that were probably transmitted through a network of Irish ecclesiastical foundations.¹⁵ Despite these wide cultural affiliations, Irish art and architecture of the twelfth century remained essentially Irish with a blend of native and foreign elements which are instantly recognizable and distinctive. The reason is simple: both craftsmen and patrons were still overwhelmingly Irish.

The Anglo-Norman colonization did, however, accelerate the rate of change. It brought in its wake a wave of English and Welsh aristocrats, retainers and churchmen who were responsible for the importation of luxury goods on a scale hitherto unknown and for the introduction of foreign, notably English, craftsmen. This influence is particularly evident in relation to architecture where the hand of English (specifically west country) master-masons can be detected in many buildings, especially cathedrals. The west doorway at St Canice's cathedral, Kilkenny (plate 28.3), seems to be based on that at Wells, while the master-mason who worked on Christ Church cathedral in Dublin came from Worcestershire.¹⁶ This is hardly surprising considering that many leading churchmen and patrons in the centuries after the Anglo-Norman incursion were themselves English. Indeed, in the thirteenth and fourteenth centuries the more easily carved oolitic limestones of Somersetshire and Caen were imported for use as building stone rather than the less yielding Irish limestone and sandstone.¹⁷

Buildings are undoubtedly the most enduring monument of the age and have consequently received the most attention. For ecclesiastical architecture, the fundamental textbook remains Harold Leask's detailed building-by-building study which expands on the work of Champneys some fifty years earlier.¹⁸ Roger Stalley's overview, a generation after Leask (which also briefly covers military architecture), broke new ground with its emphasis on the roles of the patron and craftsman and on the necessity to consider the social and economic background of building programmes.¹⁹ Nevertheless, a detailed overview of later Irish medieval church architecture is long overdue. Studies of the architecture of particular monastic orders exist²⁰ as well as of some individual buildings²¹ and regions.²² The general development of Irish Gothic is now well established. The period from c.1200 to the middle of the fourteenth century is characterized by buildings heavily influenced by contemporary English Gothic architecture, many of which were probably built by English masons. The fifteenth century (after a hiatus of some fifty years in the later fourteenth) saw the emergence of a distinctive Irish form of Gothic architecture that drew its inspiration not from contemporary English or continental designs but from buildings of the previous century with, occasionally, elements of even earlier Romanesque work. To this, contemporary 'flamboyant Gothic' elements were added to produce a uniquely Irish style that seems archaic by contemporary English standards.

Owing to a number of synthetic works, the development of the castle in Ireland is well understood.²³ Much of this work has been devoted to typology and to establishing the chronology of castle types. As in England, this is seen as beginning in the later twelfth century with early castles of earth and timber, followed by baronial (e.g.

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Plate 28.2 Cormac's Chapel, Cashel, Co. Tipperary. Many features of this royal chapel, consecrated in 1134, may be traced to Romanesque building traditions of the English west country. (Photo: Dúchas The Heritage Service)

Image Not Available

Plate 28.3 West doorway, St Canice's cathedral, Kilkenny, c.1260. The source for its design is derived from that of Wells cathedral of c.1220. (Photo: R. Stalley, University of Dublin, Trinity College)

Trim, Co. Meath; plate 28.4), royal (e.g. Roscommon, Co. Roscommon) and lesser stone castles built in the English fashion at the height of the English lordship in the thirteenth century, and ending with that most numerous but perhaps least understood of Irish castles, the 'tower house'. Despite the large numbers of the latter (estimates vary from 3,000 to 7,000, all built between the fourteenth and seventeenth centuries), few can be dated with absolute certainty. McNeill's work on castles is important in its focus on the castle as a fortified lordly residence rather than as a military fortress and in its presentation of a number of regional studies of tower houses. The reasons for the proliferation of fortified dwellings at the end of the middle ages varied from region to region but seem to reflect the fragmentation of lordship complemented by the rise of a relatively prosperous class of tenant farmers.

One of the distinguishing features of the Irish source material is the relatively high social status accorded to craftsmen. This is reflected in two ways: the many references to the deaths of named craftsmen in the Irish annals and the fact that it was not unusual for metalworkers and even sculptors to sign their work. This may in part be due to the bias of the evidence since most surviving medieval goldsmiths' work from Ireland was made for Irish patrons by Irish craftsmen and we have no direct equivalent to the Irish annals for the areas of the principal English lordships.

In areas under Irish control, there is evidence for continuity from the pre-1100 period in the way craftsmen and artisans practised. Like the poets, historians and

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Plate 28.4 Trim castle, Co. Meath. The largest Anglo-Norman castle in Ireland, built *c.*1172 by Hugh de Lacy, one of the most powerful of the barons who was granted the kingdom of Míde (Meath) by Henry II. (Photo: Dúchas The Heritage Service)

lawyers, many belonged to families who specialized in a particular craft. A common feature of both pre- and post-1100 inscriptions in metal and stone is that the family names of the craftsmen are unusual and their names do not otherwise figure prominently in the written sources. This may suggest that they represented discard segments of larger family groups who specialized in particular trades from an early date. A change can be detected, however, in the later medieval period, as with the other professions, in that craftsmen no longer appear to be based in monastic workshops but were in the employ of particular secular lords. Some supplemented their income by holding *termon* lands (the remnants of old pre-Norman monastic land). In inscriptions, the only term used for a metalworker is *cerd* and for a mason or sculptor, *saer*.

Again, in a remarkable parallel with the learned hereditary families, several grades of craftsmen are suggested by the recorded obits of important goldsmiths and wrights. The monk Donnsléibhe Ó hInmainéin of the Cistercian abbey of Boyle, Co. Roscommon, is given the title *ardmaigestir saer*, which may be translated as ‘chief or master-mason(?)’.²⁴ He may well have belonged to a family of artisans of long standing since he bears the same surname as Cúduilig Ua hInmainéin who, with his

sons, made the Shrine of St Patrick's Bell between 1094 and 1105. Some craftsmen were associated with particular patrons or regions. Augustin Ó Carmaic was given the title *ollamb sairsi Fermanach uile* 'chief wright (mason?) of all Fermanagh',²⁵ while Matthew Ó Mailruanaigh was described as *ollamb cerda Maguidhir agus sai oircerda* 'chief artisan (metalworker?) of the Maguire and a skilled goldsmith'.²⁶ Less specific in terms of level of skill and affiliation is one Tadhg Ó Siriden, described as *cerd dob ferr in Leath Chuinn* 'the best artisan (metalworker?) in the northern half of Ireland'.²⁷

Irish sculptors had been signing their work since at least the ninth century, when their names appeared on a number of high crosses.²⁸ The language of these inscriptions is Irish and the formula is a standard one, asking for a prayer for the craftsman who made the work. This practice continued into the twelfth century and the limited evidence suggests that these masons were attached to monastic workshops, but it is not clear if they were laymen or ecclesiastics, though the former is more likely.

English masons and sculptors in Ireland or those working in the English tradition remain, on the other hand, largely anonymous and references to them are less specific. The mason (*cementarius*) Nicholas of Coventry worked in Dublin in the early thirteenth century, while the names of other masons and carpenters listed in thirteenth-century charters of St Mary's abbey, Dublin, bear English names.²⁹ No signed work by an English mason or sculptor is attested, although masons' marks are known from thirteenth-century Cistercian houses in Ireland which differ little from their English counterparts. By the fifteenth century masons' marks are more distinctively Irish in design, suggesting that most of the later masons were Irish.³⁰ Sculptors working for Anglo-Irish patrons did not add their name to their work until the very end of our period. Based in the earldom of Ormond, various members of the O'Tunney family produced effigial tombs in the first half of the sixteenth century.³¹ It may be noted that the family name is Irish and that their patrons allowed them to sign their work according to Irish tradition, a departure from earlier practice in the same area.

Throughout the medieval period, cultural contacts were maintained between Ireland and Scotland and in particular between the lords of the Isles and the north of Ireland. Irish stonemasons were active in Scotland and two Irish families of masons – the Uí Bhrolcháin and the Uí Chuinn – are regarded as 'perhaps the originators of the West Highland style of stone-carving'.³² This school flourished in the late fifteenth and early sixteenth centuries, and its products include tomb effigies, free-standing crosses and churches. The Ó Brolcháin family was at an earlier period associated in particular with the Columban monastery at Derry, but also with Armagh, Kildare and Lismore, and they figure prominently in pre-Norman sources as churchmen, poets and masons. It is likely that the masons working at Iona, Oronsay and elsewhere for West Highland patrons were their descendants. These particular families seem to have worked almost exclusively in Scotland, although a small number of grave slabs in the north of Ireland share some characteristics with the West Highland school.

Inscriptions on later medieval metalwork record the names of craftsmen using the exact same formulae as on pre-1100 work. Indeed, many of these later medieval inscriptions occur as repairs to earlier reliquaries. Irish was gradually replaced by Latin

as the language of metalwork inscriptions, but was still occasionally used, especially on refurbished objects. The Shrine of the Stowe Missal (1371–81), redecorated by Pilib Ó Cinnéide (O’Kennedy), ‘king’ of Ormond, bears its maker’s signature, *Domnall O Tolairi docorig misi*, ‘Domhnall Ó Tolairi arranged (repaired?) me’ (plate 28.5).³³ An interesting use of language is the redecorated Shrine of the Book of Dimma, commissioned by Tadhg Ó Cearbaill (O’Carroll), ‘king’ of Éile, between 1380 and 1407. The inscription naming the patron is in Latin but is signed in Irish, *Tomas cerd dachorig in mindsa*, ‘Thomas the goldsmith arranged (repaired?) this reliquary’³⁴ None of these inscriptions helps us to identify where these Irish goldsmiths were based. Little can be said of how such work was commissioned or whether goldsmiths were settled or itinerant, although it is plausible to compare them with poets who held land but who travelled from one lordly court to another.

In so far as we can tell from the limited documentary evidence available, it would appear that by the thirteenth century at the latest, goldsmiths in Ireland as elsewhere in Europe were concentrated in the towns. This process of concentration in large centres of population is a trend that was already apparent in the course of the eleventh and twelfth centuries.³⁵ Of those whose names are recorded for Dublin in the thirteenth and fourteenth centuries, none is definitively Irish and most appear to be English. Foreign goldsmiths were present in Dublin from at least the late twelfth century. The Dublin Roll of Names contains the names of the goldsmiths William of Shrewsbury and Godard of London.³⁶ By the end of the fourteenth century we have records of goldsmiths being present in Dublin, Limerick, Tipperary, Kildare, Kilkenny, Waterford and Cork.

These urban goldsmiths seem to have produced work for Irish as well as Anglo-Irish and English patrons. In some cases it would appear that objects were brought some distance to be worked on by the goldsmith. In 1451, for example, the cross of the English archbishop of Dublin, Michael Tregury, had to be brought to Drogheda for repair.³⁷ A gilt silver processional cross in the International Gothic style, made in 1479 for an Irish client, Cornelius Ó Conchobhair, lord of Kerry, carries a lengthy Latin inscription which includes the name of its maker, William Cornell, who may have belonged to a family of armourers of the same name based in Dublin.³⁸ A more local commission was the jewelled mitre and crozier, made in 1418 for Cornelius O’Dea, bishop of Limerick, and the mitre is signed *Thomas O Carryd artifex*.³⁹ The latter would appear to have been based in Limerick. It may be noted that none of the inscriptions by town-based goldsmiths is in Irish and that all of these pieces are of the highest quality, made by goldsmiths in tune with contemporary European fashions.

Royal women acting as patrons are known for the early medieval period, but the evidence from inscriptions on stone and metal indicates that they only come to prominence from the fourteenth century. Legally, women were subordinate to their spouse or father. A silver chalice and paten gifted to Clonmacnoise by the daughter of Ruaidrí Ua Conchobair, king of Connacht, was among the items of church plate stolen in 1129.⁴⁰ A rare early example of a female patron cited in an inscription is the prominent position given to Neim, daughter of Corc, on the inscription of the twelfth-century Romanesque doorway of Freshford, Co. Kilkenny. Her name occurs after that of Gilla Mocholmóg Ua Cennucáin, who was probably her husband.⁴¹ The prominence accorded to wives seems to have been introduced by the Anglo-Norman

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Plate 28.5 The Shrine of the Stowe Missal. Originally made in the early eleventh century to enclose an eighth-century manuscript, this decorated lid with plates of gilt silver set with filigree, enamel, crystal and glass was added between 1371 and 1381 by Pilib Ó Cinnéide, king of Éile, and his wife Áine and signed by the craftsman, Domhnall Ó Tolairi. (Photo: National Museum of Ireland)

nobility and the wealthy merchant class. The earliest manifestation of this is the appearance of carved grave slabs of ladies with full-length effigies or simpler head-slabs.⁴² A few are double effigies or head-slabs of men and women, presumably of husband and wife. This was a completely new phenomenon in Ireland. Of the many hundreds of pre-twelfth-century Irish grave slabs with inscriptions, none can be confidently said to commemorate a woman. Indeed, although there are burial notices of

prominent Irish women in the late medieval sources,⁴³ there is only one surviving tomb which can be said with certainty to be that of an Irish woman. This is an inscription at the Cistercian abbey of Abbeyknockmoy, Co. Galway, commemorating Máilsechnaill Ó Ceallaigh [O'Kelly], king of Uí Mhaine, and his wife Fionnghuala, daughter of Toirdhealbhadh Ó Conchobhair, king of Connacht, who died in 1401 and 1403 respectively.⁴⁴ This unique inscription is also remarkable in that it is one of the few late medieval inscriptions in the Irish language carved in stone.

Women's names are more commonly found on metalwork inscriptions. That on the fourteenth-century Shrine of the Stowe Missal records the names of Pilib Ó Cinnéide, king of Ormond, and of his wife Áine (plate 28.5). Another reliquary, the Shrine of the Book of Moling, bears the date 1403 and is inscribed with the names of Art MacMurrough Kavanagh, king of Leinster, and his Anglo-Irish wife, Elizabeth Veele. Other donations by husbands and wives to their family foundations include a silver gilt processional cross given by Cornelius Ó Conchobhair and Avlina, daughter of the Knight of Kerry, to Lislaghtin Franciscan friary, Co. Kerry, in 1479, while a chalice bearing the names of Thomas de Burgo and Grace O'Malley was given to the Dominican abbey of Burrishoole, Co. Mayo, in 1494. Monasteries were also founded by women with their husbands. Donegal's Franciscan friary was founded by Aodh Ó Domhnaill (O'Donnell), lord of Tír Chonaill, and his wife Fionnghuala 'for the prosperity of their own souls and that the monastery be a burial place for themselves and their descendants'.⁴⁵

The wealth of funerary monuments of later medieval Ireland has not been as intensely studied as that of earlier periods. Irish funerary monuments of the period from the eighth to the eleventh centuries often exhibit very localized distributions that appear to be linked to particular monastic workshops which flourished for a number of generations and then disappeared.⁴⁶ The later medieval monuments seem to be a separate development brought from England by wealthy Anglo-Norman patrons in the course of the thirteenth century. Significant contributions have been made by archaeologists who have produced catalogues and lists of monument types such as effigial tombs,⁴⁷ stone sarcophagi⁴⁸ and memorial brasses⁴⁹ which cover the whole island, as well as regional surveys⁵⁰ and detailed studies of individual sites.⁵¹ Recumbent cross-inscribed slabs are probably the most common funerary monuments but no national inventory exists.

Published studies on sepulchral monuments are primarily concerned with typology and chronology and offer less insight into the key questions of context and social significance. What is clear is that there are marked regional differences in the distribution and density of the various tomb types. In general, these are found in the most prosperous areas of the Anglo-Norman colony, but not exclusively so. The distribution of thirteenth- and fourteenth-century cross-inscribed slabs in east Ulster does not reflect any contemporary political boundaries but appears to be based on the ease with which such slabs could be carried by water from their source at Scrabo Hill, Co. Down. The two main designs found on these slabs have differing distributions that may reflect the varying tastes of either the masons or of the patrons.⁵² It is clear that different styles were introduced into Ireland from various parts of England, and Cheshire seems the likely origin in the case of the Ulster slabs. While these cross-inscribed slabs are widely distributed, more elaborate effigial tombs and stone sarcophagi are not found in Ulster but are concentrated in the areas of greatest

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Plate 28.6 Tomb of an Irish king or nobleman, Corcomroe, Co. Clare. Dating to around 1300, this is a rare example of a sculpted tomb produced for an Irish patron. (Photo: Dúchas The Heritage Service)

Anglo-Norman settlement, such as the Dublin and Ossory Pales, with significant outliers in the west.

The effigial tombs were made for the aristocracy and for senior churchmen, largely of Anglo-Norman or English stock. The inscriptions on the earliest cross-inscribed slabs indicate non-aristocratic patronage, especially by the emerging urban merchant class, by the thirteenth century.⁵³ A much smaller number of stone tombs were commissioned by Irish patrons but these have never been the subject of systematic study. The identification of three early effigial tombs dating to the late thirteenth century as those of Irish kings or ecclesiastics indicates how quickly some Irish patrons adopted the new fashion, although such tombs were never common among the Irish (plate 28.6).⁵⁴ Later, in the fifteenth century, elaborate tomb canopies with late Gothic ‘flamboyant’ tracery are found at a number of sites in the west and these would appear to be uniquely Irish. While it has been suggested that these were inspired by French designs brought through trade and pilgrimage,⁵⁵ others have cautioned against this, arguing in favour of English influence.⁵⁶

The incomplete nature of the surviving records for later medieval Ireland means that it is impossible to document the artistic patronage of particular families. However, the detailed entries in the Annals of Ulster offer an unusually clear picture of a late medieval Irish lordship and enable us to gain a rare glimpse at the pattern

of patronage of a single Irish family, the Maguire lords of Fermanagh, whose territory lay around the shores of Lough Erne in the north-west of Ireland.⁵⁷ The Maguires emerged as lords of the region at the close of the thirteenth century and maintained a relatively stable and prosperous lordship for the next three centuries. It is evident that the family employed a number of learned families of poets, lawyers and historians. They also acted as patrons for a range of craftsmen, some of whom can be shown to belong to specific craft families. Matthew Ó Máilruanaigh was, as we have seen, described as *ollamh cerda*, ‘master metalworker’, of the Maguires and also *sai oircerda*, ‘skilled goldsmith’. That some of these metalworkers were based in the Maguires’ favoured churches is indicated by the discovery of a metalworker’s furnace with bronze waste and clay moulds dating to the fifteenth century, found in excavations of the east range of St Mary’s priory, Devenish, Co. Fermanagh, the principal monastery in the lordship.⁵⁸ The *saer* Mathghamhain Ó Carmaic who died in 1533 was probably a descendant of the aforementioned Augustin Ó Carmaic ‘master craftsman (carpenter?) of all Fermanagh’ who died a century earlier.⁵⁹ Another Fermanagh family of carpenters and masons were Eóghan and Solomon Ó Diarmada, both described as *saer*, who died in 1425 and 1443 respectively.⁶⁰ The former combined his skills with an ecclesiastical office as an Augustinian canon of Lisgoole, Co. Fermanagh.

Our sources attest to the piety of some of the Maguires. Several members of the family were frequent pilgrims, most notably to Santiago de Compostela.⁶¹ They were also generous church patrons. Tomás Mór Mág Uidhir was described in his obit as ‘a man that frequently set up oratories and churches and monasteries, and holy crosses and images of Mary’.⁶² Fifty years later his son Tomás Óg was lauded in similar terms as ‘a man that made churches and monasteries and mass chalices and was [once] in Rome and twice in the city of St James on his pilgrimage’.⁶³ Different branches of the Maguires had their own particular churches which they patronized. Some were buried at the parish church of Aghalurcher, Co. Fermanagh, which was most probably the original family church of the Maguires. This was rebuilt by Tomás Óg in 1447 and involved the construction of a ‘French roof’ (*cenn Francach*), obviously regarded as an exotic feature and which was perhaps inspired by a church that he saw on one of his pilgrimages.⁶⁴ The work was done ‘in honour of God, St Tighearnach and St Ronán’, the dedications combining the local family saint Ronán with that of Tighearnach, patron of the church at Clones, Co. Monaghan, where Tomás eventually chose to be buried. Another family church, this time a chapel dedicated to the Blessed Virgin, was built by Maighréad Mág Uidhir and her husband Gilbert Ó Flannagáin at Aghamore, in western Fermanagh in Ó Flannagáin’s own territory.⁶⁵ A number were buried in the Augustinian monastery of Lisgoole, close to the family’s seat.⁶⁶ Others such as Ailbhe, daughter of Aodh Mág Uidhir, retired with all her fortune to the same monastery.⁶⁷ Some chose to be buried elsewhere, such as the Augustinian friary at Clones or the Franciscan friary at Cavan.⁶⁸ Finally, we may note the only surviving object commissioned by a woman in her own right. This is a ceremonial drinking cup known as the Dunvegan Cup made at the request of Cairtriona, daughter of the O’Neill and wife of John, lord of Fermanagh, in 1493 (plate 28.7). The relatively full picture which the Annals of Ulster provides on the activities of one family only serves to emphasize how the complex interplay of local circumstances and personal piety could affect patterns of patronage.

Image Not Available

Plate 28.7 The Dunvegan Cup, dated 1493. A wooden ceremonial cup, decorated with gilt silver plates, it was commissioned by Caitríona, wife of John Maguire, lord of Fermanagh. (Photo: National Museum of Ireland)

Conclusion: Art and Architecture

It is to be expected that many scholars would look to England when studying the visual arts in later medieval Irish since study after study, whether of church architecture, castles, funerary monuments, floor tiles, jewellery or church plate, indicates that it is from there that the strongest impulses came. Consciously or unconsciously, however, this has led to direct comparisons being made between the two. Such comparisons obscure a number of fundamental differences. The first is one of scale. Ireland never had the resources or population density, apart perhaps for a brief period in the first century or so of the Anglo-Norman colony, to undertake building projects on a large scale. The failure of the English crown to establish control over much of the newly colonized lands meant that royal patronage (with the exception of some royal castles) was almost non-existent and therefore no 'court style' could evolve. Dublin, the seat of royal government, never became a metropolis such as London or Paris, capable of developing its own specialist workshops to rival those of imported goods or expertise. The second difference is one of culture. Only a very small part of the country within the Anglo-Norman colony could be regarded as reflecting English cultural values and aspirations, and only then for a short period in the thirteenth and early fourteenth centuries. The adaptation of English fashions to Irish taste, social organization and patterns of patronage is what made late medieval Irish art and architecture distinctive. Some of the key questions of the transmission of English styles of art and architecture continue to be those posed by Stalley in an important analysis of Irish Gothic and its relation with contemporary English architecture:

Were the patrons who financed the building Gaelic or Anglo-Irish? What conception would they have had of current notions of taste? Which churches in the vicinity set the fashion? How influential was the architecture of Dublin? How widely did masons travel? Where were they recruited and, more significantly, where were they trained?⁶⁹

The Learned Families: Their Origins and their Dependency on Oral and Written Traditions

There are certain issues that are fundamental to an appreciation of medieval vernacular Irish culture and learning: What was the relationship between Irish and Latin learning? Were there mutually independent (or otherwise) ecclesiastical and secular institutions involved in preserving and teaching Irish and Latin traditions? Did an oral tradition dominate or were the learned classes dependent on a literate tradition? What was the status of the learned class in medieval Irish society? An initial step which those unfamiliar with this culture might take is to look at certain terms used in the literature itself. These terms describe branches of learning in the Irish language and their distinct nature, as opposed to what might be universally regarded as 'mainstream' classical and ecclesiastical medieval learning. Learning was defined by the term *seanchas* and that of the practitioner of *seanchas* by *sáí seanchasa* or *seanchaidhe*, which occurs very frequently as an attribute of members of the learned classes. *Seanchas* embraced the various branches of vernacular erudition including law, historical tales, genealogies, regnal lists and poetry. *Seanchas* was not, as argued until relatively

recently, a tradition of learning that was entirely oral, in contrast to the written tradition of Latin learning. It is evident from the existence of the numerous medieval manuscripts that were designed as sourcebooks for schools that the learned classes of vernacular Irish culture relied considerably on a written tradition. These various branches of learning are reflected in the diverse titles and skills attributed to individuals during the late medieval period. The following examples from the Annals of Connacht are instructive:⁷⁰

- 1336: *ardmaigister a n-eladnaib imda, a lex 7 a i canain*, ‘a chief master in many arts, in civil and in canon law’.
- 1360: *ollam Tuadmuman re seinm*, ‘the chief musician of Thomond’ (in the south of Ireland).
- 1364: *ollam Corcumruadh re brethemnas*, ‘chief judge of Corcomroe’ (in modern Co. Clare).
- 1399: *ollam na Caemanach re dan*, ‘the chief poet of the house of Caemanach’ (Kavanagh in Leinster).
- 1469: *in lam chiuil chlarsige is binne bai i nErinn uile*, ‘the most musically gifted (literally ‘handed’) harpist in all Ireland’.
- 1473: *ollam brethemon h. Conchobair Duinn 7 h. Anligi*, ‘chief judge/lawyer to Ó Conchobair Duinn and Ó Ainlige’.

To understand the origins of this class in late medieval Ireland it is necessary to be familiar with debates concerning the development of learning in pre-Norman Ireland. Eighth-century Irish laws describe a seven-grade system among poets that was influenced considerably by canonical grades.⁷¹ A single model was used to designate the difference in knowledge between grades of *ecnai* ‘ecclesiastic scholars’ and the two secular orders known as *filid* and *baird*. The distinction between *filid* and *baird*, probably one caste in origin, arose not much earlier than the eighth century and was caused by a reorganization of learning in Ireland due to the introduction of Latin learning. *Filid* were highly regarded by the church and were probably aware of the biblical, grammatical and rhetorical scholarship of late antiquity as well as being familiar with vernacular sagas and lore, often available in written form. A *fili* could progress through the seven grades of his profession on the basis of his training and reach the highest grade of *ollam* once he had fulfilled certain criteria. In a manner similar to other grades of nobles and master-craftsmen, a *fili*’s pedigree was vitally important. Entry into this learned class was possible without such a pedigree but on the basis that the entrant’s honour-price was worth half the honour-price of a *fili* with an acceptable pedigree. *Baird*, on the other hand, were not appraised by their scholarship or progression from grade to grade but were primarily ranked according to relative importance determined by such criteria as their rank in society, the types of metres they had mastered and possibly their ability to compose poetry. The lower grades of *baird*, especially those who engaged in satire, were often condemned by the church.

The divergence between these two orders of *filid* and *baird* lessened considerably from the tenth century onwards to the extent that their poems, for example, merged into one genre *dán díreach*, verse in syllabic metre, known as such because of its increasingly strict metrical rigours. It had been argued by scholars that this further realignment among the learned classes had resulted from the effects on society, and

in particular the monastic schools, of the Viking and Anglo-Norman intrusions.⁷² Scholars today are sceptical of this theory and are inclined to suggest that other factors are more likely to have contributed to this change.⁷³ Native Irish learning, sagas, genealogy, law and topographical material gained in prestige to the extent that the annals from 900 to 1200 AD record far more scholars of vernacular Irish learning, most of whom were lay people, than of Latin learning, the latter being more likely to be in clerical orders. While these two cultures diverged, the *filid*, whose training was as much literate as oral, merged with the *baird*, who may have depended significantly on an oral tradition.

An essential feature of Irish learning during the period 1100 to 1500 AD is the prevalence of hereditary learned families engaged in *seanchas*, including the transcription of texts, the compilation of codices and the practice of poetry, law and medicine. The origin of these families and their schools has been disputed and awaits detailed studies of individual families. In his seminal article on the subject,⁷⁴ Proinsias Mac Cana argued that these Irish families in many instances originated from the fusion, following the twelfth-century church reform and the coming of the Anglo-Normans, of mainly lay monastic scholars of Irish learning and the *filid*. '[A] goodly proportion of the post-Norman families of learned poets were descended from those hereditary officials who maintained possession of the old monastic termons after the monasteries themselves had been superseded'.⁷⁵ However, the concept of the learned family may have had a much older origin, as suggested by the eighth-century law-tract *Uraicecht na Ríar*.⁷⁶ Equally, the relationship between the learned orders, secular powers and the church was one of dependency, as with all aspects of society. For example, the earliest personal letter in Irish sources demonstrates how interest in vernacular poetry was a normal part of the concerns of prominent churchmen. In the letter, preserved in the twelfth-century Book of Leinster, Finn, bishop of Kildare, sends greetings to his correspondent Áed Mac Crimthainn, *comarba* of Colum of the church of Terryglass, Co. Tipperary, and requests that the *dúanaire*, 'anthology', of the ninth-century poet Flann Mac Lonáin be brought to him *co faicimis a cialla na nduan filet ann*, 'that we may discover the meaning of the poems that are in it'.⁷⁷ In line with changes happening in Irish society at the time, it appears that a more systematic organization of vernacular learning, changes in titles, the emergence of distinct families and a more rigid form of poetry took place in the eleventh century. If the church reform movement had an effect on learning in the twelfth and thirteenth centuries it was in the guise of the somewhat suspicious attitude of the new church orders who did not tolerate the practice of a tradition with 'undeniably pre-Christian and quasi-magical associations'⁷⁸ within their walls. Simms⁷⁹ cites as an example of the withdrawal of official church patronage from native learning the colourful episode when an historian and poet of the Ó Maolchonaire family at the beginning of the thirteenth century was driven from Clonmacnoise to seek patronage from the king of Connacht, Cathal Croibhdhearg. The poet complained:

Ón ló do delbus in dúain,
romc[h]uir in comarba a Clúain,
do gabh dím a nderna int ab,
áirem do rígh, a reilec.

Since the day I fashioned this song, the coarb sent me away from Cluain; the abbot took from me what I had made, the account of your kings, o cemetery!⁸⁰

Furthermore, the dearth of Irish manuscripts dated to the thirteenth century is notable. While this could be attributed to an accident of survival, it is also likely that the change from church to lay schools of learning contributed to reduced production of major compilations until an apparent revival occurred in the mid-fourteenth century.⁸¹

Who were the most prominent learned families in late medieval Ireland? There were many families and all their histories have yet to be compiled. This section offers a selection of the most renowned families. The most eminent and powerful family involved in poetry, whom many other poets tried to emulate, were the Uí Dhálaigh. One of the earliest records relating to the family is the obit of Máel Íosa Ó Dálaigh about whom the Annals of Loch Cé record in 1185 that he was the chief poet of Ireland and Scotland and lord of the minor midland kingdom of Corca Raidhe.⁸² The Uí Dhálaigh were paramount in the practice of the *dán dírech* throughout the late medieval period. Donnchadh Mór Ó Dálaigh is described in 1244 as ‘a poet who has never been surpassed and who shall never be surpassed’.⁸³ One can still feel Donnchadh’s anguish in the lament for his son Aonghus:

Ar iasacht fhuaras Aonghus
ó Dhia gin gur dheaghcaomhnas;
an té rug é nochan olc
ó nach tug é achd ar iasocht.

God lent me Aonghus, an infant that I protected well, he who took him, not evil, since
he only lent him.⁸⁴

The Uí Dhálaigh did not confine themselves to the patronage of one lord (nor did other poets) but versified throughout Ireland, often resorting to the power of satire to gain their desires. For example, Aonghus Ruadh Ó Dálaigh, the early fourteenth-century chief of the Uí Dhálaigh, satirized a fellow midland lord which resulted in his migration south to Corcumruadh (in Co. Clare). However, the Uí Dhálaigh were also capable of composing fine poetry. Apart from Muiredach Albanach Ó Dálaigh, whose reputed poems are high art, Gofraidh Fionn Ó Dálaigh (d. 1387) knowingly trod the fine line between sometimes insincere praise-poetry and the more moral aspects of his art.⁸⁵ Gofraidh was capable of addressing Muiris Óg fitz Maurice, second earl of Desmond of Anglo-Norman origin, by evoking thoroughly Irish traditional metaphors. By doing so the poet attempted to ensure the security of Desmond’s power, declaring that ‘he is a worthy spouse for Banbha’ [Ireland]:

Cosmhail cúairt Logha ó lios Eamhna
d’fhoghlum ghairegníomh,
as cúairt Muiris go lios Lonndún,
d’fios an airdríogh.

Alike are the journey of Lugh [the god of poets and craftsmen] from the court of
Eamhain [Navan Fort, Co. Armagh], to learn fierce deeds, and the journey of Maurice
to the court of London, to visit the high-king.⁸⁶

Where the Uí Dhálaigh composed poetry and crossed cultural lines, certain families were pre-eminent in the practice and preservation of Irish brehon law, among

them the Mic Aodhagáin who had schools in Ormond (now approximating to modern Co. Tipperary) and at Duniry and Park, Co. Galway, the Uí Dheodhráin, lawyers to the MacMurrough Kavanaghs of Leinster, and the Uí Dhuibhdabhoireann, whose school was located in the medieval stone fort of Cahermacnaghten in the Burren, Co. Clare.⁸⁷ The latter family seem to have collected many early legal texts and compiled one of the most important Irish legal codices, British Library Egerton 88. A poem likely to have been composed by Giolla na Naomh Mac Aodhagáin (d. 1309), *Gabh mo chomhairle a mheic mhín*, ‘Take my advice, gentle youth’, addresses a student who is about to enter the legal profession:

Gabh mo chomhairle a mheic mhín,
gan roghairbhe, gan ghleic nglóir,
lean slighe raghlan na riar,
adhradh ciall id chridhe is cóir.

Take my advice, gentle youth, without undue acrimony, without petulance of speech; follow the very clear stipulated path, adherence to resolutions in your heart is what is right.⁸⁸

An idea is provided of the student’s education: he is to be familiar with the Heptads (*Bearradha Féine*) or legal maxims, with *speculum*-texts by which he can advise political leaders to rule justly and wisely, he must have knowledge of history, genealogical lore (*coimhgne geinealaigh, seanchas*) and poetry, he is not to confuse different types of law, namely, customary law (*urradhas*), treaty (*cairde*) and statute (*cáin*). He is to avoid improprieties that might come his way, valuable advice for any professional lawyer:

Ná fóbair leithbhreath ar luach,
tógaibh go feithmheach an fáth,
ná druid an claon ar an gceart,
tuig, a laogh, ba beacht an bráth!

Do not essay a partial judgement for reward, establish the matter guardedly; do not promote injustice over justice, understand, dear one, let the judgement be exact.⁸⁹

Among the most prominent learned families who specialized in compilation of manuscripts, learning and poetry were Clann Fhir Bhisigh, who were *ollamna* to the Uí Dhubhda of Uí Fhiachrach Muaidhe of north Mayo and south Sligo.⁹⁰ The earliest occurrence of the family name is that of a certain Amláim Mór mac Fírbisigh recorded in the Annals of Tigernach in 1138 as *ollam* of all Uí Fhiachrach, a wise cleric and a member of the monastic community of Cong (Co. Galway). Amláim and other contemporary family members were the eponymous ancestors of this illustrious learned family whose lands may have originally been around Lough Conn, later at Rosserk, Co. Mayo, and finally at Lackan, Co. Sligo. The greatest exponent of Clann Fhir Bhisigh’s learning during the period under consideration was Giolla Íosa Mór Mac Fhir Bhisigh (d. c.1420), whose work (and that of his assistant scribes) survives in the composite manuscript known as ‘the Yellow Book of Lecan’ (a part of which is also known as *Leabhar Giolla Íosa*) and the greater part of the Book of Lecan. For about the final three decades of the fourteenth century and the beginning of the

fifteenth, Giolla Íosa presided over a school of *seanchas* at Lackan ‘which was the scene of an astonishing amount of scholarly and literary activity’.⁹¹ He composed the lengthy genealogical and topographical metrical tract *Iomdha gabhlán do Chloinn Chuinn*, ‘Many the branches of Clann Chuinn’ in 1417 when Tadhg Riabhach Ó Dubhda became lord of Uí Fhiachrach.⁹² Giolla Íosa enumerates the various branches of Uí Fhiachrach and embarks on an imaginary journey through their territories in north Connacht, following a style used elsewhere in contemporary topographical poems:⁹³

Triallam, gurab séan soraidh,
ón tír fhairsing éarlamhaigh
go hIorris ‘nar hoileadh inn,
ciomhas na n-oirear n-aoibhinn.

Let us pass, may our journey be felicitous, from the wide territory of patron saints, to
Irrus, where we were fostered, that border of delightful districts.

One could conclude that the organization of poetic and other hereditary learned families in late medieval Ireland was not unusual. Apart from obvious parallels in Scotland and Wales, these institutions display features that are not dissimilar from the craft guilds of medieval Europe. While detailed information regarding their formal training and schools is scattered, it is clear that their learning (as had been thought by scholars to the mid-twentieth century) was not predominantly oral but was literate. Simms has described their literacy thus:⁹⁴

Overall the skill of writing and the study of books could be said to have reached the professional orders of poets and affected their art in three main ways at three different periods: through church schools until the twelfth-century reform; through their own secular schools when ecclesiastical establishments became closed to them; and through the printing press and the literacy of their lay patrons during the Renaissance period.

The Historical Value of Bardic Poetry

Bardic poetry dealt with a range of themes – eulogies, elegies, satires, moral and religious verse, love poetry – all in strict metre. Examples of the most polished poems of the late medieval period in Ireland are ascribed to Muiredach Albanach Ó Dálaigh, the early thirteenth-century poet whose adventures reputedly brought him as far as the Holy Land. Although there is a question about the authorship of poems ascribed to Muiredach, the primary reason for accepting them as genuine early thirteenth-century compositions ‘is simply their superlative quality, which few authors could be expected to attain, together with a less easily definable freshness and lyricism’.⁹⁵ Muiredach’s poem addressed to the Virgin Mary, at times lofty and pious, is imbued with highly sensuous sentiments:

A ÓghMhuire, a abhra dubh,
a mhórmhuine, a ghardha geal,
tug, a cheann báidhe na mban,
damh tar ceann mo náire neamh . . .

Déanam feis, a mheardha mhór,
 dod deis dealbhda, taobh ré taobh,
 gabh m'fhorthain deaghrann is duan
 uam, a ghealmhall shocraidh shaor.
 Ná rabh bean acht tusa im thigh,
 gomadh tusa bhuis fear air,
 na mná fallsa ad-chiú 's na cruidh,
 a bhfuil damhsa riú ná raibh . . .

Virgin Mary, black brow, great tree, bright garden, most beloved of women, grant me heaven for my humility . . .

Let us mutually make a feast to your shapely form, o great swift one; take my supply of good verses and poems from me, o bright shapely noble one.

Let there be no woman but you in my house, may you be its master; may what is mine not be attracted by false women I see, nor by wealth.⁹⁶

The relationship between poet and patron and the product of that relationship, the poem, could almost be regarded as a conceit. Katharine Simms goes so far as to suggest that the real value of these poems lies in their insincerity or false nature. 'The fact that every bardic eulogy was delivered in expectation of a substantial reward meant inevitably that the sentiments it contained were either directly requested by the patron, or the poet confidently expected them to be welcome hearing.'⁹⁷ In the absence of administrative documents originating from the courts of Irish lords of this period, bardic poems are of greater historical value than often acknowledged by historians in that they offer 'the standpoint of the politically powerful patron, and to a lesser extent current public opinion, which might or might not coincide with the bard's private bias'.⁹⁸ Tadhg Óg Ó hUiginn, for example, suggested that it might be more desirous of Neachtain Ó Domhnaill (of the O'Donnells of Donegal) to seek the friendship of the stronger Éinrí Ó Néill (O'Neill) to whom Neachtain had submitted in 1422, probably reflecting Neachtain's own wish to cease hostilities and also the poet's understanding of the existence of two nations in contemporary Ireland:

May graceful Neachtain, Toirdhealbhach's son, understand the wisdom of my advice – seeing that the Goill [Anglo-Irish] are near to him too – not to attack Niall's strong folk.⁹⁹

The master-poets were not averse to commenting on the political manoeuvres of Anglo-Norman barons, including the Burkes, Butlers and various Geraldine houses, nor indeed did the barons decline the poets' good offices when required.¹⁰⁰ A constant theme, which enabled the poets to include the Anglo-Normans within the schema of Irish traditional learning, was to suggest that the Anglo-Norman 'invasion' of Ireland was the last such invasion of the country since prehistory, all of which except the coming of the Anglo-Normans are detailed in the eleventh-century pseudo-historical tract *Lebor Gabála Éirenn*. Poets were engaged to assert the 'Irishness' of Anglo-Norman barons and to fend off accusations that their right to hold land in Ireland was not genuine. The oft-quoted verse by Gofraidh Fionn Ó Dálaigh addressed to the earl of Desmond is indicative of the dilemma or even falsehood faced by a poet:

In the foreigners' poems we promise that the Irish shall be driven from Ireland; in the Irishmen's poems we promise that the foreigners shall be routed across the sea.¹⁰¹

The level of literacy among women is difficult to determine, as is proof that ascriptions to women are genuine or that the works of female authors have not been hidden due to lack of evidence or incorrect ascriptions.¹⁰² Women appear occasionally as patrons or at least the subjects of poets' praise. Extravagant generosity ensured that a patron was acquiring prestige through eloquent bardic poems:

Nualaith [MagShamhradháin] is never niggardly in rewarding poems (even) when a poet presumes too far; her anger will not fall on a poet-band, however many come with their harps.¹⁰³

The most celebrated patroness of poets and others of the learned classes was Mairgréag an-Einigh Ó Cearbhaill (d. 1451), wife of Calbhach Ó Conchobair of Offaly, who held two public assemblies in 1433, partially for the learned professions and partially as a social obligation during a famine.¹⁰⁴

The 'Great Books'

The survival of the considerable corpus of vernacular texts from medieval Ireland can be attributed to a remarkable scribal tradition that preserved and copied material from the seventh to the nineteenth centuries. Testimony to this tradition is evident from the great manuscript collections including those of the Royal Irish Academy, the National Library of Ireland, Trinity College, Dublin, the British Library and the Bodleian Library, Oxford. It seems that an intrinsic element in the medieval Irish learned tradition was the codex or miscellany, a virtual portable reference library. Apart from surviving miscellanies, the earliest of which (Lebor na hUidre, Rawlinson B502 and the Book of Leinster) date to the twelfth century, references by scribes to their sources and other internal textual references suggest that many other manuscripts have been lost. Scholars of this scribal tradition have concentrated on the identification of scribes, on their schools and their sources. In recent decades Tomás Ó Concheanainn, William O'Sullivan and Nollaig Ó Muraíle have advanced this work considerably, especially in their consideration of the compilation of Lebor na hUidre and the Book of Leinster, the scribal schools in Connacht and the great collectors such as Sir James Ware (d. 1666).¹⁰⁵ These are extraordinarily complex issues, not least due to the fact that many of the major miscellanies are the works of more than one scribe, that their sources are often numerous and disparate, and that a miscellany can span the work of decades. The major medieval Irish miscellanies are mainly available in facsimiles and not in diplomatic editions.¹⁰⁶

The thirteenth century accounts for few of these miscellanies, but the number increases dramatically for the late fourteenth and fifteenth centuries. The most important 'great books' (a phrase coined to describe the miscellanies of this period) include the so-called Yellow Book of Lecan, the Book of Uí Maine, the Book of Ballymote, the Book of Lecan, Leabhar Breac, the Book of Lismore, the Book of Fermoy, Laud Miscellany 610 otherwise known as the Book of Pottlerath and the Book of the Dean of Lismore.¹⁰⁷ Two features distinguish the later medieval manuscripts from their

twelfth-century equivalents. The earlier manuscripts were products of church or monastic schools (Clonmacnoise, Glendalough, Killeshin and Oughaval), while the later ones were compiled in the schools of lay learned families such as Clann Fhir Bhisigh of Lackan. There also seems to have been a geographical shift in the tradition in the twelfth century from the midlands and Leinster to Connacht and Munster where learned families flourished under the patronage of sympathetic Irish lords and Anglo-Norman barons.

Education in Late Medieval Ireland

Latin learning was an integral part of church schools in Ireland from the coming of Christianity in the fifth century and exegesis was practised to the highest standards. Whereas native vernacular learning dominated from the tenth century onwards, there is ample evidence to indicate that Latin erudition continued to flourish in monasteries such as Glendalough and Lismore. Francis John Byrne points to the growth of an ‘embryonic’ university at Armagh. Reference is made in an edict declared at the Synod of Clane (1162) whereby no one except an *alumnus* of Armagh was to be recognized as a lector in any church in Ireland. In 1169 it is recorded that Ruaidrí Ua Conchobair, high-king of Ireland, endowed the lector of Armagh for teaching students from Ireland and Scotland. Byrne notes that the particular lector in question was Flann or Florinnt Ua Gormáin, who is described in his obit (*Annals of Ulster*, s.a. 1174) as having spent twenty-one years studying in England and France and twenty years directing the schools of Ireland.¹⁰⁸ Ruaidrí Ua Conchobair’s patronage of Armagh may have been ‘out of step with contemporary notions of patronage and reform ideology’¹⁰⁹ in so far as he was possibly in alliance with the old learned order countering church reform, although Flann’s sojourns abroad suggests someone familiar with contemporary learning. Marie Thérèse Flanagan notes that tensions on the matter of learning had surfaced in the eleventh century in the correspondence between Domnall Ua hÉnna and Archbishop Lanfranc of Canterbury when the latter commented censoriously in 1080: ‘you also sent problems of secular literature for us to elucidate, but it does not befit a bishop’s manner of life to be concerned with studies of that kind’.¹¹⁰ Some Irish reformers may have held similar views, so close was their contact with the continental reform movement. For example, Gilla Críost Ua Connairche, first abbot of Mellifont and bishop of Lismore – a notable centre of learning in its own right and rival to Armagh – was appointed papal legate by Pope Eugenius III no later than 1151. Gilla Críost and Eugenius were fellow monks at Clairvaux in 1140.¹¹¹ Although the reform movement contributed to the emergence of two distinct learned orders in the thirteenth century – a secular, vernacular order and a church-based Latin order – it seems not to have addressed education in any of its twelfth-century synods.

The need for an ecclesiastically based collegiate system similar to that in contemporary England prompted John Cumin, the late twelfth-century archbishop of Dublin, to establish a secular college of clerks at St Patrick’s cathedral in Dublin in 1192. The college’s ‘founding charter’ declares that this institution was for clerks ‘who by their pattern of proper behaviour should be an example to others how to live and where letters are concerned should serve the education of those less cultured’.¹¹² Cumin, who had previously complained that the Irish were badly instructed

in sacred laws, also expressed concern that Ireland lacked professors of divine and human law and desired to correct the situation.¹¹³ The extent to which this situation improved in the following centuries is open to interpretation. Canice Mooney in an assessment of the late medieval Irish church claimed that '[i]t was one of the great tragedies of Ireland, a country so outstanding in the ancient period for its schools and scholars, that that great medieval institution, the university, failed to take root in its soil until after the reformation . . . Brilliant students were deprived of the opportunities for intellectual development in other civilized countries'.¹¹⁴ Various attempts were made to establish universities in Ireland, particularly in Dublin. In 1312 Pope Clement V issued a bull allowing for the establishment of 'a university of scholars and a *studium generale* [the common medieval term for a university] in every lawful science and faculty . . . in which masters may have liberty to teach students to hear lectures in the same faculties'. This bull was issued in response to a petition by Archbishop Lech of Dublin who died before he could implement the papal permission. His successor, Alexander Bicknor, who was also justiciar in Ireland in 1318–19, obtained confirmation of the papal bull in 1320 and drew up a university constitution, largely modelled on his own alma mater, Oxford. The project did not prosper, however, and in the words of the Franciscan annalist Friar John Clyn: '1320. The university of Dublin commenced, a university in name, but would that it were in fact and reality'. In 1475 an amalgam of orders (Dominican, Franciscan, Augustinian and Carmelite) again petitioned the pope for the establishment in Ireland of a *studium generale* in theology and the arts, citing the difficulties encountered by scholars who chose to study abroad. While papal permission was granted, once more the project seems to have foundered.

Even though a university did not flourish, there is evidence that intellectual activity was established particularly among the Dominicans and the Franciscans. The Dominicans had schools of theology at St Saviour's in Dublin and in Athenry, Co. Galway. In 1438 Pope Eugenius IV directed the Irish Franciscans to establish schools of theology at Galway and Drogheda.¹¹⁵ It is instructive to note, for example, the contents of the library kept at the Franciscan friary in Youghal from 1494 to 1523.¹¹⁶ The catalogue of 130 volumes consists of volumes relating to scholastic theology, preaching literature and scripture, some by local friars, others contemporary Italian treatises. One noted medieval Irish theologian was Maurice O'Fihely, the Franciscan archbishop of Tuam (1506–13). O'Fihely studied at Oxford and was regent of studies at Milan in 1488. In 1491 he obtained a similar position at Padua where he compiled a four-volume edition of John Duns Scotus. In his capacity as archbishop of Tuam he attended the Fifth Lateran Council in Rome in 1512.¹¹⁷ There is ample evidence of Irish students attending universities abroad, most notably Oxford, Paris, Bologna and Rome. The papal registers note, for example, that Matthew Ó Gríofa stated in 1458 that he had lectured publicly for more than four years in the faculty of canon law of Oxford.¹¹⁸ The most eminent Irish churchman of the late medieval period was Richard fitz Ralph (d. 1360), archbishop of Armagh, who became chancellor of the University of Oxford in 1332 and who visited the papal court at Avignon on four occasions to preach and to teach. Many of his sermons, ninety of which survive, deal with his campaign against the friars, especially the Franciscans, whose interpretation of Christ's poverty he questioned throughout his career. Fitz Ralph also seems to have been concerned about the education of the clergy in Ireland.¹¹⁹

In an address to the provincial Council of Armagh held at Drogheda in 1355, he urged that his clergy make a general subscription to enable some of their number to study abroad at a university.¹²⁰

Literature in French and English

In his exhortations compiled during visitations to Cistercian foundations in Ireland in 1228, Stephen of Lexington ruled that 'No one shall ever be received as a monk unless he knows how to confess his faults in French or Latin, regardless of whichever people he belongs to'.¹²¹ At the end of the period under consideration, the Kildare Rental lists the late fifteenth-century contents of the library of the Gerald Mór fitz Gerald, eighth earl of Kildare, categorizing them into Latin, French, English and Irish works.¹²² Throughout the medieval period, literature in English and French emanated from Ireland or from Irish authors settled elsewhere. Among the best-known Hiberno-Norman pieces are the early thirteenth-century metrical account of the first deeds of the Anglo-Normans in Ireland known today as *The Song of Dermot and the Earl*; the works of Jofroi, a Dominican from Waterford living in Paris; the compositions of Richard Ledrede, an English Franciscan who was bishop of Ossory from 1317 to 1360, preserved in the Red Book of Ossory; material preserved in the early fourteenth-century manuscript MS Harley 913, which includes the *Proverbie Comitís Desmonie* by Thomas fitz Maurice, created earl of Desmond in 1330; and the poem known as *The walling of New Ross*, composed in 1265.¹²³ The latter describes the measures taken by the citizens of the town of New Ross to protect their prosperous mercantile port against possible aggression during the feud between Walter de Burgh, earl of Ulster, and Maurice fitz Maurice, who represented the Geraldines of Connacht. New Ross is described in glowing terms: there is no more hospitable town on the mainland or island, and any foreigner is made welcome there and freely permitted to conduct his trade:

Kar ce est la plus franch vile
 Qe seit en certain ne en yle;
 E tot hom estrange est ben venu,
 E de grant joi est resceu,
 E chter e vendre en pite ben,
 Qe nul hom ne li demandra reen.¹²⁴

If, as we saw above, the Irish bardic poets could be satirical on occasion, so could the authors of English and French literature. James Yonge, who translated Jofroi of Waterford's *Secretum Secretorum* under the title *The Governauce of Prynces*, adds his own personal comments to the composition by omitting Jofroi's entertaining ode to wine and substituting it with hostile comments on the Irish.¹²⁵ MS Harley 913, probably a Franciscan manuscript, contains poems in English which reflect the hostile attitude adopted by some fourteenth-century Franciscans towards the Irish and towards other orders, particularly the Cistercians. A lament on the death of Piers de Bermingham, lord of Tethmoy in Offaly, praises his treatment of Irish lords and their followers:

An other thing al-so:
 To Yrismen he was fo,

That wel wide-whare,
 Euer he rode aboute
 With streinth to hunt ham vte,
 as hunter doth the hare.¹²⁶

The highly acerbic early fourteenth-century poem *The Land of Cokaygne*, also preserved in MS Harley 913, satirizes monastic life, in this instance the Cistercian order, for its excessive pleasures. It is indicative of the flow between the cultures of late medieval Ireland, despite the apparent tensions which erupted on occasion, that the satire in *The Land of Cokaygne* is so reminiscent of – and indeed may have been influenced by – the twelfth-century Irish satire *Aislinge Meic Con Glinne*.¹²⁷ We may note the occurrence of fleas in both! In Cokaygne:

Nis ther flei, fle no lowse
 In cloth, in toune, bed no house.¹²⁸

Not so in the monastery of Cork when Mac Con Glinne visited:

The blanket of the guest house was rolled up in a bundle on its bed, and it was full of lice and fleas . . . as multitudinous as the sands of the sea or as the sparks of fire or as dew-drops on a May-day morning or as the stars of heaven were the lice and the fleas biting his feet, so that he grew sick at them.¹²⁹

Flying is one of the feats performed by the grey and white-clad monks in Cokaygne:

The yung monkes euch dai
 Aftir met goth to plai.
 Nis ther hauk no fule so swifte
 Bettir fleing bi the lifte
 Than the monkes heigh of mode,
 With har sleius and har hode.¹³⁰

Stephen of Lexington could probably have imagined these activities a century or so earlier, if his prescriptions to the Cistercian monks of Duiske, Jerpoint and Mellifont are any indication of his suspicions about them.

Conclusion

Scholars have portrayed this period as an era dominated by two competing monoliths, one Anglo-Norman or English and the other ‘Gaelic’ or Irish, not only on the political but also on the cultural front. In more recent times a realization has emerged that the relationship between the two ‘cultures’ is far more complex and that while each had its own distinct cultural values, they borrowed constantly from one another. The pace of adoption and adaptation varied both regionally and through time. The general thrust of events is now reasonably well understood, but what is now needed are further detailed studies confined to specific regions (for example, the Ossory Pale or the Ó Briain kingdom of Thomond) or dealing with the patronage of particular families (the earls of Ormond or the de Burgos of Connacht), looking at all sources, archaeological, historical and literary.

NOTES

- 1 Henry, *Irish Art*, p. 25.
- 2 Macalister, *Archaeology of Ireland*, p. 343.
- 3 Stalley, 'Irish Gothic', pp. 68–9.
- 4 E.g. C. Breatnach, 'Religious significance of *Oidheadh Chloinne Lir*'.
- 5 Ó Floinn, 'Schools of metalworking', p. 179.
- 6 Henry and Marsh-Micheli, 'Century of Irish illumination'; O'Keeffe, 'Romanesque as metaphor'.
- 7 Stalley, 'Romanesque sculpture of Tuam'; Ó Floinn, 'Schools of metalworking'.
- 8 Ó Floinn, 'Innovation and conservatism', pp. 268–9.
- 9 Etchingam, 'Episcopal hierarchy', p. 23.
- 10 Ó Floinn, 'Irish and Scandinavian art'. See also Henry, *Irish Art*, esp. pp. 190–205.
- 11 Lang, *Viking-age Decorated Wood*.
- 12 Ó Floinn, 'Foundation relics'.
- 13 Stalley, 'Three Irish buildings', pp. 62–6; Stalley, *Cistercian Monasteries*, pp. 84–6.
- 14 O'Keeffe, 'Romanesque portal at Clonfert', pp. 264–5; O'Keeffe, 'Lismore and Cashel', pp. 139–40.
- 15 Ó Floinn, 'Innovation and conservatism'.
- 16 Stalley, *Architecture and Sculpture*, pp. 20–3, 77.
- 17 Waterman, 'Somersetshire and other foreign building stone'.
- 18 Leask, *Irish Churches and Monastic Buildings*; Champneys, *Irish Ecclesiastical Architecture*.
- 19 Stalley, *Architecture and Sculpture*.
- 20 Stalley, *Cistercian Monasteries*; Mooney, 'Franciscan architecture'
- 21 Barry, 'Architecture of the cathedral'; O'Keeffe, *Anglo-Norman Monastery*.
- 22 Fitzpatrick and O'Brien, *Medieval Churches of County Offaly*.
- 23 Leask, *Irish Castles*; McNeill, *Castles in Ireland*; Sweetman, *Medieval Castles of Ireland*.
- 24 *Annals of Connacht*, s.a. 1230.
- 25 *Annals of Ulster*, s.a. 1431.
- 26 *Annals of Ulster*, s.a. 1479.
- 27 *Annals of Ulster*, s.a. 1491.
- 28 Harbison, *High Crosses*, vol. 1, pp. 355–66.
- 29 Stalley, *Architecture and Sculpture*, p. 20; Stalley, *Cistercian Monasteries*, p. 43.
- 30 *Ibid.*, pp. 42–3.
- 31 Hunt, 'Rory O'Tunney', pp. 22–7.
- 32 Steer and Bannerman, *Late Medieval Monumental Sculpture*, pp. 39, 43, 106–7.
- 33 Stokes, *Christian Inscriptions*, pl. 44, fig. 92b.
- 34 *Ibid.*, pl. 45, fig. 94.
- 35 Ó Floinn, 'Schools of metalworking', p. 179.
- 36 Berry, 'Goldsmiths' Company', p. 119.
- 37 Quigley and Roberts, *Registrum Iohannis Mey*, pp. 432–3.
- 38 Ó Floinn, 'Goldsmiths' work of the later middle ages', p. 36.
- 39 Hunt, *Limerick Mitre and Crozier*, pl. 6.
- 40 *Chronicon Scotorum*, s.a. 1125.
- 41 Macalister, *Corpus*, p. 24.
- 42 Hunt, *Figure Sculpture*, pp. 34–5.
- 43 Fry, *Burial in Medieval Ireland*, pp. 171–6.
- 44 Macalister, *Corpus*, pp. 8–9.
- 45 *Annals of . . . the Four Masters*, s.a. 1474.

- 46 Ó Floinn, 'Clonmacnoise'.
- 47 Hunt, *Figure Sculpture*.
- 48 Bradley, 'Anglo-Norman sarcophagi', pp. 74–94.
- 49 King, 'Memorial brasses', pp. 111–40.
- 50 George and Davies, 'Norman graveslabs', pp. 37–44; Maher, *Medieval Grave Slabs*.
- 51 Bradley, 'Medieval tombs', pp. 49–103.
- 52 McNeill, *Anglo-Norman Ulster*, pp. 43–5.
- 53 Bradley, 'Medieval tombs', no. 2; Hunt, *Figure Sculpture*, nos 18, 272.
- 54 *Ibid.*, nos 2, 3, 212.
- 55 Leask, *Irish Churches*, vol. 3, pp. 168–9; Rae, 'Architecture and sculpture', p. 771.
- 56 Stalley, *Cistercian Monasteries*, pp. 120–1, 209.
- 57 Simms, 'Medieval kingdom', pp. 126–41.
- 58 Waterman, 'St Mary's priory, Devenish', pp. 39, 44–6.
- 59 *Annals of Ulster*, s.a. 1533.
- 60 *Annals of Ulster*, s.a. 1425, 1443.
- 61 *Annals of Ulster*, s.a. 1428, 1430, 1450, 1480.
- 62 *Annals of Ulster*, s.a. 1430.
- 63 *Annals of Ulster*, s.a. 1480. The veracity of this statement is borne out by the survival of a silver chalice and paten bearing the name of one of Tomás's descendants, Cuconnacht, dated 1529; see Buckley, *Altar Plate*, pp. 19–22.
- 64 *Annals of Ulster*, s.a. 1447. Stalley, 'Irish Gothic', p. 86 suggests that the term may refer to a ribbed vault.
- 65 *Annals of Ulster*, s.a. 1498.
- 66 *Annals of Ulster*, s.a. 1447, 1450.
- 67 *Annals of Ulster*, s.a. 1477.
- 68 *Annals of Ulster*, s.a. 1435, 1480.
- 69 Stalley, 'Irish Gothic', p. 66.
- 70 *Annals of Connacht* (s.a.).
- 71 L. Breatnach, *Uraicecht na Ríar*, pp. 87–9, 98–104.
- 72 Murphy, 'Bards and filidh'.
- 73 Simms, 'An eaglais agus filí na scol'.
- 74 Mac Cana, 'Rise of the later schools of *filidheacht*'.
- 75 *Ibid.*, p. 133.
- 76 L. Breatnach, *Uraicecht na Ríar*, pp. 103–4.
- 77 Best, Bergin and O'Brien, *Book of Leinster*, p. xvi. For consideration of the letter's context as *ars dictaminis*, see Forste-Grupp, 'Earliest Irish personal letter', pp. 1–11.
- 78 Simms, 'Frontiers in the Irish church', p. 192.
- 79 *Ibid.*
- 80 Best, 'Graves of the kings at Clonmacnois', pp. 168–9.
- 81 O'Sullivan, 'Insular calligraphy', p. 356.
- 82 Simms, 'Bardic poetry', p. 68.
- 83 Simms, 'An eaglais agus filí na scol', p. 24.
- 84 McKenna, *Dioghluim Dána*, p. 211 (my translation).
- 85 Simms, 'Bards and barons', p. 181.
- 86 Bergin, *Irish Bardic Poetry*, pp. 79, 247 stanza 49; O Riordan, *The Gaelic Mind*, p. 36.
- 87 Kelly, *Guide to Early Irish Law*, pp. 250–60.
- 88 Ní Dhonnchadha, 'Address to a student of law'.
- 89 *Ibid.*, pp. 167, 170.
- 90 Ó Muraíle, *Celebrated Antiquary*, pp. 1–61.
- 91 *Ibid.*, p. 31.
- 92 Ó Concheanainn, 'Dán Ghiolla Íosa Mhic Fhir Bhisigh'.

- 93 Ibid., p. 143.
- 94 Simms, 'Literacy and the Irish bards', p. 239.
- 95 Simms, 'Bardic poetry', p. 59.
- 96 Bergin, *Irish Bardic Poetry*, pp. 93–100, stanzas 17, 36–7.
- 97 Simms, 'Bardic poetry', p. 60; O'Sullivan and Ó Riain, *Poems on Marcher Lords*, pp. xvi–xx.
- 98 Simms, 'Bardic poetry', p. 60.
- 99 Ibid., pp. 61–2.
- 100 Simms, 'Bards and barons'.
- 101 McKenna, *Dioghlúim Dána*, p. 206.
- 102 Simms, 'Women in Gaelic society', pp. 33–6; Ní Dhonnchadha, 'Two female lovers'.
- 103 Simms, 'Bardic poetry', p. 66.
- 104 Fitzpatrick, 'Mairgréag an-Einigh Ó Cearbhaill'.
- 105 For recent works and references see Ó Concheanainn, 'Medieval Irish historiographer' and O'Sullivan, 'Finding list'.
- 106 Best and Bergin, *Lebor na Huidre*; Best, Bergin and O'Brien, *Book of Leinster*, vol. 1; Best and O'Brien, *Book of Leinster*, vols 2–5; O'Sullivan, *Book of Leinster*, vol. 6.
- 107 Carney, 'Literature in Irish', pp. 690–4; O'Neill, *Irish Hand*, pp. 32–50.
- 108 Byrne, 'Trembling sod', p. 41.
- 109 Flanagan, 'Council of Cashel', p. 203.
- 110 Clover and Gibson, *Letters of Lanfranc*, no. 49; Flanagan, 'Council of Cashel', p. 203.
- 111 Ibid., pp. 186–7.
- 112 Hand, 'Rivalry of the cathedral chapters', p. 102.
- 113 Murphy, 'Balancing concerns', p. 47.
- 114 Mooney, *Church in Gaelic Ireland*, p. 21.
- 115 Ibid., p. 22.
- 116 Ó Clabaigh, *Franciscans in Ireland*, pp. 158–80.
- 117 Conlon, *Franciscan Ireland*, pp. 23–5.
- 118 Mooney, *Church in Gaelic Ireland*, p. 23.
- 119 Walsh, *Fourteenth-century Scholar and Primate*.
- 120 Gwynn, 'Richard Fitzralph', p. 85.
- 121 O'Dwyer, *Stephen of Lexington*, p. 162, para. 40.
- 122 Mac Niocaill, *Crown Surveys of Lands 1540–41*, pp. 355–6.
- 123 Mullally, 'Hiberno-Norman literature'.
- 124 Bliss and Long, 'Literature in Norman-French and English', pp. 718–19.
- 125 Mullally, 'Hiberno-Norman literature', p. 332.
- 126 Lucas, *Anglo-Irish Poems*, p. 153.
- 127 Ibid., pp. 175–6; Henry, 'The land of Cokayne', p. 192.
- 128 Lucas, *Anglo-Irish Poems*, p. 48.
- 129 Jackson, *Celtic Miscellany*, pp. 205–6.
- 130 Ibid., p. 52.

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Index

- Abbeyknockmoy abbey, 571
Aberconwy, 421
Aberdeen, 107, 109, 111, 113, 117, 119, 120,
397, 404, 529, 531
cathedral and diocese of, 397, 404, 406
university of, 404
Aberffraw, 318
Abergavenny, priory of, 416
Abergwili, church of, 421
Abernethy, 287
Aberystwyth, 131
Abingdon, 79
Act of Union of England and Wales, 328–9, 554
Adda, Ieuan Fychan ab Ieuan ab, 129
Adrian IV, 335, 338, 433
Aghalurcher, church of, 573
agriculture, 3–25 *passim*, 107–8, 126–7, 131,
134–5, 145, 149–51
Aislinge Meí Con Glinne, 586
Alba, 286–7, 289, 306
Albany, duke of, 405; *see also* Robert, earl of Fife
Alexander I, 172, 287, 288
Alexander II, 177, 289, 294
Alexander III, 115, 284, 289, 295, 296, 401
Alexander III, pope, 435
Alexander, lord of the Isles and earl of Ross, 305
alien priories, 367
almshouses, 392
Alnwick, 49
Altan, Anthony, bishop of Urbino, 401
Amiens, Mise of, 204
anchorites and anchoresses, 385–6, 421, 423
Angevin empire, 169–70, 175–6, 186
Angharad, daughter of Hywel ap Tudur ab Ithel
Fychan, *see* Adda, Ieuan Fychan ab Ieuan ab
Anglesey, 126, 129, 130, 133, 135, 322
Angoulême, 169
Angus, 287, 288, 298, 524
Anian, bishop of Bangor, 414
Anian, bishop of St Asaph, 415
Anjou, 169, 170, 186
Annandale, 288, 290, 292
Anne of Bohemia, queen of Richard II, 97
Anselm, archbishop of Canterbury, 374, 432
Anwykyll, John, 454
Aquinas, Thomas, 458, 500
Aquitaine, 170, 176, 201
Arbroath, Declaration of, 284, 299, 523
monastery of, 406
Archenfeld, 413
architecture, church, 406, 435–6, 441–2, 472–96
passim, 529, 531, 559–60, 561, 563–4
Ardee, 156
Arden, Forest of, 10, 270
Argyll, 286, 290, 299
diocese of, 397, 436
earls of, 305
Aristotle, 460, 528
Armagh, 157, 568, 583, 585
bishop, cathedral and diocese of, 336, 350,
432, 433, 435, 440, 441; *see also* fitz Ralph
monasterium and monastery of, 431, 437
Arthur, son of Henry VII, 552
Arthurian romances, 543, 545, 547, 553
Arundel, lords of, 325
Arundel, Thomas, archbishop of Canterbury, 373,
378, 508
Ashmore, chapel of, 573
Ashwater, 30
Assembly of Ladies, The, 515
Astyn, John, 82
Athenry, school at, 584

- Athlone, 153, 156
 Atholl, 286, 287
 Auchencrow, 109
 Augustine, St, 184, 510
 Augustinian canons, 274, 363, 364, 365, 367, 369, 391, 400, 406, 417, 423, 435, 437, 452, 455
 Augustinian friars, *see* Austin friars
 Aulina, daughter of the Knight of Kerry, 571
 Austin canons, *see* Augustinian canons
 Austin friars, 366, 384, 421, 438, 561, 584
 Avenels, family of, 288, 290
 Ayala, Pedro de, 525
 Ayr, 111, 407
- Bacon, Roger, 459, 534
 Bagimond, 401
 bagpipe, invention of, 525
 Baker, Geoffrey le, 134
 Bale, John, 440
 Ball, John, 72, 73, 513
 Balliol College, Oxford, 465
 Balliol, family of, 179, 296–9
 Edward, 300
 John, 296–7, 300, 465
 Banff, 111
 Bangor, bishop, cathedral and diocese of, 127, 411, 412, 413, 422, 548; *see also* Anian; Cadwgan; David the Scot; Hervé; Richard; Urban
 Bannockburn, battle of, 136, 211, 285, 298, 299
 Barbour, John, 530
 Bardsey Island, 421
 Barelegs, Magnus, 168, 336
 Barnard Castle, 49
 Barons' War and baronial reform movement, 40, 69, 75, 184, 191, 202–4, 319
 Barrow, River, 151, 156
 Barry, Gerald de, *see* Gerald of Wales
 Basingwerk, monastery of, 132, 419
 bastard feudalism, 216–17, 224–5, 273–4, 343
 Bath, 54
 Baudy, William, 117
 Beauchamp, family of, 487, 491
 Beaufort, Henry, bishop of Winchester, 491
 Margaret, 97, 137, 273, 392
 Beaulieu, prior of, 403
 Beaumaris, 132, 133, 136
 Becket, Thomas à, archbishop of Canterbury, 148, 254, 339, 373, 376, 457, 477
 Beckington, Thomas, bishop of Wells, 372
 Beddgelert, 421
 Bedford, 54
 Bedfordshire, 172
 beguinages, 387
- Beli, Iorwerth, 548
 Benedict XIII, 530
 Benedictines, 6, 267, 268, 274, 364, 365, 369, 370, 400, 411, 416, 419, 420, 437
 Benfras, Daffyd, 546
 Berkeley Castle, 326
 Berkeley, Lady, 465; *see also* Margaret, Lady Berkeley
 Lord, *see* Thomas, Lord Berkeley
 Berkshire, 249
 Bermingham, Piers de, lord of Tethmoy, 585
 Bernard, bishop of St David's, 412, 413, 414, 416
 Bernard of Clairvaux, 364, 435, 437–8, 507
 Berwick, 113, 119, 211, 300, 306, 397
Bestiary, 500
 Beuillard, Agnes de, 130
 Beverley, 51
 St Mary's church, 479
 Bibbesworth, Walter, 465
 Bicknor, Alexander, archbishop of Dublin, 584
Bien des Fames, Le, 515
 Bigod, Hugh, earl of Norfolk, 476
 Bingham, William, 458
 Black Death, *see* plague
Blasme des Fames, Le, 515
 Bleddyn, Maredudd ap, 318
 Blois, county of, 169
 Boccaccio, Giovanni, 96
 Boece, Hector, 523
 Boethius, 458, 459
 Bohun, Eleanor de, 483
 Mary de, 483
Boke of St Albans, The, 510
 Boleyn, family of, 489
 Bolingbroke, Henry, *see* Henry IV
 Bologna, university of, 460, 584
 Boniface VIII, 460
 Boniface IX, 377
 Bonshommes, order of, 423
Book of the Dean of Lismore, The, 524, 527
 boroughs, *see* towns
 Boruma, Brian, 147
 Boston, 49, 53, 79
 church, 485
 friary, 482
 Bosworth, battle of, 224, 231, 232, 552
 Boulogne, county of, 169
 Bourne, Robert of, 482
 Bower, Walter, and the *Scotichronicon*, 283, 400, 404, 405, 407, 523, 527–8
 Boyle abbey, 567
 Boyne, River, 151
 Bracton, Henry, 88, 95, 185
 Braintree, 38
 Braose, William de, 341

- Brechin, diocese and cathedral of, 397, 406
 Brechin, Sir David, 298
 Brecon, 132, 138, 314, 416
 lordship of, 323
 rood of, 422
 Breckland, 10
 Breifne, 338
 Breteuil-sur-Iton, 154
 Brewes, family of, 489
 Bridget of Sweden, 528
 Bridgwater, 54, 79
 Bridport, 371
 Brigg, Thomas, 489
 Brigittines, order of, 375, 391
 Brinton, Thomas, bishop of Rochester, 502–3,
 504
 Bristol, 53, 59, 82, 133, 338, 339, 491
 Brittany, 169, 236
 Bromfield, 322
 Bromyard, John, 502, 504
 Brouderer, Elizabeth, 87
 Brown, James, dean of Aberdeen, 531
 Bruce, family of, 179, 288, 290
 David, 299
 Edward, 345
 Robert (fl. 12th c.), 288
 Robert (d. 1295), 296
 Robert (d. 1304), 292
 Robert (d. 1329), *see* Robert I
 Brúilingeach, Giolla Críost, 526, 527
Brut y Tymysogyon, 310, 314, 419
 Brycheiniog, 175
 Buchan, 287, 292, 298
 Buckingham, duke of, 138, 270
 Buellt, 175
 Bulkeleyes, family of, 129
 Burford, 87
 Burgh, de, family of, 340, 343, 346; *see also*
 Burke
 Elizabeth de, 465
 Hubert de, 198, 199, 200
 John de, 378
 Richard de, 342
 Walter de, 340, 342, 585
 Burgo, Thomas de, 571
 Burgos, de, family of, 586
 Burke, family of, 340, 346, 581
 Burrishoole abbey, 571
 Bury St Edmunds, 79
 abbey of, 29, 54, 72, 79, 474
 Butler, family and lordship of, 340, 342, 345,
 351, 352, 560, 581
 Cade's Rebellion, 69, 74, 85, 231
 Cadwaladr, 545
 Cadwgan, bishop of Bangor, 414
 Caerleon, monastery of, 417
 Caernarfon, town and castle of, 130, 133, 321
 Caernarfonshire, 133, 322
 Cahermacnaghten, 579
 Caithness, 286, 290
 diocese of, 397
 Cairtriona, daughter of the O'Neill, wife of John,
 lord of Fermanagh, 573, 574
 Calais, 97, 171, 211
 Cambrensis, Giraldus, *see* Gerald of Wales
 Cambridge, 48, 53
 university of, 97, 267, 272, 405, 451, 455,
 456–61, 463, 465; *see also* individual
 colleges
 Cambridgeshire, 14, 41
 Campbell, family of, 299, 305
 Canmore, Malcolm, *see* Cennmór, Máel
 Coluim
 Canterbury, archbishop, cathedral and diocese
 of, 75, 336, 360, 362, 374, 411, 413, 432,
 456, 477, 480, 486; *see also* Anselm;
 Arundel, Thomas; Becket; Lanfranc;
 Langton; Morton; Peckham; Sudbury;
 Walter, Hubert
 St Augustine's abbey, 474; *see also* Wulfric
 Caradog, 424
 Cardiff, 132, 138
 Cardigan, 51, 136
 Carlisle, diocese of, 366, 397
 Carlow, 347, 349
 Carmarthen, 51, 132, 133, 136, 175
 priory of, 416
 Carmelites, 366, 400, 438, 584
 Carrickfergus, 149, 345
 Carrick-on-Suir, 156
 Carthusians, 365, 367, 368, 375, 391, 406
 Carver, Robert, 529
 Cashel, archbishop of, 432, 433, 435
 Cormac's Chapel, 563, 565
 synods of, 432, 434
 Casnodyn, 548, 549
 Castle Coombe, 35, 51
 castles, 132, 473, 476, 483, 564–6
 Catesby, family of, 270
 Cavan, 157, 158
 friars of, 573
 Caxton, William, 501, 502
 Cedifor, Peryf ap, 545
Céile Dé, order of, 437
 Cennmór, Máel Coluim (Malcolm Canmore),
 172, 177
 Ceredigion, 132, 417
 Cessolis, Jacobus de, 502, 503
 Champagne, county of, 169
 Channel Islands, 171
 Chartier, Alain, 531

- Chayanov, A. V., 26, 44
 Chaucer, Geoffrey, and works of, 13, 95, 96,
 267, 389, 498, 499, 501, 503, 505,
 507–8, 509, 512, 514, 515–16, 522,
 527, 531–2
 Chelmsford, 54
 Cheltenham, 78
 Chepstow, town and lordship, 175, 417
 priory of, 416
 Cheshire, 571
 Chester, 51, 60, 132, 133
 earl of, 175, 273
 rood of, 422
 St Werburgh's abbey, 419, 474, 485
 Chichester, bishop and cathedral of, 204, 479,
 486
 Chilterns, 15
 Chirk, 325
 Christina of Markyate, 385, 483
 Christ's College, Cambridge, 97, 465
 church courts, 254–6, 362, 373
 church reform, 146, 147, 148, 339, 372, 375–6,
 377–8, 413–14, 419, 421, 431–7, 562,
 583–4
 Cinque ports, 53
 Cistercians, 10, 131, 132, 135, 274, 362, 363,
 364–5, 366, 367, 369, 391, 400, 406, 411,
 414, 416, 417, 419–20, 437–8, 564, 568,
 585, 586
 Clackmannan, 111
 Clan Duff, 292, 305
 Clann Chuinn, 580
 Clanvowe, Sir John, 511
 Clare College, Cambridge, 272
 Clare, family of, 268, 269, 417; *see also* fitz
 Gilbert, Richard
 Gilbert de, earl of Gloucester, 313, 314
 Margaret de, 487
 Richard de, earl of Gloucester, 202, 204
 Clarence, duke of, 352; *see also* Lionel
 Clement V, 584
 clergy, regular, 363–72, 400–1, 403, 406, 415,
 416–21, 430–1, 437–9, 459; *see also* friars;
 nuns; individual orders
 secular, 360–2, 368–71, 398–400, 402–3,
 430–7, 439–41, 459, 460
 Clogher, 157, 440
 Clonard, 153
 Clones, church of, 573
 friars of, 573
 Clonfert, 157
 Clonmacnoise, 153, 569, 577, 583
 Clonmel, 156
 clothmaking, 35, 51, 59, 74, 117, 120, 135, 270;
 see also industry; trade
 Cluniacs, 363, 364, 400
 Clwyd, Vale of, 138
 Clynn, John, 584
 Cnut, King, 79, 168
 Coch, Gruffudd ab yr Ynad, 547, 548
 coinage, *see* money supply
 Colchester, 51, 54, 55, 80, 82
 castle, 476
 Coldringham, priory of, 111
 colonization, land, 10–11, 131
 Columella, 6
 commercialization, *see* trade
 Commons, House of, *see* parliament
 Comyn, family of, 292, 198, 299
 John, 298
 Connacht, 147, 336, 339, 342, 343, 345, 346,
 433, 436, 580, 583; *see also* Croibhdhearg,
 Cathal; Ó Conchobair, Toirdhealbhadh;
 Uí Chonchobair
 Connor, battle of, 345
 Convocation, 215, 362
 Conwy, town and castle, 136, 321
 copyhold, 17–18
 Corca Raidhe, 578
 Corcomroe, 572
 Cork, 156, 157, 440, 561, 569
 friary of, 438, 440
 monasterium and monastery of, 431, 437,
 586
 Cornell, William, 569
 Cornhill, family of, 192
 Cornwall, 35, 74, 249, 384
 Cothi, Lewis Glyn, 551, 552
 Cotswolds, 35
 Courcy (Coursey), John de, 341, 437
 Coventry, 59, 60, 269, 508
 friary at, 452
 Crécy, battle of, 211, 325, 488
 Crema, cardinal John of, 401
 Crescenzi, Pier de, 6
 Cressing, 35
 Crevant, battle of, 325
 'crisis' of early 14th century, 5, 8, 9, 24–5, 49,
 133, 151
 Croibhdhearg, Cathal, king of Connacht, 577
 Crondall, 76
 Crook, 339
 Crowland abbey, 41
Culwch and Olwen, 545
 Cumberland, 112, 249
 Cumbria, 173, 177, 286, 288, 295
 Cumin, John, archbishop of Dublin, 583–4
 Cumming, Sir William, 528
 Cunningham, 290
 Cuxham, 33, 34
 Cwm-hir, monastery of, 417
 Cyfeiliog, Owain, 544

- Cymer, monastery of, 132, 417
 Cynan, Gruffudd ap, 316, 318, 419, 543, 544, 546, 647
 Cyndelw/Cynddellw, 316, 533, 545
 Dafydd, Gruffudd ap Maredudd ap, 549
 Damien, John, 534
 Darcy, John, 346
 Darnell, 79
 Dartmoor, 10
 David I, 111, 112, 113, 172, 173, 177, 287, 288, 289, 290, 292, 294, 306, 397, 398, 400
 David II, 115, 116, 289, 298, 299, 300, 303
 David, duke of Rothesay, 301
 David, earl of Huntingdon, 289, 296, 299
 David the Scot, bishop of Bangor, 412
 Dda, Hywel, 547
 Ddu, Gwladys, 552
 Dean, Forest of, 35
 Deeside, 131
 Deheubarth, 175, 316, 318, 319, 320, 416, 544, 550
Deidis of Armorie, The, 528
 Denbigh, 125, 128, 133
 lordship of, 322
 Derbyshire, 35
 Derry, *monasterium* and monastery of, 431, 437, 568
 Desmond, earldom of, 345, 346, 350, 351, 581;
 see also fitz Maurice, Muiris Og; fitz Maurice, Thomas; fitz Thomas, Maurice
 kingdom of, 340, 342
 Despenser, Hugh the younger and Hugh the senior, 220
 Devenish, monastery of, 437, 573
 Devizes, 54
 Devon, 76, 274
Dialogus de Scaccario, 184–5
Dives and Pauper, 514, 515, 516
 Dolgellau, 130
 Dominicans, 366, 386, 400, 415, 422, 438, 452, 482, 561, 584
 Donatus, Aelius, 453, 527
 Donegal, friary of, 571
 Donnchad (Duncan), son of Malcolm Canmore, 172
 Dornooch, 397, 406
 Douglas, earl of, 302
 family of, 299, 302, 303, 526
 Douglas, Gavin, 529, 530, 531, 532, 533
 Downpatrick, monastery of, 437
Dream of Macsen Wledig, 545
 Drogheda, 156, 157, 352, 585
 friary of, 438
 school at, 584
 Dublin, 109, 144, 147, 148, 152, 153, 156, 157, 335, 336, 339, 342, 343, 344, 345, 347, 348, 349, 350, 351, 433, 435, 442, 561, 562, 568, 569, 575
 bishops, archbishop, cathedral and diocese of, 148, 345, 432, 433, 435, 440, 562, 564, 583; *see also* Bicknor; Cumin; Lech; Tregurg
 friary at, 438
 shire of, 350
 St Mary's abbey, 568
 St Saviour's, school at, 584
 university proposed in, 584
 Dublin Pale, 152, 350, 439, 440, 441, 442, 572
 Duiske, monastery of, 586
 Dumfries, 407
 Dunbar, earldom of, 287
 Dunbar, William, and works of, 525, 526–7, 529, 530, 531, 532, 533, 534
 Dunblane, 397, 406
 Duncan II, 289
 Dundalk, 345, 346
 Dundee, 118, 119, 120, 407
 Dunfermline, 112, 286, 298, 529
 cathedral of, 406, 407
 monastery of, 400, 527
 Dunheld, 397, 406, 529
 Duniry, 579
 Dupplin, 300
 Durham, 54, 79
 bishop of, *see* Fox
 monastery of, 364, 369, 370, 406, 474, 478, 486
 Dyfed, 175, 416
 Dyffryn Clwyd, lordship of, 133, 322, 422, 423
 Dyfi, Ieuan, 554
 Eadwine Psalter, 480
 Earlsferry, 408
 Easpuig, Gilla, 432
 East Anglia, 10, 16, 72, 269, 270, 384, 387, 407, 491
 Ebehard of Bethune, 453
 Eden, River, 408
 Edgar, king of Scotland, 172, 287, 288
 Edinburgh, 51, 111, 112, 113, 119, 120, 407, 529
 castle, 406, 531
 Royal College of Surgeons, 534
 Trinity College church, 529, 531
 Edmund of Lancaster, 230
 Edward I, 53, 128, 175, 176, 183, 208, 209, 210, 211, 212, 213, 214, 215, 217, 219, 221, 249–51, 255, 258, 264, 270, 284, 290, 296–7, 313, 314, 319–23, 326, 343–4, 374, 375, 413, 483, 487

- Edward II (of Caernarfon, Prince of Wales), 79, 128, 208, 211, 214, 217, 218, 219, 220, 221, 226, 266, 276, 296, 321, 323, 326, 344, 345, 346
- Edward III, 116, 171, 179, 208, 209, 210, 211, 212, 213, 214, 215, 217, 219, 220, 221, 222, 226, 255, 258, 264, 299, 300, 346, 347, 375, 483–4, 487, 491
- Edward IV, 226, 230, 231, 232, 233, 235, 236, 237, 238, 239, 328, 351, 552
- Edward V, 230, 231, 232
- Edward, the Black Prince, Prince of Wales, 136, 270
- Edward the Confessor, 199, 474, 483
- Efa, daughter of Madog ap Maredudd, 533–4
- Egrun, 421
- Eifonydd, 138
- Éile, 569, 570
- Eleanor of Aquitaine, queen of Henry II, 169, 170
- Eleanor of Castile, queen of Edward I, 483, 487
- Eleanor of Provence, queen of Henry III, 200, 202, 482
- Eleanora, archduchess of Austria, 531
- Elgin, 397, 406, 407
- Elizabeth of York, 230
- Elphinstone, William, bishop, 405, 530
- Ely, cathedral and diocese of, 360, 474, 488
- Engels, Friedrich, 499
- Englefield, 136
- Enniscorthy, 156
- Epiphany Rising, 230
- Ergyng, 413
- Erskine, family of, 304
- Essex, 15, 35, 71, 72, 73, 74, 249
- Eton, 100
- Eton College, 432
- Euclid, 459
- Eugenius III, 583
- Evesham, battle of, 204
- Exeter, 49, 81, 82–3, 480
 bishop, cathedral and diocese of, 456, 486;
see also Grandisson
 friary at, 452
- Falkirk, 211
- Fardd, Bleddyn, 547
- Fasciculus Morum*, 501, 503, 504, 505, 506, 507, 509, 511, 512
- Fastolf, Sir John, 52
- Faversham, 15, 128
- Fergus of Galloway, 173, 290
- Fermanagh, 568, 573
- Ferns, 338
- Ferteth, earl of Strathern, 291
- feudalism, 3, 172, 185, 196, 224, 273; *see also* bastard feudalism
- Fhir Bhisigh, Clann, 579, 583; *see also* Firbisig
 Giolla Íosa Mór Mac, 579–80
- field systems, 18–19, 33–5, 39, 45, 109, 149–51
- Fife, 111, 287, 288, 292, 305
 earl of, 289, 282; *see also* Robert, earl of
- Finn, bishop of Kildare, 577
- Firbisig, Amláim Mór mac, 579
- Firth of Forth, 286
- fish trade and fishing, 117–18, 131
- fitz Gerald, Gerald Mór, earl of Kildare, 585
- fitz Gilbert (de Clare), Richard ('Strongbow'), 148, 175, 338–9
- fitz Hamon, Robert, 313
- fitz Harding, Robert, 338
- fitz Henry, Meiler, 335
- fitz Martin, Robert, lord of Cemais, 416
- fitz Maurice, Maurice, 585
 Muiris Og, earl of Desmond, 578
 Thomas, 344–5
 Thomas, earl of Desmond, 585
- fitz Ralph, Richard, archbishop of Armagh, 584–5
- fitz Richard, Walter, 416
- fitz Stephen, Robert, 148, 416
- fitz Thomas, John, 343
 Maurice, earl of Desmond, 345–6
- Flaid, Gwenllïan ferch Rhirid, 554
- Flanders, 169
- Fleming, Richard, bishop of Lincoln, 491
- Flintshire, 132, 136, 322
- Flodden Field, 284
- Florence, university of, 460
- Fordun, John, 404, 523, 527
- Foresti, Jacopo Filippo, 531
- Forfar, 111, 289
- Fortescue, Sir John, 236
- Fortrose, 397, 406
- Forz, Isabel de, 268
- Fountains abbey, 132, 368
- Fox, Richard, bishop of Durham, bishop of Winchester, 491, 522
- Franciscans, 366, 400, 438, 440, 442, 452, 482–3, 497–8, 549, 561, 584; *see also* Observant Franciscans
- free tenants, 16–18, 22
- Freiris of Berwik, The*, 522
- friars, 87, 362, 363, 366, 368, 369, 385, 391, 400, 417, 422, 438–9, 442–3, 452, 455, 460, 482–3, 561, 584; *see also* specific orders
- Froissart, Jean, 111, 513
- Fulburn, Stephen de, 343
- Fychan, Ednyfed, lineage of, 136
- Fychan, Iorwerth, 553
- Fychan, Hywel ap Tudur ab Ithel, and daughter, Angharad, 129

- ‘Gaelic Resurgence’ (or ‘Revival’), 144, 151–2, 158, 343
 Galbraith, Thomas, 529
 Galen, 460
 Galloway, 168, 173, 286, 290, 294, 299, 305, 397
 Galway, 584
 Garland, John, 527
 Gascony, 169, 170, 171, 186, 210, 220
 Gaveston, Piers, 220
 gentry, 191–2, 234–5, 261–82 *passim*; *see also uchelwyr*
 Geoffrey of Monmouth, 311, 319, 545, 550
 Gerald of Wales (of Barry, Giraldus Cambrensis), 129, 148, 178, 338, 412, 413, 414, 415, 421, 424, 435
 Gerald of Windsor, 175
 Geraldines, family of, 338, 339, 342, 343, 351, 352, 581, 585
 Gervase of Canterbury, 477
 Gilbert of Sempringham, 364
 Gilbertines, 364, 391
 Glamorgan, 132, 136, 313, 314, 417
 lordship of, 323; *see also* Robert of Gloucester
 Glamorgan, Vale of, 126
Glanvill’s Treatise, 185, 298, 522
 Glanville, Ranulf de, 341; *see also Glanvill’s Treatise*
 Glasgow, cathedral and diocese of, 112, 397, 402, 406, 407
 university of, 404
 Glendalough, 153, 583
 Glyn Dŵr, Owain, and revolt of, 126, 129, 136, 137, 311, 325, 326–8, 349, 413, 421, 550–1
 Glyn, Gut’r, 551
 Gloucester, 339
 abbey of, 416, 474, 476, 478, 488
 Gloucester, earl of, 136, 323; *see also* Clare, Gilbert de; Clare, Richard de
 Gloucestershire, 15
 Goch, Iolo, 550
 Godfrey, bishop of St Asaph, 414
 Godshouse, Cambridge, 458
 Goldwell, James, bishop of Norwich, 491
 Good Parliament (1376), 218, 219
 Gordon, family of, 305
 Gower, 175, 413
 Gower, John, and works of, 214, 498, 501, 502, 503, 504, 505, 506, 507, 508, 509, 511, 512, 514, 516
 Gowrie, 287, 288
 Graham, Sir Robert, 302
 Granard, 157
 Grandisson, John, bishop of Exeter, 218, 219
 Grantham, 82
 Granville, Richard de, 416
 Gratian, 460
 Great Yarmouth, 53
 Gregory VII, 396, 432
 Gregory IX, 457
 Grelley, Thomas, 55
 Gresford, 137
 Grey, Edmund, lord of Ruthin, 423
 Grey, Lord, 351
 Grierson, John, provincial of the Dominicans in Scotland, 527
 Griffith, Sir William, 138
 Griffiths, William I, 129
 Grimsby, 79, 82
 Groes, Hugo van der, 531
 Grosseteste, Robert, bishop of Lincoln, 378, 414, 458, 477, 486
 Gruffudd, Llywelyn ap, 125, 130, 176, 316, 317, 318, 319–20, 321, 341, 547
 Gruffudd, Rhys ap, 175, 338, 339, 342, 343, 351, 352, 416
 guilds, craft, 58–9, 80–2, 442, 462, 508
 religious, 56, 371, 382–5, 442, 529
 Guise, Mary de, 530
 Gwalchmai, Einion ap, 546
 Gwent, 135, 313
 Gwilym, Dafydd ap, 542, 549–50, 551, 553
 Gwydir, 138
 Gwynedd, 125, 126, 127, 130, 131, 135, 175, 176, 311, 313, 316, 317, 318, 321, 326, 412, 414, 417, 543, 544, 545, 546, 547, 553
 Gwynedd, Hywel ab Owain, 533, 544, 545
 Gwynedd, Owain, 317, 543, 545
 Gwytherin, 424
 Haddington, 407
 Hadleigh, 51
 Halesowen, 29, 37, 41
 Haley, Sir Robert, 71
 Halidon Hill, 211, 300
 Halifax, 51
 Halyburton, Andrew, 118
 Hamilton, family of, 304
 Hampshire, 15, 76
 Hammers, family of, 129
 Harby, 487
 Hardrada, Harold, 168
 Harlech castle, 130, 321
 Harmondsworth, priory of, 76
 Haughmond, monastery of, 417, 419
 Haverford, 51
 Haverfordwest, 132
 Hay, family of, 304
 Hebrides, 168
 Heldris of Cornwall, 88

- Henley, 15
- Henry I, 127, 169, 175, 186, 195, 196, 226, 244, 267, 273, 274, 288, 317–18, 336, 374, 376, 413, 476
- Henry II, 148, 169, 170, 175, 177, 184, 186, 187, 191, 194, 226, 242, 244, 245, 254, 258, 263, 294, 318, 335–6, 338, 339–40, 351, 372, 392, 433–5, 437, 439, 457, 545, 546
- Henry III, 53, 170, 184, 185, 186, 191, 192, 198–204, 210, 266, 342–3, 376, 377, 439, 457, 478, 482, 483
- Henry IV, 224, 226, 230, 232, 238–9, 349
- Henry V, 171, 179, 211, 230, 232, 236, 239, 264, 373, 378
- Henry VI, 171, 230, 231, 234, 235, 238, 239, 266, 276, 458, 461
- Henry VII, 138, 224, 230–1, 232, 236, 238, 303, 328, 352, 552
- Henry, earl of Lancaster, 221
- Henry of Huntingdon, 178
- Henry of Lancaster, *see* Henry IV
- Henry, son of David I, 289
- Henryson, Robert, and works of, 531, 532–3
- Herbert, Lord, 552
- Hereford, 54, 133
- cathedral and diocese of, 360, 371, 413, 456
- Hereford, earldom of, 175
- heresy, 405, 505; *see also* Lollardy; Wyclif
- hermits, 419, 424
- Hertfordshire, 15, 249, 389
- Hervé, bishop of Bangor, 412
- Hilton, Walter, 510–11
- Hinderclay, 37
- Hoccleve, Thomas, and works of, 502, 504, 505–6, 512, 514
- Hodant, Llywelyn Brydydd, 549
- Hodyng, Thomas de, 38
- Holcot, Robert, 528
- Holderness, 368
- Holland, Ralph, 81–2
- Holland, Sir Ralph, 526–7, 530
- Holt, 133
- Holt, John, 454
- Holyrood, 302
- abbey of, 403
- canons of, 112
- Holywell, 132, 424
- Honorius III, 402, 439, 460
- Hook Norton, 34
- Horace, 454
- Hospitallers, order of, 137, 365–6, 391
- Howden, 485
- Hugh (of Avalon), bishop of Lincoln, 486
- Hugh of St Victor, 453
- Hull, 49, 82
- friary at, 482
- Humphrey, duke of Gloucester, 267
- Hundred Years' War, 179, 210–11, 299, 367, 373, 406, 530, 552
- Hungerford, Lady Margaret, 487
- Huntingdon, earldom and honour of, 172, 295; *see also* David, earl of
- Huntingdonshire, 15, 249
- Huntly, earls of, 305
- ideology, social, 59–60, 67–8, 70, 73, 80–2, 95–8, 497–520 *passim*, 549–50
- Idley, Peter, 500
- industry, 16, 22, 35, 36, 50, 52; *see also* clothmaking; guilds; mining
- Innocent III, 114, 198, 374, 376, 439, 482, 509
- Inns of Court, 267, 455, 461
- Iona, 568
- Iorwerth, Llywelyn ap, 318, 544, 546–7, 552, 553
- Ireland, John, 404
- Isabella, daughter of James I, 531
- Isabella, queen of Edward II, 210, 214, 220–1
- Isles, diocese of the, 397
- Isles, Lord and lordship of the, 302, 524, 525, 568; *see also* Alexander
- Jack Upland*, 501, 514
- James I, 300, 301, 302, 303, 304, 306, 401, 403, 405, 406, 530, 531, 532
- James II, 285, 302, 304
- James III, 285, 300, 302, 303, 306, 307 n. 5, 528, 529, 532, 533
- James IV, 284, 285, 302, 303, 403, 407, 522, 524, 525, 526, 529, 531, 534
- James V, 116, 530
- James of Duchir, 118
- James of St George, 483
- Jedburgh, monastery of, 406
- Jerome, St, 531
- Jerpoint, monastery of, 586
- Jesus College, Cambridge, 465
- Jews, 52–3, 91, 100, 196, 201, 269, 270, 457
- Jofroi of Waterford, 585
- John, son of Henry II, king of England, 54, 79, 169, 170, 176, 177, 184, 185, 186, 191–2, 194–8, 199, 247, 267, 269, 319, 335, 340–2, 346, 347, 374, 376, 377, 439
- John XXII, 345, 374
- John of Cornwall, 454
- John of Gaunt, duke of Lancaster, 226
- John of Ireland, 529, 533
- John of Northampton, 82
- John of Salerno, Cardinal, 401
- John of Salisbury, 183, 413, 453, 466, 500, 502, 505, 507, 508, 509, 511–12, 515

- John of Upland, 534
 Julian of Norwich, 386, 400
 Justinian, 460
 Juvenal, 454
- Kells, 153, 156, 433, 562
 Kelso abbey, 109, 406
 Kempe, Margery, 90, 96, 386, 389, 400
 Kempsey, 476
 Kennedy, family of, 304
 Kennedy, James, bishop of St Andrews, 403
 Kent, 10, 14, 15, 71, 72, 73, 74, 249
 Ker, Richard del, 38
 Kerdeston, family of, 489
 Kibworth Harcourt, 29
 Kidwelly, 175
 Kildare, 152, 153, 345, 350, 431, 435, 568, 569
 bishop and diocese of, 440; *see also* Finn
 Kildare, earls of, 350, 351–2; *see also* fitz Gerald,
 Gerald Mór
 Kilgetty, 132
 Kilkenny, 156, 435, 569
 cathedral of, 564, 566
 friars of, 443
 Kilkenny, parliament and statutes of, 347, 352,
 439
 Killeshin, 583
 Kilsby, William de, 213
 Kilvey, 132
 Kincardine, 111
King Hart, 522
 Kinghorn, 111
 King's College, Cambridge, 489
 King's Lynn, 15, 49, 81, 96, 386, 485
 Kingswood, 134
 Kinross, 111
 Kirkcudbright, 120
 Kirkwall, cathedral and diocese of, 397, 406
 Knockdoe, battle of, 352
 Knocktopher, 440
 Kravar, Paul, 405
 Kyle, 290
- labour laws, *see* Statute of Labourers
 Lachlan, lord of Galloway, 292
 Lackan, 580
 Lacy, de, family of, 345
 Hugh de, 148, 339, 341–2
 Walter de, 341, 342
 Lampeter, 130
 Lancaster, 54
 Lancaster, earls and dukes of, 216; *see also* Henry,
 earl of; John of Gaunt; Thomas, earl of
Land of Cokaygne, The, 586
 Lanfranc, archbishop of Canterbury, 377, 432,
 583
- Langland, William, and *Piers Plowman*, 214, 389,
 497–8, 499, 502, 504, 506–7, 509, 512
 Langton, Stephen, archbishop of Canterbury,
 196, 199, 374
 Lateran Council, Third, 401, 455, 456; Fourth,
 41, 294, 377, 401, 422, 482, 549; Fifth,
 584
 Latini, Brunetto, 81
 Laurence of Lindores, 404, 405
 Lauxius (Loys, Lowis), David, 530
 Lavenham, 35, 39, 51
 law and legal system, 186–8, 212, 237, 242–60
 passim, 293–5, 305–6, 322–3, 241, 342, 522
 Lawgoch, Owain, 326
 Lea Castle, 343
 Lech, John de, archbishop of Dublin, 584
 Ledrede, Richard, 585
 Lefèvre, Jacques, 530
 Leia, Peter, bishop of St David's, 414
 Leicester, 78, 81, 82, 335, 337–8
 abbey of, 498
 Leinster, 148, 151, 176, 337–9, 340, 341, 342,
 346, 348–9, 583
 Leland, John, 454
 Lennox, 298
 Lewes, 128
 battle of, 204
 priory, 271
 Lichfield, diocese of, 371, 433
 Liddell, James, 530
 Liddesdale, 290
 Limerick, 153, 156, 157, 561, 569
 bishop of, *see* O'Dea
 Limousin, 169
 Lincoln, 51, 53, 54, 80, 406
 bishop, cathedral and diocese of, 371, 456,
 457, 474, 479, 486, 491; *see also* Fleming;
 Grosseteste; Hugh of Avalon; Longland;
 Russell
 Lincoln College, Oxford, 491
 Lincolnshire, 10, 29, 75, 249, 361, 480
 Linlithgow, St Michael's church, 529
 Linton, 49
 Lionel, duke of Clarence, earl of Ulster, 226,
 347
 Lisgoole, monastery of, 573
 Lislaghtin, friary of, 571
 Lismore, 406, 568
 Liston, John de, 38
 Lix, 109
 Liverpool, 54
 Llancarfan, 416
 Llandaff, diocese of, 411, 412–13, 414
 Llandderfel, shrine at, 424
 Llanddewibref, church of, 421
 Book of the Anchorite of, 423

- Llan-faes, 130
 Llangadog, church of, 421
 Llanidloes, 130
 Llanllugan, nunnery of, 420
 Llanllyr, nunnery of, 420
 Llansanffraid, nunnery of, 420
 Llantarnam, monastery of, 417
Llud and Llewelys, 545
 Llwyd, Dafydd, 554
 Llŷn, 129
 Llywelyn, Llywarch ab, 'Pyddyd y Moch', 546
 Llywelyn, Madog ap, 326
 Loch Cé, Annals of, 578
 Lollardy, 91, 275, 375, 378, 386, 388–91,
 490–1, 501, 506, 514
 Lombard, Peter, 460
 London, 13, 14–15, 19, 48, 49, 50, 51, 53, 54,
 55, 71, 72, 74, 76, 79, 80, 81, 87, 88, 93,
 94, 97, 100, 109, 192, 267, 384, 401, 461,
 466, 552, 575
 friars in, 482
 St Paul's cathedral, 196, 456, 474, 486
 Longford, 157
 Longland, John, bishop of Lincoln, 491
 Long Melford, 489–90
 Lords, House of, *see* parliament
 Lorraine, 169
 Lothian, 173, 286, 287, 288, 294, 295
 archdeaconry of, 114
 Lough Conn, 579
 Lough Erne, 573
 Louis IX, 204
 Loutfut, Adam, 528
 Louth (Ireland), 152, 350
 Louth, earl of, 346
 Lowis/Loys, David, *see* Lauxius, David
 Lucan, 454
 Lucy, Anthony, 346
 Lulack, King, 290
 Luttrell Psalter, 473, 480, 485
 Luttrell, Sir Geoffrey, 485
 Lydgate, John, and works of, 503–5, 505, 510,
 515
 Lyndsay, Sir David, 530, 533–4
 Lynn, *see* King's Lynn

Mab Darogan (Son of Prophecy), 550–1, 552
 Mac Aodhagáin, Giolla na Naomh, 579
 Macbeth, 290, 522
 Mac Cárthaig, Cormac, king of Munster, 563
 Mac Carthy, family of, 342
 Mac Crimthainn, Áed, 577
 Mac Diarmada, Tomaltach, 526, 527
 Macdonalds, family of, 290, 302, 305, 524
 Macdougall, family of, 290
 Macduff, 292

 Mac Heth, Malcolm, 290
 Machynlleth, 130
 Mac Lochlainn kings of Ulster, 336, 338
 Mac Lonáin, Flann, 577
 Mac Mhuirich, family of, 524
 Mac Murchada, Diarmait, 148
 Mac Murrough, family of, 346
 Art, 348–9, 571
 Dermot, 335, 336, 337–9
 Mac William, family of, 289
 Maelienydd, 314, 417
 Magdalen College, Oxford, 454–5, 457
 Magna Carta, 194–8, 200, 202–3, 247, 269,
 276, 342
 MagShamhradháin, Nualaithe, 582
 Mág Uidhir (Maguire), Ailbhe, 573
 Aodh, 573
 Maighréad, 573
 Tomás Mór, 573
 Tomás Óg, 573
 Maguire, lord of Fermanagh, 573
 Maine, 169
 Malachy of Armagh, 435, 437
 Malcolm II, 286
 Malcolm III, 287, 289, 396
 Malcolm IV, 288, 289, 290, 291, 294, 295, 296,
 306
 Malisone, Elspet, 117
 Malmesbury abbey, 478, 479
 Malory, Sir Thomas, 267
 Malthus, Thomas, 7, 9, 12, 21
 Man, Isle of, 166, 167, 168, 397
 Manchesney, Dionysia de, 465
 Manchester, 55
 Mannheim, Karl, 512–13
 Mannyng, Robert, 500, 509, 510, 513
 manorialism, 3, 6, 16–18, 25, 38, 75–8, 134–5,
 149–51, 267–8, 270–1; *see also* servility;
 specific tenures
 Manus Maguire, Cathal mac, 440
 Mar, 287
 Mar, earl of, 305
 March, earldom of, 287
 Marches, Welsh, 313–14, 317, 322–3, 547
 Maredudd, Rhys ap, 551
 Margam, Annals and monastery of, 132, 419
 Margaret, daughter of James I, 531
 Margaret, Lady Berkeley, 491
 Margaret of Burgundy, 531
 Margaret, 'maid of Norway', 296
 Margaret, queen of Malcolm III, 396
 Margaret of Anjou, queen of Henry VI, 465
 Marshal, Richard, 342
 Marshal, William, 198, 341, 342, 439
 Marsiglio of Padua, 81
 Martin V, 236, 377, 406

- Marx, Karl, and Marxism, 5, 9, 21, 27, 65–6, 68–9, 72, 84–5; *see also* Engels, Friedrich
- Mary of Gueldres, 531
- masculinity, 97–8
- Matilda, Empress, 92, 226, 545
- Matilda, queen of Henry I, 413
- Mawr, Cyndellw Bryddyd, 543, 544
- Mayo, 579
- Mearns, 287, 288, 524
- Meath, 148, 151, 152, 339, 340, 341, 342, 345, 350, 351
- Mechain, Gwerful, 554
- Meilyr, 419
- Meilyr, Gwalchmai ap, 545
- Mellifont, monastery of, 336, 420, 437, 438, 562, 586; *see also* Ua Connairche
- Melrose, 120
monastery of, 400, 406, 407, 531
- mendicants, *see* friars; specific orders
- Menteith, 287, 292
- Menteith, earldom of, 296
- Merioneth, 125, 127, 129, 133, 138
- Merionethshire, 322
- Merse, 287
- Merton College, Oxford, 33, 457, 459
- Mézières, Philippe de, 507
- Mic Aodhagáin, family of, 579
- Michael of Canterbury, 487, 488
- Mickleover, 76
- Middlesex, 15, 75, 249
- Midhe, 149
- Milan, 584
- Minera, 132
- mining, 11, 35, 131–2
- misogyny, 514–16
- Mold, 137
- money supply and monetarism, 111–13, 114, 115–16
- Monmouth, 129, 131
- Montgomery, 175
- Montgomery, Arnulf, 336
- Montgomery, Treaty of, 130, 319
- Moray, 286, 288, 289, 290, 304
diocese of, 397
- Moray, earldom of, 298
- More, Sir Thomas, 13, 464
- Montfort, Simon de, 202, 204
- Morgannwg, 313
- Morice, John, 346–7
- Morow, John, 407
- Mortain, county of, 169
- Mortimer, family of and claim to English throne, 221, 229–30
Edmund de, 226, 348, 349
Roger, of Trim, 345
- mortmain, statute of, 375, 391
- Morton, John, archbishop of Canterbury, 377, 378
- Morville, de, family of, 288, 290, 292
Elena de, 292
- Mostyn, 129, 131, 135
- Moulton, 30
- Mum and the Sothsegger*, 500, 502
- Munster, 147, 342, 583; *see also* Mac Cárthaig, Cormac
- Murray, Alexander, 117
- Mynydd Carn, battle of, 544
- mystery plays, 60, 508
- Nanhwrfa, 127
- Nanmor, Dafydd, 551
- Neath, 416, 419
monastery of, 132
- Necton, John, 489
- Nefyn, 130, 131
- Neil, earl of Carrick, 292, 298
- Neim, daughter of Corc, 569
- Nequam, Alexander, 453
- Neustift, monastery of, 531
- Neville, Ralph de, 198
- Neville's Cross, 211, 300
- Newark, church at, 485
- Newborough, 131, 133
- Newcastle-upon-Tyne, 11, 49, 53, 177
friary at, 452
- New College, Oxford, 491
- 'new monarchy', 235
- Newport, friary at, 421
- New Ross, 156, 157, 585
- Nicholas of Coventry, 568
- Nidaros, province of, 397
- nobility, 92, 187–90, 213, 216–18, 221, 224–5, 233–6, 250, 261–82 *passim*, 461–2
- Nore, River, 151, 156
- Norfolk, 15, 20, 72, 249, 274, 384
- Normandy, 52, 169, 170, 176, 188, 189, 194, 231
- Northampton, 51, 54, 112, 457
Assize of, 244–6
- Northamptonshire, 75, 172
- Northern Isles, 286, 397, 398
- Northumberland, 112, 177, 249, 406
- Northumbria, 286, 287, 295
- Norwich, 49, 53, 55, 81, 100, 109, 387
castle at, 476
cathedral of, 474, 475, 476, 478, 489, 491
friary at, 452, 482
- Nottingham, 82
sheriff of, 513
- nuns, 90, 96, 366–7, 369, 385–7, 400, 420–1, 464

- Ó Briain kingdom of Thomond, 586
 Ó'Brien, family of, 336, 342, 345, 432–3
 Muirchertach, 336, 432, 433
 Turlough, 432
 Ó Brolcháin, family of, 568; *see also* Uí
 Bhrolcháin
 Observant Franciscans, 391, 442, 531
 O'Byrne, family of, 349
 Ó Carmaic, Augustin, 568
 Mathghamhain, 573
 Ó Carryd, Thomas, 569
 Ó Ceallaigh (O'Kelly), Finnghuala, wife of
 Maílsechnaill, 571
 Maílsechnaill, king of Uí Mhaine, 571
 Ó Cearbaill (O'Carroll), Tadhg, 569
 Ó Cearbhaill, Mairgréag an-Einigh, 582
 Ó Cinnéide (O'Kennedy), Áine, wife of Pilib, 570
 Pilib, 569, 570, 571
 Ó Conchobair, Calbhach, 582
 Cornelius, lord of Kerry, 569, 571
 Toirdhealbhadh, king of Connacht, 571
 O'Connor, family of, 336–7, 342, 433
 Aedh, 342
 Turlough, 336, 337–9, 340
 Ó Dálaigh, Aonghus Mór, 578
 Aonghus Ruadh, 578
 Donnchadh Mór, 578
 Godfráidh Fionn, 578, 581
 Máel Íosa, 578
 Muiredach Albanach, 578, 580–1
 O'Dea, Cornelius, bishop of Limerick, 569
 Ó Diarmada, Eóghan, 573
 Solomon, 573
 Ó Domhnaill (O'Donnell), Aodh, lord of Tir,
 571
 Fionnghuala, wife of Aodh, 571
 Neachtain, 581
 Ó Dubhda, Tadhg Riabhach, lord of Uí
 Fhiachrach, 580
 Offaly, 582
 O'Fihely, Maurice, archbishop of Tuam, 584
 Ó Flannagáin, Gilbert, 573
 Ogbourne, 76
 Ó Griofa, Matthew, 584
 Ó hInmainéin, Donnsléibhe, 567
 Ó hUiginn, Tadhg Óg, 581
 Oldcastle's Rising, 232
 Old Sarum, cathedral of, 474
 Ó Maílruanaigh, Matthew, 568, 573
 O'Malley, Grace, 571
 Ó Maolchonaire, family of, 577
 Ó Néill/O'Neill, Dónal, 345, 439
 Einri, 581
 Ordainers and Ordinances of 1311, 218, 220,
 344
 Order of the Garter, 483
 O'Reilly, family of, 158
 Orford Castle, 476
 Orkney, 290
 diocese of, 397
 Orléans, university of, 530
 Ormond, 568, 569, 571, 579, 586
 Ormond, earls of, 350, 352, 568
 Ormond, James, 352
 Oronsay, 568
 O'Rourke, Tiernan, 338
 Ó Siriden, Tadhg, 568
 Ossory Pale, 572, 586
 Oswestry, 133
 Ó Tolairi, Domhnall, 569
 Otto, papal legate, 378
 Ottobone, papal legate, 378
 O'Tunney, family of, 568
 Oughaval, 583
 Overton, 421
 Ovid, 454, 508
 Owain, Gutin, 551
Owl and the Nightingale, The, 500
 Oxford, 87, 454, 462, 476, 491
 friary at, 482
 shrine of St Frideswide in, 485
 Oxford, council at, 340
 Oxford, Parliament of, 202
 Oxford, Provisions of, 203, 204
 Oxford, university of, 202, 267, 373, 388, 405,
 550, 451, 454, 455, 456–61, 462, 463, 465,
 477, 584; *see also* individual colleges
 Oxfordshire, 34
 Padua, university of, 584
 Paisley, monastery of, 400, 407
 Palladius, 6
 Papiiron, Cardinal John, 433
 Paris, Matthew, 480–1
 Paris, Treaty of, 170
 Paris, university of, 454, 460, 530, 584
 Park, abbey of St Albans' manor of, 77, 85
 Park, Co. Galloway, 579
 parliament, 174, 183, 192, 204, 208–9, 212,
 214–16, 218–19, 220, 264, 274, 298, 350,
 373, 529
 Passagno, Antonio de, 345
 Paston, family of, 270, 464
 Clement, 233
 John, 233, 513
 Margaret, 273
 pastoralism, 11–12, 15, 35, 131
 Peak District, 132
 Peasants' Revolt (1381), 17, 40, 67, 69, 70–5,
 78, 79, 83, 85, 136, 137, 215, 252, 257,
 504, 506, 508, 513, 514
 Peatling Magna, 40

- Peckham, John, archbishop of Canterbury, 129,
 319, 378, 413, 550
 Peebles, 111
 Peel (Isle of Man), 397, 406
 peerage, 215, 216, 250, 264–5
 Pembroke, 185, 313, 339
 castle, 175
 priory, 416
 Pembroke College, Cambridge, 272
 Pembroke, countess of, 465
 Pembrokeshire, 127, 423
 Pendar, monastery of, 419
 Pengwern, 129
 Pennant Melangell, church of, 424
 Pennines, 10
 Pen-prys, shrine at, 424
 Penrhosllugy, 128
 Penrhyn, 129, 138
 Penrych, Richard, 454
 Percy, Henry, earl of Northumberland, 74
Peredur, 545
 Perrot, family of, 423
 Perth, 107, 109, 111, 112, 113, 119, 291, 405,
 407, 524
 monastery of, 406
 St John's church, 529
 Perth, Treaty of, 290
 Peterborough, 54, 79
 Peterhouse College, Cambridge, 457
 Philippa of Hainault, queen of Edward III, 97,
 483, 487
Pierce the Ploughman's Crede, 507–6, 514
 piety, 38–9, 271, 274–5, 381–95 *passim*, 405–8,
 421–5, 442, 482–3, 485–7, 489–91, 549,
 573
 Pilltown, battle of, 351
 Pizan, Christine de, 92, 100
 plague, 8, 49, 73, 77, 94, 111, 115–16, 125,
 133–4, 136, 151, 157, 219, 242, 251–4,
 265, 270–1, 347, 367, 369, 421, 490–1
 Plantagenet, Edmund, 487
 Plantagenet, Geoffrey, 169
 Poets of the Noblemen, 543, 548–50
 Poets of the Princes, 543–8, 549
 Poitiers, 211
 Poitou, 169, 170, 186, 194, 200
 Pole, William de la, 213
 Poole, 54
 population and demography, 7–8, 9–10, 12, 19,
 21, 29–30, 109–11, 126–7, 157; *see also*
 plague
 Porter, Lowick Lars, 118
 Powys, 175, 316, 318, 319, 320, 416, 544, 550
 Powys, Madog of, 545
 Poyning, Edward, 352
 Poyning's Law, 352
 Praemunire, Statute of, 255, 375, 377
 Premonstratensians, 363, 365, 400, 406
 Priestholm, 421
 Priscian, 545
 Provisions, Statute of, 255, 275, 377
 Ptolemy, 459
 Pwllheli, 130
 Queensferry, 408
 Quincey, Eleanor de, countess of Winchester,
 482–3
 Roger de, 482–3
 Ralph, earl of Lincoln, 55
 Ralph, Lord Cromwell, 491
 Ramsey abbey, 76
 Ramsey Island, 131
 Randolph, Thomas, 298
 Rathbreasnail, Synod of, 432–3
 Rathlin Island, 345
Rauf Coilzeal, 522
 Redgrave, 29
 Reformation, 359–60, 361, 363, 367–8, 369,
 378–9, 381–2, 391, 393, 408, 491
Regiam Majestatem, 298, 532
 Resby, John, 405
 Rhodri, Owain ap Thomas ap, *see* Lawgoch,
 Owain
 Rhuddlan, 175
 Rhuddlan, Statute of, 322, 328
 Rhygyfarch, 543
 Rhys Gryg, Maredudd ap, 319
 Rhys, Lord, *see* Gruffudd, Rhys ap
 Ricardo, David, 7, 9, 20
 Riccardi Company, 53
 Richard I, Coeur de Lion, the Lionheart, 79,
 169, 170, 186, 194, 198
 Richard II, 71, 73, 79, 215, 224, 226, 230,
 233–4, 235, 236, 238, 239, 266, 276,
 348–9, 390
 Richard III, 230–1, 232, 234, 236, 239, 351–2
 Richard, bishop of Bangor, 414
 Richard, duke of York, 230, 231, 234, 270,
 351
 Richard of Cornwall, 202
 Richmond, 49
 Rickinghill, 29
 Ridyng, Alice, 100
 Rievaulx abbey, 132, 365
 Robert I (Robert Bruce), 119, 284, 285, 289,
 298, 305, 345
 Robert II, 285, 298–300, 301, 302, 303
 Robert, earl of Fife, duke of Albany, 301
 Robert, Maredudd ap, 420
 Robert of Basevorn, 504
 Robert of Gloucester, lord of Glamorgan, 416

- Robert of Stockport, 55
 Robert, son of Adam, 37
 Robin Hood, 214, 497–8, 513
 Roches, Peter des, 199
 Rokeby, Sir Thomas, 347
 Rolle, Richard, 88
 Rome, university of, 584
 Roos, Thomas, 489
 Roscommon castle, 566
 Rose, Thomas, *see* Roos, Thomas
 Roslin chapel, 527, 532
 Ross, 286, 289, 304, 305
 diocese of, 397
 Rosscarbery, 157
 Rosserk, 579
 Roxburgh, 111, 300
 Russell, John, bishop of Lincoln, 491
 Ruthin, 128, 135
 church and priory of, 423
 Rutland, 77
 Rykener, Eleanor/John, 87–8, 99, 100–1
 Rypon, Robert, 508
- Sacrobosco, John, 459
 St Albans, 54, 70
 abbey of, 72, 77, 85, 367, 474, 476
 St Andrews, town of and churches in, 406, 407, 408
 archbishop, bishop, cathedral monastery and diocese of, 114, 289, 397, 402, 404, 406, 407, 528, 529; *see also* Kennedy, James; Wardlaw
 university of, 404, 530
 St Asaph, diocese of, 411, 412, 413, 415; *see also* Anian; Godfrey
 St Bartholomew's hospital, Smithfield, 364
 St David's, bishop, cathedral and diocese of, 131, 411, 412, 413, 414, 424, 486; *see also* Bernard; Leia; Wallensis
 St Dogamels, monastery of, 416
 St John's College, Cambridge, 465
 Sais, Elidr, 546
 Salford, 55
 Salisbury, 51
 cathedral and diocese of, 389, 456, 479, 486, 506
 Salisbury, Use of, 422
 Salle, church of, 489, 491
 Salusbries, family of, 129
 Saundersfoot, 132
 Savigniac order, 416, 419
 Scarbot, John, 454
 Schism, the Great, 375, 377, 405–6, 505
 Scone, 288, 306
 monastery of, 400, 403
 Scotia, 289, 294
Scotichronicon, *see* Bower, Walter
 Scotus, Duns, 404, 458, 584
 Scrabo Hill, 571
 Selby, 485
 Selkirk, monastery of, 112
 Seneca, 528
 servility, 5, 17–18, 22, 32, 38, 68–9, 75–8, 83, 128, 134, 135, 137, 138, 150–1, 183, 197, 257; *see also* Peasants' Revolt
 Shetland Isles, 168, 190, 306
 Shrewsbury, 51, 133
 abbey of, 419, 424
 Shrewsbury, battle of, 232
 Shrewsbury, earldom of, 175
 Sicily, 201, 203
 Simnel, Lambert, 352
Simonie, The, 507
 Sinclair, family of, 527
 Sinclair, Lord, 527
Sir Gawain and the Green Knight, 512
Sir Isumbras, 510
 Sleaford, church of, 485
 Slebech, Hospitallers of, 137
 Sligo, 168, 579
 Smith, Adam, 112
 Snowdonia, 126
 social conflict, 40, 56–7, 65–86 *passim*, 136, 137, 202, 327
 Sodor, diocese of, 436
 soil fertility and grain yields, 6–7, 17, 20, 24, 131
 Somerset, 15
 Somerled of Argyll, 173, 290, 299, 305
Song of Dermot and the Earl, The, 585
 Soules Conspiracy, 285, 298
 Southampton Conspiracy, 232
 Southwell Minster, 478, 479
 South Zeal, 48
 Spalding priory, 29
 Spring II, Thomas, 39
 Stafford, John, bishop of Bath and Wells, 502
 Stamford, 82, 457
 friary at, 452
 Stamford Bridge, 168
 Stanbridge, John, 454
 Stanhope Park, 212
 Stanley, abbot of, 438
 Stanley, family of, 137
 Statius, 545
 Statute of Labourers and labour laws, 17, 71, 73, 75, 134, 212, 219, 252, 257, 507
 Stephen, king of England, 54, 169, 177, 186, 192, 194, 198, 244, 254, 273, 276, 318, 545
 Stephen of Lexington, 420, 438, 585, 586
 Stewart, family of, 179, 299, 300, 303, 304

- Alexander, earl of Buchan, 'Wolf of Badenoch', 305
 Robert, *see* Robert II
 Stirling, 111, 112, 113, 119, 407, 531
 castle of, 407
 Chapel Royal, 529
 Holyrood church, 529, 531
 Stockport, 55
 Stoke, battle of, 232, 352
 Strata Florida, monastery of, 132, 416
 Strata Marcella, monastery of, 417, 420
 Strathclyde, 173, 286, 287, 397
 Strathearn, 287
 Strathgryde, 290
 Straw, Jack, 514
 Strongbow, *see* fitz Gilbert, Richard de
 Stroud, 51
 Sudbury, Simon, archbishop of Canterbury, 508
 Suffolk, 15, 71, 72, 74
 Suffolk, duke of, 231
 Suir, River, 156
 Surrey, 15, 76, 249
 Sussex, 10, 15, 74, 76
 Sutherland, earldom of, 290
 Swansea, 132
 hospital of, 421
 Sweetheart, monastery of, 406, 531
 Sycarth, 550
 Synon, nunnery of, 78

 Tain, 407
 Talbot, family of, 350
 Tal Moelfre, battle of, 545
 Tattershall, 491
 taxation, 5, 41, 52–3, 69, 73, 74, 113–15, 202, 219, 238
 Teeside, 177
 Templars, order of, 365–6, 391
 Tenby, 132, 138
 Terryglass, church of, 577
 Tewdwr, Rhys ap, 175
 Tewkesbury abbey, 474, 476
 Thaxted, 52
 Thomas, earl of Lancaster, 209, 220, 268
 Thomas, Lord Berkeley, 491
 Thomas of Lancaster, son of Henry IV, 349
 Thomas of Wimbledon, 500–1, 503, 505, 506
 Thomas of Woodstock, 234
 Thomas, Sir Rhys ap, 554
 Thomas, son of Michael of Canterbury, 488
 Thomas the Glazier, 491
 Thomas the Goldsmith, 569
 Thomond, 147, 340, 342; *see also* Ó Briain
 Thoresby, John, archbishop of York, 378
 Thornbury, 50

Thrush and the Nightingale, The, 515
 Tintern abbey, 132, 416
 Tipperary, 569
 Tiptoft, John, 351
 Tironensians, order of, 400, 416
 Tiverton, 49, 51
 Tonengo, Cardinal Otto de, 401
 'Toronto School', 27, 45, 69, 85
 Totnes, 49
 Toulouse, county of, 169
 Touraine, 169
 Toutheby, Thomas, 81
 touns, 109
 Tower of London, 476
Towneley Plays, 513
 towns, 13, 14–15, 19, 21, 32, 35–6, 47–64
 passim, 78–83, 92
 Townshend, family of, 270
 Towton, battle of, 231, 232
 trade and commercialization, 4, 13–14, 19, 21–3, 24, 27, 32, 47–64 *passim*; 107–24 *passim*, 128–9, 132–3, 152–8, 178, 192, 321, 366, 482, 508; *see also* money supply; wool trade
 Tregurg, Michael, archbishop of Dublin, 569
 Trevisa, John, 454
 Trim, 149, 341, 345
 castle, 566, 567
 Trondheim, province of, *see* Nidaros, province of
 Trowbridge, 51
 Troy, manor of, 131
 Troyes, Chrétien de, 547
 Tryng, Roger, 81
 Tuam, archbishop and cathedral of, 433, 562
 Tuam, Provisions of, 433
 Tudor, Jasper, 552
 Tudor, Margaret, 303, 522, 523, 526, 529, 531
 Tudur, Gruffudd ap Dafydd ap, 548
 Tweng, Robert, 376

 Ua Briain, kings, 147
 Ua Cennucáin, Gilla Mocholmóg, 569
 Ua Conchobair, kings, 147
 Ruaidrí, king of Connacht, high king of Ireland, 569, 583
 Ua Connairche, Gilla Críst, abbot of Mellifont and bishop of Lismore, 583
 Ua Gormáin, Flann/Florinnt, 583
 Ua Hénná, Domnall, 583
 Ua hInmainéin, Cúduilig, 567
 Ua Male Sechlainn, kings, 149
uchelwyr (Welsh gentry), 128, 129, 135, 310, 321, 326, 422, 548–50
 Ufford, family of, 489
 Ralph de, 347

- Uí Bhrolcháin, family of, 568; *see also* Ó Brolcháin
- Uí Chonchobair, kings of Connacht, 562; *see also* Ó Conchobair
- Uí Chuinn, family of, 568
- Uí Dhálaigh, family of, 578; *see also* Ó Dálaigh
- Uí Dheodhráin, family of, 579
- Uí Mhaine, *see* Ó Ceallaigh, Mailsechnaill
- Ullerston, Richard, 378
- Ulster, 149, 336, 338, 341, 342, 343, 345, 346, 436, 443, 571
- Ulster, earl of, 343, 345, 346, 347, 351; *see also* Lionel; Richard, duke of York
- universities, 378, 403–4, 405, 506, 440, 456–61, 529–30, 534, 583–4; *see also* Aberdeen, Cambridge, Dublin, Glasgow, Oxford, St Andrews universities
- Urban VI, 377
- Urban, bishop of Bangor, 420
- Vacarius, Master, 460
- Valence, Aymer de, 209
- Valerius Maximus, 528
- Vale Royal, abbey of, 77, 321
- Valle Crucis, monastery of, 417
- Valliscaulians, order of, 400
- Veele, Elizabeth, 571
- Vere, Robert de, 348
- Verneuil, battle of, 325
- Villa Dei, Alexander de, 453
- Virgil, and the *Aeneid*, 454, 531, 533
- vowesses, 386–7
- Wainfleet, William, bishop of Winchester, 454, 491
- Wakefield, 60
- Wales, statute of, 322
- Wallace, William, 298
- Wallensis, Thomas, bishop of St David's, 414
- Walls of New Ross, The*, 585
- Walsingham, Thomas, 513
- Walter, Hubert, archbishop of Canterbury, 373
- Walter, Theobald, 340
- Waltham abbey, 76
- Warbeck, Perkin, 352
- Wardlaw, Henry, bishop of St Andrews, 530
- Wars of the Roses, 225, 236, 240, 300, 552; *see also* Bosworth; Edward IV; Edward V; Henry VI; Henry VII; Richard III; Towton
- Warwick, earl of, 352
- Warwick, St Mary's church, 487–8, 491
- Warwickshire, 270, 274
- Wastell, John, 489
- Waterford, 144, 153, 156, 157, 339, 341, 348, 435, 561, 569
- St Peter's church, 562
- Waynelete, William, *see* Wainfleet, William
- Wells, bishop and cathedral, 488, 564; *see also* Beckington; Stafford
- Welshpool, 130
- West Fife, 408
- Western Isles, 166, 167, 168, 286, 397, 398
- Westminster, 15, 56, 79, 192, 199, 249, 254, 267, 323
- abbey of, 77, 79, 368, 474, 478, 479, 483, 486, 487
- palace of, 483, 498
- St Stephen's chapel, 487
- Westminster, Provisions of, 203–4
- Westmorland, 249
- Wexford, 144, 153, 157, 339, 561
- Whitby abbey, 364
- Whithorn, cathedral of, 406, 407
- Whitland, monastery of, 416–17, 419, 420
- Whittington, 314
- Whittington, Robert, 454–5
- widows, 91, 97
- William I, the Conqueror, king of England, 3, 54, 168, 169, 172, 177, 187, 287, 295
- William I, the Lion, king of Scotland, 177, 288, 289, 296
- William II (William Rufus), 288, 476
- William, earl of Atholl, 302
- William, grandson of Malcolm III, 289
- William the Englishman, 477
- William of Malmesbury, 178, 364, 474, 477
- William of Pagula, 378
- William of Sens, 477
- William of Tours, 522
- William of Windsor, 348
- Wiltshire, 15, 74, 76, 270
- Winborne, 465
- Winchcombe, monastery of, 368
- Winchester, 50, 53, 109, 175
- bishop, cathedral and diocese of, 360, 476, 491; *see also* Beaufort, Henry; Fox; Wainfleet; Wykeham
- Winchester College, Oxford, 457
- Winchester College, Winchester, 372, 461, 491
- Winchester, Treaty of, 244
- Windsor, Treaty of, 340
- Wingham, 75
- Winneswold, 39
- Wodeward, Alice, 37
- Nicholas, 37
- Wogan, John, 344
- Wolsey, Cardinal Thomas, 78, 523
- women, 50, 58–9, 87–106 *passim*, 117–18, 119–20, 129–30, 246–7, 250–1, 253, 272–3, 322, 385–8, 400, 420–1, 464–5, 482–3, 487, 514–16, 530–1, 542, 549,

- 552–4, 569–71, 582; *see also* anchoresses;
nuns; vowesses; widows
- Woodstock, 457
- Woodville, family of, 232
Elizabeth, wife of Edward IV, 465
- wool trade and production, 51, 116–17, 120,
132, 135, 211, 238
- Worcester, 54
bishop, cathedral and diocese of, 78, 371,
412
- Worcester, William, 236
- Wotton-under-Edge, 465
- Wrawe, John, 72
- Wrexham, 130, 132, 137
- Wulfic, abbot of St Augustine's, Canterbury,
474
- Wyche, Alice, 465
- Wyclif, John, 378, 388–90, 405, 490, 501
- Wykeham, William, bishop of Winchester, 491
- Wynn, Sir John, 138
- Wynmere and Wastoure*, 511
- Yarmouth, *see* Great Yarmouth
- yields, grain, *see* soil fertility
- Yonge, James, 585
- York, 49, 51, 53, 57, 59, 60, 80, 81, 93, 94,
462, 485, 508
archbishop, cathedral and diocese of, 360, 362,
397, 401, 453, 456, 474; *see also* Thoresby
dean and chapter of, 57
Franciscan friary of, 452
St Leonard's hospital, 57
St Mary's abbey, 57, 364, 497–8, 513
- York, Treaty of, 296
- Yorkshire, 10, 74, 249, 406
- Youghal, 156
friary of, 438, 584
- Ystrad Tywi, 319