

## *Crisis or Continuity?* *The Structure of Royal Authority in England 1369–1422*

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For the English crown and political establishment the renewal of war with France in 1369 turned out to mark the end of the »carefree years« and the beginning of a time of troubles<sup>1</sup>. During the course of the next forty five years the rulers of the realm were to suffer a series of shocks which were unprecedented in number and variety. Not, of course, that all their troubles were new ones. In the 1370s and 1380s the war with France went badly; but wars had gone badly before – in Edward II's reign, in Henry III's and in John's. There were aristocratic conspiracies and rebellions in 1387, 1399, 1400, 1403, 1405, 1408 and 1415; but such things, of course, had happened before. Glyndwr's revolt was anything but the first Welsh protest against English rule. From 1376 onwards governments found themselves facing sharp parliamentary criticism; but critical voices had been heard before, notably in 1339–41. In 1399 a king was deposed and then murdered; but in 1327 Edward II had suffered the same fate.

Yet although these disturbances may be described as familiar ones, there can be little doubt that they were all of unusual severity. Military failure against France was felt especially keenly by a generation brought up on tales of Crecy and Poitiers. Rarely, if ever, had aristocratic conspiracies followed each other in such swift succession. Glyndwr's revolt was prolonged (1400–1408) and all the more disquieting because it came after a long period of peace (since 1316). Parliamentary criticism was one thing; but impeachment of the king's ministers as in 1376, 1386 and 1388 quite another. The deposition of 1399 involved dynastic change and therefore dynastic insecurity in a way in which the deposition of 1327 had not.

In addition this period was to witness two further forms of instability which were anything but familiar. First, the revolt of 1381 signalled the violent entry into politics of a group which had hitherto been excluded. From now on the fear that the poor would rise again was a haunting one<sup>2</sup>. Minor incidents like the Bampton Uprising in 1398<sup>3</sup> and more serious ones like the

1) M. H. KEEN, *England in the Later Middle Ages* (London, 1973), 251.

2) See, for example, in 1388, *Tumultus autem erat in populo et audivit parlamentum quomodo plebeia communitas in diversis Anglie partibus... surrexisset*, T. Favent, *Historia mirabilis parlamenti* ed. M. McKISACK (Camden Society, 3rd series, xxxvii, London, 1926), 21.

3) *Oxfordshire Sessions of the Peace in the Reign of Richard II*, ed. E. G. KIMBALL, *Oxfordshire Record Society*, vol. liii, (Banbury, 1983).

lynching of five nobles in 1400 show that such fears were by no means groundless<sup>4</sup>). Secondly, the rise of Lollardy, the first real heretical movement in English history, meant that traditional anti-clericalism took on a new and much sharper edge. The idea that the English church ought to be returned, by hook or by crook, to a condition of apostolic poverty – an idea first heard in 1371 – was taken up by John Wyclif and given a new doctrinal rigour. Clerical disendowment became one of the main planks of the Lollard reform programme. In the eyes of orthodox churchmen, threats to church property were threats not just to the church but to the whole social order, and their alarmist views seemed to be confirmed first by the revolt of 1381 and then by Oldcastle's rising in 1414<sup>5</sup>).

Undoubtedly then, for the men who ruled England, these were disconcerting years through which to live and there is plenty of evidence of their unease. In the autumn parliament of 1381 the Speaker, Sir Richard Waldegrave, warned that if remedies were not found then, »the whole kingdom will be lost and utterly destroyed for ever and our lord the king and the lords and commons along with it«<sup>6</sup>). In 1406 the Speaker claimed that the Lollards threatened »the final destruction and subversion of your kingdom for all time«<sup>7</sup>). Even as late as 1420–1, after the triumphs of Henry V in France, Adam of Usk could refer to »the many disasters, plots, disputes, strife and sedition which last unto this day and which I fear will last unto the undoing of the kingdom«<sup>8</sup>). Extravagant words certainly – but is the rhetorical flourish »the undoing of the kingdom« so far removed from the plan revealed in the famous tripartite indenture of 1405–6 by which Percy, Glyndwr and Mortimer dreamed of dividing the kingdom between them?<sup>9</sup>).

All in all it is hardly surprising that many historians should have come to share the pessimism of contemporaries. They interpret these turbulent events not simply as a series of disturbances on the surface of politics but as something much more fundamental: as symptoms of a change in the balance of power between king and subjects, of a crisis from which the crown emerged weaker than before<sup>10</sup>). Moreover the interpretation of this period as one of a crisis of the political system seems to accord rather well with the evidence which points to a contemporary crisis of the economic system. In the 1370s the two mainstays of England's foreign trade, wool exports

4) J. L. KIRBY, *Henry IV of England* (London, 1970), 88–89.

5) M. ASTON, »Lollardy and Sedition« *Past and Present* 17 (1960), 1–44.

6) *Rot(uli) Parl(iamentorum)*, London 1783–1832), iii, 100.

7) *Rot. Parl.* iii, 583.

8) *Chronicon Adae de Usk*, AD 1377–1421, ed. E. M. THOMPSON, (Oxford, 1904), 3–4.

9) KIRBY, 218.

10) See, for example, »the growing political and financial weakness of the crown«, A. R. MYERS, *The Household of Edward IV*, (Manchester, 1959), 2; A. GOODMAN, *A History of England from Edward II to James I*, (London, 1977), 64, believes that Richard II had rightly perceived that »the Crown had become politically weakened«. KEEN, 301 suggests that the chief legacy of Richard's reign was to weaken the crown. A study which nicely illustrates the extent to which such views are simply taken for granted is R. VIRGØE, »The Crown and Local Government: East Anglia under Richard II« in ed. F. R. H. DU BOULAY and C. M. BARRON, *The Reign of Richard II: Essays in Honour of May McKisack*, (London 1971), 218–241, esp. 218–9.

and wine imports, both went into recession and never again reached the levels of the 1360s<sup>11</sup>). More important still is the fact that it was in the 1370s that the longterm consequences of bubonic plague began to make themselves felt. The result was rising labour costs and relatively stable commodity prices, a combination which entailed a basic re-structuring of the relationship between employer and labourer, between landlord and tenant<sup>12</sup>). Is it likely that far-reaching changes could occur in this sphere without causing equally important changes in the structure of government?

In this paper, however, it will be my contention that these socio-economic changes had very little impact on the structure of government. Further I shall argue that, as a result of the continuing operation of the underlying trends which had shaped the pattern of the monarchy in previous centuries, the crown was to emerge essentially unscathed from the critical events at the turn of the century<sup>13</sup>).

I begin then by considering the relationship between the monarchy and the national economy at the turn of the 14th and 15th centuries. Obviously this is primarily a question of the crown's financial resources. To what extent were they affected by economic changes in the realm at large? Did declining incomes from land mean declining revenues from royal estates?<sup>14</sup>) What was the effect of changing patterns of trade upon the crown's income from indirect

11) E. CARUS-WILSON and O. COLEMAN, *England's Export Trade 1275–1547* (Oxford, 1963), 122; T. H. LLOYD, *The English Wool Trade in the Middle Ages* (Cambridge, 1977), 311–316; M. K. JAMES, *Studies in the Medieval Wine Trade* (Oxford, 1971), 26–31, 38–9.

12) A. R. BRIDBURY, »The Black Death«, *Economic History Review*, 2nd ser. xxvi (1973), 577–592; M. MATE, »Agrarian Economy After the Black Death: The Manors of Canterbury Cathedral Priory, 1348–91«, *Economic History Review*, 2nd ser. xxxvii (1984), 341–354; J. L. BOLTON, *The Medieval English Economy, 1150–1500* (London, 1980), 207–220.

13) In doing so I shall concentrate on the material bases of the English monarchy, since that was what I was asked to do. I do not, however, mean to imply that the ideology of kingship was of no consequence. On the contrary it has long been a significant element in English history – and still is. As Frank Barlow has observed, »Many people like to shake hands with royalty today«, F. BARLOW, »The King's Evil«, *E(nglish) H(istorical) R(ewiew) xcv* (1980), 3–27. But there's the rub. A *religion royale* appears to be compatible both with direct attacks on particular kings and with a great variety of monarchical structures. In England's case, the enduring strength of such feelings, taken together with the enormous changes in the crown's political position over the centuries, can only mean that such feelings, though always to some unquantifiable degree present, have not been of decisive importance for the development of the monarchy. In this period of English history moreover men took the conventions of kingship for granted and, apart from a few traditionally moralising generalisations, did very little theorising about them. See *Four English Political Tracts of the Later Middle Ages*, ed. J.-P. Genet, (Camden Society, 4th ser., xviii, London, 1977). Elsewhere Genet has commented on the failure of late medieval theory to take account of the growing importance of local communities, J.-P. Genet, »Political Theory and Local Communities in Later Medieval France and England«, in ed. J. R. L. HIGHFIELD and R. JEFFS, *The Crown and Local Communities in England and France in the Fifteenth Century*, (Gloucester, 1981), 19–32. As Highfield observed, *ibid.*, 10, »facts all too frequently run ahead of theory«.

14) »The crown had become politically weakened because its financial commitments, in a period when incomes from land were tending to decline, outweighed its customary, increasingly inflexible resources«, GOODMAN, 64.

taxation? Did the late 14th century witness, as has recently been suggested, »a structural crisis in royal finance«<sup>15)</sup>?

So far as the crown estates were concerned, it is essential to note that they were not really regarded as revenue-producing assets. This is not to say that they were unimportant. Politically they were very valuable; firstly as a means of endowing members of the royal family, and secondly as a useful ingredient of the patronage system, i. e. as a mark of royal favour crown estates could be leased out on terms favourable to the lessee. Only in the third and last place were they expected to contribute to the current expenses of government. In these circumstances it is hardly surprising that their financial contribution was »intermittent, fluctuating and normally rather insignificant«<sup>16)</sup>. This means, of course, that the fact that in the late 14th century incomes from land tended to decline made no real difference to the state of royal finances.

Indirect taxation, however, was an entirely different matter. In the 14th century the king's finances had been totally transformed as a result of the development of a national customs system – a process which had been made possible by England's insular position and administrative precocity. By the 1360s the revenues from customs duties provided roughly two-thirds of the crown's total income<sup>17)</sup>. What is even more remarkable is the fact that nearly all of this came from a single source – the export duty on wool. In the years 1368–75, for example, the average yield of the wool subsidy was about £ 53,200; in the same period the average yield of tonnage and poundage (an ad valorem duty on imports and other exports) was only about £ 7,500<sup>18)</sup>. In these circumstances whereas the decline in the level of wine imports would make little difference to royal customs revenue a decline in wool exports might be expected to have dramatic fiscal consequences. So the fact that wool exports fell from an annual average of over 28,000 sacks in the 1360s to 18,000 in the 1380s and 1390s and then to only 13–14,000 sacks between 1400 and 1430 was undeniably a serious matter. By increasing the rate of duty, in particular the rate paid by alien merchants, the government was able to minimise the loss to the Exchequer, but there was a limit to how far one could go in this direction especially since the rate of duty normal in the 1360s was already a high one. The result was that customs revenue fell by some 25 %, from roughly £ 47,000 a year in the last four decades of the 14th century to an average of £ 36,000 per annum in 1403–14 – though in the occasional good year (such as 1408–9) it still topped £ 40,000<sup>19)</sup>. From the point of view of the national economy the boom in exports of manufactured textiles more than compensated for the decline in raw wool exports<sup>20)</sup>.

15) G. L. HARRISS, »Theory and practice in royal taxation: some observations«, *EHR* xcvii (1982), 811–819.

16) B. P. WOLFFE, *The Royal Demesne in English History* (London, 1971), 65.

17) E. B. FRYDE, »The financial policies of the royal governments and popular resistance to them in France and England c. 1270–c. 1420«, *Revue Belge de Philologie et d'Histoire*, lvii (1979), 847.

18) J. W. SHERBORNE, »The Cost of English Warfare with France in the Later Fourteenth Century«, *Bulletin of the Institute of Historical Research*, l (1977), 141–2.

19) CARUS-WILSON and COLEMAN, 30, 122–3, 194–6; SHERBORNE, 141, 149; KIRBY, 127.

20) A. R. BRIDBURY, *Economic Growth: England in the Later Middle Ages* (London, 1962, 2nd edn. 1975); *Idem*, *Medieval English Clothmaking* (London, 1982), 86–105; BOLTON, 292–8.

Unfortunately for the government, the rate of export duty on cloth was low and could not readily be increased without doing damage to a thriving commerce<sup>21</sup>). In this sense the changing pattern of English trade in this period – a pattern which reflects the country's industrial development – was one which was probably bound to cause a long-term decline in the proceeds of indirect taxation.

But should such a decline be thought of as a crisis? Much presumably would depend on the extent to which the crown was able to develop other sources of revenue to compensate it for the losses in wool customs, losses of which it was well aware. In my view there is good evidence to show that in the late 14th and early 15th centuries the crown was consciously looking to direct taxation to provide that alternative. Although the yield of the lay subsidy (the tenth and fifteenth), the most important of the traditional direct taxes, had remained fixed at about £37,800 since 1334, this did not mean that the system of direct taxation had itself become far too rigid. For one thing it was always possible to vary the frequency with which the subsidy was levied and, as I shall argue later, invent new justifications for levying it<sup>22</sup>). For another there is plenty of evidence to show that the crown was experimenting with new forms of direct taxation, not just the ill-fated poll-taxes, but also the parish tax of 1371 and the income taxes of 1404 and 1411<sup>23</sup>). Direct taxation, in other words, was not the inflexible source of revenue that it is sometimes said to have been. My first conclusion therefore would be that if there was a crisis of the English monarchy in this period it was not one which was brought about by the fiscal implications of underlying economic developments.

Indeed I would argue that to think that there could be such a crisis is to mistake the nature of kingship. Royal dynasties were not business houses and though they might not pay their debts they did not go bankrupt. It was not finance, or lack of it, that brought down kings. If to be in debt is to be in financial difficulties then no English king ever faced such difficulties as those which confronted Edward III in the late 1330s. Yet he continued to rule – and rule triumphantly<sup>24</sup>). Put the other way round, it was not always the wealthy kings who sat securely on their thrones. Edward II, we now know, was able to build up a cash reserve of more than £60,000<sup>25</sup>). But this could not save him from the terrible consequences of his political ineptitude<sup>26</sup>). Richard II's is a similar case. Of the second half of his reign Mr Steel, the historian

21) O. COLEMAN, »What Figures? Some Thoughts on the Use of Information by Medieval Governments« in ed. D. C. COLEMAN and A. H. JOHN, *Trade, Government and Economy in pre-industrial England* (London, 1976), 108–9.

22) See below p. 75–6

23) COLEMAN, (1976), 102–5; K. B. McFARLANE, *Lancastrian Kings and Lollard Knights*, (Oxford, 1972), 93–98.

24) In 1339 Edward acknowledged debts of £300,000. For a succinct and up to date account see M. PRESTWICH, *The Three Edwards* (London, 1980), 214–244.

25) N. M. FRYDE, *The Tyranny and Fall of Edward II, 1321–1326* (Cambridge, 1979), 105.

26) N. SAUL, »The Despensers and the downfall of Edward II«, *EHR* xcix (1984) 1–33.

of the late medieval Exchequer, wrote that it showed »a financial prosperity and buoyancy unequalled in the whole middle ages«<sup>27</sup>. But in 1399 this counted for little.

It is very common to write about the later medieval kings of England as though they faced insuperable financial problems. The so-called »bankruptcy of the Lancastrian regime« looms ahead, seducing historian after historian to make gloomy pronouncements on the financial health of the crown<sup>28</sup>. It is, of course, true that in the later middle ages the historian is able to make use of new types of source material and these can throw new light upon a king's financial worries. The records of the king's council (see below p. 68) are in this respect particularly illuminating. But these records do not entitle us to conclude that later medieval kings faced much greater financial problems than their predecessors had. All kings had their money problems – but there were none which a competent king could not solve. The events of Henry IV's reign illustrate the point. Early on Henry faced tremendous political problems – the doubts about the legitimacy of his rule, the Glyndwr and Percy rebellions. In consequence he faced grave financial problems. But politically he proved himself to be a survivor and, in consequence, by the latter part of his reign his financial problems were very much less<sup>29</sup>. The kings of England faced no insuperable financial problems, nothing that could be called a structural financial crisis. It is not finance which explains why Henry IV succeeded where Richard II failed. If there was a crisis of kingship in this period it was certainly not one precipitated by financial problems. Kingship was not about making and saving money; it was about political management.

At the heart of a monarchical political system lay the person of the king. Yet the lesson of the minorities of Richard II and Henry VI is that the system had developed to the point at which it was quite capable of functioning without the king himself having to play an active managerial role. Indeed the history of Henry III's minority suggests that this point had been reached at least 150 years before our period begins. Even so it remained an undeniably monarchical system. Short of rebellion there was no way of preventing an adult king – no matter how much one distrusted him – from taking over the reins of government if he wished to do so. The circumstances of Richard II's resumption of power in 1389 make that plain<sup>30</sup>. Thus the king

27) A. STEEL, *The Receipt of the Exchequer, 1377–1485* (Cambridge, 1954), 359. Richard's wealth at the end of his reign included over £ 40,000 deposited in the castle treasury of Holt in his new principality of Chester. R. R. DAVIES, »Richard II and the Principality of Chester 1397–9« in DU BOULAY and BARRON, 270–2.

28) To cite just two: »The financial history of the period was on the whole one of failing resources«, S. B. CHRIMES, *An Introduction to the Administrative History of Medieval England*, (Oxford, 1959), 211; »even without the strains to which war exposed the royal revenues, they were hardly adequate to meet current expenditure«, KEEN, 251–2. But this judgement is based on the famous »budget« of 1362–3 when Edward III had just reduced the wool subsidy rate to 20s. per sack. Two years later the normal rate of 43/4d, or more, was restored. In other words the financial position of the crown in 1362–3 was very far from being typical of the period as a whole.

29) A. ROGERS, »Henry IV, the Commons and Taxation« *Medieval Studies*, xxxi (1969), 44–70.

30) A. STEEL, *Richard II*, (London, 1941), 176–8.

himself was still the single most important component of government – as is obvious from the contrast between the reigns of Richard II and, say, Henry V.

But naturally the king could not govern alone and since, like every other great personage, he lived surrounded by household staff, it was inevitable that the royal household should constitute the mainspring of government. When the king went to war the household was expanded; when peace returned it contracted. By the 1370s there were normally less than 400 people attached to Edward III's household, compared with 572 in 1360, at the end of the war with France<sup>31</sup>). In peace and war the court – and the court was normally to be found within the household<sup>32</sup>) – remained the focus of the patronage system<sup>33</sup>). This was as true of the fifteenth and sixteenth centuries as it was of the early middle ages. In general terms court and household represented a very strong thread of structural continuity. But here, as in much else, we can see how Richard II threatened that continuity. Whereas household expenditure had averaged some £ 12,000 a year during the last ten years of Edward III's reign, by the end of Richard II's it had reached the much higher figure of £ 27,000 a year<sup>34</sup>). Out of this total over £ 5,000 was spent on the wages of the notorious Cheshire archers. Richard's bodyguard of 311 archers made up the core of a permanently retained force of some 750 men. This military extension of the household in peacetime had »the makings of a formidable standing army« and it stands out as a unique phenomenon in medieval English history<sup>35</sup>). Richard II lived in England as though he were in enemy country.

After 1399 the royal household was gradually restored to normal, though it was not easy to make sweeping cuts in expenditure – much as this would have pleased the Commons. They constantly complained about the costs of the king's household, but it would have been political suicide if the new king had been in too much of a hurry to cancel most of those annuities which Richard II, in a bid to reconcile men to his arbitrary regime, had granted out so extravagantly. Nonetheless by 1406 household expenses had been substantially reduced and king and Commons reached an accommodation which lasted until the end of the reign<sup>36</sup>).

So basic and stable a feature of the political system was the royal household that, with the

31) C. GIVEN-WILSON, *The Court and Household of Edward III 1360–77*, unpub. Ph. D. thesis, University of St. Andrews, 1975, chapters 1–2.

32) In this respect the last years of Edward III's reign are exceptional. The bulk of the royal household generally stayed at Windsor, while the king visited his favourite manors in the home counties, accompanied only by the courtiers, the members of his *privata*, or *secreta familia*. It was these men, and their friends, who were to be attacked by the Good Parliament in 1376. GIVEN-WILSON, chapters 5–8.

33) For more than twenty years now – see J. C. HOLT, *The Northerners* (Oxford, 1961) and R. W. SOUTHERN, »The Place of Henry I in English History«, *Proceedings of the British Academy*, xlviii (1962) – this has been a fashionable subject for British medieval historians – and rightly so.

34) GIVEN-WILSON, chapter 2. T. F. TOUT, *Chapters in the Administrative History of Medieval England*, 6 vols., (Manchester, 1920–33), iv, 207–8, vi, 98–101.

35) DAVIES, 267–70. J. L. GILLESPIE, »Richard II's Cheshire archers«, *Transactions of the Historic Society of Lancashire and Cheshire*, cxxv (1975), 1–39.

36) ROGERS, 55–8, 63–7. A. L. BROWN, »The Reign of Henry IV: the establishment of the Lancastrian regime«, in ed. S. B. CHRIMES, C. D. ROSS and R. A. GRIFFITHS, *Fifteenth Century England 1399–1509*

extraordinary exception of Richard II's last years, it is hard to detect significant change within it and next to impossible to see any underlying trend<sup>37</sup>). In other aspects of the system, trends are more apparent and for the purposes of this paper, I have picked out eight. They are:

1. The continuing growth of London.
2. The increasing elaboration of the central administrative offices.
3. The increasing elaboration of local government and an increasing number of links between centre and localities.
4. The increasing participation of the gentry in local government.
5. The growing proportion of royal revenue which was derived from taxation.
6. The increasing influence of the Commons in parliament.
7. An increasingly permanent government responsibility for the organisation of national defence.
8. A growing tendency to undermine the traditional connexion between war and taxation.

Obviously these are not the only observable trends. In other contexts I might have chosen to highlight others, e. g. the increasing laicization of government<sup>38</sup>).

1. The continuing growth of London. In economic terms England was an overwhelmingly agrarian society – probably 90 % of the population (c. two and a half millions in 1377) lived and worked on the land – with only one major city: London/Westminster. In effect the whole country was London's hinterland. Cloth was sent to it from the West Country and Yorkshire, meat from the Midlands, coal from Newcastle, grain and foodstuffs from East Anglia and the South-East. With an estimated 30–40,000 inhabitants, London seems to have been able to maintain its population at pre-plague levels. By the end of the 14th century therefore it contained a higher proportion of the kingdom's population and probably also a higher proportion of its wealth. In 1334 London had rated a tax assessment three times as high as that imposed on Bristol (the highest rated provincial town); by 1524 it was assessed at ten times the rate of its nearest rival, now Norwich<sup>39</sup>). As the principal port of an island kingdom, London

(Manchester, 1972), 1–28. Brown's criticism of Henry's »indiscriminate« generosity (pp. 23–4) does not, in my view, take sufficient account of the political consequences of the usurpation.

37) Apart, of course, from the tendency towards greater elaboration, but this only meant that the familiar functions were being performed by new departments. For a study of one such development see D. R. STARKEY, *The King's Privy Chamber, 1485–1547*, unpub. Ph. D. dissertation, Cambridge 1973. An important article which has emphasised another aspect of household continuity is J. O. PRESTWICH, »The military household of the Norman kings«, *EHR* xcvi (1981), 1–33.

38) T. F. TOUT, »The English Civil Service in the fourteenth century«, *Bulletin of the John Rylands Library* iii (1916–17), reprinted in *The Collected Papers of Thomas Frederick Tout*, iii (Manchester, 1934), 211 ff; R. A. GRIFFITHS, »Public and Private Bureaucracies in England and Wales in the Fifteenth Century«, *T(ransactions of the) R(oyal) H(istorical) S(ociety)*, 5th ser., xxx (1980), 117–21; and for some general comments on the consequences of this trend, J. R. LANDER, *Conflict and Stability in Fifteenth Century England* (London, 1969), 167–70.

39) BOLTON, 253–4.



dominated the country's foreign trade. In Richard II's reign when the value of indirect taxation to the crown was in the region of £ 50,000 per annum, London alone contributed about half of the national total<sup>40</sup>).

Londoners dominated the most important trading company: the Company of the Staple. The fact that from the mid 14th century onwards this company enjoyed a monopoly of the crucial wool export trade enabled its leading members to become the country's main financiers. It was the merchant capitalists of London, men like Nicholas Brembre, John Philpot, William Venour and John Hadley, who were normally the crown's chief creditors. Their loans were an essential lubricant of the machinery of government. The usual technique was to repay them out of the proceeds of customs duties. They were commonly appointed as collectors of customs, particularly – but not only – in London, and since they wanted to recover their loans they had an interest in ensuring efficient collection. In Richard II's reign the London collectors of customs alone contributed an average of £ 18,000 a year to the royal purse. As creditors, tax-payers and customs administrators the wealthy merchants of London played an indispensable role in crown finance<sup>41</sup>).

From 1363 onwards the terms of the monopoly granted to the two hundred or so merchants of the Company of the Staple had been conditional upon their taking their wool to Calais and selling it there. Customers were supposed to pay (either in whole or in part) in bullion. This was then struck into English coin at the Calais mint and shipped back to England. Since contemporary economic theory (bullionism) took it for granted that a country's prosperity depended on a plentiful supply of gold and silver, it is not surprising that the London-Calais connection should come to be regarded as the artery through which the bullion essential to the country's well-being was pumped into the system<sup>42</sup>). This was the lifeline of the kingdom. The convoys which sailed between London and Calais were as important to later medieval England as the Atlantic treasure fleets to Habsburg Spain. So vital an asset had to be well-protected. Even in peacetime there were some 800 soldiers on duty in the Calais garrison<sup>43</sup>). This was the nearest most English kings ever came to having a standing army. If Calais was the main garrison town, London was the seat of the main arms factory and arsenal. By the mid 14th century more than 300 smiths, engineers, armourers, gunners, and carpenters were employed at the Tower of

40) LLOYD, 254. O. COLEMAN, »The Collectors of Customs in London under Richard II« in ed. R. E. J. HOLLAENDER and W. KELLEWAY, *Studies in London History presented to Philip Edmund Jones* (London, 1969), 181–94, esp. 182–4.

41) COLEMAN, (1969), 183–91. A little later on their equivalents were Richard Whittington and John Hende. The only other individuals to lend to the crown on a significant scale were, in the 14th century, Richard Fitzalan earl of Arundel, and in the early 15th, Henry Beaufort. See G. A. HOLMES, *The Good Parliament*, (Oxford, 1975) 74–7; K. B. McFARLANE, *The Nobility of Later Medieval England*, (Oxford, 1973), 88–91.

42) J. H. MUNRO, *Wool, Cloth and Gold: The Struggle for Bullion in Anglo-Burgundian Trade 1340–1478* (Toronto 1973); LLOYD, 210–58.

43) J. L. KIRBY, »The Council of 1407 and the Problem of Calais« in ed. C. M. D. CROWDER, *English Society and Government in the Fifteenth Century*, (Edinburgh, 1967), 71–86.

London. A huge stock of arms was permanently stored in the Tower. Here too was the main royal mint<sup>44</sup>). The rebels of 1381 knew very well what they were doing when they seized the Tower. In military and financial terms Calais and London, taken together, were the powerhouse of kingdom. A king who failed to appreciate this basic reality was a king who was asking for trouble<sup>45</sup>).

But it cannot have been easy for a king to underestimate the importance of London. Kings were tending to spend more time either in London or Westminster or in country houses nearby, palaces like Windsor, Eltham and Sheen. It was becoming increasingly rare for parliament to meet anywhere but Westminster. All thirtyone parliaments between 1339 and 1371, for example, met at Westminster. After the crisis of 1339–41 the king accepted that it was no longer possible to take the government machine with him as, up to a point, Edward I had still been able to do. After 1340 the Exchequer, for example, never again left Westminster. In the mid 14th century the Court of the King's Bench, a court which had once travelled about the country, settled down for good at Westminster. Edward III's and Henry V's campaigns abroad only served to emphasise the need for a fixed centre of government which could operate in the king's absence. Increasingly London was becoming the nation's capital, the focal point of political and social life. Men of influence, or those who wished to exert influence, found it increasingly necessary to acquire an inn or a house in or near the city. All this, of course, was just the continuation of trends which had been observable since the 11th and 12th centuries<sup>46</sup>). And it all makes Richard II's notion of establishing an alternative powerbase outside London, of turning his new principality of Cheshire into »the inner citadel« of his kingdom seem all the more curious<sup>47</sup>).

2. The increasing elaboration of the central administrative offices.

a) The king's council<sup>48</sup>). This became markedly more bureaucratic in this period. It acquired its own secretariat. The appointment of the first »clerk of the council« is thought to have occurred in October 1377. The earliest extant ordinance on conciliar procedure dates from

44) O. F. C. HOGG, *The Royal Arsenal*, 2 vols. (London, 1963), 14–24; T. F. TOUT, »Firearms in England in the Fourteenth Century«, *EHR* xxvi (1911), 666–702; T. F. REDDAWAY, »The King's Mint and Exchange in London, 1343–1543«, *EHR* lxxxii (1967).

45) C. M. BARRON, »The Quarrel of Richard II with London 1392–7« in DU BOULAY and BARRON, 173–201, esp. 181–2 for the possibility that Richard was thinking of establishing a new capital at York. Note also the rumour that Richard was planning to sell Calais, J. J. N. PALMER, *England, France and Christendom 1377–99* (London, 1972), 217.

46) T. F. TOUT, »The Beginnings of a Modern Capital: London and Westminster in the Fourteenth Century«, *Proceedings of the British Academy*, x (1924), 487–511, reprinted in TOUT, *Collected Papers*, iii, 249–75; G. A. WILLIAMS, *Medieval London from Commune to Capital* (London, 1970).

47) DAVIES, 256–79.

48) Many of its early records were printed in ed. Harris NICHOLAS, *Proceedings and Ordinances of the Privy Council of England*, vols. 1–2, (London, 1834). For a convenient summary see GOODMAN, 93–6.

March 1390<sup>49</sup>). The earliest surviving council journal covers the fourteen months from January 1392 to February 1393<sup>50</sup>).

b) Chancery. With as many as a hundred clerks employed here this naturally remained the principal royal secretariat, but in this period it became increasingly active as a source of equitable jurisdiction, particularly in the important area of land law<sup>51</sup>).

c) Exchequer. After 1356 the Exchequer remained unchallenged as the supreme office of financial audit<sup>52</sup>). From 1401, if not earlier, it was required to produce an annual statement of account, and a few such »budgets« still survive<sup>53</sup>). Its time-honoured procedures, going back to at least the 12th century, have often been criticised as being slow, inflexible and cumbersome<sup>54</sup>). But in an office of final audit painstaking precision was exactly what was needed<sup>55</sup>). When required the Exchequer was quite capable of functioning in other ways. As the office charged with responsibility for Henry V's war finances, it satisfied even that demanding taskmaster<sup>56</sup>).

d) Privy Seal. Formally the Keeper of the Privy Seal was looked upon as a member of the household until the 15th century, but in practice he and his office had gone »out of court« a good deal earlier. By 1388 the Commons had recognised that the privy seal was no longer the king's personal seal<sup>57</sup>). Indeed already by 1360 it is noticeable that, irrespective of the location of the royal household, the office of privy seal was tending to remain at Westminster. It was becoming increasingly closely attached to the council; only if a council met, or a parliament was held, away from Westminster, did the privy seal leave the capital. And once it had become a more or less stationary office it was easier for it to grow in size: from 4 clerks to 6 (by 1400), and to 12 – one of them the poet Thomas Hoccleve – by 1422<sup>58</sup>).

e) Signet Office. The king now needed a new personal seal: the signet or secret seal held by

49) Most accessibly printed in S. B. CHRIMES and A. L. BROWN, *Select Documents of English Constitutional History 1307–1485* (London, 1961), 158–9.

50) Printed in J. F. BALDWIN, *The King's Council* (Oxford, 1913), 489–504.

51) GOODMAN, 100–103. M. E. AVERY »The history of the equitable jurisdiction of chancery before 1460« *BIHR* xlii (1969). See also J. M. W. BEAN, *The Decline of English Feudalism 1215–1540* (Manchester, 1968), 162–79 for the evolution of chancery jurisdiction over uses. Roughly a third of the eighty extant Chancery proceedings before 1426 concern complaints relating to uses.

52) GOODMAN, 105–7. For a summary of William Edington's career and achievement as treasurer see M. McKISACK, *The Fourteenth Century* (London, 1959), 215–17.

53) WOLFFE, 89. But annual audits may be much older. *Et au bout de chescun an, les chamberleins del eschequier, en presence du tresorier, accompteront...* from the Ordinances of Walton, July 1338, printed in TOUT, Chapters, iii, 143–50 and partially reprinted in CHRIMES and BROWN, 45–48. And compare, from the 1170s, the Dialogue of the Exchequer, *cum a rege vel mandato eius a magnis regni compotus a thesaurario et camerariis regni totius recepte suscipitur*«, Dialogus de Scaccario ed C. JOHNSON (revised edn. London, 1983), 24–5.

54) For example, CHRIMES, 211.

55) On the Exchequer's capacity to calculate percentages accurately to 0.1%, see COLEMAN, (1976), 105–6.

56) R. A. NEWHALL, »The war finances of Henry V and the Duke of Bedford«, *EHR* xxxvi (1921), 172–98.

57) Rot. Parl. iii, 248, cf. iii, 23, 44, 158.

58) TOUT, Chapters, ii, 282–313; GOODMAN, 98–9, 118.

the kings's secretary, an official who first appears on the scene at the accession of Richard II (1377). The clerks of the signet, normally only two or three in number, were initially drawn from the clerks of the king's chapel, but by 1400 they had come to form a distinct department of their own, the signet office<sup>59</sup>).

f) The Central Courts. Responsible for the central administration of justice were the professional judges and sergeants-at-law of the Court of King's Bench and the Court of Common Pleas. These royal servants were at the summit of a legal profession which was becoming increasingly conscious of its status in the community and increasingly able to regulate itself, e. g. the organisation of the Inns of Court as institutions for the study and practice of the common law<sup>60</sup>).

These late 14th and early 15th century developments were essentially the continuation of that seemingly inexorable bureaucratic trend which, in England, can be traced at least as far back as the 11th century. By 1400 about 200 officials were employed in these central departments of state<sup>61</sup>). Their essentially bureaucratic character emerges very clearly from the fact that almost all of those who held office at the end of Richard II's reign remained in office under his successor. Service in the courts and offices of Westminster was regarded as »state service«, not as a personal service to the king. It was a professional career very largely immune to the vicissitudes of politics<sup>62</sup>). The growth of the Westminster administration meant, in other words, that there was a strong element of stability and continuity right at the centre of the governmental system.

3. The increasing elaboration of local government and an increasing number of links between centre and localities.

In the 14th and 15th centuries, despite the creation (chiefly in the 13th century) of new local officials, the sheriff remained a key figure<sup>63</sup>). He continued to act as »distributing agent for all communications between authority at the centre and private individuals in the provinces.« All the evidence suggests that he and his staff were kept extremely busy. A unique survival, the roll of writs received by Ralph de Wedon, sheriff of Bedfordshire and Buckinghamshire between 13 June 1333 and 12 November 1334, shows just how busy. Even though it is incomplete some 2,000 writs are registered; i. e. this one sheriff was receiving, on average, at least 30 writs a

59) J. OTWAY-RUTHVEN, *The King's Secretary and the Signet Office in the XVth Century* (Cambridge, 1939), 19–59; *Calendar of Signet Letters of Henry IV and Henry V, 1399–1422*, ed. J. L. KIRBY, (London, 1978), 1–4.

60) GOODMAN 103–105. A. HARDING, *The Law Courts of Medieval England* (London, 1973), 98–115; M. HASTINGS, *The Court of Common Pleas in the Fifteenth Century* (Ithaca, 1947).

61) D. A. L. MORGAN, »The king's affinity in the polity of Yorkist England«, *TRHS* 5th ser., xxiii (1973), 2. Compare GOODMAN, 120.

62) BROWN, (1972), 21. As might be expected the clerks of the signet office constituted an exception. None of Richard II's were employed by Henry IV, KIRBY, (1978), 4. On the other hand even in the royal household many of the menial servants kept their jobs.

63) R. M. JEFFS, *The Later Medieval Sheriff and the Royal Household*, unpub. Oxford D. Phil. thesis, 1960, esp. ii–vii, 1–18.

week<sup>64</sup>). I know of no similar extant roll for a later period, but it is unlikely that the sheriff found his life getting any less arduous. As new problems arose so new tasks were laid upon him. He was, for example, made responsible for enforcing anti-Lollard legislation, for arresting and imprisoning troublesome preachers (1382) and for assisting in the search for Lollard works as well as for those who read or listened to them (1388)<sup>65</sup>.

One of the sheriff's traditional responsibilities was to see to the publication of royal proclamations. Having these read out in the shire court had, since the 10th century, been the basic method by which the government had made its will known in the localities. By the 14th century the sheriff was instructed to publish proclamations not only at the full county court, but also in cities, boroughs and market towns. He was then required to inform chancery of the dates and places at which the proclamation had been made. In the case of a 1398 proclamation Dr Maddicott has calculated that in the 25 counties for which the sheriffs' returns survive it was read out – or so the sheriffs claimed – in 142 places. Making allowance for the missing counties, this suggests that a royal proclamation might be published in some 200 places throughout the kingdom<sup>66</sup>. Clearly the crown was anxious to mould local opinion and, in consequence, was imposing extra responsibilities on the sheriff and his staff.

#### 4. The increasing participation of the gentry in local government.

By 1390 in any one shrievalty there would be, besides the sheriff, an escheator, a coroner, 10–12 assessors and collectors of taxes, 9–10 Justices of the Peace, not to mention a host of lesser officials: sub-sheriffs, sub-escheators, clerks of the peace, verderers and hundred bailiffs. The existence of all these posts meant that a significant proportion of the gentry became directly involved in the work of local government<sup>67</sup>. Dr Virgoe has, for example, estimated that in Norfolk during Richard II's reign there were forty or fifty men active in this sphere at any one time<sup>68</sup>. Moreover the evidence suggests that the proportion tended to grow. The chief reason for this is the tendency for the average size of the commissions of the peace to grow; in Wiltshire, for example, there were six J. Ps. in 1368, 12 in 1427 and 17 by 1478<sup>69</sup>. In his analysis of the gentry of 14th century Gloucestershire Dr Saul has shown that whereas about nine men bore the brunt of the shire administration in the 1300s, by the 1390s it was probably about twice that number<sup>70</sup>. Bearing in mind the plagues of the latter part of the century together with the

64) C. H. JENKINSON and M. H. MILLS, »Rolls from a Sheriff's Office of the Fourteenth Century«, *EHR* xliii (1928), 21–32.

65) *Rot. Parl.* iii, 124–5 (1382); *Chronicon Henrici Knighton*, ed. J. R. LUMBY, *Rolls Series*, 1889–95, ii, 266–7.

66) J. R. MADDICOTT, »The County Community and the making of public opinion in fourteenth century England«, *TRHS* 5th ser., xxviii (1978), 27–43.

67) N. SAUL, *Knights and Esquires: The Gloucestershire Gentry in the Fourteenth Century* (Oxford, 1981). See in particular his valuable chapter »Office Holding and the Local Community«.

68) VIRGOE, (1971), 228.

69) R. B. PUGH, *Victoria County History, Wiltshire*, vol. V, 32.

70) SAUL, 161–2.

very low post-plague replacement rates suggested for this class of the population by the inquisitions post mortem<sup>71</sup>), it all suggests that the proportion of gentry involved may well have been significantly higher at the end of the century than at its beginning.

5. The king's increasing reliance upon sources of income which required consent.

To judge from the pipe roll of 1129–30 – the earliest surviving detailed account of royal revenues – in the early 12th century the great bulk of the crown's income had been derived from its lands and from the profits of lordship and jurisdiction. At that date taxation accounted for only 13 % of the total<sup>72</sup>). By the 1280s there had been a major shift. Now land, lordship and jurisdiction between them produced less than half of the king's revenues; approximately 60 % came from taxation<sup>73</sup>). This trend continued. By the 1360s two thirds came from indirect taxation alone<sup>74</sup>); by the early 15th century the proportion derived from taxation had climbed still higher, to 80 or 90 %<sup>75</sup>). Ever since the time of Magna Carta, if not before, it had been accepted that taxation required consent and by the mid-14th century the Commons in parliament had established that the right to consent, or to withhold consent, belonged primarily to them<sup>76</sup>). By contrast land, lordship and jurisdiction were revenue-producing rights which did not require meetings of influential men to approve their exploitation – indeed all influential men enjoyed similar rights (though on a smaller scale) and presumably took them for granted – so long as they were not abused. Inevitably then the higher the proportion of crown revenue that came from taxation, the greater the prestige and influence of the consent-giving bodies was likely to be. Nothing therefore can be less surprising than:

6. The growing influence of the Commons in parliament.

During what Sir Goronwy Edwards called the second century of the English parliament<sup>77</sup>), the Commons proved to be capable of influencing affairs both in the localities and at the centre. In the field of local government, for example, they constantly pressed for the keepers of the

71) T. H. HOLLINGSWORTH, *Historical Demography*, (London, 1969), 375–80. J. HATCHER, *Plague, Population and the English Economy 1348–1530*, (London, 1977), 26–8.

72) J. GREEN, »Praelarum et Magnificum Antiquitatis Monumentum: the Earliest Surviving Pipe Roll«, *BIHR* lv (1982), 1–17.

73) This rough estimate is based on information in M. PRESTWICH, *War, Politics and Finance under Edward I*, (London, 1972), 178–197. See also the discussion in J. GILLINGHAM, »The early Middle Ages, 1066–1290« in ed. K. O. MORGAN, *The Oxford Illustrated History of Britain*, (Oxford, 1984), 144–8.

74) E. B. FRYDE, 847.

75) WOLFFE, 91–6.

76) To the convocations of Canterbury and York belonged the right to consent to clerical taxes, but the yield from this source, though far from negligible, was much less than the yield from other forms of taxation. Out of a total tax yield of about £ 690,000 in the period between Michaelmas 1368 and Michaelmas 1375, the clergy contributed 18 %, while the rest (82 %) came from taxes which were granted in parliament – the wool subsidy, tenths and fifteenths (the lay subsidy), tannage and poundage and, in one year (1371), a parish tax. See SHERBORNE, 142.

77) J. G. EDWARDS, *The Second Century of the English Parliament*, (Oxford, 1979).

peace to be granted the power to determine cases. Hitherto the function of these officials had been to report offenders to the king's justices, i. e. they could present, but not determine. That was left to the king's judges. For a while the crown resisted the Commons' demand, but in 1361 it gave way. As a result the keepers of the peace became justices of the peace<sup>78</sup>). A second parliamentary campaign waged by the Commons since the 13th century had been aimed at securing sheriffs who were men of substance in the county and who were to hold office for only one year at a time. By the Statute of Lincoln (1316) the crown conceded that the sheriff should be a local resident, but not until 1371 was the demand for an annual turn-over of sheriffs finally accepted and put into practice<sup>79</sup>). Unquestionably the successful outcome of these two campaigns meant that the gentry had a greater voice in determining their own affairs, a greater say in the government of the shire. Many historians assume, not unnaturally, that this means that the crown was correspondingly weaker<sup>80</sup>).

Later in the century the Commons seem to have achieved even more striking successes. Between 1376 and 1406 they came to enjoy a greater influence over the business of central government than at any time before the 17th century<sup>81</sup>). They demanded the right to exercise some control over the way in which the proceeds of taxation were spent, partly by securing the appointment of special treasurers, as in 1377-8, 1382, 1385-7, 1390-1 and 1404-6; partly by insisting on the right to view and audit the treasurers' accounts, as in 1378, 1379, 1404 and 1406. Moreover although the king's right to appoint his own ministers was not challenged, the gauntlet was very clearly thrown down in the Good Parliament of 1376 when, for the first time, the Commons used the device of impeachment to bring charges against unpopular ministers. Whether the Commons themselves took the initiative or whether - as some historians believe - they were manipulated by an aristocratic faction led by the Earl of March<sup>82</sup>), it is clear that the capacity to impeach, a capacity which was used again in 1386 and 1388, was a potentially powerful weapon in the Commons' armoury. Moreover since it was a weapon which was used in direct opposition to the royal will, it is again not surprising that many historians should see these developments as further evidence of a weakening of the crown. Whether this is right or

78) The classic account of this campaign is B. H. PUTNAM, »The Transformation of the Keepers of the Peace into the Justices of the Peaces« TRHS 4th ser. xii (1929), 19-48. For one important correction see J. B. POST, »The Peace Commissions of 1382« EHR xci (1976), 98-101.

79) SAUL, 110.

80) See, e. g., statements like »It is a commonplace that the loss of this essential control over local institutions and officials was one of the chief problems of late medieval government.« VIRGOE, (1971), 218.

81) See in general J. S. ROSKELL, »Perspectives in English Parliamentary History«, Bulletin of the John Rylands Library, xlvii (1964), reprinted in ed. E. B. FRYDE and E. MILLER, Historical Studies of the English Parliament, Vol. 2 1399-1603, (Cambridge, 1970), 296-323; and A. L. BROWN, »Parliament, c. 1377-1422« in ed. R. G. DAVIES and J. H. DENTON, The English Parliament in the Middle Ages, (Manchester, 1981), 109-140.

82) J. A. TUCK, Richard II and the English Nobility (London, 1973), 17-27. But see GIVEN-WILSON, 241-54 and HOLMES, 100-158. This period also saw the development of two other types of parliamentary state trial, appeals and attainders.

not, it is worth noting that they were only partly the result of temporary political difficulties. In a more profound sense they were also symptoms of a long-term trend, i. e. the tendency for parliament to play an ever greater role in the affairs of the nation<sup>83</sup>). In many ways it is not the dramatic confrontations between crown and Commons, as in 1376 or 1404, which mark the climax of that trend, but the businesslike co-operation which characterised their relations during the reign of Henry V.

7. An increasingly permanent government responsibility for the organisation of national defence. If we examine early 15th century estimates of government expenditure – Lord Cromwell's estimates in 1433, for example, or the discussions in council in 1410<sup>84</sup>) – it becomes clear that certain items of military expenditure were now regarded as normal. Irrespective of whether the country was at war or not, there were four basic defence charges which the government was prepared to meet: Aquitaine, Ireland, the Scottish Marches and Calais. By far the most substantial of these was the cost of maintaining the Calais garrison. Dr Kirby has calculated that the defence of Calais cost at least £ 17,000 a year during Henry IV's reign<sup>85</sup>). The salaries paid to the Wardens of the Marches towards Scotland – the highest paid of all government office-holders – constituted the next largest item in the defence budget. In the 1390s and early 15th century they cost between £ 5,000 and £ 7,000 a year<sup>86</sup>). Ireland and Aquitaine came cheaper. Both Cromwell's and the 1410 estimates envisaged something like £ 3,000 a year being spent on each<sup>87</sup>). Since Calais had been in English hands only since 1347; since the decision to send Lionel of Antwerp to Ireland in 1361 had marked the beginning of a new English commitment – including a financial commitment – to Ireland<sup>88</sup>); and since the system of permanent and paid Wardens of the Scottish Marches dates back only to the 1380s, it is evident that the second half of the 14th century marks an important stage in the development of the crown's readiness to shoulder a very considerable burden of defence expenditure in peace as well as in war<sup>89</sup>).

83) As BROWN (1981), 139, puts it, »Parliament's development had already gone far by the beginning of the 1370s, and in the following half-century it continued along the same lines. But the pace quickened.«

84) Rot. Parl., iv, 433–8. J. L. KIRBY, »The issues of the Lancastrian Exchequer and Lord Cromwell's Estimates of 1433«, BIHR xxiv (1951), 121–48; KIRBY (1970), 234–5.

85) IDEM (1967), 78–9, 84. For the cost of Calais in time of war see SHERBORNE, 140, 147–9.

86) R. L. STOREY, »The wardens of the Marches of England towards Scotland 1377–1489«, EHR lxxii (1957), 593–615.

87) See above n. 84.

88) R. FRAME, English Lordship in Ireland 1318–1361, (Oxford, 1982), 333–4.

89) Since the crown now accepted that some of its defence commitments involved regular peacetime expenditure, it is not surprising that it began to find ways of making routine financial provision for them. Certain funds came to be customarily earmarked for particular purposes, for example, a proportion of the wool subsidy to pay for the defence of Calais. See Harris NICHOLAS, i, 331–2, 351, ii, 7, 39, 108.



## 8. A tendency to undermine the traditional connexion between war and taxation.

Since the proportion of the king's revenues which came from land, lordship and jurisdiction (i. e. was not derived from taxation) was an increasingly small one (Trend 5) and since the king was having to meet an increasing number of peacetime commitments (Trend 7), it was probably inevitable that the old »constitutional principle« that taxation was justified only in the event of war would have to be thrown overboard. In the case of indirect taxation this had occurred even before the start of our period. The wool subsidy had originally been granted to meet the king's war needs – in 1294 and 1337 – but by the time peace came in the 1360s it had become, in effect, a permanent part of royal revenue, indeed the major part<sup>90</sup>). Doubtless to some extent this crucial development was simply a consequence of men becoming accustomed to paying the subsidy – particularly if much of the cost of the tax could be passed on to overseas buyers of wool. It was probably also an unforeseen consequence of the bankruptcy of the Bardi and Peruzzi. This had meant that from the 1340s onwards Edward III had to borrow, not from foreigners, but from wealthy and influential Englishmen<sup>91</sup>). At the same time many of Edward's war-captains, from the highest magnates downwards, found that the crown owed them arrears of wages<sup>92</sup>). Since it was in his creditors' interest that the king should be able to pay his debts, it was only natural that parliament, representing the class of creditors, should agree to the king continuing to collect the wool subsidy even in years of peace. Formally the king depended upon parliament, the Commons with the assent of the Lords, being willing to grant the wool subsidy, but in practice it always did. Indeed in 1398 it granted the wool customs to Richard II for life; and it did the same for Henry V in 1415, in gratitude for Agincourt<sup>93</sup>). In other words the fact that the king was now normally in debt to his own subjects had created a community of interests which had proved to be of enormous financial advantage to the crown. By 1433 Lord Cromwell regarded indirect taxation as a part of the crown's ordinary revenue<sup>94</sup>).

What was the position with regard to direct taxation? Was this also becoming more regular? Or did it always remain »extraordinary« – linked to the extraordinary needs of war? One thing that is certain is that direct taxation became more frequent. Between 1336 and 1377 seventeen and one third lay subsidies (tenths and fifteenths) were granted. Between 1377 and 1422 thirty five and one third subsidies were granted. In the later period, in other words, although it was no more war-torn than the earlier one, subsidies were granted at about twice the former rate<sup>95</sup>).

90) G. L. HARRISS, *King, Parliament and Public Finance to 1369*, (Oxford, 1975); PRESTWICH (1972), 177–203; E. MILLER, »War, taxation and the English economy in the late thirteenth and early fourteenth centuries« in ed. J. M. WINTER, *War and Economic Development* (Cambridge, 1975), 11–31. E. B. FRYDE, »Parliament and the French War, 1336–40« in ed. T. A. SANDQUIST and M. R. POWICKE, *Essays in Medieval History presented to Bertie Wilkinson*, (Toronto, 1969), 250–269.

91) PRESTWICH (1980), 223–4, 287–8.

92) PRESTWICH (1980), 200–201.

93) *Rot. Parl.*, iii, 368–9; iv, 63–4.

94) HARRISS (1982), 816.

95) In view of parliament's reluctance to grant any kind of direct tax in the aftermath of the 1381 revolt, the overall frequency of taxation in this period is all the more noteworthy.

Moreover analysis of the government's subsidy requests – for Richard II's reign by Dr Harriss and for Henry IV's reign by Dr Rogers – has shown that the crown was seeking ways to enlarge the principles of taxation in order to be able to meet its normal peacetime charges, including, for example, as ordinary a charge as the expenses of the royal household. And although they have a reputation for putting up stiff opposition to taxation, the Commons were, however reluctantly, prepared to go at least part of the way with the king. In 1398 they made a grant of one and a half subsidies with no strings attached and although in that year they might be thought to have been intimidated, the same could not be said of 1410 when Henry IV went so far as to ask for an annual subsidy for life. Not surprisingly the Commons refused this request, but the grant which they did make included a sum of 20,000 marks to be spent «a votre plaisir». Then in 1411 they explicitly accepted that Henry was free to spend the proceeds of the income tax of that year precisely as he chose. The notion that there was a necessary link between taxation and war expenditure was increasingly coming to be disregarded<sup>96</sup>. In Dr Elton's words, – though he believed this to be a 16th century development – «as the king pulled together the national identity of his dominions, his subjects were to discover that they would in future find themselves more regularly called upon to contribute to the cost of government»<sup>97</sup>.

Having identified and briefly sketched in these eight interlocking trends affecting the position of the monarchy in England c. 1400, it now remains to see what conclusions can be drawn. First, that by medieval standards England was a much-governed state. Royal authority in England was reinforced by an increasingly elaborate administrative network, both at the centre and in the provinces (Trends 2 and 3). Even so England was far from being a bureaucratic state. The bureaucracy was both too small and too much concentrated in the developing capital (Trend 1) to be able to govern the whole kingdom<sup>98</sup>. Outside London and Westminster there were almost no full-time paid officials to be found. Even the highly lucrative customs system was staffed by less than a hundred officials (only a quarter of whom were paid) in 15 or 16 ports<sup>99</sup>. As for the work of county administration that was done, not by professional civil

96) *Annales Ricardi Secundi* ed. H. T. RILEY, (Rolls Series, 1866), 222; Thomas Walsingham, *Historia Anglicana*, ed. H. T. RILEY, (Rolls Series 1864), ii, 283; HARRISS, (1982), 812–4, ROGERS, 55, 61–9.

97) G. R. ELTON, «Taxation for War and Peace in early Tudor England», in ed. J. M. WINTER (1975), *War and Economic Development*, 33–48.

98) This applied equally, of course, to the capacity of the central courts to administer justice. The proliferation of judicial records in the later middle ages, particularly the records of the central courts, has resulted in many historians coming to view this period as one characterised by a «breakdown of law and order» and therefore, of course, by «weak government». For a sceptical look at this proposition and for an alternative emphasis on the «co-ordinated use of law and arbitration» involving «the co-operation of local society at all levels» see E. POWELL, «Arbitration in the Late Middle Ages» TRHS 5th ser. xxxiii (1983), 49–67. Those who believe that there was a period before law and order broke down would be well advised, as McFARLANE put it, to seek their golden age in a period for which there are practically no records, McFARLANE, (1973), 114–5. See also J. GILLINGHAM, *The Wars of the Roses* (London, 1981), 13–14.

99) COLEMAN (1969), 182–3; H. M. JEWELL, *English Local Administration in the Middle Ages* (Newton Abbot, 1972), 96, 113–5; J. R. STRAYER, «Introduction», in ed. W. A. MORRIS and J. R. STRAYER, *The English Government at Work, 1327–36*, vol. 2, (Medieval Academy of America, 1947), 27–35.

servants, but by amateurs. Despite its increasing elaboration (Trend 3), as an unpaid part-time occupation it remained firmly in the hands of the gentry. Their wealth meant that they could afford to invest time and energy in the ultimately profitable business of enhancing their own local status and influence. Inevitably the relationship between them and the crown was very different from the relationship between the crown and its paid officials. Their co-operation could never be taken for granted; they had to be won by conciliation, management and by the exercise of patronage. It is hard to overestimate the significance of the government's dependence on the essentially voluntary support of local elites<sup>100</sup>. This had been a basic characteristic of the English political system since, at the latest, the 13th century and while it lasted it was an effective bar to royal absolutism – as Richard II was to discover<sup>101</sup>. But at the same time, even from the king's point of view, it was a system which offered enormous advantages. It meant that the administrative costs of tax collection came to only 1–2 % of the sum obtained. For a king, like Henry V, who could work the system this was efficiency indeed<sup>102</sup>.

Fundamental and long-established the participation of the gentry in county government may have been, nonetheless the evidence suggests that this was an aspect of the English scene which was becoming ever more prominent (Trend 4). Does this mean that the crown was losing control of the shires and that it was, in consequence, becoming weaker? To argue this is to assume that, at some earlier date, let us say in the 12th and 13th centuries, the shires had been under the effective control of the crown. This is itself a moot point. For the purposes of the present paper, however, I shall allow the assumption to stand. But what does the phrase »crown control of the shires« actually mean? »The crown« after all is an abstraction and »it« can »do« nothing. Was the king himself really interested in making local appointments and in the detail of local politics? In most cases it seems unlikely. Presumably the king was satisfied so long as the shires were governed in a fairly trouble-free manner and so long as his own projects found sufficient support (including financial support) in the shires. In practice therefore the king allowed other people to choose local officials and check up on them. In concrete terms then »crown control of the shires« means that it is men who work at the centre – courtiers, counsellors, ministers, Exchequer officials – who have the decisive voice in making local

100) »Unlike France, England had a centralized government before she had a bureaucracy, and the English centralized government had always depended on the unpaid services of the knights and law-abiding men of shires and hundreds«, STRAYER (1947), 13. See also D. STARKEY, »Representation Through Intimacy. A study in the symbolism of monarchy and court office in early-modern England« in ed. I. M. LEWIS, *Symbols and Sentiments* (London, 1977), 195.

101) The emergence of the gentry of the shires as a political force is conventionally, and reasonably enough, dated to the mid 13th century. See, most recently, J. R. MADDICOTT, »Magna Carta and the Local Community 1215–1259«, *Past and Present*, 102 (1984), 25–65.

102) FRYDE (1979), 847 suggests allowing £ 1,000 for the expenses of collection and uncollectable arrears out of a total wool subsidy revenue in the 1360s averaging over £ 48,000. As for direct taxation STRAYER (1947), 21 noted J. F. Willard's estimate that the expenses of collecting a subsidy in the period 1327–34 never rose above 1,4 % of the total and emphasised the importance of the contrast with France.

appointments<sup>103</sup>). But would the king mind if, on matters of this kind, local opinion came to count for more than it had done previously? Surely so long as his overall objectives were achieved he would not. And if a king's overall objectives could be as readily achieved under the new system as under the old does it make sense to speak of a »weaker crown«?<sup>104</sup> One objection to this line of argument, of course, is to point out that the crown disliked some features of the new system – at any rate it conceded some of the gentry's demands unwillingly and only after prolonged resistance<sup>105</sup>). And why should the crown have resisted unless these demands were damaging to its interests?

But again we have to ask what we mean by the term »the crown« in this context. Let us suppose that kings resisted these Commons demands because that is what their advisors advised them to do. Yet if one result of the new system was that the king's judges were eased out of their former commanding position in the county courts then one can see why they, as the king's leading legal advisors, should have resisted change. In their view, no doubt, their interest was the crown's interest. But it is evident that there is no necessary identity between the crown's interest as the king's advisors perceived it to be, and the crown's interest as perceived by a historian, with all the advantages as well as the disadvantages of hindsight. If the art of governing was to persuade those who ruled the shires that there was a close coincidence of interest between themselves and the crown, then may it not be possible that those changes which the king's lawyers opposed were actually developments which strengthened rather than weakened royal authority? After all, as Maurice Keen put it, »In the 14th century the military, financial and bureaucratic resources of the monarchy were not sufficient to maintain royal authority without a basis of trust between sovereign and subject«<sup>106</sup>). In that case anything which strengthened that trust – such as trusting the local communities to govern themselves – may be said to have strengthened the crown. By the end of the 14th century it is certainly the case that a royal policy

103) JEWELL (1972), 190–94; VIRGOE, (1981), 76–7. The way the system worked in Richard II's reign has been described in J. A. TUCK, »Richard II's System of Patronage« in ed. DU BOULAY and BARRON (1971).

104) Some historians argue that »the weakening of crown control of the shires« opened the way to magnate domination of the localities, e. g. VIRGOE (1971), 241 and IDEM (1981), 72. It would, however, be very hard to show that the higher nobility was more powerful in the 15th century than in the preceding centuries – and there are some general considerations which make it unlikely. As the numbers of gentry participating in local government increased, as the county community became »more protean« (MADDICOTT, [1978], 42), so the local patronage system would probably become more complex and less easily managed by a single magnate. The North constitutes the one important exception to this. The wardenships of the Marches significantly extended the powers of patronage of those families, notably the Percies and the Nevilles, which managed to get their hands on these offices. But even in the North there was one other factor in the equation which made it a little harder for the magnate in his castle to dominate the surrounding countryside – the development of effective siege guns from the 1370s onwards. As the 1408 augmented English translation of Vegetius put it, »Also great guns that shoot nowadays stones of so great weight that no wall may withstand them as have been well showed both in the north country and also in the wars of Wales«. See D. BORNSTEIN, »Military Manuals in Fifteenth-Century England«, *Medieval Studies*, xxxvii (1975), 470.

105) See above p. 73

106) KEEN, 300.

of direct intervention in the shires, of denying the local communities the right to govern themselves, was a policy which led to disaster and dethronement<sup>107</sup>).

The proof of the pudding is in the eating. Could the king achieve his objectives just as easily as before? Or did the fact that an ever higher proportion of royal revenue was derived from taxation (Trend 5) combined with the fact that the Commons in parliament, like the gentry in the shires, were growing more influential (Trend 6) necessarily mean that the crown was becoming weaker? Unquestionably there was a causal relationship between royal weakness and Commons activity in the sense that much of what the Commons did in 1376 and after, was a consequence of the fact that, for one reason or another, kings happened to find themselves in weak positions. Edward III was in his dotage; Richard II was first a child and then a politically naive adolescent (1377–88); Henry IV, at least until 1406, faced the massive problems of a king with an insecure title to the throne. On the other hand the relationship between king and Commons after 1406 suggests that the earlier royal difficulties had been personal rather than structural. From a monarchical point of view indeed Henry V's relationship with the Commons in parliament might be considered an ideal one. In his reign parliaments were frequent, short and generous<sup>108</sup>).

By the mid 14th century the Commons had clearly established themselves as an important component of the political system. Thus the tensions caused by the inadequacies of individual kings now involved the Commons – and stirred them into action – whereas the inadequacies of earlier kings, John or Henry III for example, could not have had this effect. In a sense then the political system had become more complex, but this development was not necessarily to the disadvantage of the crown. Indeed the fact that the machinery of politics was now more complex and elaborate meant that it was potentially more useful. In the hands of a competent king it could enable him to exploit, for his own purposes, the resources of the realm more fully and effectively than ever before<sup>109</sup>). The power of the Commons, as representatives of local communities, to commit those communities to the payment of taxes, was still, just as it had been in the reign of Edward I, a weapon in the armoury of the crown<sup>110</sup>). Naturally when held in a limp or feeble grasp, it could – like all weapons – be seized and turned against its holder. But it remained in the first instance a weapon of the crown. At a time when the king was faced with the task of undertaking greater and more permanent responsibilities, particularly in the field of defence (Trend 7), it continued to give him increasingly effective access to the growing wealth of his subjects (Trend 8). The Commons possessed, of course, the right to refuse to consent to taxation, but it was a right they only occasionally exercised. It was by consenting frequently that

107) VIRGOE (1971), 222, 230–2, 238–41; SAUL (1981), 112–13, 123–4, 131–2, 139–40, 259; C. M. BARRON, »The Tyranny of Richard II« *BIHR* xli (1968), 1–18, esp. 14.

108) Whereas during Richard II's and Henry IV's reigns parliament was in session for an average of about six weeks a year, in Henry V's the average was down to about three and a half weeks.

109) GOODMAN, 67.

110) J. G. EDWARDS, »The Plena Potestas of English parliamentary representatives«, *Oxford Essays in Medieval History Presented to H. E. Salter* (Oxford, 1934). Reprinted in FRYDE and MILLER, Vol. I.

the Commons had won the right to consent<sup>111</sup>). And it was in the justified expectation that they would continue to consent that kings went on summoning parliaments. The powers of the Commons, in other words, were ultimately based on their general willingness to co-operate with kings.

It can certainly be argued that there was a brief crisis of kingship in the late 1390s when Richard II was trying to put royal authority on a new and more arbitrary footing<sup>112</sup>). He failed partly because he was trying to swim against the tide of English political development, a tide which, by then, had been flowing steadily for several centuries. In these circumstances the fall of a king who was a poor politician and his replacement by someone who was competent was a process which would only strengthen kingship<sup>113</sup>). As for the more general sense of crisis – economic, political and religious – which seemed to engulf the whole political establishment in the troubled years after 1369 that too can have done the monarchy no harm. If the royal art of governing was the art of persuading lords and gentry that there was a close coincidence of interest between them and »the crown« then threats to the established order, whether by foreign invasion, heresy or popular insurrection, were threats which served to remind all of them that they shared the same conception of society and the same anxieties about the fragility of order and stability. This reminder that they were all in the same boat, by strengthening the notion of the community of the realm, could only serve to strengthen the position of the king, that community's head. And indeed the remarkable political stability of the long minority of Henry VI suggests that this is what happened. In my view then it is a mistake to emphasise the weakness of the English crown in the later middle ages. There is certainly no good reason to believe that the monarchy had been any stronger in the 12th and 13th centuries. It may well be that the powers of the kings of 14th and 15th century England were weak by the standards of the »absolute monarchies« of a later period. But this is not a useful standard by which to measure them. They were not after all – with the possible exception of Richard II – trying to become absolute rulers. What they were trying to be was as »free in their powers and their regalities as their ancestors before them«<sup>114</sup>). And that they surely were.

111) Only five out of Edward III's last thirty parliaments did not grant a tax.

112) BARRON (1968), 1–14; see also S. B. CHRIMES, »Richard II's questions to the judges«, *Law Quarterly Review* lxxii (1956), 365–90 and R. H. JONES, *The Royal Policy of Richard II: Absolutism in the later middle ages*, (Oxford, 1968).

113) The tradition, in Strayer's words, »could not be reversed without wrecking the whole structure of English government«, STRAYER (1947), 13.

114) *Et le roy respondi... quil vorroit estre et esteer en ses libertee et fraunchise auxi entierment et a large come aucunes de ses ditz progenitours ou auncestres avoient estee en ascun temps passe*. Rot. Parl. iii, 648, (ad. an 1411).

Two books published since this paper was written deserve particular attention: Ed. G. L. HARRISS, *Henry V. The Practice of Kingship* (Oxford 1985); C. GIVEN-WILSON, *The Royal Household and the King's Affinity 1360–1413* (Yale 1986).