

**PARLIAMENT AND POLITICAL
CULTURE IN EARLY FOURTEENTH
CENTURY ENGLAND**

PHILLIP JAMES BRADFORD

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**University of York
Department of History**

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ABSTRACT

A significant amount of work has been done in recent years upon specific aspects of the medieval parliament, but there has been no attempt to produce an overview of the institution as a whole. This is particularly true for the early fourteenth century, a period of significant change in parliamentary history.

This thesis seeks to correct that imbalance by examining the development of parliament between 1290 and 1348, and questioning what we mean when we talk of 'parliament' in this period. Following a historiographical introduction, Part 1 addresses the logistics and work of parliament as an institution. The changing membership of the assembly is examined in detail. As well as a prosopographical analysis of a cross-section of the knights of the shire, particular attention is given to the more neglected clerical element, including the unpublished source material on proctors. Having established who comprised parliament, the functions of the institution are examined across a period of important experimentation and evolution.

Part 2 looks in more detail at the role of parliament within the political community of the early fourteenth century. Attention is given to the ideological use of parliament, and alternative contemporary models for it, as well as the treatment of the assembly within the chronicles. An investigation of the role of parliament within the major crises of this period leads finally to the question of the king's place within the 'king's parliament'. Ultimately, parliament is viewed as an institution that evolved as a response to specific events and challenges, in spite of a number of alternative forms it could have taken, into the assembly recognisable to historians of the later medieval period.

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ABBREVIATIONS

<i>AHR</i>	<i>American Historical Review</i>
<i>BIHR</i>	<i>Bulletin of the Institute of Historical Research</i>
<i>BJRL</i>	<i>Bulletin of the John Rylands Library</i>
BL	British Library
<i>CCR</i>	<i>Calendar of Close Rolls</i>
<i>CChR</i>	<i>Calendar of Charter Rolls</i>
<i>CCW</i>	<i>Calendar of Chancery Warrants</i>
<i>CFR</i>	<i>Calendar of Fine Rolls</i>
<i>CIPM</i>	<i>Calendar of Inquisitions Post Mortem</i>
<i>CPR</i>	<i>Calendar of Patent Rolls</i>
CYS	Canterbury and York Society
<i>EcHR</i>	<i>Economic History Review</i>
<i>EHR</i>	<i>English Historical Review</i>
<i>Foedera</i>	<i>Foedera, Conventiones, Litterae, et Cujuscunq̄ue Acta Publica</i> , ed. Thomas Rymer, Record Commission edition, 3 vols. in 6 parts (London, 1816-30)
<i>HLJ</i>	<i>House of Lords Journal</i>
<i>HR</i>	<i>Historical Research</i>
<i>JBS</i>	<i>Journal of British Studies</i>
<i>JMH</i>	<i>Journal of Medieval History</i>
<i>MH</i>	<i>Midland History</i>
<i>NH</i>	<i>Northern History</i>

- Oxford DNB* *Oxford Dictionary of National Biography*, 60 vols. (Oxford, 2004), online at <<http://www.oxford.dnb.com>>
- PE&R* *Parliaments, Estates and Representation/Parlements, États et Représentation*
- PH* *Parliamentary History*
- P&P* *Past and Present*
- PROME* *The Parliament Rolls of Medieval England*, ed. Chris Given-Wilson *et al.* (Scholarly Digital Editions CD-ROM: Leicester, 2005)
- PW* *Parliamentary Writs*, ed. Francis Palgrave, 2 vols. in 4 parts (London, 1827-34)
- RDP* *Reports from the Lords Committees Appointed to Search the Journals of the House, Rolls of Parliament, and Other Records and Documents, for All Matters Touching the Dignity of a Peer of the Realm*, 5 vols. (London, 1820-29)
- Returns* *Return of the Name of Every Member of the Lower House of the Parliament of England, Scotland and Ireland, 1273-1874*, 2 vols. (London, 1878)
- RP* *Rotuli Parliamentorum*
- RS* *Rolls Series*
- SH* *Southern History*
- SHR* *Scottish Historical Review*
- SR* *Statutes of the Realm*
- TNA* *The National Archives (Public Record Office)*
- TRHS* *Transactions of the Royal Historical Society*
- VCH* *Victoria County History*
- WHS* *Worcestershire Historical Society*

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INTRODUCTION

The History of Parliamentary History

The history of parliament has long attracted considerable attention. Since the constitutional struggles of the seventeenth century, people have sought to make the records of the institution available as a valuable source for constitutional historians.¹ At that time, there was an intense interest in the history and development of this assembly, which was a principal cause of conflict for many years under the Stuart kings. Even after parliament had asserted its pre-eminent position within the British political system, this interest continued on an academic level, as history broke away as a separate discipline in the universities. Between the nineteenth and later twentieth centuries, an immense quantity of literature was published on the subject. Whilst it is true that the study of the medieval parliament became somewhat unfashionable in the final quarter of the twentieth century, along with political and institutional history in general, there has been a recent surge of interest that has revived the subject as an area worthy of detailed study. This adds to the already enormous contribution made by a previous generation of parliamentary historians. The medieval parliament has been a source of fascination for historians who have devoted entire careers to its study. Anyone wishing to investigate parliament must first acknowledge an enormous debt to previous students of the subject; as Norman Davies put it, 'no traveller can plan the road before him if he knows not whence he came'.² For that reason, it is necessary to begin with a historiographical overview of parliamentary studies, because no historian of this subject approaches without significant material on which to build.

(i) Approaches to the Medieval Parliament: from the Victorians to the 1930s

The Victorians and Edwardians approached the history of parliament from what would now be called (perhaps condescendingly) a Whig perspective.³ For these historians, the development of parliament was part of the inevitable growth of

¹ Below, pp. 39-54.

² Norman Davies, *God's Playground: A History of Poland*, 2 vols. (Oxford, 1981), vol. II, p. 634.

³ The classic critique of Whig History is H. Butterfield, *The Whig Interpretation of History* (London, 1931).

liberal democracy in England and the United Kingdom, brought to its ultimate perfection in the system personified by men such as Gladstone and Disraeli. The history of parliament was, in essence, the history of the triumph of elected representatives over the uncurbed power of monarchy, and nobility. In a sense, this approach to history was equally 'Tory', justifying and extolling the virtues of the establishment and its institutions.⁴

A large group of historians trained or practising at Oxford had a significant impact upon medieval English history in general, but parliamentary history in particular.⁵ The most famous and influential of these historians was William Stubbs, a prolific writer who produced one work in nearly every year of his professorship.⁶ His most famous work, *The Constitutional History*,⁷ had a profound effect upon the study of English history for many years afterwards, whilst even today, over a century after his death, students owe much to his work in editing volumes of the Rolls Series.⁸ Although better known for his monumental works on the Norman Conquest and early Norman kings, Stubbs' successor as Regius Professor, E.A. Freeman, also wrote more generally on English constitutional history, including parliament. Graduates of Oxford in these years included T.F. Tout and James Tait (founders of the administrative history school at Manchester, where A.G. Little and F.M. Powicke taught) and A.F. Pollard.⁹ Many of the principal names of these years were at some point colleagues, and even those who were not were heavily influenced by their work.

For these men, parliament grew out of the baronial great council.¹⁰ Stubbs saw the parliamentary system as a combined result of the policies of Henry II, Simon

⁴ A short critique of the development of history teaching at Oxford and Cambridge, along with a discussion of the problems surrounding the terms 'constitutional history' and 'political history', is Christine Carpenter, 'Political and Constitutional History: Before and After McFarlane', in R.H. Britnell and A.J. Pollard (eds.), *The McFarlane Legacy: Studies in Late Medieval Politics and Society* (Stroud, 1995), pp. 175-206.

⁵ The Modern History school at Oxford is examined by Reba N. Soffer, 'Modern History', in M.G. Brock and M.C. Curthoys (eds.), *The History of the University of Oxford Volume VII: Nineteenth-Century Oxford, Part 2* (Oxford, 2000), pp. 361-84.

⁶ *Ibid*, p. 366.

⁷ William Stubbs, *The Constitutional History of England in its Origin and Development*, 3 vols. (Oxford, 1875).

⁸ An interesting and perceptive account of Stubbs' value to contemporaries is given in the obituary by F.W. Maitland, 'William Stubbs, Bishop of Oxford', *EHR* 16 (1901), 417-26.

⁹ Soffer, 'Modern History', p. 363.

¹⁰ E.S. Creasy, *The Rise and Progress of the English Constitution* (London, 1853), pp. 194-97; Stubbs, *Constitutional History*, vol. II, p. 168; John Richard Green, *History of the English People*, 4 vols. (London, 1878-80), vol. I, p. 358; John Richard Green, *A Short History of the English People* (London, 1881), p. 173.

de Montfort, and Edward I.¹¹ Some tried to push the origins even further back, ‘far away into distant ages, long before the Norman William landed upon our shores’.¹² The emergence or development of parliament was the great and defining feature of the thirteenth century, marked by heroic constitutional struggles. After all, the prevailing Victorian approach saw the United Kingdom assembly as the mother of parliaments, the centrepiece of the world’s greatest empire. As one historian wrote:

The people of England regard with just pride the venerable system of Parliamentary Government under which it is their happiness to live. Not only is that system the best calculated for the preservation of liberty; but, as the embodiment of the state in miniature, it is truly representative of the vast and multifarious interests of the nation.¹³

The roots of this illustrious institution were to be found in the medieval English parliament. The concept of ‘mother of parliaments’ was a deeply ingrained one. It was not necessarily always as explicitly stated as in the title of an elegant tome celebrating a millennium of the Palace of Westminster,¹⁴ but it was often taken for granted that the English parliament was the model all others imitated. As late as the mid-1950s, Winston Churchill entitled the chapter of his work dealing with the subject, ‘The Mother of Parliaments’.¹⁵ For a man who had come of age in the Victorian era of imperial glory, and went on to become one of Britain’s most successful parliamentarians and premiers, this is perhaps understandable. Yet even if the phrase died out, the concept did not. In 1960, works still talked of the oldest and greatest of parliaments.¹⁶ Even in 1989, a historian could be accused of writing a ‘whiggish’ history of parliament.¹⁷ It is an enduring image in the popular consciousness, although the modern officials of the United Kingdom Parliament itself are more circumspect, referring to the institution simply as ‘one of the oldest representative assemblies in the world, having its origins in the mid-

¹¹ Stubbs, *Constitutional History*, vol. II, pp. 160-61.

¹² G. Barnett Smith, *History of the English Parliament, together with an Account of the Parliaments of Scotland and Ireland*, 2 vols. (London, 1892), vol. I, p. 3. Anglo-Saxon roots would be claimed by later authors, in particular Ronald Butt, *The Power of Parliament* (2nd edition: London, 1969) and *A History of Parliament: The Middle Ages* (London, 1989), pp. 1-16.

¹³ Smith, *History of the English Parliament*, p. 3.

¹⁴ Arnold Wright and Philip Smith, *Parliament Past and Present: A Popular and Picturesque Account of a Thousand Years in the Palace of Westminster, the Home of the Mother of Parliaments*, 2 vols. (London, 1902).

¹⁵ Winston S. Churchill, *A History of the English-Speaking Peoples*, 4 vols. (London, 1956-58), vol. I, chapter 17.

¹⁶ Bruce Loyn, *A Constitutional and Legal History of Medieval England* (New York, 1960), p. 408.

¹⁷ Michael Prestwich, *EHR* 105 (1990), 125-27, reviewing Butt, *History of Parliament*.

13th Century'.¹⁸ Of course this interest in the development of a national assembly was not confined to England; scholars from other countries also began to study their own institutions.¹⁹

The key interest of these students of parliament was the matter of representation and the Commons. In the early part of the nineteenth century, John Lingard argued that the grant of taxation by the November 1295 parliament encouraged the king to extend the experiment of shire and borough representation.²⁰ Without using the term 'Model Parliament', Lingard nevertheless identified the special quality of this assembly that would be developed by his successors. In 1870, Stubbs wrote in his *Select Charters* that by the 1295 writs of summons, 'a perfect representation of the three estates was secured, and a parliament constituted on the model of which every succeeding assembly bearing that name was formed'.²¹ Five years later, he devised the term whose power took many years to destroy, writing as the marginal note to the relevant section, 'the parliament of 1295 a model parliament'.²² In the main text, he gave his opinion that 'it may fairly be questioned whether any assembly afterwards held is entitled to the name and authority of parliament, which does not in the minutest particulars of summons, constitution, and formal despatch of business, answer to the model then established'.²³ Many accepted the validity of the term 'Model Parliament' and

¹⁸ Website of the United Kingdom Parliament: <<http://www.parliament.uk>>. This is actually erroneous, as the English parliament was technically dissolved in 1707 alongside its Scottish counterpart, to form a new and separate institution for the new United Kingdom of Great Britain. 'In reality, of course, the English Parliament continued to exist, its traditions, powers and procedures unchanged except that a few new members representing Scotland were added to it': David Stevenson, 'Twilight before Night or Darkness before Dawn? Interpreting Seventeenth-Century Scotland', in Rosalind Mitchison (ed.), *Why Scottish History Matters* (2nd edition: Edinburgh, 1997), p. 55. The website of the Alþingi (Icelandic Parliament), usually considered the oldest in the world, is similarly cautious: <<http://www.althingi.is/>>.

¹⁹ Félix Aubert, *Histoire de Parlement de Paris de l'Origine à Francois 1er* (Paris, 1894); Félix Aubert, *Le Parlement de Paris, de Philippe le Bel à Charles VII (1314-1422)* (Paris, 1886).

²⁰ John Lingard, *The History of England from the First Invasion by the Romans to the Accession of William and Mary in 1688*, 10 vols. (revised edition: Dublin and London, 1874), vol. II, p. 287.

²¹ *Select Charters and Other Illustrations of English Constitutional History from the Earliest Times to the Reign of Edward the First*, ed. William Stubbs (9th edition: 1913), p. 478.

²² Stubbs, *Constitutional History*, vol. II, p. 224. There is an analysis of the early uses of the term 'Model Parliament' in J.G. Edwards, *Historians and the Medieval English Parliament* (Glasgow, 1960), pp. 50-52.

²³ Stubbs, *Constitutional History*, vol. II, p. 224.

employed it in their own work.²⁴ Others, whilst not explicitly calling it such, all the same agreed with the principle of the idea, even into the third decade of the twentieth century and beyond.²⁵ Parliament was tied up, in the Victorian and Edwardian mind, with popular representation. Only with the summons of all of the ‘three estates’ could it be seen as a complete assembly of the people, and the forbearer of the Victorian parliament.

Parliament in these works was, above all, a political assembly, where the great affairs of state were decided. That is not to say that the other functions were minimised or neglected. Taxation, in particular, was acknowledged to be an important function of the assembly.²⁶ It was to consent to the granting of taxes that representatives were initially summoned: ‘what touches all, should be approved by all’.²⁷ Legislation, especially under Edward I, was viewed as an important parliamentary function.²⁸ Parliament occupied a crucial place within the English constitution and political life. The thirteenth century took its place as one of the great epochs in our history. Compared with it, the fourteenth century provided a serious disappointment. It was, for Stubbs,

As full of incident and interest as the last, although the incident is of a different sort, and the men around whom the interest gathers are of a very different stature and dissimilar aims. We pass from the age of heroism to the age of chivalry, from a century ennobled by devotion and self-sacrifice to one in which the gloss of superficial refinement fails to hide the reality of heartless selfishness and moral degradation – an age of luxury and cruelty.²⁹

The formation of parliament had been a great achievement, but there were no men of comparable stature to carry this legacy into the fourteenth century.

There was little serious disagreement about the first century of the English parliament in this literature. Some did not even see the need to engage in a

²⁴ Samuel Rawson Gardiner, *Student's History of England from the Earliest Times to 1885*, 3 vols. (London, 1891), vol. I, p. 218; Smith, *History of the English Parliament*, vol. I, p. 153; T.F. Tout, *Edward the First* (London, 1893), p. 144; James H. Ramsay, *The Dawn of the Constitution* (London, 1908), p. 418, simply quotes Stubbs directly; Albert Beebe White, *The Making of the English Constitution 449-1485* (London, 1908), pp. 30-31; Arthur Lyon Cross, *A Shorter History of England and Greater Britain* (New York, 1920), p. 115.

²⁵ C.R.L. Fletcher, *An Introductory History of England*, 4 vols. (London, 1904-10), vol. I, p. 202; F.W. Maitland, *The Constitutional History of England* (Cambridge, 1920), p. 69; Lyon, *Constitutional and Legal History*, p. 420.

²⁶ For example, the exhaustive work of Stephen Dowell, *A History of Taxation and Taxes in England from the Earliest Times to the Present Day*, 4 vols. (2nd edition: London, 1888).

²⁷ ‘Quod omnes tangit, ab omnibus approbari debet’.

²⁸ T.F.T. Plucknett, *Legislation of Edward I* (Oxford, 1949).

²⁹ Stubbs, *Constitutional History*, vol. II, p. 319.

detailed analysis of parliament. In his three major works, T.F. Tout almost takes parliament for granted, concentrating instead on the central administration.³⁰ As the twentieth century wore on, however, this positive and confident view was seriously challenged, and ultimately destroyed. The first major attack upon it was A.F. Pollard's iconoclastic book, which he wrote as an introduction for students of Tudor parliaments.³¹ Representatives were summoned only 'to unloose the pockets of their constituents'.³² The November 1295 parliament was "model" only in so far as it completed the representative character of the body summoned to give consent to the levying of taxation'.³³ The first edition of this work appeared in the same year as several works which continued to espouse the older viewpoint,³⁴ and thus represented a strong challenge to the existing consensus. Yet by the mid-1930s, Gaillard Lapsley was led to conclude, in a wonderful sentence, that 'Stubbs' account of the early history of parliament resembles the opening chapters of the book of Genesis in two important respects – it describes an act of creation and it no longer commands general acceptance'.³⁵

(ii) *The Statute of York*

For the first six decades of the twentieth century, many scholars interested themselves in a single, complex issue. The Statute of York, and in particular its final sentence,³⁶ was the subject of a significant number of publications and

³⁰ T.F. Tout, *The History of England from the Accession of Henry III to the Death of Edward III, 1272-1377* (London, 1905); T.F. Tout, *The Place of the Reign of Edward II in English History* (Manchester, 1914); T.F. Tout, *Chapters in the Administrative History of Medieval England*, 6 vols. (Manchester, 1920-33).

³¹ A.F. Pollard, *The Evolution of Parliament* (2nd edition: London, 1926).

³² *Ibid*, p. 59.

³³ *Ibid*, p. 54.

³⁴ Maitland, *Constitutional History*; Cross, *Shorter History*.

³⁵ Gaillard T. Lapsley, 'Some Recent Advances in English Constitutional History', *The Cambridge Historical Journal* 5 (1936), 119-61; reprinted in Gaillard T. Lapsley, *Crown, Community and Parliament in the Later Middle Ages: Studies in English Constitutional History*, ed. Helen M. Cam and Geoffrey Baraclough (Oxford, 1951), pp. 153-228.

³⁶ 'Things which are to be established for the estate of the king and his heirs and for the estate of the realm and people shall be treated, granted and established in parliament by our lord the king and with the consent of the prelates, earls and barons and of the commonalty of the realm, as has been hitherto accustomed.' *SR*, I, 189.

widespread debate.³⁷ Some saw the Statute as a fundamental piece of legislation, recognising the importance of the Commons³⁸ as a key component within parliament. Others saw this as reading too much into a conservative piece of legislation, the main intention of which was to ensure that Edward II's enemies could never again use parliament as a means to oppose or thwart him. The debate owed much, on both sides, to the idea of 'baronial constitutionalism' put forward by T.F. Tout and James Conway Davies.³⁹ Parliament, in this approach, was used by the king's baronial opponents as a means of restraint, in order to impose a more 'constitutional' form of government. The debate calmed down with no real conclusion being reached, but work on the matter did continue. The focus upon the final clause, as Michael Prestwich and Gwilym Dodd have recently argued, ignores Edward's main reason for introducing the legislation, which was above all to repeal the hated Ordinances.⁴⁰ Late twentieth-century historians had already reached something approaching a consensus, accepting the view that the Statute was largely conservative, and not innovatory, in tone and intent.⁴¹ This was partially a result of the destruction of the myth of 'baronial constitutionalism'

³⁷ Gaillard T. Lapsley, 'The Commons and the Statute of York', *EHR* 28 (1913), 118-24; George Lee Haskins, *The Statute of York and the Interest of the Commons* (Cambridge, Mass., 1935); George Lee Haskins, 'A Draft of the Statute of York', *EHR* 52 (1937), 74-77; Gaillard T. Lapsley, 'The Interpretation of the Statute of York', *EHR* 56 (1941), 22-49, 411-46, reprinted in Lapsley, *Crown, Community and Parliament*, pp. 153-228; Joseph R. Strayer, 'The Statute of York and the Community of the Realm', *AHR* 47 (1941), 1-22; William A. Morris, 'Magnates and Community of the Realm in Parliament, 1264-1327', *Medievalia et Humanistica* 1 (1943), 58-94; May McKisack, *The Fourteenth Century, 1307-1399* (Oxford, 1959), pp. 71-73; Dionna Clementi, 'That the Statute of York of 1322 is No Longer Ambiguous', in *Album Helen Maud Cam*, 2 vols. (Louvain and Paris, 1962), vol. 2, pp. 93-100.

³⁸ To talk of the 'Commons' in this period can be anachronistic, as it suggests a unity and coherence in its membership and functions that did not exist. However, it is by far the most convenient shorthand to refer to the knights and burgesses in parliament. For the emergence of the Houses of Lords and Commons: S.B. Chrimes, "'House of Lords" and "House of Commons" in the Fifteenth Century', *EHR* 49 (1934), 494-97.

³⁹ Tout, *Reign of Edward II*; James Conway Davies, *The Baronial Opposition to Edward II, its Character and Policy: A Study in Administrative History* (London, 1918).

⁴⁰ Michael Prestwich, 'The Ordinances of 1311 and the Politics of the Early Fourteenth Century', in John Taylor and Wendy R. Childs (eds.), *Politics and Crisis in Fourteenth-Century England* (Gloucester, 1990), pp. 1-18; Gwilym Dodd, 'Parliament and Political Legitimacy in the Reign of Edward II', in Gwilym Dodd and Anthony Musson (eds.), *The Reign of Edward II: New Perspectives* (Woodbridge, 2006), pp. 165-89.

⁴¹ Michael Prestwich, *The Three Edwards: War and State in England, 1272-1377* (London, 1980), pp. 126-28; Michael Prestwich, 'Parliament and the Community of the Realm in Fourteenth Century England', in A. Cosgrove and J.I. McGuire (eds.), *Parliament and Community* (Belfast, 1983), pp. 11-12; Butt, *History of Parliament*, pp. 216-18; W.M. Ormrod, 'Agenda for Legislation, 1322-c.1340', *EHR* 105 (1990), 1-33.

from the early 1970s.⁴² But it was also a consequence of work undertaken on the concept of ‘community’, in an attempt to understand the contemporary meaning and application of this term. In its English and Scottish contexts, this work has focused principally on the 1308 Boulogne Declaration and the 1320 Declaration of Arbroath.⁴³ But the concept of a ‘national community’ was being developed in countries across Europe: in 1318, Władysław Łokietek and the Polish nobility, clergy, and people also sent a letter to the papal court at Avignon. They requested permission to crown Łokietek as king of Poland, emphasising the importance of this move for the community of the Polish kingdom.⁴⁴ In other words, it was being increasingly accepted on a wide scale that the people of a kingdom formed a community who had a right to a say in the government of the realm, and it would thus be inaccurate to read anything particularly novel or unique into the Statute of York.

(iii) *The Functions of Parliament*

In the twentieth century, however, the principal debate was around the functions of parliament. This question had its origins in the work of F.W.

⁴² J.R. Maddicott, *Thomas of Lancaster, 1307-1322: A Study in the Reign of Edward II* (Oxford, 1970); J.R.S. Phillips, *Aymer de Valence, Earl of Pembroke 1307-1324: Baronial Politics in the Reign of Edward II* (Oxford, 1972); J.R. Maddicott, ‘The County Community and the Making of Public Opinion in Fourteenth-Century England’, *TRHS*, 5th Series, 28 (1978), 27-43.

⁴³ The Boulogne Declaration is printed in Phillips, *Aymer de Valence*, pp. 316-17. See also: Michael Prestwich, *English Politics in the Thirteenth Century* (Basingstoke, 1990), pp. 129-33; W.M. Ormrod, *Political Life in Medieval England, 1300-1450* (Basingstoke, 1995), pp. 73-74; Michael Prestwich, *Plantagenet England, 1225-1360* (Oxford, 2005), pp. 178-79, 203. The major recent works on the Declaration of Arbroath are: A.A.M. Duncan, *The Nation of the Scots and the Declaration of Arbroath*, Historical Association Pamphlet (London, 1970); A.A.M. Duncan, ‘The Making of the Declaration of Arbroath’, in D.A. Bullough and R.L. Storey (eds.), *The Study of Medieval Records: Essays in Honour of Kathleen Major* (Oxford, 1971), pp. 174-88; James Fergusson, *The Declaration of Arbroath* (Edinburgh, 1970); Grant G. Simpson, ‘The Declaration of Arbroath Revitalised’, *SHR* 56 (1977), 11-33; G.W.S. Barrow, ‘The Idea of Freedom’, *Innes Review* 30 (1980), 16-34, reprinted in G.W.S. Barrow, *Scotland and Its Neighbours in the Middle Ages* (London, 1992), pp. 1-22; G.W.S. Barrow, *Robert Bruce and the Community of the Realm of Scotland* (3rd edition: Edinburgh, 1988), pp. 302-309; Edward J. Cowan, ‘Identity, Freedom and the Declaration of Arbroath’, in D. Broun, R.J. Finlay and M. Lynch (eds.), *Image and Identity: The Making and Re-making of Scotland through the Ages* (Edinburgh, 1998), pp. 38-68; Terry Brotherstone and David Ditchburn, ‘1320 and A’ That: The Declaration of Arbroath and the Remaking of Scottish History’, in Terry Brotherstone and David Ditchburn (eds.), *Freedom and Authority: Scotland c.1050-c.1650. Historical and Historiographical Essays Presented to Grant G. Simpson* (East Linton, 2000), pp. 10-31; Geoffrey Barrow (ed.), *The Declaration of Arbroath: History, Significance, Setting* (Edinburgh, 2003); Edward J. Cowan, ‘For Freedom Alone’: *The Declaration of Arbroath, 1320* (East Linton, 2003).

⁴⁴ Paul W. Knoll, *The Rise of the Polish Monarchy: Piast Poland in East Central Europe, 1320-1370* (Chicago, 1972), pp. 37-38. For the wider concept of community: Michael R. Powicke, *The Community of the Realm* (New York, 1973); Susan Reynolds, *Kingdoms and Communities in Western Europe, 900-1300* (2nd edition: Oxford, 1997).

Maitland, the great Cambridge legal historian, who in 1893 produced an edition of the 1305 parliament roll for the Rolls Series.⁴⁵ The introduction to this work became a historical classic, its value demonstrated by more than one reprinting in collections of essays.⁴⁶ Through his study of the material he was editing, which largely comprised petitions, Maitland came to the conclusion that judicial business was the primary (although by no means the sole) business of parliament. Moreover, he ventured to suggest that, should anyone 'come to the opinion that a session of the king's council is the core and essence of every *parliamentum*, that the documents usually called "parliamentary petitions" are petitions to the king and his council ... that the rolls of parliament are the records of the business done by the council – sometimes with, but much more often without, the concurrence of the estates of the realm – that the highest tribunal in England is not a general assembly of barons and prelates, but the king's council, they will not be departing very far from the path marked out by books that are already classical'.⁴⁷ Parliament, in other words, did not only grow out of the king's council; it essentially remained, in this period at least, the king's council.

Seventeen years later, the American historian C.H. McIlwain developed this point, presenting parliament as a court, whose main function was justice.⁴⁸ He placed particular emphasis on the curial aspect of parliament. J.F. Baldwin concurred with Maitland that there was little distinction between parliament and council at this stage.⁴⁹ This point was taken up by A.F. Pollard, who argued that the main role of Edward I's parliaments was to deal out justice. It was fundamentally a high court, not in the sense of a court of appeal, but because it was the most free and open of the English courts. The rolls of parliament consist mainly of petitions, illustrating the point that parliament served primarily as a judicial forum, where petitioners could speed up business in other courts or, in

⁴⁵ *Records of the Parliament Holden at Westminster on the Twenty-Eighth Day of February, in the Thirty-Third Year of the Reign of King Edward the First, AD 1305*, ed. F.W. Maitland (London, 1893). This work is usually cited by the abbreviated form, *Memoranda de Parlamento*. On Maitland as historian, see Norman F. Cantor, *Inventing the Middle Ages: The Lives, Works, and Ideas of the Great Medievalists of the Twentieth Century* (New York, 1991), pp. 48-78.

⁴⁶ H.M. Cam, *Selected Historical Essays of F.W. Maitland* (Cambridge, 1957), pp. 52-96; E.B. Fryde and Edward Miller (eds.), *Historical Studies of the English Parliament*, 2 vols. (Cambridge, 1970), vol. I, pp. 91-135.

⁴⁷ Fryde and Miller, *Historical Studies*, p. 133.

⁴⁸ C.H. McIlwain, *The High Court of Parliament and its Supremacy* (New Haven, 1910).

⁴⁹ James Fosdick Baldwin, *The King's Council in England during the Middle Ages* (Oxford, 1913).

cases of special difficulty, seek justice from the king and council.⁵⁰ Other functions, such as taxation and legislation, were wedded to the body's role as a law court.⁵¹ Both these men accepted and developed what Maitland had written, that parliament was a judicial assembly, in which the king and his council were the key players.

Ultimately, two names would draw upon this work and dominate the field of parliamentary studies. Between the mid-1920s and 1967, H.G. Richardson and G.O. Sayles published extensively on the subject in mainstream historical journals, very occasionally separately, but the majority of the time working in collaboration. Their ultimate intention was to produce a definitive work on the medieval parliament.⁵² This aim was achieved for the Irish parliament,⁵³ but the enormity of the subject (what Sayles calls being 'too pernicky and fastidious') and Richardson's death in 1974 prevented the intended book on the English parliament ever being written.⁵⁴ Sayles did write a short work alone, a somewhat polemical account summing up his work with Richardson over half a century, but it served only as a useful summary or introduction.⁵⁵ One of the most valuable and enduring contributions made by Richardson and Sayles was their discovery, editing and printing of previously unavailable material for students of parliamentary and legal history.⁵⁶ The two men stressed a need to return to the records for the study of parliamentary history, which led them into producing their collections of sources.

Richardson and Sayles' views on parliament can be summed up in their famous and frequently repeated statement.

We would ... assert that parliaments are of one kind only and that, when we have stripped every non-essential away, the essence of them is the dispensing of justice by the

⁵⁰ Pollard, *Evolution of Parliament*, pp. 35-40.

⁵¹ *Ibid*, p. 43.

⁵² G.O. Sayles, 'Foreword', in H.G. Richardson and G.O. Sayles, *The English Parliament in the Middle Ages* (London, 1981), p. ix.

⁵³ H.G. Richardson and G.O. Sayles, *Parliaments and Councils of Medieval Ireland* (Dublin, 1947); H.G. Richardson and G.O. Sayles, *The Irish Parliament in the Middle Ages* (Philadelphia, 1952).

⁵⁴ Sayles, 'Foreword', p. ix.

⁵⁵ G.O. Sayles, *The King's Parliament of England* (London, 1975).

⁵⁶ *Rotuli Parliamentorum Hactenus Inediti, MCCLXXIX-MCCCLXXIII*, ed. H.G. Richardson and G.O. Sayles, Camden Society, 3rd Series, 51 (London, 1935); *Select Cases in the Court of King's Bench*, ed. G.O. Sayles, 7 vols., Selden Society 55, 57-58, 74, 76, 82, 88 (London, 1936-74); *Select Cases in Procedure Without Writ, under Henry III*, ed. H.G. Richardson and G.O. Sayles (London, 1941); *The Functions of the Medieval Parliament of England*, ed. and trans. G.O. Sayles (London, 1988).

king or by someone who in a very special sense represents the king; these other things, these non-essentials of representation, legislation, and taxation may be added to this essence, but they may be and not infrequently are found in other meetings which are not parliaments.⁵⁷

Justice, as far as Richardson and Sayles were concerned, was the *raison d'être* of thirteenth- and fourteenth-century parliaments. To a large degree, their views were a result of the stress they laid upon interrogating the records of parliament itself. Before the reign of Edward III, most of the surviving parliamentary material consists of petitions.⁵⁸ It has been observed that, 'the source material used very largely dictates the emphasis laid on different functions ... if [the historian] had only the rolls of parliament, he would conclude that, up to 1316, parliaments were concerned almost exclusively with judicial business'.⁵⁹ Richardson and Sayles accepted that the judicial function of parliament became less important after 1327 – when the quantity and detail of surviving records begins to increase – as legislation began to be initiated from below, and the common petition gradually (although not totally) replaced the private petition.⁶⁰ They continued to insist, however, that the king's subjects as a whole still saw this as parliament's principal function.⁶¹

The other distinctive strand in the Richardson and Sayles thesis concerned the meetings that actually counted as parliaments. As far as they were concerned, after 1300 at least, the form found in the writ of summons tells us what type of assembly was meeting. Under Edward III, it was the 'invariable rule' to insert the word '*parliamentum*' into all writs summoning bodies which were parliaments, as

⁵⁷ H.G. Richardson and G.O. Sayles, 'The Early Records of the English Parliaments: The English Parliaments of Edward I', *BIHR* 5 (1928), p. 133; reprinted in Richardson and Sayles, *The English Parliament*, article V, p. 133. The point is re-iterated in H.G. Richardson and G.O. Sayles, 'Parliaments and Great Councils in Medieval England', *Law Quarterly Review* 77 (1961), p. 218; reprinted in Richardson and Sayles, *The English Parliament*, article XXVI, p. 6. Sayles makes a similar point, if differently phrased, in *King's Parliament*, p. 76.

⁵⁸ On the sources of parliament, see below, pp. 31-46.

⁵⁹ Peter Spufford, *Origins of the English Parliament* (London, 1967), p. 15.

⁶⁰ Sayles, *King's Parliament*, p. 109. For the development of the common petition and the survival of the private petition: D. Rayner, 'The Forms and Machinery of the "Commune Petition" in the Fourteenth Century', *EHR* 56 (1941), 198-233, 549-70; Gwilym Dodd, 'Crown, Magnates and Gentry: The English Parliament, 1369-1421', unpublished University of York D.Phil. thesis (1998), pp. 163-200; Gwilym Dodd, 'The Hidden Presence: Parliament and the Private Petition in the Fourteenth Century', in Anthony Musson (ed.), *Expectations of the Law in the Middle Ages* (Woodbridge, 2001), pp. 135-49.

⁶¹ H.G. Richardson and G.O. Sayles, 'The Parliaments of Edward III', *BIHR* 8 (1930), 65-77 and 9 (1931), 1-18; reprinted in Richardson and Sayles, *The English Parliament*, article XXI.

opposed to councils, great councils or 'treaties'.⁶² In short, contemporaries knew the difference between parliaments and other assemblies, and the writs of summons can be taken as a reliable guide for the historian.

Richardson and Sayles never left anyone in any doubt whatsoever about their views, and it is possible that the rather forceful way in which they argued their point antagonised their critics all the more.⁶³ Their work met with fierce opposition from those who disagreed about the essence of parliament. Foremost among these critics was Sir Goronowy Edwards, who viewed parliament as 'an omniscient organ of government at the summit of lay affairs in England'.⁶⁴ One could not, he countered,

Justly conceive its omniscience as something consisting of a basis nucleus of 'judicial' competence, to which the king or barons might on occasion 'add' various 'other things' – but only as detachable 'non-essentials which historians must now 'strip away'. Parliament's robe of omniscience was not a thing of shred and patches: it was a seamless whole.⁶⁵

Edwards was by no means the only critic of Richardson and Sayles. T.F.T. Plucknett, writing about the first decade of Edward III's reign, took particular issue with their manner of defining parliaments. He asked how we could talk of an 'invariable rule' in the writs, 'until we have proof that the word *parliamentum* from 1327 onwards was a technical term for an institution with a technically precise identity'.⁶⁶ Furthermore, there was no appreciable difference between the duties and composition of parliaments and great councils in this period. The fatal flaw of the Richardson and Sayles theory, as Plucknett saw the matter, was that it asserted a verbal difference (in the form of the writs), but no practical distinction.⁶⁷ Bertie Wilkinson argued that, for Edward I himself (and to a large extent Edward II as well), 'the main business of parliament was not judicial, whatever it was to his subjects, who unfortunately are inarticulate on the point: the

⁶² Richardson and Sayles, 'Parliaments of Edward III', p. 67.

⁶³ Parliament was not the only area about which Richardson and Sayles wrote bluntly and polemically. See, for example, James W. Alexander, 'The Becket Controversy in Recent Historiography', *JBS* 9 (1970), 1-26, pp. 23-24.

⁶⁴ J.G. Edwards, "Justice" in Early English Parliaments', *BIHR* 27 (1954), 35-53; reprinted in Fryde and Miller, *Historical Studies*, p. 297 (subsequent page references are to the reprint).

⁶⁵ *Ibid*, p. 297.

⁶⁶ T.F.T. Plucknett, 'Parliament', in J.F. Willard *et al* (eds.), *The English Government at Work, 1327-36*, 3 vols. (Cambridge, Mass., 1940-50) vol. 1, p. 83; reprinted in Fryde and Miller, *Historical Studies*, vol. 1, p. 196 (subsequent page references are to the reprint).

⁶⁷ *Ibid*, p. 197.

mere fact that they presented petitions in parliament in no wise proving that they went to parliament primarily for that purpose'.⁶⁸ To Wilkinson's mind, the king saw parliament as primarily a political assembly, and views about this 'essential nature' of parliament did not really begin to change until the reign of Edward III.⁶⁹ However, Wilkinson did agree with Richardson and Sayles about the contemporary use of the name 'parliament' by the clerks of chancery as being the guide for modern usage.⁷⁰ Others, in general works, did not see fit to long entertain the Richardson and Sayles thesis regarding the nature of parliament, preferring to leave the thorny question, of what exactly parliament was, open.⁷¹ Even today it can be argued that 'parliament in 1327 was still an ill-defined body with an untidy assortment of activities'.⁷²

Work was undertaken on other aspects of parliament. Legislation was a particularly difficult issue, especially in the early years of parliament when its relationship with the assembly was ill-defined, but it did attract some studies.⁷³ In particular, Helen Cam did much detailed work on legislation and legal systems, especially at the level of the Hundred.⁷⁴ The origins and development of taxation were examined in some detail.⁷⁵ Yet against the huge dispute over the judicial aspect of parliament, and the attraction of specific incidents or acts, these studies tended to be pushed into the background.

(iv) *The Modus Tenendi Parliamentum*

A particularly tricky problem in which historians became enmeshed was the status of the tract known as the *Modus Tenendi Parliamentum*. Ostensibly a

⁶⁸ B. Wilkinson, 'The Nature of Parliament', *Studies in the Constitutional History of the Thirteenth and Fourteenth Centuries*, pp. 15-54, with quote at p. 22.

⁶⁹ *Ibid*, pp. 22-25.

⁷⁰ *Ibid*, pp. 25-36.

⁷¹ McKisack, *Fourteenth Century*, p. 182.

⁷² Sandra Raban, *England under Edward I and Edward II, 1259-1327* (Oxford, 2000), p. 126.

⁷³ Plucknett, *Legislation of Edward I*.

⁷⁴ Helen M. Cam, 'The Legislators of Medieval England', *Proceedings of the British Academy* 31 (1950), 127-50, reprinted in Helen M. Cam, *Law-Finders and Law-Makers in Medieval England: Collected Studies in Legal and Constitutional History* (London, 1962), pp. 132-58, and in Fryde and Miller (eds.), *Historical Studies*, vol. 1, pp. 168-94; Helen M. Cam, *The Hundred and the Hundred Rolls: An Outline of Local Government in Medieval England* (London, 1930).

⁷⁵ J.F. Willard, 'The English Church and the Lay Taxes of the Fourteenth Century', *University of Colorado Studies* 4 (1907), 217-25; J.F. Willard, 'The Scotch Raids and the Fourteenth-Century Taxation of Northern England', *University of Colorado Studies* 5 (1907-1908); J.F. Willard, 'The Crown and its Creditors', *EHR* 42 (1927), 12-19; J.F. Willard, *Parliamentary Taxes on Personal Property, 1290-1334* (Cambridge, Mass., 1934); Sydney Knox Mitchell, *Taxation in Medieval England* (New Haven, 1951).

manual of parliamentary procedure, it was much used by parliamentarians in Tudor and Stuart times, to the extent that in 1572, the MP John Hooker published *The Order and Usage of the Keeping of a Parlemt in England*, detailing how the Elizabethan parliament functioned, and including a translation of the *Modus*.⁷⁶ William Coke, speaker of the House of Commons in 1592-93, owned several copies of the *Modus*, and took its statement that there were pre-Conquest parliaments literally.⁷⁷ In the 1620s, Henry Elsyng wrote a tract called *The Manner of Holding Parliaments in England*, which relied heavily on the *Modus* for its account of medieval parliaments.⁷⁸ The *Modus* was also used for polemical purposes during the constitutional struggles of the seventeenth century.⁷⁹ For a long time the *Modus* was seen as a factual account of how parliaments were held during the medieval period. Not until William Prynne, writing in the 1660s, did people begin to argue that the *Modus* was worthless (Prynne argued it was written between the reigns of Henry IV and Henry VII, although he produced little historical proof in support of his case).⁸⁰

Thereafter, until the 1930s, historians were not inclined to take this text seriously or attribute to it any great importance. The first scholarly edition was published in 1846.⁸¹ Stubbs did print extracts in his *Select Charters*, although he viewed it as ‘a theoretical view for which the writer was anxious to find a warrant in immemorial antiquity’.⁸² Tout thought so little of it the work that his only reference to it was in an extended footnote, in which he dated it to 1341 or shortly afterwards.⁸³ Even in 1941, Gaillard Lapsley referred to the *Modus* as ‘this *ignis fatuus* of parliamentary history’.⁸⁴ There were some notable exceptions, such as J.R. Green, who claimed ‘the short treatise on the Constitution of Parliament

⁷⁶ Vernon F. Snow, *Parliament in Elizabethan England* (New Haven and London, 1977), contains an edition of Hooker’s work. *Parliamentary Texts of the Later Middle Ages*, ed. Nicholas Pronay and John Taylor (Oxford, 1980), pp. 52-53.

⁷⁷ *Parliamentary Texts*, ed. Pronay and Taylor, pp. 56-57.

⁷⁸ Henry Elsyng, *Modus Tenendi Parliamentum apud Anglos* (London, 1660). Only Book 1 was ever published.

⁷⁹ *Parliamentary Texts*, ed. Pronay and Taylor, pp. 55-56.

⁸⁰ *Ibid*, p. 59; George P. Cuttino, ‘A Reconsideration of the *Modus Tenendi Parliamentum*’, in Francis Lee Utley (ed.), *The Forward Movement of the Fourteenth Century* (Columbus, 1961), p. 32.

⁸¹ T.D. Hardy, *Modus Tenendi Parliamentum* (London, 1846).

⁸² *Select Charters*, p. 500. This represented something of an about-turn in his judgement: in the earliest edition, that of 1870, Stubbs had seen the *Modus* as ‘a fairly credible account of parliament under Edward II’, p. 492.

⁸³ Tout, *Chapters*, vol. 3, p. 138, note 2.

⁸⁴ Lapsley, ‘Interpretation of the Statute of York’, p. 24; reprint p. 156.

called “Modus Tenendi Parliamentum” may be taken as a fair account of its actual state and powers in the fourteenth century’.⁸⁵ An interesting article was published in the *English Historical Review* in 1919, which made a serious attempt to untangle the manuscript history of the *Modus*.⁸⁶ For those who attributed some value to the source, the issue of dating proved to most problematic. J.H. Round suggested that it may date from the reign of Richard II, emerging specifically out of the Appellant crisis.⁸⁷ Most others opted for a production date in the early fourteenth century.⁸⁸ On the whole, however, the debate raised few passions beyond the odd footnote and passing comment.

Then, in the 1930s, came the work of the two scholars who were to have a major impact upon future studies of the *Modus*. William Morris published an article which proposed a very precise date (June 1321) for the text’s composition.⁸⁹ Morris believed that the text was a political tract, written by an adherent of the earl of Lancaster to give weight to the Lancastrian view of parliament. The first comprehensive study of the subject came two years later, with the publication of M.V. Clarke’s *Representation and Consent*.⁹⁰ Although partially a study of parliament, this was really a detailed and extensive study of the *Modus*, including as an appendix the first full printed edition of a collated text. Clarke looked in detail at the manuscripts, the relationship between English and Irish texts, the content of the work itself, and the relationship of that content to the broader context of parliamentary history. This led her to assign the *Modus* to 1322. She also believed that it was a political text, although not a Lancastrian one, but rather one written ‘in order to expound and define the parliamentary theory and practice upheld by moderate men of that time’.⁹¹ Even if Morris and Clarke disagreed on the finer points of the exact date of composition and which

⁸⁵ Green, *Short History*, p. 163.

⁸⁶ Dorothy K. Hodnett, Winifred P. White and E. Jeffries Davis, ‘The Manuscripts of the Modus Tenendi Parliamentum’, *EHR* 34 (1919), 209-25.

⁸⁷ J.H. Round, *The Commune of London and Other Studies* (Westminster, 1899), p. 318. Others had earlier argued for a date in Richard II’s reign: Ludwig Riess, *The History of the English Electoral Law in the Middle Ages* (Cambridge, 1940: translated by K.L. Wood-Legh from 1885 German edition, *Geschichte des Wahlrechts zum englischen Parlament im Mittelalter*), pp. 114-15; Charles Bémont, in *Mélanges Julien Havet* (Paris, 1895), pp. 477-80.

⁸⁸ Luke Owen Pike, *A Constitutional History of the House of Lords from Original Sources* (London, 1894), pp. 111-12; Pollard, *Evolution of Parliament*, p. 433, supports a date in the second half of Edward II’s reign.

⁸⁹ William A. Morris, ‘The Date of the “Modus Tenendi Parliamentum”’, *EHR* 49 (1934), 407-22.

⁹⁰ M.V. Clarke, *Medieval Representation and Consent* (London, 1936).

⁹¹ *Ibid*, p. 367.

political faction produced the work, their conclusions were still remarkably close in broad terms: both saw it as a political treatise, and their dates were only a year apart.

After 1936, most were inclined to accept the conclusions arising out of these studies, especially that of Clarke, at least as far as dating was concerned. V.H. Galbraith attributed the *Modus* to the period 1316-24, although he ventured that it was not necessarily political, but perhaps a descriptive work of procedure by a chancery clerk, or maybe William Airmyn (keeper of the rolls, keeper of the privy seal and later bishop of Norwich).⁹² George Cuttino accepted 1321-22 as the likely date of production (and printed an English translation of the text), and argued strongly for Airmyn as the author of the work.⁹³ J.S. Roskell also accepted the Morris-Clarke date, but suggested that the *Modus* may have been composed by an official in the exchequer, and intended to secure a greater role for the lower clergy in parliament.⁹⁴ The 1970s saw the resurrection of the case for a political tract with Lancastrian provenance by J.R. Maddicott, who nevertheless accepted the now standard date.⁹⁵ It began to be taken as an uncontroversial statement that the *Modus* was written in the early 1320s.⁹⁶ During the 1960s and 1970s, Nicholas Pronay and John Taylor began to work on the extant manuscripts and medieval uses of the text.⁹⁷ This culminated in the publication, in 1980, of a critical edition of the Latin 'A' and 'B' recensions of the *Modus*, along with an English translation, the Latin text of the Irish *Modus*, and a detailed commentary.⁹⁸ Summarising previous work rather than examining the subject in detail, they agreed to a date in the early 1320s.⁹⁹ However, they differed

⁹² V.H. Galbraith, 'The *Modus Tenendi Parliamentum*', *Journal of the Warburg and Courtauld Institutes* 16 (1953), 81-99. On Airmyn, see M.C. Buck, 'Airmyn, William (d. 1336)', *Oxford DNB*, accessed online at <<http://www.oxforddnb.com/view/article/944>>.

⁹³ Cuttino, 'Reconsideration of the *Modus Tenendi Parliamentum*', pp. 31-60.

⁹⁴ J.S. Roskell, 'A Consideration of Certain Aspects and Problems of the English *Modus Tenendi Parliamentum*', *BJRL* 50 (1968), 411-42; reprinted in J.S. Roskell, *Parliament and Politics in Late Medieval England*, 3 vols. (London, 1981-83), vol. I, article III.

⁹⁵ Maddicott, *Thomas of Lancaster*, pp. 289-92; Butt, *History of Parliament*, pp. 219-20.

⁹⁶ G.L. Harriss, *King, Parliament, and Public Finance in Medieval England to 1369* (Oxford, 1975), p. 81; G.L. Harriss, 'War and the Emergence of the English Parliament, 1297-1360', *JMH* 2 (1976), 35-56, p. 37.

⁹⁷ John Taylor, 'The Manuscripts of the "Modus Tenendi Parliamentum"', *EHR* 83 (1968), 673-88; Nicholas Pronay and John Taylor, 'The Use of the *Modus Tenendi Parliamentum* in the Middle Ages', *BIHR* 47 (1974), 11-23.

⁹⁸ *Parliamentary Texts*, ed. Pronay and Taylor, pp. 13-152. Pronay and Taylor's position, as outlined in their introduction to this edition, is concisely summarised in John Taylor, *English Historical Literature in the Fourteenth Century* (Oxford, 1987), pp. 212-16.

⁹⁹ *Parliamentary Texts*, ed. Pronay and Taylor, pp. 22-25.

significantly on much previous scholarship by arguing (based upon the location of surviving manuscripts) that the *Modus* should be seen as a legal treatise, forming part of the corpus of legal works possessed by most lawyers from the late fourteenth century onwards.¹⁰⁰ Consensus, at least as far as dating was concerned, had largely been reached, even if Michael Prestwich (who generally accepted these conclusions) could argue that the debate was not over.¹⁰¹

For a long time, the only serious critics of Clarke and her successors were H.G. Richardson and G.O. Sayles. They argued that the Irish *Modus* was the initial work, from which the English *Modus* was derived, and that both were from the late fourteenth century. Their arguments were technical and brief, based upon amercements for failure to attend parliament, an Irish practice.¹⁰² Galbraith hit back at this, arguing for the priority of the English *Modus*, the position taken by most historians.¹⁰³ Some years later, after the publication of Pronay and Taylor's book, Sayles put forward a more detailed case for the priority of an Irish work written in the later fourteenth century.¹⁰⁴ He did look in detail at the manuscript tradition in proposing his plan, but failed to make any real impact on the consensus view. Then, at the very end of the twentieth century came a further attack on this accord. Kathryn Kerby Fulton and Stephen Justice agreed with Pronay and Taylor that the *Modus* was probably not a political text, but they also rejected the idea of a judicial origin, instead arguing (in agreement with Roskell) that it was the work of an exchequer clerk, and a consequence of 'the reformist culture in the English and Irish civil service at the end of Edward III's reign'.¹⁰⁵ More controversially, they also pushed for a late fourteenth-century origin. They agreed with the theory that the English version was the original text, although argued for the priority of the 'A' recension over the 'B'.¹⁰⁶ Seeming intrigued (and maybe convinced) by these ideas, Roy Martin Haines is of the opinion that

¹⁰⁰ *Parliamentary Texts*, ed. Pronay and Taylor, pp. 13-22.

¹⁰¹ Prestwich, *Three Edwards*, p. 128; Michael Prestwich, 'The *Modus Tenendi Parliamentum*', *PH* 1 (1982), 221-25; Prestwich, 'Parliament and the Community of the Realm', pp. 12-13.

¹⁰² Richardson and Sayles, *Irish Parliament*, p. 137.

¹⁰³ Galbraith, 'Modus Tenendi Parliamentum', pp. 95-96.

¹⁰⁴ G.O. Sayles, 'Modus Tenendi Parliamentum: Irish or English?', in James Lydon (ed.), *England and Ireland in the Later Middle Ages: Essays in Honour of Jocelyn Otway-Ruthven* (Kill Land [County Dublin], 1981), pp. 122-52.

¹⁰⁵ Kathryn Kerby-Fulton and Stephen Justice, 'Reformist Intellectual Culture in the English and Irish Civil Service: The *Modus Tenendi Parliamentum* and its Literary Relations', *Traditio* 53 (1998), 149-202.

¹⁰⁶ *Ibid.*, pp. 196-202.

‘pending further debate the *Modus* cannot with any degree of certainty be used to illuminate the situation in Edward II’s reign’.¹⁰⁷ However, most others remain unconvinced by such arguments, and continue to accept a date in the early fourteenth century, even if they acknowledge the value of questioning the received orthodoxy.¹⁰⁸ At the opening of the twenty-first century, the question of the origin and purpose of the *Modus* – potentially an extremely important source – remains far from any form of resolution.

(v) *Popular Representation and the Commons*

The study of popular representation and the growth of the Commons never lost its appeal. The more general work of Stubbs’ generation was supplemented by specialised studies. As early as 1884, a German historian, Ludwig Riess, published a monograph on medieval English electoral practice and the purpose of the elected representatives, although it would be fifty-six years before his work became available to an English-speaking readership.¹⁰⁹ Interestingly, the next significant contribution to the subject was also by a foreign author, the Frenchman D. Pasquet, who examined the representative element from its origins until the time of Edward I.¹¹⁰ But English historians soon began to write prolifically on the subject. J.G. Edwards devoted much time to the studying the Commons. Although his more famous work relates to the later fourteenth century, he did write important articles about the time of Edward I and Edward II.¹¹¹ He also made important contributions to the study of elections and the powers requested of

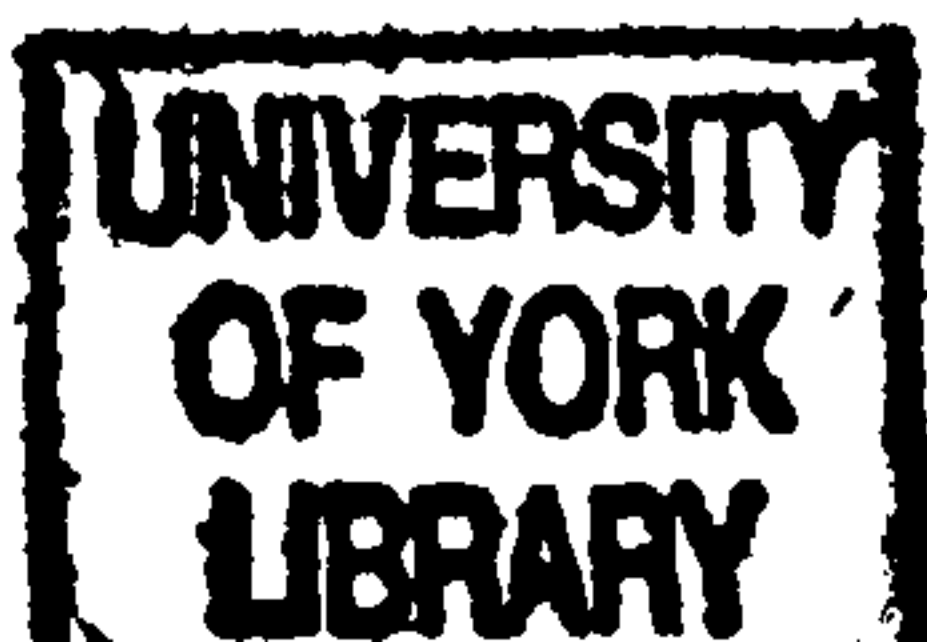
¹⁰⁷ Roy Martin Haines, *King Edward II: Edward of Caernarfon, His Life, His Reign and Its Aftermath, 1284-1330* (Montreal, 2003), p. 132.

¹⁰⁸ Chris Given-Wilson, ‘The Rolls of Parliament, 1399-1421’, in Linda Clark (ed.), *Parchment and People: Parliament in the Middle Ages* (Edinburgh, 2004), pp. 57, 64-65; Chris Given-Wilson, *Chronicles: The Writing of History in Medieval England* (London and New York, 2004), p. 179; Prestwich, *Plantagenet England*, pp. 224-26.

¹⁰⁹ Riess, *History of the English Electoral Law*.

¹¹⁰ D. Pasquet, *An Essay on the Origins of the House of Commons* (Cambridge, 1925: translated by R.G.D. Laffan from 1914 French edition, *Essai sur les Origines de la Chambre des Communes*).

¹¹¹ J.G. Edwards, ‘The Personnel of the Commons in Parliament under Edward I and Edward II’, in A.G. Little and F.M. Powicke (eds.), *Essays in Medieval History Presented to T.F. Tout* (Manchester, 1925), reprinted in Fryde and Miller (eds.), *Historical Studies*, vol. 1, pp. 150-67; J.G. Edwards, *The Commons in Medieval English Parliaments* (London, 1958); J.G. Edwards, *The Second Century of the English Parliament* (Oxford, 1979).



representatives in the parliamentary writs.¹¹² His work was complemented by Helen Cam's examination of the relationship between the constituencies and the central institution.¹¹³

However, the name most associated with the study of the Commons is that of Professor J.S. Roskell. Like Edwards, his principal area of research was the later fourteenth and early fifteenth centuries, culminating in his detailed study of the Commons in Henry V's 1422 parliament.¹¹⁴ Roskell himself was the first to look systematically at the office of speaker and its holders,¹¹⁵ as well as concentrate his research on the membership of individual shires.¹¹⁶ Under his supervision, many students at the University of Nottingham undertook detailed prosopographical studies of county representation in the parliaments of Richard II, Henry IV and Henry V.¹¹⁷

¹¹² J.G. Edwards, "Re-election" and the Medieval Parliament', *History* 11 (1926), 204-10, a response to A.F. Pollard, 'History, English and Statistics', *History* 11 (1926), 15-24; J.G. Edwards, 'The *Plena Potestas* of English Parliamentary Representatives', in *Oxford Essays in Medieval History Presented to Herbert Edward Salter* (Oxford, 1934), pp. 141-54, reprinted in Fryde and Miller (eds.), *Historical Studies*, vol. 1, pp. 136-49.

¹¹³ Helen Cam, 'The Relation of English Members of Parliament to their Constituencies in the Fourteenth Century: A Neglected Text', in *L'Organisation Corporative du Moyen Age à la fin de l'Ancien Régime: Études présentées à la Commission Internationale pour l'Histoire des Assemblées d'États* (Louvain, 1939), reprinted in Cam, *Law-Finders and Law-Makers*, pp. 223-35; Helen Cam, 'From Witness of the Shire to Full Parliament', *TRHS*, 4th series, 26 (1944), 13-35, reprinted in Cam, *Law-Finders and Law-Makers*, pp. 106-31; Helen Cam, 'The Theory and Practice of Representation in Medieval England', *History* 1 (1953), 11-26, reprinted in Cam, *Law-Finders and Law-Makers*, pp. 159-75; Helen Cam, 'The Evolution of the Medieval English Franchise', *Speculum* 32 (1957), 427-42, reprinted in Cam, *Law-Finders and Law-Makers*, pp. 22-43; Helen Cam, 'The Community of the Shire and the Payment of its Representatives in Parliament', in Cam, *Law-Finders and Law-Makers*, pp. 236-47.

¹¹⁴ J.S. Roskell, *The Commons in the Parliament of 1422: English Society and Parliamentary Representation under the Lancastrians* (Manchester, 1954). This was the published version of his doctoral thesis: 'The Personnel of the House of Commons in 1422', University of Oxford D.Phil. thesis (1940).

¹¹⁵ J.S. Roskell, 'The Medieval Speakers for the Commons in Parliament', *BIHR* 23 (1950), 31-52, reprinted in J.S. Roskell, *Parliament and Politics in Late Medieval England*, 3 vols. (London, 1981-83), vol. I, article IV; J.S. Roskell, *The Commons and their Speakers in the English Parliament* (Manchester, 1965).

¹¹⁶ J.S. Roskell, *Knights of the Shire of the County Palatine of Lancaster, 1377-1460*, Chetham Society, new series, 96 (1937); J.S. Roskell, 'The Parliamentary Representation of Lincolnshire during the Reigns of Richard II, Henry IV and Henry V', *Nottingham Medieval Studies* 3 (1959), 53-77; reprinted in Roskell, *Parliament and Politics*, vol. 1, article V.

¹¹⁷ A. Rogers, 'The Parliamentary Representation of Surrey and Sussex, 1377-1422', unpublished University of Nottingham MA thesis (1957); E.L.T. John, 'The Parliamentary Representation of Norfolk and Suffolk, 1377-1422', unpublished University of Nottingham MA thesis (1959); J.G. Bellamy, 'The Parliamentary Representatives of Nottinghamshire, Derbyshire and Staffordshire in the Reign of Richard II', unpublished University of Nottingham MA thesis (1961); M.G. Webb, 'The Parliamentary Representation of Warwickshire and Leicestershire, 1377-1422', unpublished University of Nottingham MA thesis (1961).

Others followed this trend elsewhere.¹¹⁸ This approach popularised the idea of studying parliament through its membership. From 1928, Josiah Wedgwood, the Labour MP for Newcastle-upon-Tyne and a keen local historian, had tried to persuade the government to fund a national dictionary of parliamentary biography, which met with little success in spite of a favourable report by a committee of historians and MPs.¹¹⁹ Undeterred, Wedgwood secured private funding to publish two volumes (covering the years 1439-1509) in the 1930s.¹²⁰ In 1940, the History of Parliament Trust was founded, and in 1951 the Treasury agreed to provide the project with funding.¹²¹ Sir Lewis Namier published the first volumes (for 1754-90) in 1964,¹²² and since the work of Roskell the History of Parliament Trust has been slowly but surely producing the work envisaged by Wedgwood. G.O. Sayles wrote a characteristically belligerent attack on the prosopographical approach: 'to still pretend that the history of the medieval parliament is being written when the sparse and uninformative details of the obscure lives of obscure men are laboriously collected because they made a fitful appearance among the commons is merely to veil the hard realities of medieval politics in what was an essentially aristocratic society'.¹²³ Few paid much attention. Most historians now recognise the limitations of such a narrow focus, but equally appreciate the invaluable nature of this work in contributing to the broader picture.

(vi) The Medieval Parliament since 1970: McFarlane and his Legacy

It has become axiomatic amongst historians that, since 1970, very little work has been done on the subject of parliament. The middle years of the century saw several scholars publish historiographical surveys, illustrating the huge amount of

¹¹⁸ I.J.T. Driver, 'The Knights of the Shire for Worcestershire, 1377-1421', unpublished University of Liverpool MA thesis (1962); A. Goodman, 'The Parliamentary Representation of Bedfordshire and Buckinghamshire, 1377-1422', unpublished University of Oxford B.Litt. thesis (1965); F.A. Clifford, 'The Parliamentary Representation of Northamptonshire and Rutland', unpublished University of Manchester MA thesis (1967); A. Wade, 'The Parliamentary Representation of Essex and Herts, 1377-1422', unpublished University of Manchester MA thesis (1967).

¹¹⁹ History of Parliament website: <<http://www.history.ac.uk/hop/>>.

¹²⁰ Josiah Wedgwood (ed.), *History of Parliament: Biographies of the Members of the Commons House, 1439 – 1509*, 2 vols. (London, 1936-38).

¹²¹ History of Parliament website: <<http://www.history.ac.uk/hop/>>.

¹²² Lewis Namier, *The History of Parliament: the House of Commons, 1754-90*, 3 vols. (London, 1964).

¹²³ Sayles, *King's Parliament*, p. 18.

material produced by historians about the subject.¹²⁴ From the 1970s onwards, it is perceived, the flood became a trickle.¹²⁵ To a large degree, this neglect can be attributed to K.B. McFarlane and his pupils. McFarlane's ruthless criticism of Stubbs and his successors led him to reject constitutional history, but also to attack those who had destroyed the 'Stubbsian framework' without putting anything in its place. The result, argued McFarlane, was anarchy; it was impossible to study great institutions apart from the men who made up the institutions.¹²⁶ In short, he proclaimed that constitutional history was pointless, and that research should instead be concentrated on patronage and the relationships between the men who dominated these institutions. Constitutional history became deeply unfashionable, reflecting notions of parliamentary sovereignty and limited monarchy that were the discredited ideals of a past era.¹²⁷ It had provided too many convenient answers, espousing a certainty about issues that seemed embarrassing and absurd by the 1970s.

The 'McFarlane Legacy' had a major impact upon historians, especially those taught by or associated with the man himself at Oxford. Prosopography became a popular area of study, reflected especially in the work of J.S. Roskell and his students.¹²⁸ There was a proliferation of county studies, the majority covering the fifteenth century (McFarlane's main area of interest), but some dealing with the

¹²⁴ Lapsley, 'Some Recent Advances'; Geoffrey Templeman, 'The History of Parliament to 1400 in the Light of Modern Research', *University of Birmingham Historical Journal* 1.2 (1948), 202-31; Robert S. Hoyt, 'Recent Publications in the United States and Canada on the History of Representative Institutions Before the French Revolution', *Speculum* 29 (1954), 356-77; Edwards, *Historians and the Medieval Parliament*; G.P. Cuttino, 'Medieval Parliament Reinterpreted', *Speculum* 41 (1966), 681-87; Spufford, *Origins of the English Parliament*; G.P. Bodet (ed.), *Early English Parliaments: High Courts, Royal Councils, or Representative Assemblies?* (Boston, Mass., 1968).

¹²⁵ This can be measured in the small number of doctoral students choosing to write theses on the subject of parliament. Since 1970, the following doctoral theses have been produced at UK institutions dealing with the subject: W. Mark Ormrod, 'Edward III's Government of England, c.1346-1356', unpublished University of Oxford D.Phil. thesis (1984); Anthony J. Verduyn, 'The Attitude of the Parliamentary Commons to Law and Order under Edward III', unpublished University of Oxford D.Phil. thesis (1991); Dodd, 'Crown, Magnates and Gentry'; Zein El-Gazar, 'Politics and Legislation in England in the Early Fifteenth Century: the Parliament of 1406', unpublished University of St. Andrews PhD thesis (2001).

¹²⁶ K.B. McFarlane, *The Nobility of Late Medieval England* (Oxford, 1973), pp. 279-80.

¹²⁷ J.W. McKenna, 'The Myth of Parliamentary Sovereignty in Late-Medieval England', *EHR* 94 (1979), 481-506.

¹²⁸ Above, p. 26.

fourteenth.¹²⁹ Constitutional history was largely pushed to the margins: in writing about Richard III's usurpation, Rosemary Horrox argued that 'the constitutional issues ... become not much more than flourishes to a *fait accompli*'.¹³⁰

However, the shift to patronage-based history did not go unchallenged. In an important article in 1983, reviewing a number of books that appeared in the early 1980s on the subject of the fifteenth century and the Wars of the Roses, Colin Richmond noted that 'almost all the work noted here reflects the recent tendency to emphasize the nobility at the expense of the gentry'.¹³¹ Richmond did note that this was not an inheritance from McFarlane (although his book may have stimulated interest), but a result of T.B. Pugh's paper at the 1970 Cardiff Conference.¹³² Richmond's most critical point, however, was that 'we should note here too another aspect of reductionism: the reduction of politics to patronage. Where has policy gone?'¹³³ Nevertheless, Richmond believed that the McFarlane agenda had to be pursued, and minute examination of gentry (and urban) societies had to continue; echoing the views of G.L. Harriss, who had edited McFarlane's collected essays.¹³⁴ In the mid-1990s, though, Edward Powell

¹²⁹ The main recent works are: Michael Bennett, 'A County Community: Social Cohesion amongst the Cheshire Gentry, 1400-1425', *NH* 8 (1973), 24-44; Katherine S. Naughton, *The Gentry of Bedfordshire in the Thirteenth and Fourteenth Centuries*, University of Leicester Dept. of English Local History, Occasional Papers, 3rd series, 2 (Leicester, 1976); Martin Cherry, 'The Courtenay Earls of Devon: the Formation and Disintegration of a Late Medieval Aristocratic Affinity', *SH* 1 (1979); A.J. Pollard, 'The Richmondshire Community of Gentry during the Wars of the Roses', in Charles Ross (ed.), *Patronage, Pedigree and Power in Later Medieval England* (Gloucester, 1979), pp. 37-59, reprinted in A.J. Pollard, *The Worlds of Richard III* (Stroud, 2001), pp. 51-64; Martin Cherry, 'The Struggle for Power in Mid-Fifteenth Century Devonshire', in Ralph A. Griffiths (ed.), *Patronage, the Crown and the Provinces in Later Medieval England* (Gloucester, 1981), pp. 123-44; Ailsa Herbert, 'Herefordshire, 1413-61: Some Aspects of Society and Public Order', in Griffiths (ed.), *Patronage, the Crown and the Provinces*, pp. 103-22; Nigel Saul, *Knights and Esquires: The Gloucestershire Gentry in the Fourteenth Century* (Oxford, 1981); Ian Rowney, 'Government and Patronage in the Fifteenth Century: Staffordshire, 1439-59', *MH* 8 (1983), 49-69; Susan M. Wright, *The Derbyshire Gentry in the Fifteenth Century*, Derbyshire Record Society, vol. 8 (Chesterfield, 1983); Christine Carpenter, 'The Duke of Clarence and the Midlands: a Study in the Interplay of Local and National Politics', *MH* 11 (1986), 23-48; Nigel Saul, *Scenes from Provincial Life: Knightly Families in Sussex, 1280-1400* (Oxford, 1986); Simon Payling, *Political Society in Lancastrian England: the Greater Gentry of Nottinghamshire* (Oxford, 1991); Eric Acheson, *A Gentry Community: Leicestershire in the Fifteenth Century* (Cambridge, 1992); Christine Carpenter, *Locality and Polity: A Study of Warwickshire Landed Society, 1401-1499* (Cambridge, 1992).

¹³⁰ Rosemary Horrox, *Richard III: A Study in Service* (Cambridge, 1989), p. 120.

¹³¹ Colin Richmond, 'After McFarlane', *History* 68 (1983), 46-60, p. 59.

¹³² 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; Richmond, 'After McFarlane', p. 59.

¹³³ Richmond, 'After McFarlane', p. 59.

¹³⁴ G.L. Harriss, 'Introduction', in K.B. McFarlane, *England in the Fifteenth Century* (London, 1981); Richmond, 'After McFarlane', pp. 58-60.

contended that A.L. Brown's book on *The Governance of Late Medieval England*, published in 1989, was 'a work with which Stubbs and Tout would have felt thoroughly at home, and it provides admirable corrective reading for any student who interprets the problems of medieval government purely in terms of patronage'.¹³⁵ Powell argued that whilst a greater understanding of local gentry societies is important, such study had to be placed within the wider context of later medieval history.¹³⁶ He argued for an approach to politics that addressed political culture as a whole, more akin to the models used by eighteenth-century historians. The heading of his final section – 'the Poverty of Patronage and the Case for Constitutional History' – was a neat (if superficial) summary of his views.¹³⁷ Several fifteenth-century scholars have challenged the excessive emphasis placed upon gentry societies and county studies.¹³⁸ In particular, Christine Carpenter and her former students at the University of Cambridge have developed a significantly different approach to the study of fifteenth-century politics and government, posing the very important question of the role of ideologies (in particular the elusive notion of 'the common good') in determining the actions of the great magnates during a later period of feeble leadership.¹³⁹ John Watts especially has attempted to understand politics in terms of the language of the nobility and their expectations of government.¹⁴⁰ Others have looked at the wider aspect of politics, and the role of 'popular politics' within fifteenth-century England.¹⁴¹ Whilst not arguing that patronage is irrelevant, these historians do argue that its importance has been massively overstated. This work is providing new directions for the study of the fifteenth century, and even critics

¹³⁵ Edward Powell, 'After "After McFarlane": The Poverty of Patronage and the Case for Constitutional History', in Dorothy J. Clayton, Richard G. Davies and Peter McNiven (eds.), *Trade, Devotion and Governance: Papers in Later Medieval History* (Stroud, 1994), p. 2.

¹³⁶ *Ibid*, pp. 1-16.

¹³⁷ *Ibid*, p. 8.

¹³⁸ Anthony Gross, 'Regionalism and Revision', in Peter Fleming, Anthony Gross and J.R. Lander (eds.), *Regionalism and Revision: The Crown and the Provinces in England, 1200-1600* (London, 1998), pp. 1-13; J.R. Lander, 'The Significance of the County in English Government', in Fleming, Gross and Lander (eds.), *Regionalism and Revision*, pp. 15-27.

¹³⁹ Carpenter, *Locality and Polity*; Christine Carpenter, 'Gentry and Community in Medieval England', *JBS* 33 (1994), 340-80; Christine Carpenter, *The Wars of the Roses: Politics and the Constitution in England, c.1437-1509* (Cambridge, 1997); John L. Watts, *Henry VI and the Politics of Kingship* (Cambridge, 1996); Helen Castor, *The King, the Crown, and the Duchy of Lancaster: Public Authority and Private Power, 1399-1461* (Oxford, 2000).

¹⁴⁰ John L. Watts, 'Ideas, Principles and Politics' in A.J. Pollard (ed.), *The Wars of the Roses* (Basingstoke, 1995), pp. 110-33; Watts, *Henry VI*.

¹⁴¹ I.M.W. Harvey, 'Was there Popular Politics in Fifteenth-Century England?', in Pollard (ed.), *Wars of the Roses*, pp. 155-74.

(or those not fully convinced) acknowledge the importance of exploring these different approaches.¹⁴² Some historians have also addressed the question of ideologies in other periods of conflict, such as the civil war which blighted the reign of King Stephen.¹⁴³

Unfortunately, such approaches have not been applied backwards to the thirteenth and fourteenth centuries, at least in any systematic way, and the study of parliament (and political history in general) makes little impact against areas of research which are currently more in fashion. There has only been one modern attempt to synthesise this material, and this was more a narrative of parliament's place in high politics than an attempt to provide a critical survey of the institution.¹⁴⁴ A 1981 collection of articles pointed to interesting new approaches, and did have an important impact on parliamentary studies.¹⁴⁵ However, even though the sheer volume of work in the last three decades does not come close to equalling the amount produced prior to that date, the accepted view – that parliamentary history has worked its way into a rut – is somewhat misleading. A small amount of work was begun on the various Spanish and French assemblies.¹⁴⁶ Combined with a short comparative work on European representative assemblies by A.R. Myers, and the publication of an abridged English translation of Antonio Marongiu's 1949 comparative study,¹⁴⁷ this new research began to place the development of the English parliament in a wider context. Unfortunately only a small number of such studies have so far been produced, but they do provide a useful base against which to test the development

¹⁴² A.J. Pollard, *The Wars of the Roses* (2nd edition: Basingstoke, 2001), pp. 5-18.

¹⁴³ David Crouch, *The Reign of King Stephen* (Harlow, 2000), pp. 121-32.

¹⁴⁴ Butt, *History of Parliament*.

¹⁴⁵ R.G. Davies and J.H. Denton (eds.), *The English Parliament in the Middle Ages* (Manchester, 1981).

¹⁴⁶ For the Spanish assemblies: Peter Rycraft, 'The Role of the Catalan *Corts* in the Later Middle Ages', *EHR* 89 (1974), 241-69; Joseph F. O'Callaghan, 'The Beginnings of the Cortes of León-Castile', *AHR* 74 (1969), 1503-37; Peter Lineham, 'Ecclesiastics and the Cortes of Castile and León', in *Las Cortes de Castilla y León en la Edad Media: Actas de la Primera Etapa del Congreso Científico sobre la Historia de las Cortes de Castilla y León*, 2 vols (San Cristóbal, 1988), vol. 2, pp. 99-141; Joseph F. O'Callaghan, *The Cortes of Castile-León, 1188-1350* (Philadelphia, 1989). For the various French *parlements*: J.H. Shennan, *The Parlement of Paris* (London, 1968); Roger G. Little, *The Parlement of Poitiers: War, Government and Politics in France, 1418-1436* (London, 1984).

¹⁴⁷ Antonio Marongiu, *Medieval Parliaments: A Comparative Study*, Studies Presented to the International Commission for the History of Representative and Parliamentary Institutions, 32 (London, 1968: translated and adapted by S.J. Woolf from 1949 Italian edition, *Il Parlamento in Italia nel Medio Evo e nell'età Moderna*); A.R. Myers, *Parliaments and Estates in Europe to 1789* (London, 1975).

of the English assembly. The material written since 1970 has also shed light on various aspects of the first century of parliament. Lack of quantity does not mean lack of quality. Modern historians seem to be suggesting a more positive way of looking at parliament. The Victorians saw it as an essential institution, taking centre stage in a series of crises and disputes between the monarchy and the people. Now, we almost take parliament for granted, and accept that its importance derives precisely from the part it played in times of relative domestic harmony, the successful continuation of its various functions for years at a time arousing very little contemporary comment. Gradually, parliament permeated popular consciousness and gained a significance it would partly lose during the later fifteenth and sixteenth centuries. It has been argued that 'the reverential attitude adopted towards parliament since the constitutional struggles of the seventeenth century has tended to exaggerate the importance of the institution by isolating it from the much broader tradition of consultation and participation that characterised the lower levels of medieval public administration'.¹⁴⁸ Parliament was, contended G.L. Harriss, 'at all times co-operative, critical and corrective; rarely if at all obstructive and sterile', and because of that 'it commanded attention and survived'.¹⁴⁹

Although the exact nature of parliament remains elusive, there is considerably more agreement amongst present day historians than was the case previously. In many ways, their conclusions have been a victory, of sorts, for Richardson and Sayles. Mark Buck, G.L. Harriss, W.M. Ormrod and Michael Prestwich have all, in a qualified manner, accepted that parliament's major function may have been justice.¹⁵⁰ Gwilym Dodd and Anthony Musson have looked more closely at the judicial role of parliament and the development of the petitioning process.¹⁵¹ But all have also asked what prevents us from recognising that parliament had many diverse functions in addition to its legal role. In Prestwich's words, 'if its role is to be understood, it is necessary to take into account the full range of activities

¹⁴⁸ Ormrod, *Political Life*, p. 30.

¹⁴⁹ G.L. Harriss, 'The Formation of Parliament', in Davies and Denton (eds.), *English Parliament*, p. 60.

¹⁵⁰ Harriss, 'Formation of Parliament', pp. 31-35; Mark Buck, *Politics, Finance and the Church in the Reign of Edward II: Walter Stapeldon, Treasurer of England* (Cambridge, 1983), pp. 138-40; Prestwich, *English Politics*, pp. 133-34; Ormrod, *Political Life*, p. 30-37.

¹⁵¹ Dodd, 'Crown, Magnates and Gentry'; Dodd, 'Hidden Presence'; Anthony Musson, *Medieval Law in Context: The Growth of Legal Consciousness from Magna Carta to the Peasants' Revolt* (Manchester, 2001), pp. 184-216.

that took place in parliament, irrespective of whether or not they were exclusive to parliament'.¹⁵² This is, in essence, a sensible compromise in the ferocious debate that Edwards engaged in with Richardson and Sayles. It is recognised that both were correct to some extent: parliament's prime function was justice, but it was also omnicompetent to a large degree, and served further as a solemn meeting point for the discussion of great or pressing concerns.¹⁵³ In breaking free from the confines of this dispute, historians have been able to focus on the components of parliamentary omnicompetence alongside the judicial elements championed so vehemently by Richardson and Sayles. Maddicott suggested that 'we ought to view parliament ... not only as a political assembly and a court but as an occasion for the complex interplay of private hopes and fears – for the seeking of royal favour, the promotion and suppression of petitions, the maintenance of friends and the thwarting of enemies'.¹⁵⁴ Parliament, then, was the occasion for interaction between crown and community, but also a stage for inter-community politics and the resolving of local issues.

The work of Harriss has largely provided the point of departure for modern studies of parliament. Primarily, he has looked at the growth of parliament in financial terms: 'parliament ... acquired its character and role under the pressure of war and the consequent disputes over financial obligation'.¹⁵⁵ The continued warfare with Scotland and France from the 1290s placed a severe strain on the royal coffers and forced the king to rely more heavily on his subjects.¹⁵⁶ Prior to 1337, warfare was largely defensive, and the king could argue that taxation was essential for the purpose of protecting the realm.¹⁵⁷ Whilst conflict remained intermittent and there was a clear threat to England's security from the French and the Scots, the doctrine of necessity could be invoked: such taxes were granted fourteen times between 1297 and 1337.¹⁵⁸ With the opening of the Hundred Years War, however, the idea of a necessary, occasional subsidy for an emergency could

¹⁵² Prestwich, *English Politics*, p. 134.

¹⁵³ G.L. Harriss, 'The Management of Parliament', in G.L. Harriss (ed.), *Henry V: The Practice of Kingship* (Oxford, 1985), p. 137.

¹⁵⁴ J.R. Maddicott, 'Parliament and the Constituencies, 1272-1377', in Davies and Denton (eds.), *English Parliament*, p. 78.

¹⁵⁵ Harriss, 'War and the Emergence of Parliament', p. 55.

¹⁵⁶ Harriss, 'Formation of Parliament', pp. 36-37. For the financing of Edward I's wars: Michael Prestwich, *War, Politics and Finance Under Edward I* (London, 1972), pp. 151-223.

¹⁵⁷ Harriss, *King, Parliament and Public Finance*, pp. 49-127; Harriss, 'War and the Emergence of Parliament', pp. 36-41.

¹⁵⁸ Harriss, 'War and the Emergence of Parliament', p. 37.

no longer be justified. Instead, Edward III had to persuade his subjects that his request for national taxation was reasonable, arguing that he was fighting for his legitimate rights (the French crown) abroad.¹⁵⁹ It was in order to ensure taxes were granted by the community that Edward I had insisted upon the presence of representatives with full powers to act on behalf of their constituents.¹⁶⁰ The change in emphasis led to a two-way dialogue in parliament: the community assented to the royal requests for finance, whilst the crown was expected to relieve the burdens of individuals and communities affected by its demands.¹⁶¹ Initially, the role of parliament as a forum for political discussion was uncertain, and this remained largely the prerogative of the council.¹⁶² It was the new circumstances of the Hundred Years War that changed parliament into a defined institution, whose role within government was far more clearly defined by 1377. Under Edward I and Edward II (at least until 1322), the barons had mostly claimed the right to speak on behalf of the community of the kingdom. To a certain extent they had used parliament as a means to restrain the king, most notably in the crisis of 1310-11 that resulted in the Ordinances.¹⁶³ From 1327, and especially from 1337, the Commons began to play a greater part in parliament, as the role of the justices and officials was slowly diminished. The barons began to take the form of the king's council within parliament, advising the monarch and protesting against schemes they objected to, and by the end of Edward III's reign had evolved into the House of Lords. For the larger part of his reign, Edward I successfully managed parliament as a royal agency by being in harmony with his magnates, determined that the concept he inherited from the baronial reformers of the 1250s should be a crown agency.¹⁶⁴ By the end of the reign, after clashing strongly with the barons – the interests of king and nobility having diverged – Edward was far less keen for parliament to meet.¹⁶⁵ Edward II failed to preserve the royal direction of parliament, and it was left to Edward III to forge a sense of

¹⁵⁹ Harriss, *King, Parliament and Public Finance*, pp. 231-508; Harriss, 'War and the Emergence of Parliament', pp. 41-55; Harriss, 'Formation of Parliament', pp. 40-43.

¹⁶⁰ Edwards, '*Plena Potestas*'.

¹⁶¹ Harriss, 'Formation of Parliament', pp. 34-37.

¹⁶² *Ibid*, p. 35.

¹⁶³ This is not to be confused with the 'baronial constitutionalism' of Tout and Conway Davies. Harriss does not argue that the barons were fighting for any abstract constitution, or the development of national interest, but to prevent the crown from encroaching upon their own interests.

¹⁶⁴ Harriss, 'Formation of Parliament', pp. 29-31.

¹⁶⁵ *Ibid*, p. 31.

common enterprise with his magnates, a policy which led to remarkable success between 1341 and 1376.¹⁶⁶ From this point and for the rest of the middle ages, 'parliament remained the essential agent through which the crown sought the co-operation of the local communities for the government of the realm, but it was also becoming the acknowledged voice of the common weal'.¹⁶⁷

J.R. Maddicott has also seen the issue of taxation as the critical force in shaping parliament, and particularly the Commons. Taxation played an important part in the struggles under Henry III, and was often refused, particularly in the war with Simon de Montfort and the barons.¹⁶⁸ The real precedent, however, was set by the parliaments of 1268-70. Following that date, the crown never again succeeded in gaining a grant of direct taxation without convening an assembly.¹⁶⁹ This fits neatly with Harriss's thesis, as the necessity for taxation in the years after 1290 gave parliament a distinctive character and began to strengthen its place within the political system. W.M. Ormrod has also examined the subject of crown revenues, similarly concluding that parliament developed as a bicameral institution (by the start of the Hundred Years War) as a consequence of taxation.¹⁷⁰ D.A. Carpenter has further argued for the important part played by taxation in parliamentary development.¹⁷¹ A substantial contribution for Edward I's reign is the work of Michael Prestwich. He has examined the revenues and expenditure of Edward I in some detail, looking at how Edward's wars in France, Scotland and Wales were financed and the consequent constitutional implications.¹⁷² J.C. Holt has looked at the origins of representation, in the form of summoning men from the shires under King John. Holt viewed this as a two-way process, allowing the crown to keep in

¹⁶⁶ Harriss, *King, Parliament and Public Finance*, p. 313; Harriss, 'Formation of Parliament', pp. 31-32; W.M. Ormrod, *The Reign of Edward III* (revised edition: Stroud, 2000), pp. 65-69.

¹⁶⁷ Harriss, 'Formation of Parliament', p. 60.

¹⁶⁸ J.R. Maddicott, *Simon de Montfort* (Cambridge, 1994), pp. 35-36, 125, 147, 211, 292, 302.

¹⁶⁹ J.R. Maddicott, 'The Crusade Taxation of 1268-1270 and the Development of Parliament', in P.R. Coss and S.D. Lloyd (eds.), *Thirteenth Century England II: Proceedings of the Newcastle upon Tyne Conference 1987* (Woodbridge, 1988), pp. 93-117.

¹⁷⁰ W.M. Ormrod, 'State-Building and State Finance in the Reign of Edward I', in W.M. Ormrod (ed.), *England in the Thirteenth Century: Proceedings of the 1989 Harlaxton Symposium* (Stamford, 1991), pp. 15-35; W.M. Ormrod, 'Royal Finance in Thirteenth-Century England', in P.R. Coss and S.D. Lloyd (eds.), *Thirteenth Century England V: Proceedings of the Newcastle upon Tyne Conference 1993* (Woodbridge, 1995), pp. 141-64; W.M. Ormrod, 'England: Edward II and Edward III', in Michael Jones (ed.), *The New Cambridge Medieval History volume VI: c.1300-c.1415* (Cambridge, 2000), pp. 292-93.

¹⁷¹ D.A. Carpenter, 'The Plantagenet Kings', in David Abulafia (ed.), *The New Cambridge Medieval History volume V: c.1198-c.1300* (Cambridge, 1999), pp. 355-56.

¹⁷² Prestwich, *War, Politics and Finance*; Michael Prestwich, *Edward I* (revised edition: New Haven and London, 1997).

touch with the localities, but also enabling the localities to bring problems to the crown.¹⁷³ The place of taxation and fiscal demands within the development of parliament as an institution, and in helping that institution take the form it did, has been studied in some detail, with a considerable amount of agreement amongst historians.

Buck and Ormrod have identified the final years of Edward II's reign as the critical period of development for the Commons, developing a point raised by Harriss.¹⁷⁴ According to Ormrod, these years were the period in which the Commons in parliament began to emerge as 'an independent force in English politics with the potential to influence the business of Parliament and to change the course of government policy'.¹⁷⁵ He looked at three schedules of grievances and points to be addressed by king and council. The failure of the peerage to lead the community in grievances against the crown, after the battle of Boroughbridge, forced the elected members to step into this role. The persistence of the Commons is demonstrated by the continued presence of many of the same complaints on the schedules. Both Buck and Ormrod have stressed the fact that Edward II was twice refused taxation in the mid-1320s.¹⁷⁶ This directly contradicts the rather dramatic assertion of Natalie Fryde, who argued that 'if this regime had persisted very much longer parliament might have virtually disappeared from the vocabulary of English politics'.¹⁷⁷ She believed that reluctance to hold parliament was a key feature of the years 1322-26, and that even when it was summoned, the Commons 'seem to have done nothing more than agree with whoever happened to predominate at any one moment'.¹⁷⁸ Buck and Ormrod have shown, however, that parliament was in fact gaining in importance. The Commons were certainly not sycophantic 'yes-men'. That the king had failed to fashion a common purpose with his people, and that the regime was rapidly losing support from 1324, does not mean that parliament was somehow unimportant. Edward's weakness, in Michael Prestwich's view, was the

¹⁷³ J.C. Holt, 'The Prehistory of Parliament', in Davies and Denton (eds.), *English Parliament*, pp. 1-28.

¹⁷⁴ Harriss, *King, Parliament and Public Finance*, pp. 98-99; Buck, *Politics, Finance and the Church*, pp. 142-47; Ormrod, 'Agenda for Legislation'.

¹⁷⁵ Ormrod, 'Agenda for Legislation', pp. 25-26.

¹⁷⁶ Buck, *Politics, Finance and the Church*, pp. 145-47; Ormrod, 'Agenda for Legislation', p. 8; Ormrod, *Reign of Edward III*, p. 66.

¹⁷⁷ Natalie Fryde, *The Tyranny and Fall of Edward II* (Cambridge, 1979), p. 68.

¹⁷⁸ *Ibid.*, p. 67.

reason that the English parliament did not go the way of the French *parlement* and become, in effect, a court of lawyers and professional administrators.¹⁷⁹ Instead, ‘the magnates laid claim to their rights as peers of the realm, and the representatives attended with increasing regularity, establishing their claim to be part of, and to speak for, the community of the realm’.¹⁸⁰

The problem is that this new approach has yet to be brought to an overarching history of parliament.¹⁸¹ In Scotland, where the work of Robert Rait ‘put an end to discussion on parliament for three generations’,¹⁸² there has recently been a resurgence of interest in Scottish parliamentary history. The Scottish Parliament Project, based at the University of St Andrews, is currently working to produce digitised images and translations of all the surviving acts of parliament.¹⁸³ Simultaneously, they are gradually producing publications which give a broad overview of the institution, whilst the editors are writing more specialised monographs to supplement this coverage.¹⁸⁴ Whilst the sources are being edited in England,¹⁸⁵ there has been no recent attempt at an overall picture of the medieval parliament, especially in its first century. Much of the post-World War II historiography has been heavily biographical, especially for the reign of

¹⁷⁹ Prestwich, *Three Edwards*, p. 135.

¹⁸⁰ *Ibid*, p. 135.

¹⁸¹ There is a useful summary of parliament in A.L. Brown, *The Governance of Late Medieval England, 1272-1461* (London, 1989), pp. 156-237.

¹⁸² Keith M. Brown and Roland J. Tanner, ‘Introduction: Parliament and Politics in Scotland, 1235-1560’, in Keith M. Brown and Roland J. Tanner (eds.), *The History of the Scottish Parliament Volume I: Parliament and Politics in Scotland, 1235-1560* (Edinburgh, 2004), p. 2. Rait’s ‘seriously flawed interpretation’ can be found in *The Scottish Parliament before the Union of the Crowns* (London, 1901), and *The Parliaments of Scotland* (Glasgow, 1924).

¹⁸³ The Scottish Parliament Project <<http://www.st-andrews.ac.uk/~scotpar/>>.

¹⁸⁴ Brown and Tanner (eds.), *History of the Scottish Parliament*. Of particular relevance for the period under consideration here are the following articles in this collection: Brown and Tanner, ‘Introduction’; Alison A.B. McQueen, ‘Parliament, the Guardians and John Balliol, 1284-1296’, pp. 29-49; Roland J. Tanner, ‘Cowing the Community? Coercion and Falsification in Robert Bruce’s Parliaments, 1309-1318’, pp. 50-73; Michael Penman, ‘Parliament Lost – Parliament Regained? The Three Estates in the Reign of David II, 1329-1371’, pp. 74-101. See also Roland Tanner, *The Late Medieval Scottish Parliament: Politics and the Three Estates, 1424-1488* (East Linton, 2001).

¹⁸⁵ See the next section.

Edward II.¹⁸⁶ Whilst the importance of parliament as a continuum is largely recognised in these books, there is still an overwhelming tendency to focus on the crisis parliaments. We know much more about the Commons (although the membership for the first half of the fourteenth century has yet to be examined), but the place of the lords in parliament remains understudied: a monograph published in 1968 remains the only detailed modern account of the nobility and higher clergy within the assembly.¹⁸⁷ The place of the clergy, and the relationship between parliament and convocation, has received attention recently, although this has yet to be included within a broader survey of parliament.¹⁸⁸ Much has been done, in spite of the small quantity of recent material, to try and link parliament into the broader picture of medieval political culture, but at the start of the twenty-first century, a more definitive history of parliament remains a long way from being achieved.

¹⁸⁶ Decima L. Douie, *Archbishop Pecham* (Oxford, 1952); C.M. Fraser, *A History of Antony Bek, Bishop of Durham, 1282-1311* (Oxford, 1957); Kenneth Fowler, *The King's Lieutenant: Henry of Grosmont, First Duke of Lancaster, 1310-1361* (London, 1969); Maddicott, *Thomas of Lancaster*; Phillips, *Aymer de Valence*; Roy Martin Haines, *The Church and Politics in Fourteenth-Century England: The Career of Adam Orleton, c.1275-1345* (Cambridge, 1978); J.H. Denton, *Robert Winchelsey and the Crown, 1294-1313: A Study in the Defence of Ecclesiastical Liberty* (Cambridge, 1980); Buck, *Politics, Finance and the Church*; Roy Martin Haines, *Archbishop John Stratford: Political Revolutionary and Champion of the Liberties of the English Church, ca. 1275/80-1348* (Toronto, 1986); J.S. Hamilton, *Piers Gaveston, Earl of Cornwall 1307-1312: Politics and Patronage in the Reign of Edward II* (Detroit, 1988); Prestwich, *Edward I*; Anthony Goodman, *John of Gaunt* (London, 1992); Pierre Chaplais, *Piers Gaveston: Edward II's Adoptive Brother* (Oxford, 1994); Haines, *King Edward II* (more a survey of England and her overseas lands than a biography in the normal sense); Ian Mortimer, *The Perfect King: The Life of Edward III, Father of the English Nation* (London, 2006). Edward II and Edward III both lack full, modern, scholarly biographies, although Professors Phillips and Ormrod are working on the relevant volumes for the Yale English Monarchs series. There are a number of popular biographies of the three Edwards: Harold F. Hutchison, *Edward II: The Pliant King* (London, 1971); Caroline Bingham, *The Life and Times of Edward II* (London, 1973); Paul Johnson, *The Life and Times of Edward III* (London, 1973); John Chancellor, *The Life and Times of Edward I* (London, 1981); Michael Packe, *King Edward III* (London, 1983); Mary Saaler, *Edward II* (London, 1997).

¹⁸⁷ J. Enoch Powell and Keith Wallis, *The House of Lords in the Middle Ages: A History of the English House of Lords to 1540* (London, 1968). There are very few articles on the specific elements of the subject: J.S. Roskell, 'The Problem of the Attendance of the Lords in Medieval Parliaments', *BIHR* 29 (1956), 153-204; reprinted in Roskell, *Parliament and Politics*, vol. 1, article II.

¹⁸⁸ Dorothy Bruce Weske, *Convocation of the Clergy: A Study of its Antecedents and its Rise with Special Emphasis upon its Growth and Activities in the Thirteenth and Fourteenth Centuries* (London, 1937); Eric Waldram Kemp, *Counsel and Consent: Aspects of the Government of the Church as Exemplified in the History of the English Provincial Synods* (London, 1961); A.K. McHardy, 'The Representation of the English Lower Clergy in Parliament During the Later Fourteenth Century', *Studies in Church History* 10 (1973), 97-107; Denton, *Robert Winchelsey*; J.H. Denton, 'The Clergy and Parliament in the Thirteenth and Fourteenth Centuries', in Davies and Denton (eds.), *English Parliament*, pp. 88-108; J.H. Denton and J.P. Dooley, *Representatives of the Lower Clergy in Parliament, 1295-1340* (Woodbridge, 1987). This last work drew upon J.P. Dooley's thesis: 'The Lower Clergy in Parliament 1295-1340', unpublished University of Manchester MA thesis (1980).

The Sources for Parliamentary History

The paucity of sources has long been recognised as the major problem facing historians of the medieval English parliament. This problem is especially acute for historians of parliament's first century. During the reign of Edward III, the records of parliament came to be seen as valuable in their own right, and the government gradually established a set procedure for the recording and storage of parliamentary material. Yet this 'parliamentary archive' evolved only gradually. As a consequence, students of parliament before the 1340s and 1350s have to rely on a large quantity of scattered records and chance survivals. Seen in this light, the theory put forward by Richardson and Sayles, that the history of parliament should be written from the records of parliament alone, becomes particularly problematic. The 'records of parliament', such as they are, do not form anything like a coherent or systematic body of material under Henry III, Edward I or Edward II.

We are relatively well-informed about the membership of parliament. To be more precise, we have good records informing us who was summoned and elected to parliament. Writs sent out to earls, barons, prelates and officials were personal and not expected to be returned. Under Henry III and for the first two decades of Edward I's reign, historians have to rely upon scattered fragments when dealing with parliamentary membership. But from the mid-1290s, chancery clerks systematically enrolled these summonses on the dorse of the close roll, to keep a record of assemblies and the desired membership. On the other hand, the writs sent to the sheriffs, ordering the election of shire and borough members for their counties, were expected to be returned to chancery. Against normal practice, these returnable writs were nevertheless enrolled along with the other summonses, perhaps for the sake of completeness. However, all this tells us is that knights (and usually burgesses) were summoned to attend parliament. For the names of those returned by the local communities, we are reliant upon the actual writs or returns sent back by the sheriff, many of which have been lost from the public records over the years.¹⁸⁹ Nevertheless, from the 1290s until the late fifteenth century, we can get a reasonably accurate impression of the intended membership

¹⁸⁹ The most glaring example of this is the complete loss of the returns of MPs' names between the end of Edward IV's reign and the middle of Henry VIII's.

of the majority of parliaments, although it must be admitted that several members of the Commons are little more than obscure names.

Knowing the names of the men summoned and elected is not the same as knowing which of them attended parliament. In most cases, it is left to historians to make an educated guess about the completeness of attendance; even this is rarely possible. It seems that the men elected to the Commons were generally quite conscientious. The surviving copies of the *writs de expensis* (the writs sent to the local communities certifying an MP's attendance, and ordering them to pay his expenses) give the names of those who were present, and most of those elected turned up to parliament. The attendance of the lords is more of a problem. Letters begging to be excused parliament on grounds of urgent business, impracticality, or grave illness do survive (mostly from the clergy), but only in small numbers. Sometimes a reference in a chronicle or bishop's register informs us that a particular person was in parliament. But in many instances we have to plead ignorance.¹⁹⁰

If parliamentary membership is something about which we are relatively well informed, the same cannot be said for parliamentary business. There are some parliaments about which we know practically nothing. Whilst we have virtually no evidence for parliaments prior to 1290, it is not even necessarily the case that our records get more complete the later we look. Beyond the appointment of tax collectors in December 1322 (indicating that Edward II was granted a subsidy),¹⁹¹ we have no surviving records of the parliament that met at York in the previous month, beyond a reference in a letter to the king.¹⁹² This problem is compounded by the fact that not a single chronicler deems it worth mentioning the assembly ever happened, let alone reporting what went on there. Contrastingly, there are parliaments under Edward I, and earlier in the reign of Edward II, about which we know a considerable amount.

¹⁹⁰ Roskell, 'Problem of Attendance'. These issues will be discussed in more depth in Chapter 1, below.

¹⁹¹ *CPR*, 1321-24, p. 224.

¹⁹² Richardson and Sayles have doubts about whether this assembly can even be termed a parliament. H.G. Richardson and G.O. Sayles, 'The Early Records of the English Parliaments: The English Parliaments of Edward II', *BIHR* 6 (1928), 71-88, pp. 83-84, 87; reprinted in Richardson and Sayles, *English Parliament*, article XVI. The letter does not name the sender, although it was plausibly from the treasurer: TNA SC 1/63/170.

The overwhelming majority of parliamentary records, for the reign of Edward I in particular, consist of parliamentary petitions. This lies behind the long-running and furious debates that have taken place about the nature of parliament (referring to petitions, Sandra Raban remarked, perhaps rather harshly, that ‘the best-documented aspect of parliamentary business is that which holds the least interest for historians’).¹⁹³ It was important to record legal proceedings for many reasons, not least because the verdicts may have been required at a later date in further disputes. Since the *Quo Warranto* actions had begun in 1278, it had become of paramount importance to possess written proof of one’s entitlement to lands and associated benefits.¹⁹⁴ If the judgment of a court had confirmed a man’s entitlement to particular lands or titles, then the government needed a copy on record in case of later challenges. Edward I actively encouraged people to make use of parliamentary sessions for presenting their petitions. In this sense parliament was clearly a judicial court, and records of its decisions were kept accordingly, in the series of rolls and files that were produced from 1290 onwards.

However, they were filed in a practical (if to our eyes somewhat haphazard) fashion. In the late thirteenth and early fourteenth centuries, the lack of any formal parliamentary archive meant that petitions and their answers were not stored systematically in a single place. Instead, they were sent to the department deemed most appropriate, and enrolled in the relevant place. This means that the historian has to search a wide range of material to access the surviving records of parliament.¹⁹⁵ What are now known as the chancery and exchequer parliament rolls are nearly all (until the 1330s) rolls of petitions. There is a whole class of documents, the Ancient Petitions, consisting of several thousand pieces labelled ‘parliamentary petitions’. If orders needed to be given as a result of a petition or legal proceedings in parliament, they would be sent to the sheriff or appropriate official by letters close or patent, enrolled on the close or patent rolls. Some of these orders are known only from the warrants issued to the chancellor, under the privy or secret seals, instructing him to issue an instrument under the great seal.

¹⁹³ Raban, *England under Edward I and Edward II*, p. 125. For the debate, above, pp. 15-20.

¹⁹⁴ For the *Quo Warranto* proceedings: D.W. Sutherland, *Quo Warranto Proceedings in the Reign of Edward I, 1278-1294* (Oxford, 1963); Anthony Tuck, *Crown and Nobility: England 1272-1461* (2nd edition: Oxford, 1999), pp. 2-3; Prestwich, *Edward I*, pp. 258-64; M.T. Clanchy, *From Memory to Written Record: England, 1066-1307* (2nd edition: Oxford, 1993), pp. 35-37, 40-42.

¹⁹⁵ A good idea of the diversity of the records can be gained from *Functions of the Medieval Parliament*, ed. Sayles.

Other orders and records are noted on the Coram Rege and Memoranda Rolls. The rolls of parliament for this date were a means of summarising the petitions and cross-referencing a petition with the appropriate department designated to handle it. At this early stage, parliament was not an institution whose identity was defined by written records of its proceedings and past actions, but something of a more practical event.

During the first half of the fourteenth century, the private petition gradually gave way to the common petition.¹⁹⁶ That is not to say that the former died out: private petitions continued to be presented, albeit in vastly reduced numbers, throughout the fourteenth century.¹⁹⁷ In a similar manner, common petitions were an established part of parliamentary business some time before their inclusion in the parliamentary records.¹⁹⁸ The most obvious example of this is the common petitions of the parliament that opened at Westminster in March 1340, which are preserved in the cartulary of Winchester Cathedral Priory.¹⁹⁹ Interestingly enough, this suggests that even by 1340 there was no systematic parliamentary archive, and we are reliant upon the chance survival of the records elsewhere. Yet the gradual rise of the common petition illustrates the increasing solidarity and unity that was developing amongst the membership of the Commons, which would be transformed, during the course of the fourteenth century, from a loose assortment of knights and burgesses into a recognisable House of Commons.

Records of debates within parliament do not exist for these earlier years. When we are lucky enough to have a record of any decisions that were reached in a particular assembly, we have only a note of the final decision as agreed, and nothing about the process by which that decision was reached.²⁰⁰ There was no medieval *Hansard*, recording all the proceedings of parliaments, including complete texts of debates and details of divisions. Even summarised accounts of proceedings date from a later period and are highly selective. Parliament's precise political role, at least in the reign of Edward I, is thus on many occasions hard to determine.

¹⁹⁶ Rayner, 'Forms and Machinery of the "Commune Petition"'. .

¹⁹⁷ Dodd, 'Hidden Presence', pp. 135-49.

¹⁹⁸ W.M. Ormrod, 'On – and Off – the Record: The Rolls of Parliament, 1337-1377', in Clark (ed.), *Parchment and People*, p. 41.

¹⁹⁹ G.L. Harriss, 'The Commons' Petitions of 1340', *EHR* 78 (1963), 625-54; Harriss, *King, Parliament and Public Finance*, pp. 518-20.

²⁰⁰ Prestwich, *Edward I*, p. 436.

Prior to the 1340s, as we have seen, the rolls of parliament were little more than summaries (occasionally complete versions) of petitions, notes about difficult legal cases, and copies of chancery instruments resulting from decisions and legislation of parliament.²⁰¹ There are a very few exceptions, including the 1305 roll edited by Maitland.²⁰² The most well-known exception is the chronological account of the 1316 parliament at Lincoln, composed by the chancery clerk William Airmyn.²⁰³ There are a few membranes from the 1330s, now sewn into a single roll, that were produced by Henry Edenstowe.²⁰⁴ However, producing such records was certainly not standard practice. It was rather the personal initiative of Airmyn and Edenstowe that has given us these accounts,²⁰⁵ and they very much remain isolated examples which reflect what they thought worth recording.

It is under Edward III that the parliament roll began to take the form more familiar to historians of the second century of parliament: For the years 1339 to 1355, there is an unbroken series of chancery parliament rolls.²⁰⁶ During the 1340s, the content and style of these rolls changes. For a long time, historians saw this as symptomatic of a change in the function of parliament.²⁰⁷ However, W.M. Ormrod has recently pointed out that 'a change in form does not necessarily mean a complete change of substance'.²⁰⁸ If historians accept that Airmyn and Edenstowe influenced the composition of the earlier parliament rolls, he asks, would it not also be fair to see Thomas Drayton, whose name appears on all rolls between 1340 and 1346, as being 'disposed to stamp his personality on their contents'?²⁰⁹ In other words, whilst there were undoubtedly changes in the

²⁰¹ Ormrod, 'On – and Off – the Record', p. 40.

²⁰² Above, pp. 15-16.

²⁰³ Richardson and Sayles argue that this roll is not an account of parliamentary proceedings *per se*, but 'appears to have been devised *ad hoc*, as a sort of protocol to record the steps leading to the agreement between the earl of Lancaster and the king ... far from being a true journal, Ayremynne's [*sic*] record was doubtless a later production composed after the event from notes, very much as a summary account of a fourteenth-century Burgundian parliament was written'. H.G. Richardson and G.O. Sayles, 'The Exchequer Parliament Rolls and Other Documents', *BIHR* 6 (1929), 129-53, p. 141; reprinted in Richardson and Sayles, *The English Parliament*, article XIX.

²⁰⁴ Plucknett, 'Parliament', pp. 204-207.

²⁰⁵ *Ibid*, p. 204; Harriss, 'Formation of Parliament', pp. 39-40; Butt, *History of Parliament*, p. 202; Ormrod, 'On – and Off – the Record', pp. 41-42.

²⁰⁶ Richardson and Sayles, 'Parliaments of Edward III', p. 15.

²⁰⁷ Richardson and Sayles, 'Parliaments of Edward III'; Harriss, 'War and the Emergence of Parliament'; Harriss, 'Formation of Parliament'; Ormrod, 'On – and Off – the Record', pp. 39-41.

²⁰⁸ Ormrod, 'On – and Off – the Record', p. 41.

²⁰⁹ *Ibid*, p. 41.

character of parliament, the personality of the clerk of parliament had a direct influence on the changes in record-keeping.

From this point onwards, we can have a much better idea of what happened in individual parliaments. The records which appear from the 1340s are still nothing like *Hansard*, and do not provide the full details or a complete chronology of assemblies. Nor are they necessarily an impartial account of proceedings: by their nature, they were produced by selecting and editing the huge amount of material that could possibly have been used. Parliament rolls provide links between the various items of business and some chronological elements. The common petitions are listed (usually in summarised form) along with the royal response. Importantly, the clerks begin to record the sermon preached at the opening of parliament. We know that sermons were preached in parliaments prior to the 1340s, but we have almost no records of these. The sermon can be of immense value to the historian, especially when taken with the opening speech of the chancellor or his stand-in, showing the concerns of the king and his government, and how tense he expected his relations with a particular assembly to be.

As a supplement to these official 'records', historians can also make use of observations or accounts written by the chroniclers. The problem here is that, in the earlier years especially, chronicles have little to say about parliament, unless it happened to take place at a time of crisis. Thus we have a large number of quite detailed narratives for the parliament of January 1327, an assembly of exceptional interest as the first occasion a reigning king had been deposed. By contrast, as noted above, we know practically nothing about what happened at York four years earlier.²¹⁰ Chroniclers, on the whole, had little interest in recording the day-to-day activities of parliament, and rarely bothered to refer to assemblies that took place in times of peace and dealt only with mundane business. Their interest was in the great crises, and parliament's role in these. Thus the chronicles can be used to illuminate politics and parliament's part in political affairs and crises, but are not a particularly helpful source in charting the detailed development of parliament as an institution, or informing us about changes in the everyday business of parliament.

²¹⁰ Above, p. 40.

Studying these records of parliament has interested historians for some four centuries. This interest has led to the production, from the seventeenth century, of a series of printed versions of the sources available. In many ways, the works published reflect the biases of their editors, often giving support to particular theories of what parliament was and what it did. For that reason, the material available is far from a comprehensive compilation of the sources, but a look at what is obtainable tells us much about the aims of previous historians working in the field.

William Prynne, a member of parliament who took part in the Civil War on the side of (unsurprisingly) the Roundheads, was perhaps the first major contributor to the subject. Keeper of the Records in the Tower of London between 1660 and 1670, Prynne produced an enormous work containing a massive quantity of documents from the medieval chancery.²¹¹ Until the nineteenth century, Prynne's four-part text was the standard point of reference for all students of the membership of parliament, and even today contains some documents not published elsewhere.²¹²

In the early eighteenth century, the French historian Thomas Rymer produced the work that is now known invariably by its short title, *Foedera*. As its title (*Treaties, Conventions, Letters and Other Public Acts*) indicated, *Foedera* was a somewhat eccentric miscellanea of manuscripts from the Public Record Office, in effect becoming a printed version of all the interesting documents Rymer found in the Tower of London. Running to an immense twenty volumes, *Foedera* was begun in 1693 after Rymer's appointment as historiographer royal (1692), and was printed between 1704 and 1735 (the last five volumes being prepared, after Rymer's death in 1735, by Robert Sanderson). Most historians of the thirteenth and fourteenth centuries make use of the Record Commission edition, which comprises only the first chronological volumes of Rymer's work.²¹³ Although produced a long time ago, historians still benefit from searching the pages of *Foedera*. It is particularly valuable for diplomatic texts and charters, but also contains important sources for parliamentary historians.

²¹¹ *A Brief Register, Kalendar and Survey of the Several Kinds and Forms of All Parliamentary Writs*, ed. William Prynne (London, 1659-64).

²¹² Edwards, *Historians and the English Parliament*, p. 6.

²¹³ *Foedera, Conventiones, Litterae, et Cujuscunque Acta Publica*, ed. Thomas Rymer, Record Commission edition, 3 vols. in 6 parts (London, 1816-30).

During the reign of George III, a significant advance was made with the publication of the parliament rolls that were then known to be extant. Throughout the seventeenth and eighteenth centuries, a market had been created for parliamentary records, and several transcriptions of documents connected with parliament were made.²¹⁴ In 1767, the House of Lords appointed a committee to supervise the publication of the records of parliament.²¹⁵ Although the six volumes bear no date or place of publication, it is generally agreed that they were printed in between 1767 and 1783. They brought a wide range of material to a broader audience, incorporating such parliament rolls and rolls of petitions (from both chancery and exchequer) as were then known to exist in the Tower of London, then the location of most medieval records. An index (probably begun at the time the main volumes were being prepared) was issued in 1832.²¹⁶ According to Richardson and Sayles, 'by the standards of the time the *Rotuli Parliamentorum* was a respectable achievement'.²¹⁷ But they went on to point out that the text produced was by no means a critical edition (despite the care taken by the editors), ignoring such things as vacated entries.²¹⁸ Furthermore, in the late eighteenth century several rolls languished unknown in the archives, and were thus not included in the printed volumes. Flawed and limited the work may be, but the achievement of the editors of *Rotuli Parliamentorum* can be demonstrated by the fact that, at the start of the twenty-first century, their work was still the main starting point for studying the records of parliament.

The Statute Rolls were the next major series to be printed, by the Record Commission between 1810 and 1828.²¹⁹ Starting with Magna Carta, the Commission published the extant legislation in two columns, the original text in diplomatic type, and a facing English translation. The corpus of parliamentary material was growing rapidly. The *Reports on the Dignity of a Peer, or Lords' Reports*, were presented to the House of Lords between 1819 and 1825, and subsequently published.²²⁰ These have often been used by historians, but as J.G.

²¹⁴ *Rotuli Parliamentorum Inediti*, pp. xxii-xxiii; reprinted in Richardson and Sayles, *The English Parliament*, article XX.

²¹⁵ *House of Lords Journals*, 31, p. 509.

²¹⁶ *Rotuli Parliamentorum Inediti*, pp. xxv-xxvi.

²¹⁷ *Ibid*, p. xxv.

²¹⁸ *Ibid*, p. xxv.

²¹⁹ *Statutes of the Realm*, 11 vols. (London, 1810-28).

²²⁰ *Reports from the Lords Committees Appointed to Search the Journals of the House, Rolls of Parliament, and Other Records and Documents, for All Matters Touching the Dignity of a Peer of*

Edwards has observed, 'the Reports, though historical in *content*, were not historical in *purpose*'.²²¹ The committee, whilst covering the origins of parliament as part of their work, were actually searching for evidence relating to peerage claims, and ways in which these could be settled. Many of the comments and observations bear thinking about seriously, but it is not the text alone that has provided the *Reports* with their enduring status. The compilers also included huge appendices, consisting of parliamentary summonses and related documents.

During the course of the 1830s, a number of new parliament rolls from the reigns of Edward I and Edward II came to light. These were published by Henry Cole in 1844 under the auspices of the Record Commission, increasing the amount of published material available to parliamentary historians.²²²

Sir Francis Palgrave, working in the early nineteenth century, harboured grand ambitions to produce a huge series of volumes to illustrate the records of parliament and the English constitution.²²³ In the event, nothing of the sort happened, but Palgrave still managed to make an important contribution to the printed records of parliamentary history. His two-volume work (in four large parts), comprising all the writs and returns for parliament, writs for military summons, and related documents (including letters requesting permission to miss parliament, and those appointing proctors), appeared between 1827 and 1834.²²⁴ It covered the reigns of Edward I and Edward II, and still proves extremely useful for those studying the membership of parliaments and councils. It saved students time by drawing together enrolments and returns from various classes of the Public Record Office, and providing chronological and biographical abstracts to make navigating the work easier. Of course there were errors and omissions, but Palgrave's work is remarkable for its thoroughness and general accuracy.

the Realm, 5 vols. (London, 1820-29). Vols. 1-3 reprinted in Journals of the House of Lords 56 (1824), 470-1104; 57 (1825), 1209-55; and 61 (1829), 729-926. For a critique of the reports: Edwards, *Historians and the English Parliament*, pp. 42-50.

²²¹ Edwards, *Historians and the English Parliament*, p. 47 (Edwards's italics). For a critical analysis of the *Lords' Reports*, see Sayles, *King's Parliament*, pp. 10-12.

²²² *Documents Illustrative of English History in the Thirteenth and Fourteenth Centuries*, ed. Henry Cole (London, 1844).

²²³ *Rotuli Parliamentorum Inediti*, p. xxvi.

²²⁴ *The Parliamentary Writs and Writs of Military Summons, together with the Records and Muniments relating to the Suit and Service Due and Performed to the King's High Court of Parliament and the Councils of the Realm, or affording Evidence of Attendance Given at Parliaments and Councils*, ed. Francis Palgrave, 2 vols. in 4 parts (London, 1827-34).

These printed sources did make many of the records of parliament more widely available, and were a great advantage to students. However, all also have a serious defect in the eyes of modern researchers. Publishing in the original Latin or medieval French came naturally, as all wishing to use the records when they were printed would have been familiar with these languages, and it would have seemed perverse to waste effort by providing English translations. On the other hand, this has dated these records, as in an age when Latin is a dying part (and old French a non-existent part) of the school curriculum, the books cannot easily be used in undergraduate teaching. More seriously, there was a strong emphasis on printing the records as they were found, preserving the diplomatic script of medieval scribes. This problem is in some way lessened by the habit, common at the time, of either placing English summaries in the margin, or else providing huge abstracts of the contents. But whilst the sources were more readily available, removing the need to travel to London to do all research, they are seriously deficient compared to modern, critical editions. Moreover, these volumes can now be found only in specialist research and university libraries, normally in special collections subject to restricted access arrangements.

The great achievement of the later years of the nineteenth century was the publication of the sizeable set of volumes known as the Rolls Series. The majority of medieval chronicles were published in the original language (although many of those in Old French or Old English also contained translations).²²⁵ Diplomatic type was abandoned, and the texts were published in full, extended form, with variant manuscript readings noted. Most volumes contained lengthy, detailed introductions which still have value today. William Stubbs was an especially active editor for the series, producing a number of volumes in a relatively short space of time. The most important contribution, from the viewpoint of a parliamentary historian, was F.W. Maitland's edition of the 1305 parliament roll.²²⁶ This, combined with an important introduction, made up one of the deficiencies of *Rotuli Parliamentorum*. The Rolls Series had flaws, and the standard of the volumes varies widely. The editors did not necessarily collate all known manuscripts, and there are transcription errors. Nevertheless, the scale of

²²⁵ The chronicles for the reigns of the first three Edwards are discussed in chapter 3, below.

²²⁶ *Memorando de Parlamento*.

the project remains unsurpassed, and many texts are available, in printed form, only in the Rolls Series.

In May 1876, the House of Commons ordered a list to be made of all members of parliament from 1696 to the then present time. By a supplementary order of March 1877, the commission was ordered to add 'a RETURN, from so remote a Period as it can be obtained up to the Year 1696, of the SURNAMES, CHRISTIAN NAMES, and TITLES of all MEMBERS of the LOWER HOUSE of PARLIAMENT of *England, Scotland, and Ireland*, with the name of the CONSTITUENCY represented, and the DATE of Return of each'.²²⁷ The result was a two-volume work, published in 1878. Part I, covering the years up to 1702, opened with what was then considered to be a definitive list of the parliaments of England.²²⁸ It then followed with the names of all the representatives of shires and boroughs between 1213 and 1702, where these could be established (using sources other than the returns if necessary, principally the *writs de expensis*). Given subsequent research and discovery of records, the lists seem incomplete and inadequate, especially for the early years. On the other hand, it is an extremely useful work for quick reference, and is more readily available (and considerably less bulky) than the more complete Palgrave volumes.

From the end of the nineteenth century, the staff of the Public Record Office began to publish editions of the principal medieval chancery records. For the reign of Henry III, some of these were in complete form, but for subsequent reigns the records were printed in calendar form, summaries often being provided in place of the full text.²²⁹ The calendars are both invaluable and infuriating. As the parliamentary summons from the dorse of the close rolls had already been printed more than once, the editors chose simply to include a reference to the appropriate entry in Palgrave, *Foedera* or the *Lords' Reports*. This was understandable, but other omissions were more frustrating for historians. Whilst the names of justices of the peace were included for the later reigns, the composition of the quorums

²²⁷ *Return of the Name of Every Member of the Lower House of the Parliament of England, Scotland and Ireland*, 2 vols. (London, 1878), p. 1. Capital letters and italics are from the original.

²²⁸ *Ibid*, pp. iii-iv.

²²⁹ *Calendar of Chancery Warrants Preserved in the Public Record Office, 1244-1326* (London, 1927); *Calendar of the Charter Rolls Preserved in the Public Record Office, 1226-1516*, 6 vols. (London, 1903-27); *Calendar of the Close Rolls Preserved in the Public Record Office, 1227-1509*, 61 vols. (London, 1892-1963); *Calendar of the Fine Rolls Preserved in the Public Record Office, 1272-1509*, 22 vols. (London, 1911-63); *Calendar of the Patent Rolls Preserved in the Public Record Office, 1216-1582*, 73 vols. (London, 1891-1986).

was left out. Charter witness lists were largely ignored, an omission only now being rectified.²³⁰ For the fourteenth century, there is no trace of the special and general assizes, nor the commissions of gaol delivery. However, perusing the calendars still provides crucial information for parliamentary studies, including the names of councillors present on certain occasions, and reasons for prorogations.

The study of parliamentary records was given a new impetus by H.G. Richardson and G.O. Sayles. Always making their commitment to the original documents as the sole basis for the writing of the history of parliament, the two men published a host of largely forgotten sources over the course of half a century. The parliament rolls or membranes unknown to the editors of *Rotuli Parliamentorum* and Cole, covering roughly the first century of parliament, were put together in a volume for the Camden Society.²³¹ Further fragments were published in a succession of journal articles.²³² This brought students easy access to a more complete range of parliamentary material.

In 1988, by then in his late eighties, Sayles published his final work.²³³ It was fitting that this should be a collection of sources, given the emphasis he had placed, over the years, in writing the history of parliament from the records. Entirely in translation, arranged chronologically by parliament, and with a concise introduction summing up his approach to the subject, the book is of use as both an undergraduate primary source collection, and as a gateway to detailed research. The referencing left something to be desired (it is not easy to locate the originals in the British Library or the Public Record Office from the heading Sayles gives

²³⁰ Richard Huscroft (ed.), *Royal Charter Witness Lists of Edward I (1272-1307)* (Kew, 2000); J.S. Hamilton, 'Charter Witness Lists for the Reign of Edward II', in Nigel Saul (ed.), *Fourteenth Century England I* (Woodbridge, 2000), pp. 1-20; J.S. Hamilton, *The Royal Charter Witness Lists of Edward II (1307-1327) from the Charter Rolls in the Public Record Office* (Kew, 2001); Chris Given-Wilson, 'Royal Charter Witness Lists, 1327-1399', *Medieval Prosopography* 12 (1991), 35-94.

²³¹ *Rotuli Parliamentorum Inediti*.

²³² G.O. Sayles, 'Parliamentary Representation in 1294, 1295 and 1307', *BIHR* 3 (1926), 110-115; reprinted in Richardson and Sayles, *The English Parliament*, article XI. H.G. Richardson and G.O. Sayles, 'The Parliament of Carlisle, 1307: Some New Documents', *EHR* 43 (1928), 425-37, reprinted in Richardson and Sayles, *The English Parliament*, article XII. H.G. Richardson and G.O. Sayles, 'Parliamentary Documents from Formularies', *BIHR* 11 (1934), 147-62; reprinted in Richardson and Sayles, *The English Parliament*, article XXIII. H.G. Richardson and G.O. Sayles, 'The Parliament of Lincoln, 1316', *BIHR* 12 (1934), 105-107; reprinted in Richardson and Sayles, *The English Parliament*, article XVIII. H.G. Richardson and G.O. Sayles, 'The Clergy in the Easter Parliament, 1285', *EHR* 52 (1937), 220-34; reprinted in Richardson and Sayles, *The English Parliament*, article VIII.

²³³ *Functions of the Medieval Parliament*, ed. Sayles.

each document), but otherwise the work is of immense value, providing translations of texts that are obscure and could easily be overlooked, alongside the more mainstream documents.

Several other historians have printed extracts or fragments of parliamentary records as appendices to their books, especially texts relating to specific parliaments. James Conway Davies included a broad selection of documents at the back of his *Baronial Opposition*, of importance for the first fifteen years of Edward II's reign.²³⁴ J.F. Baldwin printed a selection of Council records and proceedings for the reigns of the first three Edwards.²³⁵ Mark Buck and W.M. Ormrod have recently published and discussed records relating to the end of Edward II's reign and the beginning of Edward III.²³⁶ Accounts of the parliament involved in the deposition of Edward II have attracted particular attention.²³⁷

In recent years, several historians have applied themselves to producing good, critical editions and translations of various medieval sources. Funding from government bodies and other quarters has facilitated a number of team projects in this area, whilst some individuals have devoted considerable time to work in this field. A new electronic edition of the medieval parliament rolls has been produced, in online and CD-ROM format as well as in printed form.²³⁸ This provides the original texts of the different types of roll available, along with an English translation and detailed notes. A similar project group is engaged in producing digital images for the internet, with heavy annotation, of the Ancient Petitions.

Less progress has been made in publishing modern editions of the chronicles, at least for the reigns of the first three Edwards. The *Vita Edwardi Secundi* is an exception: covering the years 1307-25, this anonymous work has been available in one critical edition since the 1950s, and a revised edition (with a summary of the

²³⁴ Conway Davies, *Baronial Opposition*, pp. 544-99.

²³⁵ Baldwin, *King's Council*, pp. 465-88.

²³⁶ Buck, *Politics, Finance and the Church*, pp. 224-31; Ormrod, 'Agenda for Legislation', pp. 26-33.

²³⁷ Fryde, *Tyranny and Fall of Edward II*, pp. 233-35; Claire Valente, 'The Deposition and Abdication of Edward II', *EHR* 113 (1998), 852-81, pp. 879-81; Haines, *King Edward II*, pp. 343-45.

²³⁸ *The Parliament Rolls of Medieval England*, ed. Chris Given-Wilson et al. (Scholarly Digital Editions CD-ROM: Leicester, 2005). The print edition is *The Parliament Rolls of Medieval England, 1275-1504*, ed. Chris Given-Wilson, 16 vols. (Woodbridge, 2005).

scholarship of intervening years) was published in 2005.²³⁹ The work of the Leicester chronicler Henry Knighton, whose work covers the years from 1337 to 1396 but was written in the reign of Richard II, has been published as an Oxford Medieval Text.²⁴⁰ The first part of the Anonimale Chronicle, produced at St. Mary's Abbey in York, has been edited and translated for the Yorkshire Archaeological Society by John Taylor and Wendy Childs.²⁴¹ Otherwise, very little else has been done. Some chronicles have been published in the original language, but with no translation and limited notes.²⁴² Extracts of certain of the chronicle accounts can be found in collections of sources about specific events, although these tend to be in only in the original French or Latin.²⁴³ To a large extent, however, students are still reliant on the Rolls Series versions of many chronicles. This is far from satisfactory, as the editors of these volumes, outstanding though their contribution has been, did not always fully appreciate the manuscript traditions of their sources.²⁴⁴ A couple of chronicles – notably the Rochester Chronicle (*Historia Roffensis*) – did not even make it into the Rolls Series.²⁴⁵ Of course the chronicles are not parliamentary records *per se*, but they are an invaluable resource for contemporary attitudes towards parliament, and also for filling out the details of the (often sparse) official documents. Their limited availability is a severe handicap for historians of parliament as well as medievalists generally.

²³⁹ *Vita Edwardi Secundi Monachi Cuiusdam Malmesberiensis: The Life of Edward II by the So-called Monk of Malmesbury*, ed. and trans. N. Denholm-Young (London, 1957); *Vita Edwardi Secundi: The Life of Edward II*, ed. and trans. Wendy R. Childs (Oxford, 2005).

²⁴⁰ *Knighton's Chronicle 1337-1396*, ed. and trans. G.H. Martin (Oxford, 1995).

²⁴¹ *The Anonimale Chronicle, 1307-1334: from the Brotherton Collection MS 29*, ed. Wendy R. Childs and John Taylor, Yorkshire Archaeological Society 147 (Leeds, 1991).

²⁴² *The Chronicle of Walter of Guisborough, previously edited as the Chronicle of Walter of Hemingfor or Hemingburgh*, ed. Harry Rothwell, Camden Society, 3rd Series, 89 (London, 1957); *The Anonimale chronicle, 1333 to 1381: from a MS. written at St. Mary's Abbey, York*, ed. V.H. Galbraith (Manchester, 1970).

²⁴³ *Documents Illustrating the Crisis of 1297-98 in England*, ed. Michael Prestwich, Camden Society, 4th Series, 24 (London, 1980).

²⁴⁴ A good example over this is the work of Geoffrey le Baker, which caused some confusion in the nineteenth century. It took the work of E.M. Thompson to clear up the uncertainty, demonstrating that the long chronicle (the *Chronicon*) was le Baker's work, and that the brief *Chroniculum* was an abbreviation of this. The *Vita et Mors* was a corrupted version of a truncated text of le Baker, and Thomas de la More was thus largely removed from the equation. *Chronicon Galfridi le Baker de Swynebroke*, ed. Edward Maunde Thompson (Oxford, 1889).

²⁴⁵ There is no printed edition of the *Historia Roffensis*. Henry Wharton did publish extracts in his *Anglia Sacra* (London, 1691), but these are highly selective, and anyone wishing to study this work seriously needs to consult the original in the British Library (BL Cotton MS. Faustina B.V).

Such are the printed resources at the historian's command. They are not inconsiderable, and the quantity is gradually increasing. Nevertheless, a serious student of the history of parliament must still make their way to London, and examine the material held within the National Archives and the British Library. Further fragments, largely chronicles and political tracts, are held in university collections across England. It is more than possible that significant data remains to be exploited, as the extant archive of the medieval English government is large. The method of arranging these documents which seems most logical to the modern mind may be very different to the method that recommended itself to their creators, and it can thus be easy to overlook records.

The survival and availability of the records, whilst the major problem faced by historians of the medieval parliament, is not the only issue. Since the great historians of the nineteenth century wrote their works and edited many of the records, our approach to historical records has changed significantly. The advent of postmodernism and poststructuralism have made us far less certain about taking sources at face value, but also helped us to recognise the critical importance of cultural context in the creation of a text. This is a two-way process. Historians now face 'the need to make one's underlying assumptions and values explicit both to oneself and to the reader'.²⁴⁶ Of course, this is not necessarily a problem, as 'it is not a sin in a historian to introduce a personal bias that can be recognised and discounted. The sin of historical composition is the organisation of the story in such a way that bias cannot be recognised.'²⁴⁷ We recognise the difficulties of pushing aside our own cultural inheritance (maybe it is impossible to ever do this completely), to approach the past on its own terms. Our approach to parliamentary history cannot be the same as that of the historians of a century ago. They looked for a continuous development of the constitution, and tried to read their own views on the greatness of Victorian British democracy back into the thirteenth and fourteenth centuries. We see parliament as a product of a wider European development, albeit within an English context. Parliament in the thirteenth and fourteenth centuries has to be viewed as a product of those centuries, and its records treated as such.

²⁴⁶ David Brown, *Tradition and Imagination: Revelation and Change* (Oxford, 1999), p. 22.

²⁴⁷ Butterfield, *Whig Interpretation*, p. 41.

The process of editing the sources and making them available to a wider audience is an ongoing one, but it seems unlikely that we will now uncover anything new of momentous importance. What is needed is an attempt to discover parliament's place within the political culture of the early fourteenth century, and to see it as a product of its time rather than a forerunner of some great democratic project. This is the task that this thesis seeks to address.

Part 1, 'The Logistics and Work of Parliament', tackles the practicalities of parliament as an institution. The starting point is to ask what the term 'parliament' actually meant in the context of the early fourteenth century, and the extent to which this period served to produce a more precise meaning recognisable to historians of the fifteenth century. Although there has been some question as to whether parliament should be seen as an 'institution' or as an 'event' at this stage,²⁴⁸ a clear distinction is probably unhelpful. There are elements of both, as is clear from the examination of the logistical issues associated with the holding of a session of parliament, an area that has been somewhat neglected in the past. Significant space is given to the membership of parliament in the remainder of the first chapter. Although historians of later periods can be much more precise about the people who made up parliament, this was an era of fluidity and (at times rapid) change. Using the available government sources, but also auxiliary material such as bishops' registers, the key question is asked as to why the membership of parliament developed in the way it did. Of major importance, but addressed only in piecemeal fashion by previous historians, is the clerical component of parliament. The parliamentary proxies, which form class SC 10 in the National Archives, have never been systematically examined as a whole, because Denton and Dooley looked only at the proctors of the lower clergy.²⁴⁹ As a result, the names from these documents (as well as additions from the bishops' registers) have been included in an appendix, and space is given in the text to analysing this information. The clergy are shown to be an important part of parliament at this stage, and there was nothing inevitable about the ultimate divorce of parliament and convocation, which – because of the dual role of the bishops in particular – was never complete in the middle ages. The nobility, the subject of several recent studies, are treated in less detail, but this study does raise the question of how

²⁴⁸ Maddicott, 'Parliament and the Constituencies'.

²⁴⁹ Denton and Dooley, *Representatives of the Lower Clergy*.

'English' the English parliament actually was at this stage. Finally, in spite of the large number of studies of the representatives and the emphasis on this element in parliament from the end of Edward III's reign, there has been no study of the men who made up the Commons. Although this can only be touched on, there is an prosopographical examination of a selection of their number, taking five counties (Leicestershire, Norfolk, Surrey, Worcestershire and Yorkshire) for the sample.

Emerging from the membership is the question of what parliament actually did. As with the people attending, the functions of parliament changed considerably over this period, and only towards the late 1340s can we safely distinguish between parliaments and other assemblies (principally great councils) with precision. Some parliamentary functions, such as justice and the common petition, have been dealt with in considerable depth by previous historians. For that reason, they are afforded less space than aspects such as legislation, although the aim is to produce an account which does justice to the diversity of parliament's work during the early fourteenth century.

Part 2, 'Parliament in Politics', looks at the place of parliament within the political events and the thinking of the political elite of the early fourteenth century. Working with the theory that there was nothing inevitable to the shape parliament eventually assumed, Chapter 3 looks at alternative approaches taken by contemporaries, as well as addressing how parliament was seen by the chroniclers. Following this, Chapter 4 examines the place parliament had in the political crises of these years. Rather than a detailed description of these crises (which have already been covered in some detail), the focus here is on parliament's place within them, and the impact they had upon the development of parliament. This leads to the question underlying the final chapter, concerning the king's place in parliament in a period when – theoretically – parliament was the king's to command.

Drawing on recent scholarship alongside the available sources, this thesis attempts to provide an overview of parliament during an important period of change and development in the early fourteenth century.

PART I

**THE LOGISTICS AND WORK
OF PARLIAMENT**

CHAPTER 1

PEOPLE AND PLACES

The first century of parliamentary history is bedevilled by mystery and confusion. With no extant parliamentary archive or means for systematically recording the proceedings of the assembly until the mid-fourteenth century, historians have difficult issues to address when studying this period. This has not stopped them from using entire rainforests in an attempt to put forward numerous theories and explanations about the subject, although few definite conclusions have yet been reached.¹ This section will consider two crucial themes of the history of parliament: the membership of the assembly and the importance this had, as well as the vexed question of parliament's functions.

The Meaning of 'Parliament'

Our grasp of what the term 'parliament' meant in the early fourteenth century is frustratingly vague, and contemporaries do not seem to have overly concerned themselves with the question in any case. However, the demand for precise answers is an obsessive concern of historians, who are often unwilling to admit that we lack the evidence for them. Modern history, as Tolstoy argued, 'answers questions no one asks'.² It may be impossible to state exactly what parliament was until the middle of Edward III's reign, but it is necessary to establish a working definition before addressing other practical questions about the assembly.

The enrolled writs of summons employed several different formulas for describing various assemblies. Most of these entries on the close roll were accompanied by a marginal summary: 'summons to parliament' (*summonicio parliamenti*); 'on coming to the king's parliament' (*de veniendo ad parlamentum regis*); 'concerning the holding of parliament' (*de parlamento tenendo*); 'summons to come and treat with the king' (*summonicio de veniendo ad tractandum cum regis*); 'concerning summons to a council' (*de consilio*

¹ Above, pp. 1-27.

² Leo Tolstoy, *War and Peace* (Oxford World Classics edition: Oxford, 1998), p. 1270.

summoniendo); ‘summons to a council’ (*summonicio consili*). Sometimes this summary could be unhelpfully vague, such as the writs summoning a select assembly in July 1317, which have the simple marginal note, ‘concerning coming to Nottingham’.³ Within the text of the writ, there were a smaller number of more precise phrases to choose from, expressing the king’s desire: ‘to hold our parliament’ (*parliamentum nostrum tenere*); ‘to hold parliament’ (*parliamentum tenere*); ‘to hold a *colloquium* and *tractatum*’ (*colloquium et tractatum habere*); or a variation on these forms.

However, the enrolling clerk did not necessarily take much care in the summary on the margin, as there are instances of this description differing from the text of the writ itself. In October 1307, for example, the writ informed those summoned that the king wished to hold a *colloquium* and treat with them.⁴ In the enrolment, the margin records that these writs concerned ‘coming to the king’s parliament’. In the returns from the shires, most sheriffs copied the wording from the original writ, but those of Cornwall, Somerset and Dorset, and Yorkshire all state that members are being returned to parliament.⁵ In 1327, the margin used ‘parliament’ to describe a writ calling a *colloquium et tractatum* at Lincoln.⁶ The key question, and it may be an unanswerable one, is whether we should rely on the main text, the marginal note, or both. Those receiving the writs do not seem to have been particularly concerned with the distinction. In the letters from the clergy appointing proctors to the assembly of November 1322, six referred to ‘parliament’, another six to a ‘council’, and a further six to either a ‘*tractatum*’ or ‘*colloquium et tractatum*’, reflecting uncertainty about (or else lack of interest in) the precise terminology.⁷

Bertie Wilkinson and Richardson and Sayles argued that we should view as parliaments only those assemblies explicitly described as such in the writs of

³ *PW*, II.ii, 171. This does not ever seem to have been considered a parliament, as the entire membership summoned consisted of only four bishops (Canterbury, Ely, Norwich and Winchester), five earls (Hereford, Lancaster, Norfolk, Pembroke and Surrey) and thirteen barons.

⁴ *PW*, II.ii, 1-14.

⁵ *PW*, II.ii, 4, 5, 10-11.

⁶ *RDP*, IV, 376-78.

⁷ It is termed a parliament by the abbots of Cirencester, Colchester, Crowland, Evesham, Hyde near Winchester, and Ramsey: TNA SC 10/8/400, SC 10/9/402, 403, 405, 406, 414. ‘Council’ is favoured by the bishop of Carlisle and the abbots of Bury St Edmunds, Reading, St Benet at Hulme, Thorney, and Westminster: TNA SC 10/9/410, 413, 415, 416, 419, 421. ‘*Tractatum*’ or ‘*colloquium et tractatum*’ is employed by the bishops of Durham, Salisbury and Worcester, and the abbots of Abingdon, Peterborough and St Augustine’s, Canterbury: TNA SC 10/9/401, 404, 409, 411, 418, 420.

summons, an argument T.F.T. Plucknett took issue with.⁸ Plucknett's objection was that this approach assumed a verbal difference when there was no practical distinction.⁹ However, the great danger with Plucknett's argument was that it rendered the verbal distinction meaningless, essentially accusing those responsible for composing and enrolling the writs of not knowing what they were doing. The historical arrogance of such a case aside, it is impossible to accept Plucknett's point. We have little other evidence to go on apart from the form of the writ of summons. Membership is not a reliable guide, especially before the mid-1330s; parliaments could take place without the representatives, and great councils with them present. Consequently, taxes could be granted in assemblies that were probably not considered parliaments by the government.¹⁰ Legislation only became an exclusively parliamentary function relatively late. Despite obvious flaws, and the fact that we cannot be certain what contemporaries viewed as the criteria for an assembly being described as a parliament, the writs of summons are our best guide.

Historians seem prepared to accept that, during Edward I's reign, these differences in terminology had little practical difference.¹¹ Edward II's reign is something of a grey area, although A.L. Brown has argued for the inclusion of the majority – if not all – of the assemblies that modern commentators have accepted as such.¹² Certainly by Edward III's reign, the writs of summons were precise and indicated that the government intended a clear distinction. There has been a tendency to ignore the terminology of the writs: for example, whilst the September 1337 assembly is described as a great council, some historians have preferred to use the presence of the Commons, and the fact that this assembly granted the king a subsidy, as a reason to redefine the meeting as a parliament.¹³ But W.M. Ormrod has made a convincing case for accepting the descriptions of

⁸ Above, p. 19.

⁹ T.F.T. Plucknett, 'Parliament', in J.F. Willard *et al* (eds.), *The English Government at Work, 1327-36*, 3 vols. (Cambridge, Mass., 1940-50) vol. 1, p. 83; reprinted in E.B. Fryde and Edward Miller, *Historical Studies of the English Parliament*, 2 vols. (Cambridge, 1970), vol. 1, p. 196.

¹⁰ W.M. Ormrod, *The Reign of Edward III* (revised edition: Stroud, 2000), p. 64.

¹¹ H.G. Richardson and G.O. Sayles, 'The Parliaments of Edward III', *BIHR* 8 (1930), 65-77 and 9 (1931), 1-18, reprinted in H.G. Richardson and G.O. Sayles, *The English Parliament in the Middle Ages* (London, 1981), article XXI; A.L. Brown, *The Governance of Late Medieval England, 1272-1461* (London, 1989), pp. 161-66; Ormrod, *Reign of Edward III*, p. 64.

¹² Brown, *Governance of Late Medieval England*, p. 169.

¹³ For example, G.L. Harriss, *King, Parliament and Public Finance in England to 1369* (Oxford, 1975), p. 234. Ormrod, *Reign of Edward III*, p. 207, n. 138, argues that this assembly was a great council, as the writs state.

assemblies in the writs during the 1320s and 1330s. Both parliaments and councils seem to have had powers to grant taxes, providing the Commons were present, but the distinction related to petitioning. It seems that only at those assemblies officially termed parliaments did the king and government deal with petitions.¹⁴ Hence the wording of the writs is important in Edward III's reign, and it is to these that we must look to establish the list of parliaments in this period. By about the mid-1320s, it seems that there was a clear distinction between parliaments and other types of assembly, and this is reflected in the form of the writs. Of necessity, we have to be more flexible about Edward I's assemblies and probably the parliaments of Edward II. Other documents issuing from the royal bureaucracy can help in doubtful situations: where 'the writs for the expenses of the commons or other royal documents refer to the assemblies as parliaments ... all must be considered parliaments'.¹⁵ There is probably no neat solution to this problem, and it seems safer to err on the side of inclusiveness. The point to be made is that contemporaries were increasingly making distinctions between what constituted a parliament, in terms of both membership and functions, and other types of meeting. However, it is necessary to stress now that the word 'parliament' is not an unproblematic one in early fourteenth century history, and it is only with that proviso that we can begin to look at the logistics of the early-fourteenth century parliament.

The Practicalities of Parliament

In 1258, the baronial reformers had demanded that parliament be held three times per year. The Provisions of Oxford laid down that the meeting dates should be the Morrow of Candlemas (3 February), 1 June, and the Octave of Michaelmas (6 October).¹⁶ The question of what counted as a parliament was left open, leaving plenty of scope for the disputes of later historians. In the earlier years of Edward I, there was an attempt to hold parliament two or three times annually,

¹⁴ Ormrod, *Reign of Edward III*, p. 207, n. 139.

¹⁵ Brown, *Governance of Late Medieval England*, p. 169.

¹⁶ The text of the Provisions is printed in *Select Charters and Other Illustrations of English Constitutional History from the Earliest Times to the Reign of Edward the First*, ed. William Stubbs (9th edition: Oxford, 1913), pp. 378-84, with a translation at pp. 384-87. There is a better translation in *The Functions of the Medieval Parliament of England*, ed. and trans. G.O. Sayles (London, 1988), pp. 67-74, with a useful introduction on pp. 65-67.

although events such as the king's Welsh campaigns meant that this was often impossible. During his extended spell in Gascony in 1286-89, only a single parliament was held under the lieutenant of the realm, Edmund, earl of Cornwall.¹⁷ There continued to be years when three parliaments were held in a single year (it happened as late as 1340), but it became the exception rather than the rule. Equally, there were occasional years when no parliament met at all. By the time the Ordinances were drawn up in 1311, the opposition's demand had been reduced to a single annual parliament, or two if necessary, although still no definition was forthcoming.¹⁸ For the rest of the century, parliament was indeed held, on average, once per annum, although this average was significantly higher at certain times of crisis, such as most of Edward II's reign, the Isabella and Mortimer years, and the period 1339-41.

According to the *Modus Tenendi Parliamentum*, parliament ought to be summoned forty days before it was due to meet.¹⁹ The medieval English road network was not good and transport was often treacherous, making travel by sea easier for long north-south journeys.²⁰ When representatives were summoned, it would take several days for the writ to reach the sheriffs in shires distant from the king's location. He would then have to convene the county court or wait for the next sitting in order to return members, as well as forwarding the writ on to the boroughs to be represented. We have no idea whether the sheriff assembled a special session of the court upon receipt of the summons, although there are some hints that this may have happened on occasion.²¹ After this, the elected members

¹⁷ For a discussion of this, see H.G. Richardson and G.O. Sayles, 'The Early Records of the English Parliaments: The English Parliaments of Edward I', *BIHR* 5 (1928), 129-54, pp. 140-43; reprinted in Richardson and Sayles, *The English Parliament*, article V.

¹⁸ *SR*, I, 165.

¹⁹ *Parliamentary Texts of the Later Middle Ages*, ed. Nicholas Pronay and John Taylor (Oxford, 1980), p. 80. The *Modus* is discussed below, pp. 187-200.

²⁰ F.M. Stenton, 'The Road System of Medieval England', *Economic History Review* 7 (1936), 1-21; Sandra Raban, *England Under Edward I and Edward II, 1259-1327* (Oxford, 2000), p. 9. On water transport: James Frederick Edwards and Brian Paul Hindle, 'The Transportation System of Medieval England and Wales', *Journal of Historical Geography* 17 (1991), 123-34; John Langdon, 'Inland Water Transport in Medieval England', *Journal of Historical Geography* 19 (1993), 1-11; James Frederick Edwards and Brian Paul Hindle, 'Comment: Inland Water Transport in Medieval England', *Journal of Historical Geography* 19 (1993), 12-14. For a Scottish perspective (relevant for Edward I's activities in Scotland after 1290), see G.W.S. Barrow, 'Land Routes', in Alexander Fenton and Geoffrey Stell (eds.), *Loads and Roads in Scotland and Beyond: Land Transport over 6000 Years* (Edinburgh, 1984), pp. 49-66; reprinted in G.W.S. Barrow, *Scotland and Its Neighbours in the Middle Ages* (London, 1992), pp. 20-16.

²¹ J.C. Holt, 'The Prehistory of Parliament', in R.G. Davies and J.H. Denton (eds.), *The English Parliament in the Middle Ages* (Manchester, 1981), p. 15.

still needed time to get to the meeting. Westminster, where parliament was most often held, was a long journey from far-off Cumberland and Northumberland. In January 1307, Carlisle in mid-winter would have been a difficult journey for most people to make, but must have seemed an especially long trek from the south of England, especially when the king issued writs *de expensis* for the citizens and burgesses and sent them home on the opening day.²² For some counties, the location of parliament made little difference to travel arrangements. Some six days journey from Westminster, and eight from York, Cornwall must have seemed remote wherever parliament was held.²³ Worcestershire was equidistant from Westminster and York: only midland parliaments would reduce the time needed to travel to an assembly.²⁴ Adequate notice would be required to ensure that members had sufficient time to be elected and get to parliament, and even then they could often turn up late.²⁵ The same problems faced by the representatives applied to the magnates and prelates. The somewhat complex procedure for summoning the lower clergy did not give the bishops much time to act: in September 1327 and September 1328, for example, Bishop Roger Martival of Salisbury complained that he had been given insufficient time to execute the writ of summons, received via the bishop of London.²⁶ If the king wanted any chance of a reasonable attendance at his parliaments, then forty days was probably the minimum period of notice he could afford to give. The provisions in the *Modus* are thus little more than common sense.

Very occasionally, parliament would be held at relatively short notice: Edward II issued writs for the October 1324 parliament only thirty-seven days in advance.²⁷ But more often than not, a parliament would be summoned well ahead of its intended opening day, especially if it was being held in mid-winter. Writs for the Carlisle parliament of January 1307 were sent out seventy-eight days ahead

²² J. Enoch Powell and Keith Wallis, *The House of Lords in the Middle Ages: A History of the English House of Lords to 1540* (London, 1968), pp. 260-61. It is possible that the citizens and burgesses did stay longer, as writs for the knights of the shire were also issued on the same day, but were re-issued on 10 March: *PW*, I, p. 191.

²³ Estimates from W.M. Ormrod, 'Competing Capitals? York and London in the Fourteenth Century', in Sarah Rees-Jones, Richard Marks and A.J. Minnis (eds.), *Courts and Regions in Medieval Europe* (Woodbridge, 2000), p. 96.

²⁴ *Ibid*, p. 95.

²⁵ Holt, 'Prehistory of Parliament', pp. 14-15.

²⁶ *The Registers of Roger Martival, Bishop of Salisbury 1315-1330*, ed. C.R. Elrington, Kathleen Edwards, Dorothy M. Owen and Susan Reynolds, 4 vols. in 5 parts, *CYS* vols. 55, 57-59, and 68 (Oxford and Torquay, 1959-75), vol. 2.2, pp. 541-42, 578-79.

²⁷ 13 September for 20 October: *PW*, II.ii, 317-25.

of the opening day, and for the York parliament of January 1320 the king allowed seventy-five days.²⁸ This was ample notice for the sheriffs and magnates to deal with all relevant practicalities. It is worth noting that the date on the writ does not necessarily correspond to the date on which it was sent out, and the time elapsing between the two could be some days or even weeks if parliament was not due to meet for some time.²⁹ If attendance at parliament was poor (an issue we will address later), then the king cannot usually be blamed for giving inadequate warning.

In the early years, parliamentary sessions were often short, sometimes no more than a few days. On other occasions they could drag on for weeks or months, if there was a significant amount of important business to discuss. Unlike in later periods, it was very rare for parliament to meet across multiple sessions. For Edward I's reign especially, we cannot even be sure how long sessions lasted or if they met on the appointed day. It was not unusual for the representatives and extraneous persons to be dismissed fairly early in a parliamentary session, and for the remainder of the business in hand (much of it judicial) to be dealt with by the king's council and justices.³⁰ One of the major problems was the attendance (or rather non-attendance) of the spiritual and temporal lords. Fairly frequently, the opening of parliament was delayed as a result of too few lords being present for business to commence, and on occasion the king even had to send letters to absent magnates demanding their appearance.³¹

The location of parliament was largely determined by practical factors. That is not to say that the choice of parliament's location could not be affected by politics. This was most blatant in the deposition parliament of January 1327, which was held at Westminster. Edward II was deeply unpopular with the Londoners, and Isabella and Mortimer knew they could count on the support of the citizens, who were present in intimidating numbers. Under Edward III, Westminster became *de facto* the seat of government, and after the 1330s it was

²⁸ 3 November 1306 for 20 January 1307 (*PW*, I, 181-91) and 6 November 1319 for 20 January 1320 (*PW*, II.ii, 197-214).

²⁹ Michael Prestwich, 'Magnate Summonses in England in the Later Years of Edward I', *PE&R* 5 (1985), 97-101, p. 100.

³⁰ This happened in 1305, and was the key reason that F.W. Maitland – the editor of the proceedings of this parliament – saw the essence of parliament as, in effect, an extension of the king's council. Above, pp. 15-16.

³¹ Below, pp. 96-97.

rare for parliament to meet in the provinces, although there are a few later examples of meetings outside Westminster.

However, between 1290 and 1335, a significant proportion of parliaments met outside Westminster or London.³² The preferred alternative location was York, England's second city and home of an archbishop. This made sense in a period when the Scottish war played a major role in English affairs and policy. At times when the English were campaigning heavily in Scotland, York effectively served as the seat of government, on occasion even hosting the exchequer.³³ Although there has been a tendency for English historians to view the emergence of Westminster/London as the capital city as inevitable, T.F. Tout made a convincing argument for this only being the case from the start of the Hundred Years War.³⁴ This point has recently been taken up by W.M. Ormrod, who has observed that whilst the policy of the three Edwards had a 'British' focus, York was in many ways a more natural location for a capital city, being closer than Westminster to a greater proportion of Scotland, Wales and Ireland.³⁵ Only with the start of the long hostilities with the French, and the subsequent shifting of attention towards the south and the continent, did Westminster become the inevitable choice as capital of England. Yet whilst the king and his government was still – at least to some degree – itinerant, it is unremarkable that parliament should be held at wherever in the realm was convenient for the king, not just at Westminster or York. Lincoln, Northampton and Salisbury occasionally hosted a meeting of parliament, whilst single sessions were held at Ashridge, Bury St. Edmunds, Carlisle, Clipston, Stamford and Winchester.³⁶

A glance at this list shows that the three Edwards preferred to hold their parliaments in the major cities and towns. It is not easy for the historian to piece

³² Contemporaries were not particularly careful in distinguishing between the two places for these purposes, and in many cases it is as well to view London as synonymous with Westminster when discussing parliamentary locations.

³³ Dorothy M. Broome, 'Exchequer Migrations to York in the Thirteenth and Fourteenth Centuries', in A.G. Little and F.M. Powicke (eds.), *Essays in Medieval History Presented to Thomas Frederick Tout* (Manchester, 1925), pp. 291-300.

³⁴ T.F. Tout, 'The Beginnings of a Modern Capital: London and Westminster in the Fourteenth Century', *Proceedings of the British Academy* 10 (1921-23), 487-511; reprinted in T.F. Tout, *The Collected Papers of Thomas Frederick Tout*, 3 vols., (Manchester, 1932-34), vol. 3, pp. 249-75.

³⁵ Ormrod, 'Competing Capitals?'

³⁶ Prior to 1290, aside from London and Westminster, meetings had also been convened at Oxford (1258), Winchester (1265, 1270 and 1285), Northampton (1266 and 1268), Kenilworth (1266), Bury St. Edmunds (1267), Marlborough (1267), Gloucester (1278), and Acton Burnell (1283). See the list in G.O. Sayles, *The King's Parliament of England* (London, 1975), pp. 137-38.

together where exactly parliaments were held. The writs of summons simply order the member to come to a particular city, and give no information about lodgings or the precise location of the assembly. In theory, the cathedral cities – Carlisle, Lincoln, London, Salisbury, Winchester and York – and the abbey towns of Bury St. Edmunds and Westminster had ideal meeting places in the form of the cathedral or abbey. Many of these cities (as well as Northampton) were also county towns, giving an alternative location in a major castle. There are some puzzling inclusions on the list of locations, not least Ashridge and Clipstone, although these can probably be explained in terms of convenience for the king.

The major problem was that a full meeting of parliament was a significant affair. If everyone was summoned, and chose to attend, then parliament at its maximum extent (under Edward I) would have consisted of the king, two archbishops, nineteen bishops, anything up to sixty abbots and priors, ten cathedral priors, thirteen cathedral deans, sixty archdeacons, twenty-three proctors of the cathedrals and forty-two proctors for the parish clergy,³⁷ around ten earls, a hundred barons, seventy-two knights of the shire, and some two hundred citizens and burgesses. On top of this were the officials, judges, and ministers of the king who sat in parliament *ex officio*. In other words, the size of parliament itself was in the region of five to six hundred people, before even thinking about the royal household and the retinues of the magnates, all of whom had to be accommodated in the city as well. Even after the list of summons had been effectively standardised (and reduced) by Edward III's reign, several hundred people were still eligible to attend parliament. Had there ever been anything approaching full attendance, then any medieval English city, London possibly excepted, would have been overwhelmed. Fortunately, as we shall see, nothing like the complete membership was at any time inclined to be present at an assembly, but it is clear that a meeting of parliament was still a major logistical headache. A further problem, and one which was potentially serious, was the risk of violence breaking out during a parliamentary session. This was usually dealt with by a blanket prohibition on weapons and armour in the city during parliament (the earls and

³⁷ J.H. Denton, 'The Clergy and Parliament in the Thirteenth and Fourteenth Centuries', in Davies and Denton (eds.), *English Parliament*, pp. 91-92, and see n. 8 on p. 92 for the 'deans' of Llandaff and St. David's.

barons were permitted to carry a sword, providing they were not in the king's presence), and measures for keeping the peace.³⁸

It is unfortunate that our evidence for the provisioning of parliament is fragmentary. The important records surviving from the 1301 assembly at Lincoln do provide an insight into the onerous burden a parliament was for the sheriff of the relevant county.³⁹ The king sent the sheriff a detailed list of the provisions he required for the meeting, and it was then the sheriff's duty to procure these to the best of his abilities. In October 1300, the sheriff of Lincolnshire had to obtain '400 quarters of wheat, 400 quarters of malt, 1,000 quarters of oats, hay for 400 horses for a month, 100 oxen and cows, 100 pigs and 300 sheep' for parliament in the following January.⁴⁰ Lincolnshire may have been a large, agricultural county, but the need to acquire this vast quantity of supplies (let alone having to coordinate them being transported to Lincoln and stored) must have considerably stretched the men of the county.⁴¹ Other direct evidence of purveyance for parliament tends to be simply a list of the purveyors and their duties.⁴² In 1313, where a more detailed list survives in the patent rolls, thirteen sheriffs and the former chamberlain of South Wales were asked between them to raise 1300 quarters of wheat, 1150 quarters of malt and barley, 1700 quarters of oats, 440 oxen, 1000 pigs, 2000 sheep, 10,000 cod, 20,000 stockfish and 20 barrels of sturgeon.⁴³ This was no small task. It is hard to be certain in the absence of the necessary evidence, but it does seem such arrangements would have inevitably been typical for a session of parliament. Given the popularity of purveyance – there were frequent protests about it throughout the fourteenth century – and the

³⁸ See, for example, the provisions for ensuring a peaceful session at York in January 1333: TNA C 65/2, printed in J.R.S. Phillips, 'Edward III: Parliament of 1333, Text and Translation', items 4-5, in *PROME*. Similar provisions were in place in 1340 at Westminster, and in many other parliaments: TNA C 65/7, printed in W.M. Ormrod, 'Edward III: Parliament of March 1340, text and translation', item 2, in *PROME*.

³⁹ R.A. Pelham, 'The Provisioning of the Lincoln Parliament of 1301', *University of Birmingham Journal* 3 (1951), 16-32.

⁴⁰ *Ibid*, p. 17.

⁴¹ See the maps in Pelham, 'Provisioning of the Lincoln Parliament', pp. 25 and 27.

⁴² Men were appointed to obtain supplies of hay, oats and litter for horses (and sometimes the horses themselves), meat and fish, poultry, brushwood and litter, and coal. Lists of purveyors survive for the two 1313 parliaments (Westminster, *CPR, 1313-1317*, pp. 10-11, 31-32), September 1314 (York, *CPR, 1313-1317*, p. 166), and February 1316 (Lincoln, *CPR, 1313-1317*, pp. 436-37).

⁴³ *CPR, 1313-1317*, pp. 194-195. The sheriffs in question were those of Bedfordshire and Buckinghamshire, Cambridgeshire and Huntingdonshire, Essex and Hertfordshire, Hampshire, Kent, Lincolnshire, Norfolk and Suffolk, Northamptonshire, Oxfordshire and Berkshire, Somerset and Dorset, and Surrey and Sussex.

logistical difficulties associated with it, we can only imagine how pleased a sheriff would have been to be asked to organise a session of parliament.⁴⁴ That there was resistance is suggested by the terse and threatening wording of the writ for 1313.

All his expenses will be allowed to the sheriff in his account at the Exchequer. The negligence of the sheriff's predecessors is not to embolden him in postponing the execution of the present mandate, or in inventing frivolous excuses for evading it. It is well known that such purveyances can be speedily and conveniently made for the king's money if proper diligence be used, and if the sheriff be remiss in the premises, the king will so punish him as to afford an example to other delinquents.⁴⁵

The warning is clear, but so is the subtext. Previous sheriffs had obviously attempted, for whatever reason, to avoid the immense difficulties of their duty.

Others may have viewed parliament more favourably. The influx of MPs into Westminster for a session of parliament provided a welcome increase in trade for the city's merchants.⁴⁶ Removal of the royal household (and parliament) from Westminster for any prolonged period led to complaints from the population, as the presence of the king provided both employment and retail opportunities for the citizens.⁴⁷ In the autumn of 1328, the London authorities tried to persuade several bishops to convince the king that the upcoming session of parliament, due to take place in Salisbury, be moved to London or Westminster, a request ignored in the light of the city's support for Henry of Lancaster.⁴⁸ The presence of the lords of the realm and their retinues also resulted in healthy profits for the locals, such as the citizen of London ordered to prepare the bishop of Durham's city house for the January 1315 parliament (although the bishop did not ultimately attend the

⁴⁴ On purveyance and the problems of supply, see Albert E. Prince, 'The Army and Navy', in Willard *et al* (eds.), *English Government at Work*, vol. 1, pp. 365-76; Michael Prestwich, 'Victualling Estimates for English garrisons in Scotland during the Early Fourteenth Century', *EHR* 82 (1967), 536-543; Michael Prestwich, *War, Politics and Finance Under Edward I* (London, 1972), pp. 114-36; W.R. Jones, 'Purveyance for War and the Community of the Realm in Late Medieval England', *Albion* 7 (1975), 300-16; J.R. Maddicott, 'The English Peasantry and the Demands of the Crown 1294-1341', *P&P* Supplement 1 (1975), reprinted in T.H. Aston (ed.), *Landlords, Peasants and Politics in Medieval England* (Cambridge, 1987), pp. 285-359; Chris Given-Wilson, 'Purveyance for the Royal Household, 1362-1413', *BIHR* 56 (1983), 145-63.

⁴⁵ *CPR, 1313-1317*, p. 194.

⁴⁶ Gervase Rosser, *Medieval Westminster, 1200-1540* (Oxford, 1989), pp. 38-39.

⁴⁷ *Ibid*, pp. 35-41. In later centuries, when the parliaments of Scotland and Ireland voted themselves out of existence, this also became a problem for the merchants of Edinburgh and Dublin: see, for example, Alvin Jackson, *Home Rule: An Irish History, 1800-2000* (London, 2003), pp. 22-23.

⁴⁸ *Calendar of Plea and Memoranda Rolls preserved among the Archives of the Corporation of the City of London at the Guildhall, A.D. 1323-1364*, ed. A.H. Thomas (London, 1926), p. 68.

session).⁴⁹ Less salubrious business also profited, with the temptation of Charing prostitutes proving too great for some MPs.⁵⁰ And the evidence, admittedly from later in the century, of occasional havoc wreaked in Westminster Abbey by parliament's members cannot have led the Abbot to view hosting sessions as much of a privilege. It cost the Abbey 13s 8d to replace a mat destroyed during a parliament in 1377-78, only for a further 16s 8d to be necessary in 1379-80 for yet another replacement mat after a session of parliament.⁵¹ In 1403-1404, a carpenter had to be paid 27s 6d for thirty days' work repairing walls damaged during parliament.⁵² This can hardly have made the MPs welcome guests of the monks.

One of the major advantages of a Westminster or London parliament was the ease of accommodating the members of parliament.⁵³ Apart from the size of the city making it easier to absorb a large influx of visitors, many of the earls and bishops owned houses in London. In general, Westminster parliaments met in the Abbey, making use of the chapter house, painted chamber, and refectory.⁵⁴ However, sometimes use was made of the New Temple, also frequently employed as a location for the convocation of Canterbury. On occasion, parliament also met at York House, the London residence of the archbishop of York (which would later become Whitehall Palace).⁵⁵ The Lords often met in the Painted Chamber in the Palace of Westminster, near the king's apartments. Our knowledge of where parliament met elsewhere is minimal, although there is clear evidence that the November 1322 parliament in York met at the city's Franciscan Convent.⁵⁶ As this lay adjacent to York Castle, it would have been a highly convenient location

⁴⁹ *Registrum Palatinum Dunelmense: The Register of Richard de Kellawe, Lord Palatine and Bishop of Durham 1311-1316*, ed. Sir Thomas Duffus Hardy, 4 vols., RS 62 (London, 1873-78), vol. 1, pp. 646-47.

⁵⁰ Rosser, *Medieval Westminster*, p. 143.

⁵¹ Westminster Abbey Library and Muniments Room, WAM 19637 and 19639; Rosser, *Medieval Westminster*, p. 39.

⁵² Westminster Abbey Library and Muniments Room, WAM 19009.

⁵³ On medieval London, see Gwyn A. Williams, *Medieval London: From Commune to Capital* (London, 1963); Caroline M. Barron, *London in the Later Middle Ages: Government and People 1200-1500* (Oxford, 2004).

⁵⁴ J.G. Edwards, *The Second Century of the English Parliament* (Oxford, 1979), pp. 1-16.

⁵⁵ The choice of York House in 1293 was due to the repairs being undertaken at that time on Westminster Palace, although there is some confusion about whether the archbishop's London or Westminster residence is meant: Paul Brand, 'Edward I: Parliament of Easter 1293, Introduction', in *PROME*. In 1305 the absence of the archbishop-elect of York in Rome, receiving confirmation, made the residence available to the king and queen. Powell and Wallis, *House of Lords*, pp. 235, 246-47.

⁵⁶ TNA SC 1/63/170; *CPR, 1324-1327*, p. 142.

for the government.⁵⁷ The 1316 parliament in Lincoln tried out various locations in the city, including the chapter house of the cathedral and the House of the Carmelites.⁵⁸ There is practically no material on how members were accommodated, although it is interesting that in 1314 the lord of Clifton (then just outside York, now a suburb of the city) was ordered to host the earl of Surrey.⁵⁹ It is difficult to know how typical this kind of arrangement was. Small towns would have difficulty hosting the large assembly that was parliament, and it is not inconceivable that many members had to make do with camping in tents in the fields around the town. Kings were aware of the problems: in November 1322, Edward II chose to move the meeting from Ripon to the nearby, but much larger, city of York. A large assembly lacking a permanent base, in an era without sprawling conurbations, did not lend itself to easy organisation. Nor was it without its hazards, as a man's absence at parliament was an ideal opportunity for criminals. William de Birston, the vicar of East Bradenham and a king's clerk summoned as a member of the council to the September 1314 assembly, returned from York to find his house had been robbed and his horses attacked.⁶⁰ John de Crombwell had a similar experience four years later, discovering his men had been attacked and his house plundered.⁶¹ The commissions of *oyer* and *terminer* issued as a result must have been small comfort.

The King in Parliament

'The King is the head, the beginning, and the end of parliament, and therefore he has no peer in his grade.'⁶² So wrote the author of the *Modus*, making clear his belief that parliament was very much a royal assembly, and could not exist apart from the king. That only the king could summon parliament was a principle established in the reign of Henry III, who forbade the holding of parliament whilst

⁵⁷ For the site of the Franciscan Convent, see the *Ordnance Survey Historical Map and Guide: Viking and Medieval York* (1988).

⁵⁸ TNA SC 9/20, printed in J.R.S. Phillips, 'Edward II: Parliament of 1316, Text and Translation', items 1 and 2, in *PROME*.

⁵⁹ *CPR, 1313-1317*, p. 166.

⁶⁰ *CPR, 1313-1317*, pp. 238-39.

⁶¹ *CPR, 1317-1321*, p. 303.

⁶² *Parliamentary Texts*, ed. Pronay and Taylor, p. 91.

he was in France in 1260.⁶³ Very occasionally, rival assemblies were summoned by baronial opponents of the crown. Whilst it is unclear what status should be accorded to these meetings by historians, they should almost certainly not be considered parliaments.⁶⁴ The relationship of the first three Edwards with parliament, and how they conceived its place within English government and politics, will be discussed in detail below.⁶⁵ However, a few preliminary points need to be made here with relation to the membership of parliament.

In normal circumstances, the king would be present in person for the opening of parliament and throughout its duration. This was not a universal rule, and there are several examples of parliament being opened in the king's absence, and some of entire assemblies meeting without him being present. Normally, the latter were held when the king was out of the British Isles, on extended campaign in France. Wars against Scotland and Wales simply required parliament to convene in the vicinity of the appropriate March, whereas it was clearly unthinkable to 'export' a parliamentary session to the continent. The king had to be in a position of reasonable strength to be able to hold parliament in his absence. Edward I and Edward III both held parliaments by deputy whilst at war in France. Contrastingly, Edward II rarely managed to escape being personally present in parliament, as he never campaigned overseas and failed miserably in his military efforts against Scotland. His position of weakness allowed magnates to exploit him and restrict his movements: one of the conditions of the Ordinances was that the king was not to leave the realm without consent.⁶⁶ At the height of his quarrel with Lancaster in the mid-1310s, it was believed that he feigned illness on at least one occasion to avoid having to attend parliament.⁶⁷ At the York parliament of September 1314, the first after the debacle at Bannockburn, Edward empowered the bishops of Exeter and Worcester, the earl of Pembroke and Henry de

⁶³ *Documents of the Baronial Movement of Reform and Rebellion, 1258-1267*, ed. R.F. Treharne and I.J. Sanders (Oxford, 1973), p. 168.

⁶⁴ The most famous alternative assemblies are those of Thomas of Lancaster in the early 1320s: Bertie Wilkinson, 'The Sherburn Indenture and the Attack on the Despencers, 1321', *EHR* 63 (1948), 1-28; J.R. Maddicott, *Thomas of Lancaster, 1307-1322: A Study in the Reign of Edward II* (Oxford, 1970), pp. 259-317.

⁶⁵ Below, chapter 5.

⁶⁶ *SR*, I, 157-67.

⁶⁷ *Vita Edwardi Secundi Monachi Cuiusdam Malmesberiensis: The Life of Edward II by the So-called Monk of Malmesbury*, ed. and trans. N. Denholm-Young (London, 1957), p. 38; *Vita Edwardi Secundi: The Life of Edward II*, ed. and trans. Wendy R. Childs (Oxford, 2005), pp. 66-67. It has been argued that this lay behind the provisions in the *Modus Tenendi Parliamentum* for certifying royal illnesses: *Parliamentary Texts*, ed. Pronay and Taylor, p. 95.

Beaumont to open the meeting and preside until he arrived in person.⁶⁸ It seems that the November 1322 session, also at York, was again commenced in the king's absence.⁶⁹ In December 1332, the opening of parliament was delayed from the 4th to the 7th (Friday to Monday) by Edward III's absence.⁷⁰

'Parliamentary Sovereignty' was not a medieval concept. In theory (and usually in practice), parliament's authority derived entirely from the king, and parliament could not exist without him. There were problems here: contemporaries and modern historians alike have had grave problems in the relationship of this theory to the highly atypical parliaments of 1327 and 1399.⁷¹ But parliament was – with a couple of obvious exceptions – very much the king's body, even if it was by no means always the king's instrument. It was for that reason that an absent king was the exception rather than the rule.

The Clergy in Parliament

(i) *The Bishops*

Typically, the king would summon all twenty-one English and Welsh bishops to a full session of parliament. There has been some discussion about whether or not they were summoned in feudal terms, as tenants-in-chief, to the king's court.⁷² In essence, the debate has centred on a 'constitutional' interpretation as opposed to a 'political' approach. In other words, the question is whether the bishops were present in parliament because the king had a duty to summon them to royal courts as feudal tenants, or whether it was because they were amongst the most important men in the realm. The author of the *Modus Tenendi Parliamentum* states that the

⁶⁸ Edward issued two letters. Both name Exeter and Pembroke; Beaumont and Worcester are alternately named as the third member. *CPR, 1313-1317*, p. 169.

⁶⁹ TNA SC 1/63/170.

⁷⁰ J.R.S. Phillips, 'Edward III: Parliament of December 1332, Text and Translation', in *PROME*.

⁷¹ For the January 1327 parliament see below, pp. 236-40.

⁷² The argument that bishops attended parliament by reason of barony is found in fourteenth-century texts, and was argued by the archbishop of Canterbury himself in Richard II's reign, during the Merciless Parliament of 1388: *RP*, III, 236-37; Chris Given-Wilson, 'Richard II: Parliament of February 1388 (Roll), Text and Translation', item 9, in *PROME*. See *Parliamentary Texts*, ed. Pronay and Taylor, p. 92, for further contemporary references.

higher clergy who should be summoned are those who held lands in chief.⁷³ It is most improbable that this was the case, principally because not all of the bishops held land in this manner. Chapter eleven of the Constitutions of Clarendon had laid down that bishops' lands were held of the king like any other baron, but there were exceptions.⁷⁴ The newest of the sees, that of Carlisle, held nothing from the king, whilst the Welsh bishops and the bishop of Rochester held their temporal lands from the archbishop of Canterbury.⁷⁵ Moreover, had the prelates been summoned in feudal terms as a result of their temporal holdings, these six bishops would have been entitled to refuse to attend. There is no evidence that any incumbent of one of these dioceses ever declined to come to parliament on these grounds, or that the bishops as a group ever seriously opposed being summoned by the king. In theoretical terms, it seems much more likely that 'the episcopate attended parliament by reason of its spiritual rather than its tenurial position'.⁷⁶ In the case of a bishopric being vacant when parliament was held, the writ of summons was sent to the diocesan guardian of spiritualities, an ecclesiastical official. The guardian was also responsible for summoning the lower clergy in accordance with the *praemunientes* clause. In Canterbury, for example, this was the duty of the Prior of St. Augustine's Abbey, whilst in Worcester this responsibility fell to the Prior of Worcester. At a time when the church was such a crucial part of life in England, it would have seemed entirely natural that her principal representatives should have a part in national assemblies, although 'their *role* in parliament was not, in essence, a spiritual role'.⁷⁷ It should also be noted that there are contemporary references to bishops as peers, at least in their

⁷³ *Parliamentary Texts*, ed. Pronay and Taylor, p. 81. This issue is discussed in Helena M. Chew, *The English Ecclesiastical Tenants-in-Chief and Knight Service, especially in the Thirteenth and Fourteenth Centuries* (Oxford, 1932), pp. 168-79; M.V. Clarke, *Medieval Representation and Consent: A Study of Early Parliaments in England and Ireland, with Special Reference to the Modus Tenendi Parliamentum* (London, 1936), pp. 15-32.

⁷⁴ *Select Charters*, ed. Stubbs, p. 166.

⁷⁵ Chew, *Ecclesiastical Tenants-in-Chief*, pp. 1-36; Susan Reynolds, *Kingdoms and Communities in Western Europe, 900-1300* (2nd edition: Oxford, 1997), p. 307. It should be noted that by 1291, Edward I had established that at least some of the bishop of Rochester's lands were held of the crown: J.H. Denton, 'The Clergy and Parliament in the Thirteenth and Fourteenth Centuries', in Davies and Denton (eds.), *English Parliament*, p. 90.

⁷⁶ Plucknett, 'Parliament', p. 95; reprint p. 208.

⁷⁷ Denton, 'Clergy and Parliament', p. 90 [italics mine]. Denton argues that it was the fact that the bishops were tenants-in chief which ensured their presence in parliament, but his arguments do not seem strong enough to answer the objections raised above, especially regarding the bishop of Carlisle and the Welsh bishops.

parliamentary capacity.⁷⁸ Ultimately, it is best to accept that the episcopate had a natural role in parliament deriving from the importance of both their spiritual and temporal functions.

Above all, the prelates' place in parliament derived from the fact that they were normally the mainstays of English government.⁷⁹ Apart from a short-lived experiment with laymen in 1340-45, the key post of chancellor was continually in the hands of major clergymen throughout the period under discussion.⁸⁰ The same was true of the treasurer's office, the main financial position in the government. It must be observed that some men deliberately stayed aloof from involvement in royal government: the most obvious example would be the formidable Robert Winchelsey, archbishop of Canterbury from 1294 to 1313.⁸¹ But even if such men disdained office-holding, it was impossible to avoid being involved in politics. Winchelsey's outspoken defences of ecclesiastical liberties required him to take a major role in opposing the king. The archbishop himself headed the list of Ordainers in 1310, although it is unlikely – despite his support for the movement – that he involved himself much in their work, and is more plausible this was more than an honorific appointment.⁸²

In short, it was the episcopate's role as chief representatives of the church, combined with their position as a literate and educated elite essential for the king's government, that ensured their central place in parliament. The prelates performed their duties in a (not always easy) tension between their service to God (or Rome) and their loyalty to the king. Whether they were royal servants, educated clerks, ardent papalists, or dutiful pastors, no king could afford to ignore the English bishops. A major factor in this was the large amount of land in ecclesiastical hands, which provided the king with a crucial form of revenue in the form of taxation.

⁷⁸ *CCR, 1318-1323*, p. 545.

⁷⁹ For the political role of the episcopate: Kathleen Edwards, 'The Political Importance of the English Bishops during the Reign of Edward II', *EHR* 59 (1944), 311-47; W.A. Pantin, *The English Church in the Fourteenth Century* (Cambridge, 1955); J.R.L. Highfield, 'The English Hierarchy in the Reign of Edward III', *TRHS*, 5th Series, 6 (1956), 115-38; Kathleen Edwards, 'The Social Origins and Provenance of the English Bishops during the Reign of Edward II', *TRHS*, 5th series, 9 (1959), 51-79.

⁸⁰ Bertie Wilkinson, *The Chancery under Edward III* (Manchester, 1929); Ormrod, *Reign of Edward III*, p. 76.

⁸¹ For Winchelsey's career, and his frequent clashes with Edward I and Edward II, see J.H. Denton, *Robert Winchelsey and the Crown, 1294-1313: A Study in the Defence of Ecclesiastical Liberty* (Cambridge, 1980).

⁸² *Ibid*, pp. 263-64.

As already noted, it rapidly became standard practice to summon all twenty-one English and Welsh bishops to a meeting of parliament. From the 1290s, any deviation from this principle was generally for a particular reason, be it political or practical. No clergy received writs to the parliament of February 1297, owing to the bitter dispute between Edward I and the church over the issue of clerical subsidies.⁸³ This was the only occasion on which the episcopate as a whole was denied a place in parliament, but there were still instances of individual prelates being intentionally omitted.

There was no representative of Canterbury at the five parliaments held between May 1305 and April 1308, after Edward I succeeded in having Archbishop Winchelsey suspended by a pliant Pope Clement V.⁸⁴ Walter Langton, Edward I's unpopular treasurer, was arrested when Edward II came to the throne, and was not summoned to one of the new king's parliaments until April 1309. Bishop Henry Burghersh of Lincoln, a royal appointment in 1320, earned Edward's enmity after supporting the opposition to the king in the early 1320s. Whilst Edward wrote several letters to the pope in an attempt to have the recalcitrant bishop removed, he was omitted from the lists of summons in February 1324 and June 1325. The bishop of Exeter was unrepresented at the deposition parliament of 1327: Walter Stapeldon had met a gruesome fate at the hands of the London mob the previous October, and amidst the confusion his short-lived replacement, James Berkeley, had not yet been confirmed in office.⁸⁵ Adam Orleton, successively bishop of Hereford (1317-27), Worcester (1327-33) and Winchester (1333-45), had something of a talent for irritating monarchs. Having fallen out with Edward II in the mid-1320s, he was not summoned to any of that king's last three parliaments.⁸⁶ He returned to play his infamous role in the proceedings of January 1327, but was soon incurring the royal wrath once more. Furious at Orleton for

⁸³ The writs of summons are in *PW*, I, 51-52. For this crisis, see Prestwich, *War, Politics and Finance*, pp. 247-61; J.H. Denton, 'The Crisis of 1297 from the Evesham Chronicle', *EHR* 93 (1978), 560-79; Denton, *Robert Winchelsey*, pp. 100-76; *Documents Illustrating the Crisis of 1297-98 in England*, ed. Michael Prestwich, Camden Society, 4th Series, 24 (1980), pp. 1-37; Michael Prestwich, *Edward I* (revised edition: New Haven and London, 1997), pp. 401-35.

⁸⁴ *PW*, I, 136, 164, 181 and II.ii, 1, 18, 20, 22; Denton, *Robert Winchelsey*, pp. 211-47; Prestwich, *Edward I*, pp. 540-42; J.H. Denton, 'Pope Clement V's Early Career as a Royal Clerk', *EHR* 83 (1968), 303-14.

⁸⁵ *PW*, II.ii, 350. Mark Buck, *Politics, Finance and the Church in the Reign of Edward II: Walter Stapeldon, Treasurer of England* (Cambridge, 1983), pp. 217-23.

⁸⁶ *PW*, II.ii, 317, 328, 334. Roy Martin Haines, *The Church and Politics in Fourteenth-Century England: The Career of Adam Orleton, c.1275-1345* (Cambridge, 1978), pp. 61-62.

obtaining a papal provision to the rich see of Winchester in 1333 (which also led to a dispute between Orleton and the man he replaced, John Stratford, now archbishop of Canterbury), Edward III refused to accept the *fait accompli* and declined to invite the bishop to parliament (although he did recognise and summon his successor at Worcester, Simon de Montacute, who had been the king's candidate for Winchester). Not until the parliament of March 1336 had Edward's anger cooled, and Orleton once more received a writ of summons.⁸⁷

These examples show the king refusing to summon people for obvious political reasons. On other occasions bishops were exempted for reasons of state, such as being abroad on a royal embassy or attending an ecclesiastical council. What is less clear is why certain bishops were occasionally missed off an otherwise complete list, with no apparent reason for their absence. The bishop of Worcester was not – as far as the evidence records – summoned to the parliaments of 1296 or 1300.⁸⁸ Coming towards the end of a long episcopate (he died in January 1302), Godfrey Giffard's health was declining rapidly during the 1290s.⁸⁹ It would be a plausible theory that Edward I took pity on a sick, old man and exempted him from attendance at parliament, were it not for the fact that the king *did* summon him to the assemblies of 1299 and 1301.⁹⁰ There are other omissions. Powell and Wallis demonstrated that the enrolled lists of those summoned were not always exhaustive and often included errors,⁹¹ and it is possible that careless transcription is responsible for these omissions. Otherwise we simply have to accept that this is not a matter we can resolve with the evidence available to us.

It appears that the episcopate accepted their responsibility to participate fully in national affairs. A number of bishops always refused to have much to do with politics and secular affairs (insofar as this was possible for a major tenant-in-chief and top cleric), but in general the king could count on solid support from at least some of the higher clergy in his administration. We lack the evidence to comment

⁸⁷ Haines, *Church and Politics*, p. 63; Roy Martin Haines, *Archbishop John Stratford: Political Revolutionary and Champion of the Liberties of the English Church, ca. 1275/80-1348* (Toronto, 1986), pp. 229-31; Ormrod, *Reign of Edward III*, p. 81.

⁸⁸ *PW*, I, 47, 82.

⁸⁹ The bishop of Llandaff was appointed to do many of Giffard's episcopal duties after 1297, and Archbishop Winchelsey's visitation of the diocese of Worcester in 1301 found the bishop ill and blind. Susan J. Davies, 'Giffard, Godfrey (1235?-1302)', *Oxford DNB*, accessed online at <<http://www.oxforddnb.com/view/article/10649>>.

⁹⁰ *PW*, I, 81, 89.

⁹¹ Powell and Wallis, *House of Lords*, pp. 219-31.

on this period, but in the later fourteenth century it was the chancellor, practically always a cleric, who would give the opening speech at parliament, outlining the king's motives for summoning the assembly and what he hoped would be achieved. Later evidence also indicates that there was often an opening sermon, something that may have been expected in the presence of the clergy (convocation generally opened with mass and at least one sermon).

A note of caution should be expressed here. The foregoing discussion has generally assumed that the English episcopate was a corporate body, acting together and sharing a common sense of purpose. This was evidently not the case. Twenty-one men coming from different backgrounds, administering sees with immense variations in size and wealth, could not possibly have harmoniously cooperated all the time. There were bound to be personality clashes and more fundamental disputes. The most obvious clash was between those bishops who were key members of the royal government (and sometimes very badly suited to the role of pastor), for whom church jobs were a means of reward, and those who advocated a more aloof, scholarly approach, seeing church and government as separate entities. National political quarrels could impact upon the church, with the bishops divided (often unevenly) between sides. A good example would be the disagreement between Edward II and Winchelsey in 1309, when the archbishop attempted to consecrate John de Drokenford as bishop of Bath and Wells at the same time as the king wanted to hold parliament. Several bishops informed Winchelsey that they would be going to parliament rather than the consecration, including the bishop-elect due to be consecrated.⁹² Even so redoubtable a man as Robert Winchelsey was unable to consecrate someone who declined to be present. Parliament could thus be used as a weapon in more deep-rooted dispute between king and church. It was by no means certain – indeed it was highly unlikely – that the entire bench of bishops would opt for episcopal solidarity ahead of duty to the monarch. Meanwhile the episcopate itself was sometimes torn apart by in-fighting. The archbishop of York only had two suffragans, one of whom was the bishop of Durham, ruler of a county palatine and hence a troublesome subordinate.

⁹²*Registrum Henrici Woodlock, Diocesis Wintoniensis, A.D. 1305-1316*, ed. A.W. Goodman, 2 vols., CYS vols. 43 and 44 (Oxford, 1940-41), vol. 1, p. 382; *Registrum Roberti Winchelsey, Cantuariensis Archiepiscopi A.D. 1294-1313*, ed. R. Graham, 2 vols., CYS vols. 51-52 (Oxford, 1952-56), vol. 2, p. 1113.

The major ecclesiastical fault-line, and one which had potentially serious implications for parliament, was the division between the provinces of Canterbury and York.⁹³ By the late thirteenth and early fourteenth century (indeed until the quarrel was resolved in the 1350s), the dispute had come down to the issue of one archbishop's right to bear his cross erect in the other's province. This may seem petty to historians writing seven centuries later, but at the time this was a deadly serious row, with the potential to disrupt royal government.

Aside from the irritation of having his two senior churchmen at each other's throats, the king faced a particularly serious problem when parliament met. Short of resorting to the completely impractical solution of holding assemblies in a field straddling the provincial boundary, the king had no choice but to summon one of the archbishops into another province. At one stage Edward I wrote a stern letter to the pope stressing the importance of his intractable prelates co-operating, and the necessity of the archbishop of York attending councils and parliaments.⁹⁴ This failed to solve the problem, and there are numerous examples in the bishops' registers of the relevant archbishop sending instructions to a diocesan bishop or appropriate archdeacon in anticipation of his counterpart visiting the province.⁹⁵ The formula was generally the same: if the archbishop of York was due to come south and it was believed he would carry his cross erect, the archbishop of Canterbury would order that no one should bow their heads to him, and wherever he should happen to be was to be placed under interdict. The matter was even the subject of petitions in parliament, such as that from Archbishop Reynolds and the bishops of his province in the mid-1320s, asking Edward II to maintain the honour of their church in the matter of the archbishop of York carrying his cross.⁹⁶ The southern bishops' 'aversion to the northern metropolitan city became almost a part

⁹³ There is an overview of the dispute in A. Hamilton Thompson, *The Dispute with Canterbury*, York Minster Historical Tracts 10 (London, 1927), although this work is frustratingly lacking both page numbers and useful references. There is a good recent summary in Roy Martin Haines, *Ecclesia Anglicana: Studies in the English Church of the Later Middle Ages* (Toronto, 1989), pp. 69-105.

⁹⁴ *Concilia Magnae Britanniae et Hiberniae*, ed. D. Wilkins, 4 vols. (London, 1737), vol. 2, p. 277.

⁹⁵ Examples of these orders can be found scattered throughout bishops' registers: *Registrum Roberti Winchelsey*, vol. 2, p. 724; *Registers of Roger Martival*, vol. 2, pp. 532, 606-607; *The Registers of William Melton, Archbishop of York 1319-1340*, ed. R.M.T. Hill, D. Robinson, R. Brocklesby and T.C.B. Timmins, 5 vols., CYS vols. 70-71, 76, 85 and 93 (Torquay, Woodbridge and York, 1977-2002), vol. 3, pp. 10-11, vol. 4, p. 26. See also Haines, *Ecclesia Anglicana*, pp. 91-102.

⁹⁶ TNA SC 8/7/346.

of their professional duty as suffragans of Canterbury'.⁹⁷ Ten bishops from the southern province sent excuses to Carlisle in January 1307, although this may have had more to do with the thought of travelling to the north-west in midwinter than any point of principal.⁹⁸ A staggering twelve Canterbury suffragans failed to attend the York parliament of May 1335.⁹⁹ William Greenfield, archbishop of York, absented himself from four of the last five parliaments held in London during his lifetime.¹⁰⁰ He was an ageing man, but this proved no bar to his provocative visit to a York peculiar in Gloucestershire in 1315.¹⁰¹ This was a real headache for a king who wanted full attendance at his councils and parliaments, more so if one of the archbishops was the royal chancellor or treasurer. He tried various tacks: safe-conducts and a combination of threats and prohibitions in the writs. They had little effect, and there were occasions when bishops intentionally avoided attending a parliament because it was being held outside the province. After a particularly poor turnout from the southern clergy at York in 1322, Archbishop Reynolds informed the king that his clergy were not obliged to attend meetings in the northern province.¹⁰² The king could generally rely on the appearance of most bishops for an important assembly at a time of crisis, but this episcopal pettiness was more than an irritant for him. The prelates were an integral and essential element in parliament, and their absence *en masse* threatened the ability of the king to claim he had consulted a properly representative assembly.

The bishops were amongst parliament's more conscientious members. True, those who were also members of the king's administration had little option but to attend. Alternatively, there were occasions when a king would order someone *not*

⁹⁷ J.S. Roskell, 'The Problem of the Attendance of the Lords in Medieval Parliaments', *BIHR* 29 (1956), 153-204, p. 162; reprinted in J.S. Roskell, *Parliament and Politics in Late Medieval England*, 3 vols. (London, 1981-83), vol. I, article II.

⁹⁸ The bishops appointing proctors were those of Bath and Wells, Ely, Exeter, Hereford, Lincoln, Rochester, St Asaph, St Davids, Salisbury, and Winchester: TNA C 153/1, ff. 130v.-132r; printed in *PW*, I, 185-86; and in *PROME*.

⁹⁹ Bangor, Bath and Wells, Chichester, Ely, Exeter, Hereford, Llandaff, Rochester, St Asaph, St Davids, Salisbury, and Worcester: TNA SC 10/19/905, 907, 908, 911-13, 923-25, 928, 941, 943.

¹⁰⁰ TNA SC 10/3/143; *The Register of William Greenfield, Lord Archbishop of York 1306-1315*, 5 vols., Surtees Society vols. 145, 149, 151-53 (Durham and London, 1931-40), vol. 5, pp. 7, 22, 28, 42.

¹⁰¹ Roy Martin Haines, 'Greenfield, William (c.1255-1315)', *Oxford DNB*, accessed online at <<http://www.oxforddnb.com/view/article/11421>>.

¹⁰² *PW*, II.ii, 259; *Registers of Roger Martival*, vol. 2, pp. 394-98; Clarke, *Representation and Consent*, p. 144; J.H. Denton and J.P. Dooley, *Representatives of the Lower Clergy in Parliament, 1295-1340* (Woodbridge, 1987), p. 51.

to appear in parliament because he had a more important royal task elsewhere, even if he had been included on the list of summons. Richard Kellaw, bishop of Durham, and John Halton, bishop of Carlisle, were both ordered to stay away from the March 1313 parliament and send proctors in their stead, to allow them to concentrate on defending the north against the Scots.¹⁰³ Kellaw was again excused from attendance at Westminster in January 1315 (it seems to have been his intention to travel south, as he had ordered his London house to be prepared to receive him), as the king felt the bishop was of more use assisting the wardens of the march.¹⁰⁴ But even allowing for this, a respectable proportion of the episcopate typically attended parliament. The bishops formed a core part of the groups set up to try petitions, and as these were appointed once parliament had started, it seems a reasonable assumption that those selected were actually present at parliament. A glance at the witness lists of charters issued when parliament was in session, although some caution must be exercised, gives further clues as to the names of at least some of the bishops in attendance.¹⁰⁵ That is not to say that the bishops' record is irreproachable, and there was plenty of evasion on the part of some prelates. Ralph Baldock, bishop of London, cited serious illness as the reason for not attending at Westminster in March 1313, although this is a credible excuse given that he died in July of that year.¹⁰⁶ John Dalderby, bishop of Lincoln, contrived to excuse himself from the parliament held in his own cathedral city in January 1316.¹⁰⁷ There were a few serial non-attendees, who generally claimed that they were either dangerously ill, about to drop dead, incurably infirm, or suddenly tied up by urgent affairs in their dioceses. For good measure, some bishops adopted a combination of all of these as an excuse in the letters appointing their proxies. Richard Swinfield, bishop of Hereford, absented himself from parliament in October 1307, October 1308, April and July 1309, 1310, March and July 1313, 1314, 1315 and 1316 on the grounds of ill-health or

¹⁰³ *CCR, 1307-1313*, p. 568; *Registrum Palatinum Dunelmense*, vol. 2, p. 912.

¹⁰⁴ *Registrum Palatinum Dunelmense*, vol. 1, pp. 646-47 and vol. 2, pp. 1036-37. For other examples, see *CCR, 1333-1337*, p. 736; *CCR, 1346-1349*, p. 146; *PW*, II.ii, 91, 138-39, 230, 435-36.

¹⁰⁵ The witness lists for the charters of the first three Edwards are now being published, remedying a major defect of the published calendars. See above, p. 50, n. 230.

¹⁰⁶ *Registrum Radulphi Baldock, Gilberti Segrave, Ricardi Newport, et Stephani Gravesend, Episcoporum Londoniensium, AD MCCCIV-MCCCXXXVIII*, ed. R.C. Fowler, *CYS* vol. 7 (London, 1911), p. 158; H.A. Tipping (rev. M.C. Buck), 'Baldock, Ralph (d. 1313)', *Oxford DNB*, accessed online at <<http://www.oxforddnb.com/view/article/1154>>.

¹⁰⁷ TNA SC 10/4/196.

urgent business.¹⁰⁸ Swinfield was a conscientious diocesan who spent most of his time on Hereford affairs (especially his successful attempt to have his predecessor, Thomas Cantilupe, canonised), and he visited London so rarely that he let out his house there to Hamo Chigwell in 1311.¹⁰⁹ Roger Martival of Salisbury claimed illness as his grounds for absence in May 1319, January 1320, May 1322, November 1322, February 1324, the council of September 1327, and July 1328.¹¹⁰ All but the 1324 meeting were held in the north, at York or Lincoln, and a cynic could ask whether the bishop wished to avoid the inconvenience of travelling. Like Swinfield, Martival spent little time out of his diocese, except when he played a part in the negotiations between Edward II and the earl of Lancaster in 1318-19.¹¹¹ This is but a very brief selection of a sizeable collection.

One of the problems is that we do not always know how complete the proxy letters are. Some bishops were excused attendance by the king for specific parliaments or (more rarely) for life, the latter principally on health grounds.¹¹² It has plausibly been suggested that since 'a bishop necessarily travelled in state and had to take many of his household with him for the upkeep of his establishment', it would 'cost a bishop very little by comparison' to send proctors.¹¹³ For example, the *Historia Roffensis* records that in May 1322, the bishop of Rochester's five weeks away from his diocese to attend parliament at York cost him £33.¹¹⁴ From 1305, it was standard practice to include a line in the writs urging personal attendance, which was changed in 1334 to a more severe wording

¹⁰⁸ TNA SC 10/1/19, SC 10/1/44, SC 10/2/60A, SC 10/2/66, SC 10/2/98, SC 10/3/117-18, SC 10/3/138, SC 10/4/177.

¹⁰⁹ Philippa Hoskin, 'Swinfield, Richard (d. 1317)', *Oxford DNB*, accessed online at <<http://www.oxforddnb.com/view/article/26843>>.

¹¹⁰ TNA SC 10/6/278, SC 10/8/389, SC 10/9/404; *Registers of Roger Martival*, vol. 2, pp. 254-55 and vol. 3, pp. 92, 101-102, 198, 208, 436-37. In 1324, Martival actually asked to miss parliament if he failed to recover from his illness.

¹¹¹ C. R. Elrington, 'Martival, Roger (c.1250-1330)', *Oxford DNB*, accessed online at <<http://www.oxforddnb.com/view/article/50256>>.

¹¹² There is a list of these exemptions in Roskell, 'Problem of the Lords', pp. 202-204. The only one relevant to this period is that of Wulfstan Bransford, bishop of Worcester, who was excused for life from 1340 (renewed in 1342). He was required to appoint a proctor, and the exemption remained in place until his death in 1349.

¹¹³ Dorothy Bruce Weske, *Convocation of the Clergy: A Study of its Antecedents and its Rise with Special Emphasis upon its Growth and Activities in the Thirteenth and Fourteenth Centuries* (London, 1937), p. 82.

¹¹⁴ *Anglia Sacra, sive Collectio Historiarum, Patrim Antiquitus, partim recenter Scriptarum, de Archiepiscopus et Episcopis Angliae, a Prima Fidei Christianae susceptione ad Annum MDXL*, ed. Henry Wharton, 2 vols. (London, 1691), vol. 1, p. 362.

forbidding non-attendance.¹¹⁵ However, the king was occasionally irritated by the bishops' habit of sending proctors to represent them, and some writs contain direct orders to the prelates to attend in person and not to send proxies on any account.¹¹⁶ It hardly needs said that this command was interpreted somewhat liberally by those bishops who decided to send proctors anyway. Whilst assemblies could prove awkward for kings, 'they preferred presence to absence on the part of those lords whom they desired or felt themselves obliged to summon', since 'they did not mean their parliaments to be travesties'.¹¹⁷ The presence of the bishops was essential to ensuring that was not the case.

(ii) *The Abbots and Priors*

If there is little question about why the bishops had such a prominent place in parliament, it is unclear why certain abbots continued to be summoned until the dissolution of the monasteries in the 1530s.¹¹⁸ In the early years of parliament, a seemingly random list of anything up to seventy-nine abbots received personal summons.¹¹⁹ Until the 1310s, it was not uncommon for parliaments to be held without any abbots having been summoned, although this only happened once thereafter, in the highly unusual parliament of January 1327. The summoning of priors and masters of the religious orders was even more erratic, with men dropping off the list for a period of several years before suddenly making a comeback. However, by early in Edward III's reign, the list of summons had been

¹¹⁵ Roskell, 'Problem of the Lords', p. 156.

¹¹⁶ For example, the parliaments of April 1328, October 1328, March 1332 and February 1339. *RDP*, IV, pp. 381, 386. Roskell, 'Problem of the Lords', pp. 156-57.

¹¹⁷ Roskell, 'Problem of the Lords', p. 157.

¹¹⁸ There is a monograph on the subject of the parliamentary abbots: Aloyse Marie Reich, *The Parliamentary Abbots to 1470: A Study in English Constitutional History*, University of California Publications in History 17 (Berkeley and Los Angeles, 1941). However, Sister Reich's work deals very little with the place the abbots occupied in parliament and their constitutional significance, and the work is somewhat unsatisfactory. Consequently, the matter still awaits a detailed treatment. On the abbots and their houses in general, see Janet Burton, *Monastic and Religious Orders in Britain, 1000-1300* (Cambridge, 1994).

¹¹⁹ Seventy-nine abbots were summoned to the Lincoln parliament of January 1301, along with three masters of religious orders. No priors were summoned. *PW*, I, 88-91.

standardised.¹²⁰ The list from 1339 seemed as though it would be final, containing the name of twenty-nine abbots, mostly heads of Benedictine houses, and four priors. But in 1341, the name of the Cistercian abbot of Beaulieu is accompanied by a note on the list of summons that the king had granted the abbot exemption from parliamentary summons, and this proved to be a permanent omission.¹²¹ A similar exemption is noted against the abbot of Osney in 1346, who also disappears from the list of parliamentary abbots. The abbot of Thornton vanishes in 1343, along with the priors of Spalding and Sempringham. The head of St. Augustine's, Bristol, received his last summons to the parliament of April 1343. The abbot of Leicester was exempted in 1352, and the prior of Lewes in 1365.¹²² There continued to be temporary additions and omissions, and it was not until the early fifteenth century that a largely invariable list was settled upon.¹²³

As with the bishops, there is some debate as to whether or not the abbots were present by reason of tenure. Yet whilst tenure was probably not the major issue in the summons to the episcopate, the case of the abbots seems to have been different. Those heads of houses who successfully applied to have their parliamentary obligations lifted did so on the basis of a feudal argument, that they held nothing in chief of the king. This argument was accepted as sufficient to exempt the abbot concerned from a summons to parliament. On the other hands, several abbots who argued for exemption on these grounds had their cases dismissed.¹²⁴

¹²⁰ In 1332, twenty-eight additional abbots and priors summoned to parliament were specifically referred to as abbots not usually summoned. This is strange, as many were fairly regular fixtures on the list of summonses until the later years of Edward II: the abbots of Barlings, Burton-on-Trent, Fountains, Furness, Hailes, Pershore and Rievaulx had last been summoned to the parliament of May 1322. The prior of Bridlington was summoned until 1325. The abbot of Bardney was summoned irregularly until 1302, but the 1332 summons proved to be his elevation to a permanent place on the list. Finally, the abbot of St. Augustine's, Bristol, was summoned to every parliament between 1337 and 1343. See also Powell and Wallis, *House of Lords*, pp. 303-309.

¹²¹ *RDP*, IV, 530.

¹²² Reich, *Parliamentary Abbots*, pp. 348-49. Roskell says that these exemptions were granted because the abbeys did not hold of the crown by barony: 'Problem of the Lords', p. 202.

¹²³ Abbots: Abingdon, Bardney, Battle, Bury St. Edmunds, Cirencester, Colchester, Crowland, Evesham, Glastonbury, Hyde near Winchester, Malmesbury, Peterborough, Ramsey, Reading, Selby, Shrewsbury, St. Albans, St. Augustine's Canterbury, St Benet at Hulme, St. Mary's York, St. Peter's Gloucester, Thorney, Waltham, Westminster, Winchcombe. Priors: Coventry and the Hospital of St. John of Jerusalem in England. Except for the abbot of Battle and the prior of Coventry, these names had been more or less continuously on the lists of summons since the reign of Edward I.

¹²⁴ Chew, *Ecclesiastical Tenants-in-Chief*, pp. 174-76; Powell and Wallis, *House of Lords*, pp. 342-46.

There seems to be no coherent pattern for the apparently random list of summons under Edward I. The distilled list we find under Edward III is in many ways a logical one, representing as it does the richest and most powerful of the late medieval religious houses.¹²⁵ These are present on the earlier lists, but alongside them we find houses of widely varying wealth and status, right down to tiny, almost insignificant foundations. The number of abbots summoned by Edward I fluctuated wildly, anywhere between seventeen and seventy-nine on those occasions when the presence of abbots was required. We expect to find places like Vale Royal in Cheshire, Edward's own foundation.¹²⁶ Others, such as Tewkesbury in Gloucestershire, had important local connections. But some of the names on the list are almost inexplicable. It seems most improbable that they were summoned as a consequence of their tenorial positions, yet it seems equally foolish to attribute the selection to a random whim of the king. The problem may be that the motives may have been perfectly obvious in the late thirteenth century, and no one saw fit to write them down or comment upon them. Only from the vantage point of the twenty-first century are these mysterious issues. Whilst there can be no certainty as to why Edward I chose to summon these abbots and priors, a suggestion can be ventured. If Edward wished to have an assembly broadly representative of the political community of the realm, then one can see the place that heads of religious houses would have in this scheme. They were major tenants of the crown and significant landholders in their own right, and were consequently significant contributors to royal taxation. Moreover, they had control over a considerable number of ecclesiastical privileges and livings throughout the realm. They were certainly not crucial to the king in the way the episcopate was, and they played little or no role in government. Yet the king was obliged to have the abbots present in a representative sense.

What is not surprising is that the size of the list reduced rapidly throughout the reigns of Edward I and Edward II. Some names appear only once or twice on the list under Edward I, such as Chertsey, Merton and Whitby. Others were regular features until some point during the reign of Edward II, when they disappear from the list of summons. Attending parliament was not a cheap business for those

¹²⁵ For the wealth of these houses at the dissolution, see David Knowles and R.N. Hadcock, *Medieval Religious Houses: England and Wales* (London, 1953).

¹²⁶ Prestwich, *Edward I*, pp. 113-14.

who had to pay for their own travel, provisions, and possibly accommodation (although abbots could presumably find refuge in the local religious house), as well as those of a retinue appropriate to an ecclesiastical dignitary. It was perhaps a luxury only the wealthier houses could afford. There are some confusing issues here, not least the fact that there is occasionally evidence for the attendance of abbots or their proctors who were not included on the list of summons. The most glaring example is the Carlisle parliament of 1307, when no fewer than twelve uninvited abbots sent representatives.¹²⁷ In matters affecting their houses or rights, abbots were probably swift to ensure that their viewpoint was presented, whether they were summoned to the parliament or not.

The attendance record of the abbots and priors was, however one looks at the evidence, abysmal. It was very rare for there to be more than a handful of abbots present at parliament in person. There are plenty of instances of abbots failing to attend even when parliament was held in their own diocese. Perhaps the most outrageous example is the case of the abbot of Riveaulx in 1319. Parliament had been summoned to meet at York on 6 May, although the abbot failed to send the letter excusing his absence and appointing a proctor until the 14th, citing urgent business.¹²⁸ This would not normally be particularly noteworthy, apart from the fact that the abbot's letter was sent from York! The abbot of Fountains, another great Yorkshire house, also failed to make the short journey, but he at least had the decency to send his excuses from his abbey.¹²⁹ Very occasionally, an abbot might be appointed one of the triers of petitions (a reasonably sure indication of his presence). The abbot of Westminster, for example, was a trier of petitions in September 1346,¹³⁰ but abbots were in no way consistent appointments to these duties in the way the bishops were. A glance at the list of surviving proxies for this group demonstrates that the vast majority preferred to delegate attendance.¹³¹ It is highly improbable that the letters of proxy we possess represent a complete collection. Looking again at the January 1307 parliament, for which we have the

¹²⁷ *PW*, I, 182-84; TNA C 153/1, ff. 130-32, printed in *PROME*; Denton, 'Clergy and Parliament', p. 90, n. 7. Denton suggests their presence was due to a particular interest in the king's legislative agenda for the parliament.

¹²⁸ TNA SC 10/6/273.

¹²⁹ TNA SC 10/6/285.

¹³⁰ TNA C65/12, printed in W.M. Ormrod, 'Edward III: Parliament of 1346, text and translation', in *PROME*.

¹³¹ See Appendix 1.

best evidence, a large number of abbots are noted as having sent proxies for which we have no surviving original.¹³² There is also a list of those summoned with a record of those attending, with a notable lack of abbots and priors present. Sometimes abbots did not even bother to appoint a proctor, simply informing the king that they would assent to the decisions of the parliament, 'saving their order'. This pattern applies throughout the early fourteenth century. Yet although they may not have attended in person very often, the abbots did not fail to understand the usefulness of parliament for their own ends. As with the episcopate, parliament was a useful mechanism through which to lobby the king for the maintenance or restoration of actual or perceived rights. It was also the best way for the abbots to oppose injustices or problems arising from their role as royal tenants and significant landholders. The 'parliamentary' abbots made use of private petitions to lobby for redress of grievances and the rights of their houses,¹³³ but this system was also open to (and used by) the 'non-parliamentary' abbots.

It is perhaps best to see the abbots as having a largely symbolic role in parliament in the later middle ages. A king who wanted a broad political community seen as both legitimate and representative of the realm was effectively duty-bound to include the heads of religious houses in summons to parliament. Yet little demonstrates more clearly the experimental nature of parliament in this period, and how even those who look to a fixed membership in the later fourteenth century should beware. It was nearly a century and a half before the list of abbots became anything near to fixed, and even then it was never immutable. The abbots did not fit well into the ecclesiastical system, a point that can be illustrated from the parliamentary point of view by referring to their proctors. Bishops, cathedral chapters, and even the diocesan clergy would sometimes share proctors or adopt men due to be in parliament for other reasons. The abbots tended to appoint their own monks, or at least other religious, to represent them. Many abbots and priors

¹³² The list of proxies is in the *Vetus Codex*: TNA C 153/1, ff. 130v-132r. This is printed in *PW*, I, 185-68, and *PROME*.

¹³³ For example, the abbot of Abingdon sought resolution for his complaints in c.1301, c.1318, and c.1323: TNA SC 8/30/1465-67. The abbot of Westminster petitioned in 1307-10, c.1331, and 1344: TNA SC 8/78/3881-83. Sometimes the complaints were specifically related to the relationship of an abbey to royal government, such as the protest of the abbot of St. Albans in the 1330s that he was being charged too much by royal tax collectors on the (considerable) portion of Hertfordshire owned by the abbey: TNA SC 8/30/1482.

were not slow to seek letters of exemption from parliament, and during the reign of Edward II it was gradually conceded that all but the major establishments should not be bound to attend. The abbots were not subject to the order, occasionally included in the writs to the bishops, that forbade the appointment of proctors.¹³⁴ Doubtless there would have been an outcry had the king attempted to remove the abbots from parliament altogether, so the system that emerged was in many ways a compromise. The heads of the twenty-five to thirty principal religious establishments were summoned to parliament, ensuring that this significant group (in terms of both landholding and the church) continued to be represented. Even if they chose to attend mostly by proxy instead of by person, they were still fully entitled to be there and – along with all the king’s free subjects – to use the mechanisms of parliament to attempt to have their grievances resolved. Meanwhile, the king retained the right to summon or omit abbots as he saw fit, depending upon particular circumstances, and thus we should probably avoid talking about a rigid list of ‘parliamentary abbots’. They were a reluctant part of parliament, but not one that could ever be taken out of the parliamentary equation.

There remains one final point to be made about the heads of religious houses. It is an interesting fact, and one almost completely ignored by historians, that amongst the list of summons for the May 1306 parliament are the names of four abbesses.¹³⁵ These ladies, the abbesses of Barking, Shaftesbury, Wilton and Winchester, four Benedictine houses of considerable status, are included without comment amongst the summons to the abbots and priors in the normal pattern. All four were royal foundations: Shaftesbury and Wilton had been founded by Alfred the Great; Barking and Winchester by King Edgar (the latter somewhat nominally, as Bishop Æthelwold had been the driving force).¹³⁶ That does not explain why they feature on the list. Although women and nunneries were entitled to (and did) petition in parliament,¹³⁷ the actual membership was exclusively male. What was the cause of this apparently unique exception?

¹³⁴ Above, pp. 78-79.

¹³⁵ This is very briefly alluded to, in a footnote, by G.O. Sayles, *King’s Parliament*, p. 139, n. 1. The summons is in *PW*, I, 164-65.

¹³⁶ Burton, *Monastic and Religious Orders*, pp. 1-5.

¹³⁷ Gwilym Dodd, ‘Making the Case for Grace: Women Petitioners in the Late Medieval Parliament’, unpublished paper presented at the International Medieval Congress in Leeds, July 2004.

There is no evidence of these abbesses having any business to bring to parliament in 1306. The abbess of Shaftesbury had petitioned the 1305 parliament, and the abbess of Barking that of January 1307, but it could be coincidental that they needed issues resolving at this stage.¹³⁸ Neither is there any evidence that abbesses were summoned on any occasion before or after this date, which makes it unlikely that this was a radical new experiment by Edward I. Yet it is totally implausible that the king would have taken such action without a very clear reason. It is possible that clerical error may have been to blame, but it is hard to see which list a clerk could have been working from to incorrectly include these particular houses on this single occasion. Such a solution is suspiciously simple from a distance of eight centuries. One possible theory is that Edward I had a matter about which he felt the need to consult these houses. The summons went officially to the abbesses, but there was no expectation that they would attend in person. Like most abbots, they would appoint proctors to represent the interests of their nunneries, and there may even have been a tacit expectation that this would happen in order to preserve the male nature of the assembly. It could be argued that no proxy appointments have been found for the abbesses in 1306. However, only one proxy letter is extant for that parliament (that of the bishop of Lincoln). Given the tendency of many of the clergy, and the abbots in particular, to evade personal attendance, it is not tenable to claim that John Dalderby was the only absentee, meaning that the lack of letters cannot in itself disprove this theory. That said, it can be nothing more than an educated guess as to explain the highly unusual presence of abbesses on the list of summons. Unless new information is uncovered, the question of the abbesses in the 1306 parliament will remain an intriguing but frustrating one.

(iii) The Lower Clergy and the Clerical Proctors

Despite a respectable amount of work being devoted to the issue, the lower clergy are the neglected element of parliament.¹³⁹ They were summoned frequently (if erratically) from at least the 1290s, and from the November 1325 parliament onwards their presence was invariably requested. Unlike the bishops

¹³⁸ TNA SC 9/25, printed in Paul Brand, 'Edward I: Parliament of 1305, Text and Translation', in *PROME*; and TNA E 175/1/22, printed in Paul Brand, 'Edward I: Parliament of 1307, Text and Translation', in *PROME*.

¹³⁹ Above, p. 38.

and abbots, the lower clergy were summoned indirectly to parliament, through the *praemunientes* clause. Cathedral deans and priors, alongside archdeacons, were expected to attend in person. The lower clergy were meant to send two proctors per diocese, the cathedral chapters one proctor each. The bishop was then meant to certify to the archbishop (or, in the province of Canterbury, to the bishop of London, the dean of the province) that he had executed the writ.¹⁴⁰

The presence of the lower clergy can probably be explained in similar terms to that of the abbots, as part of the king's desire to have an assembly as broadly representative as possible. Including them took account of a huge number of people who would have been left unrepresented had only the bishops, abbots and laymen been summoned. Until clerical taxation became clearly a matter for convocation, the king would need the assent of the clerical proctors for subsidies to be granted, hence the clause in the writs requesting they come with 'full and sufficient power'. And perhaps to a greater extent than the case of the abbots, the history of the lower clergy in parliament shows the assembly's experimental nature in the early fourteenth century. A historian of the reign of Richard II can largely ignore these clerical representatives; a historian of the reign of Edward II cannot.¹⁴¹

Between 1311 and 1340, the lower clergy were summoned to thirty-seven parliaments. On twenty-four of these occasions, the royal writ containing the *praemunientes* clause was supplemented by a provincial writ issued by the archbishops.¹⁴² In the 1310s and early 1320s, Edward II tried on several occasions to have the clergy summoned not under the *praemunientes* clause, but

¹⁴⁰ Writs certifying execution occur throughout the bishop's registers. For example, Winchester diocese under Henry Woodlock: *Registrum Henrici Woodlock*, vol. 1, pp. 155, 205, 579, 648, 658 and vol. 2, p. 942. For the issue of 'full and sufficient power', see J.G. Edwards, 'The *Plena Potestas* of English Parliamentary Representatives', in *Oxford Essays in Medieval History Presented to Herbert Edward Salter* (Oxford, 1934), pp. 141-54, reprinted in Fryde and Miller (eds.), *Historical Studies*, vol. 1, pp. 136-49; Gaines Post, *Studies in Medieval Legal Thought: Public Law and the State, 1100-1322* (Princeton, NJ, 1964), pp. 91-162.

¹⁴¹ A.K. McHardy has shown the residual presence and importance of the proctors of the lower clergy in the later fourteenth century: A.K. McHardy, 'The Representation of the English Lower Clergy in Parliament During the Later Fourteenth Century', *Studies in Church History* 10 (1973), 97-107. Clerical proctors have also been seen as a critical matter in the debate over the *Modus Tenendi Parliamentum*. The only extended treatment of the subject is Denton and Dooley, *Representatives of the Lower Clergy*, which does not take into account proxies of the higher clergy and the subsequent interaction with the lower clergy.

¹⁴² Denton and Dooley, *Representatives of the Lower Clergy*, pp. 19-20; Denton, 'Clergy and Parliament', p. 101.

under enforceable writs.¹⁴³ These were accompanied by diocesan writs from the bishops.¹⁴⁴ This led to a fierce debate over the king's right to use this means to summon the clergy to a secular court, and by the mid-1320s Edward had given up attempting to use legally enforceable writs to demand the presence of the lower clergy.¹⁴⁵ From 1340, the king abandoned the use of provincial writs, and the lower clergy gradually became an insignificant element in parliament, especially after Archbishop Stratford declared unambiguously that only the prelates were bound to attend parliament.¹⁴⁶ That is not to say that they ceased to be a part of parliament altogether, since the writs to the bishops continued to include the *praemunientes* clause, and it has been shown that there were still a handful of clerical proctors even in the later fourteenth century.¹⁴⁷ However it was slowly accepted that the proper assembly for clerical discussion and taxation was convocation.

Doubtless sending representatives to parliament was expensive for the lower clergy. The clergy themselves were responsible for financing their proctors, through officials appointed to collect set portions from all appropriate institutions and individuals.¹⁴⁸ An interesting example of this comes from the diocese of Winchester, where in 1307 Bishop Henry Woodlock received a complaint that the holding of two parliaments in the same year was too great a burden for clerical finances. The Winchester clergy had already received a hefty financial blow when the first of these parliaments lasting longer than expected, as a result of which the clerical contribution to expenses was increased from $\frac{1}{4}d$ in the mark to

¹⁴³ There had been a previous attempt to do this, in 1283: *Councils & Synods with Other Documents Relating to the English Church, II: A.D. 1205-1313*, ed. F.M. Powicke and C.R. Cheney (Oxford, 1964), p. 941; Denton and Dooley, *Representatives of the Lower Clergy*, p. 19.

¹⁴⁴ Weske *Convocation of the Clergy*, pp. 58-59.

¹⁴⁵ Weske, *Convocation of the Clergy*, pp. 59-64; Denton and Dooley, *Representatives of the Lower Clergy*, pp. 19-24.

¹⁴⁶ Chew, *English Ecclesiastical Tenants-in-Chief*, pp. 173-75; Clarke, *Representation and Consent*, pp. 22-23, 126-40; McHardy, 'Representation of Lower Clergy', pp. 97-100; J.H. Denton, 'Walter Reynolds and Ecclesiastical Politics 1313-1316: A Postscript to *Councils & Synods, II*', in C.N.L. Brooke, D.E. Luscombe, G.H. Martin and D. Owen (eds.), *Church and Government in the Middle Ages: Essays Presented to C.R. Cheney on his 70th Birthday* (Cambridge, 1976), pp. 257-63; Denton, 'Clergy in Parliament', pp. 100-101; Denton and Dooley, *Representatives of the Lower Clergy*, p. 87.

¹⁴⁷ Edith Clark Lowry, 'Clerical Proctors and Knights of the Shire, 1280-1374', *EHR* 48 (1933), 443-55; Denton, 'Clergy in Parliament', p. Denton and Dooley, *Representatives of the Lower Clergy*, pp. 22-23

¹⁴⁸ Lowry, 'Clerical Proctors'; Denton and Dooley, *Representatives of the Lower Clergy*, pp. 54-59.

1d.¹⁴⁹ The bishop suggested that the clergy should find themselves one of the proctors who had acted at Carlisle in January to act again at Northampton, who considered £40 sufficient as his expenses for both assemblies.¹⁵⁰ It appears that the king's request was sometimes ignored by the lower clergy, and in view of these financial considerations this is not entirely surprising. One problem is that our evidence is incomplete: we certainly do not have all the proxy letters, and those sending the proctors could be indifferent about keeping a record.¹⁵¹ It was not just that the cathedral deans and priors and the archdeacons nearly always chose to send proctors instead of be present in person, as the writ stated. On occasion some dioceses failed to elect proctors at all, and even if they did so, their attendance was by no means guaranteed.¹⁵² Often several proctors would be appointed, in case one or more was unable to undertake their duties.

Some men made something of a career of acting as a proctor, representing clergy of all types.¹⁵³ Few were quite as eclectic as Thomas of Evesham, a royal official who was briefly keeper of the rolls in the early 1340s, and received almost a hundred proxy appointments between 1313 and the 1340s from bishops, priors, abbots, archdeacons and cathedral chapters. For the most part, he represented people and institutions in his home diocese of Worcester,¹⁵⁴ but during his career he also acted for the bishops of Bath and Wells, Exeter and Salisbury. Henry Edenstowe, a canon of Llandaff and Salisbury, also received a significant number of proxy appointments, including - at various times - those of the archbishop of York and several bishops, abbots and archdeacons.¹⁵⁵ Evesham and Edenstowe

¹⁴⁹ *Registrum Henrici Woodlock*, vol. 1, pp. 194-95.

¹⁵⁰ *Ibid*, pp. 206-208.

¹⁵¹ A good example is Worcester Priory in Edward II's reign. The *Liber Albus* faithfully includes copies of the letters of proxy in 1311, September 1313, September 1314, 1321 and May 1322: Worcester Cathedral Library WC/A1 (*Liber Albus*), ff. li, lxi, lxv, ci, cv. The original proxy letters survive only for 1321 and 1322: TNA SC 10/7/318 and SC 10/8/371. However, letters survive for 1319, February 1324 and November 1325 for which there is no corresponding entry in the *Liber Albus*: TNA SC 10/6/290, SC 10/9/447, and SC 10/11/510.

¹⁵² On the issue of the proctors' attendance, see Denton and Dooley, *Representatives of the Lower Clergy*, pp. 40-53.

¹⁵³ For a list of clerical proctors in this period, see Appendix 1. All appointments referred to in this paragraph are referenced there.

¹⁵⁴ He most frequently represented the abbots of Cirencester, Hailes, Evesham, St Peter's Gloucester and Winchcombe, as well as the bishop of Worcester, the prior of Worcester, and the chapter of Worcester Cathedral. Outside the diocese of Worcester, Evesham was also repeatedly a proctor for the abbot of Malmesbury. See appendix 1 for dates.

¹⁵⁵ The bishops of Ely, Llandaff and St Davids; the abbots of Peterborough, St Augustine's, Canterbury, St Mary's, York, and Westminster; the priors of Ely and St John of Jerusalem in England; and the archdeacon of Richmond.

were exceptional in the number and variety of their appointments. Others who served repeatedly as a parliamentary proctor tended to be the favourite of a particular ecclesiastical house or individual abbot. Thomas Drayton¹⁵⁶ was a longstanding proctor of John de Wystow and John of Heslyngton, successive abbots of Selby. Drayton was in many ways a highly desirable proctor, given his position as clerk of parliament.¹⁵⁷ John of Bridgewater was a common appointment by the abbots of Glastonbury. David of Buellt often acted as the proctor of the bishop, dean and chapter of Bangor. In Wales in particular, one man often received several appointments, which made sense when all four Welsh dioceses were poor and usually remote from the location of parliament. Archbishops of Canterbury tended to appoint high-status proctors to act on their behalf; in 1319, Walter Reynolds nominated the bishops of Ely and Winchester, whilst in 1332, Simon Mepham named the bishops of Ely, Hereford, Lincoln and London. For others, acting as a proctor was an introduction to parliament that provided valuable experience later in a career. In May 1319, John Stratford – future bishop of Winchester and archbishop of Canterbury – represented the bishops of Lincoln and Worcester in parliament, whilst Hamo Hethe (later bishop of Rochester) acted for the chapter of Rochester cathedral in April 1309. The same was true of abbots. Geoffrey of Gaddesby, abbot of Selby from 1342, served his two immediate predecessors as a parliamentary proctor on several occasions. Some men even appointed proctors when they were themselves proxies; in January 1307, Philip Barton, archdeacon of Surrey and designated proctor of the bishop of Winchester, sent John of Brantingham as his substitute to Carlisle. Of course there are men who are nothing more than names, obscure appointments who served only once or twice and are otherwise unknown to historians. But the evidence suggests that many of those appointing proctors – be they individuals or institutions – preferred to stick with a group of trusted individuals, who knew parliament and could be relied upon to attend.

¹⁵⁶ In the proxy letters, as well as in most printed sources, the name appears as Thomas Brayton. However, on the parliament rolls for his time as clerk of parliament, he is named as Thomas Drayton: H.G. Richardson and G.O. Sayles, 'The King's Ministers in Parliament, 1327-1377', *EHR* 47 (1932), 377-97, reprinted in Richardson and Sayles, *English Parliament*, article XXII, p. 378; W.M. Ormrod, 'On – and Off – the Record: The Rolls of Parliament, 1337-1377', in Linda Clark (ed.), *Parchment and People: Parliament in the Middle Ages* (Edinburgh, 2004), p. 41.

¹⁵⁷ Ormrod, 'On – and Off – the Record', pp. 41-42.

In the area of parliamentary proxies, the distinction between higher and lower clergy could become blurred. Whereas the diocesan and chapter clergy could only be represented by proctors, the higher clergy were theoretically meant to be present themselves, appointing proctors only in urgent circumstances. This being the case, there was an obvious overlap amongst the proctors, who could take on multiple appointments. This in itself raises an interesting – and perhaps unanswerable – question. What was the status of the clerical proctors? Those attending on behalf of the lower clergy were presumably included amongst the representatives, having a defined place in the parliamentary order. But there is less clarity with the proctors of the higher clergy. A bishop or abbot had a clear position amongst the lords, but what happened when he sent a proctor? Could the bishop of Durham, for example, be expected to take a less important seat than the archbishop of York's proctor? It is impossible to comment without any information on seating arrangements or status within the assembly, but the jealousy with which medieval bishops tended to guard their status would suggest that such matters would not be taken lightly. Furthermore, given that the bishops were regarded amongst the noble advisors of the king, it is questionable how receptive the lords would have been to having the proctors in their sessions, unless the proctor were a bishop himself. Even more complex would be those cases where a man was acting as proctor for a bishop, an abbot, and the lower clergy, technically requiring him to sit simultaneously with the lords and the representatives. In a status conscious society, the way in which the proctors blurred the lines must have caused some friction.

It is interesting that Edward III continued to include the *praemunientes* clause even after he had effectively accepted defeat on the issue of attendance by the lower clergy. The matter of clerical taxation had been accepted as a matter for convocation, and it is difficult to see what the king had to gain by persisting in his requests for clerical presence. Of course the *praemunientes* clause was not an order to attend in the manner of the personal writs, and by the 1330s the king knew he could not compel the lower clergy to come to parliament. But it helped if this group could be seen to play a part in assenting to the decisions and actions of parliament. That a handful of these proctors continued to attend parliament demonstrates that the assembly could also prove a useful one for the clergy

themselves. The complete divorce of parliament and convocation was in nobody's interests.

The Secular Nobility

(i) *The Dukes and Earls*

The place of the lay nobility in parliament presents fewer problems than that of the clergy. It had been axiomatic since Anglo-Saxon times that the nobility were the natural advisors of the king, and there could be no question as to their pre-eminent place in parliament as the assembly developed. However, this was very much a developmental stage in parliamentary history, and it would not be until the later fourteenth century that a more settled 'parliamentary peerage' would be established.

The place of the earls (and, after 1337, the dukes) within parliament was unquestioned. They were the elite of the nobility, forming a small and tight-knit group.¹⁵⁸ The number of dukes and earls rarely varied significantly. There is some debate as to what caused the extinction of noble lines, and the role of such factors as failure of male heirs (or heirs in general) or attainder.¹⁵⁹ These failures were generally balanced by new creations, although this depended upon the inclination of the king. Under Edward I and his son, the number of earls remained roughly constant at an average of nine or ten. Few titles became extinct in this period, and consequently there were few new creations. However, by the beginning of Edward III's reign extinction and civil war had taken its toll on the number of earls. Roger Mortimer's short-lived megalomania, in which he created himself earl of March, was the most significant creation of the king's early years, but in the mid-1330s Edward made significant changes to the nobility. He created his son Edward the first English duke in 1337, and simultaneously began to build up a loyal group of new peers, ennobling an unprecedented six men in the 1337

¹⁵⁸ G.A. Holmes, *The Estates of the Higher Nobility in Fourteenth-Century England* (Cambridge, 1957).

¹⁵⁹ K.B. McFarlane, *The Nobility of Late Medieval England* (Oxford, 1973), *passim*; Chris Given-Wilson, *The English Nobility in the Late Middle Ages: The Fourteenth-Century Political Community* (London, 1987), pp. 59-65.

parliament.¹⁶⁰ Whilst a potentially expensive and divisive move, these men formed the core of the group of men who helped Edward in prosecuting his war aims in France. Creating a loyal nobility and forging a common and popular cause with them was the key to the long period of success and domestic peace enjoyed by the king.¹⁶¹

All these men were entitled to a place in parliament, although it was not necessarily the case that all peers were summoned to every parliament. Very rarely, the king would omit a magnate for political reasons – the earls of Hereford and Lancaster were not included in the summons to the May 1322 parliament, issued two days before their defeat at Boroughbridge¹⁶² – but mostly writs were sent even to those with whom the king's relations were awkward. The earls were, after all, the major counsellors of the king, and failure to involve them in the principal national assembly would have led to questions concerning the legitimacy of decisions taken. A more typical reason for a magnate not being summoned, especially during intense English action in Gascony or Scotland, was performance of military duties that were too important to be left alone.¹⁶³ At such times, the king had to be content with the magnates being represented by those who were not essential to his foreign policy, an arrangement that seems to have been tacitly accepted by all concerned. There were also occasional exemptions on the grounds of ill-health.¹⁶⁴

Alongside the English earls sat men whose titles derived from elsewhere. From 1307, Earl John of Richmond (second son of Duke John of Brittany and recognised as earl from 1306) was usually summoned to parliament. Also included in the lists of summons were men who held, theoretically at least, Scottish titles. It is worth remembering that, prior to Edward I's sledgehammer

¹⁶⁰ Hugh Audley (earl of Gloucester), William Bohun (earl of Northampton), William Clinton (earl of Huntingdon), Henry of Grosmont (earl of Derby), William Montague (earl of Salisbury), and Robert Ufford (earl of Suffolk). Given-Wilson, *English Nobility*, pp. 35-40.

¹⁶¹ Ormrod, *Reign of Edward III*, p. 115. Scott L. Waugh argues that Edward's success was largely due to good fortune: *England in the Reign of Edward III* (Cambridge, 1991), p. 211. See also the recent work of J.S. Bothwell, 'Edward III and the "New Nobility": Largesse and Limitation in Fourteenth-Century England', *EHR* 112 (1997), 1111-40; *Edward III and the English Peerage: Royal Patronage, Social Mobility and Political Control in 14th-Century England* (Woodbridge, 2004).

¹⁶² *PW*, II.ii, 245-60.

¹⁶³ Michael Prestwich, *The Three Edwards: War and State in England, 1272-1377* (London, 1980), p. 130.

¹⁶⁴ See the list in Roskell, 'Problem of the Lords', p. 202. The two exemptions in this period were the earl of Surrey and Nicholas de Cantilupe, both excused for life in 1346.

approach to the northern kingdom in the 1290s, relations between the two countries were generally harmonious. As a consequence of the peaceful situation prevailing between England and Scotland prior to Alexander III's death in 1286, significant numbers of lords became landholders in both countries, and therefore subjects of both kings. With the advent of Edward I's brutal determination to subdue his northern neighbour from 1296 onwards, and especially with Robert I's seizure of the Scottish throne in 1306 and the struggle for independence, it became increasingly difficult to maintain a cross-border nobility. As Robert's kingship grew in authority, he began to force lords to choose between their English and Scottish holdings. Men who did not accept this policy were deprived of their lands, leading to the emergence of a class of lords known as the Disinherited. These were the men, loyal to the English king but in possession of Scottish earldoms, who were summoned to attend the English parliament under Edward II and Edward III. The Umframvill earls of Angus were certainly invited to attend a significant number of assemblies, whilst the names of the Strathbogie earls of Atholl are frequent occurrences on the lists after 1322.¹⁶⁵ Henry Beaumont, who had a claim to the earldom of Buchan through his wife Alice Comyn, was

¹⁶⁵ The earls of Atholl were persistent opponents of the Bruce family. The fourth David of Strathbogie was a thorn in the side of David II, submitting to Edward III and Edward Balliol (for which they made him lieutenant of Scotland), until his death at the battle of Culblean in 1335. Ranald Nicholson, *Edward III and the Scots* (Oxford, 1966), pp. 203-36; Ranald Nicholson, *Scotland: The Later Middle Ages* (Edinburgh, 1974), pp. 125, 129-33; Alexander Grant, *Independence and Nationhood: Scotland, 1306-1469* (Edinburgh, 1984), pp. 18-37, 120-43; Stephen Boardman, *The Early Stewart Kings: Robert II and Robert III, 1371-1406* (East Linton, 1996), pp. 4-6; Brown, *Wars of Scotland*, pp. 61-62, 138-39, 203-204, 236-39; Michael A. Penman, *David II, 1329-71* (East Linton, 2004), pp. 57-62. There is some interesting work on the Scottish nobility in general: Geoffrey Stell, 'The Balliol Family and the Great Cause of 1291-2', in Stringer (ed.), pp. 150-65; Young, *Robert the Bruce's Rivals*; Michael Brown, *The Black Douglases: War and Lordship in Late Medieval Scotland* (East Linton, 1998); Alan Young, 'The Comyns and Anglo-Scottish Relations (1286-1314)', in Michael Prestwich, Richard Britnell and Robin Frame (eds.), *Thirteenth Century England VII: Proceedings of the Durham Conference 1997* (Woodbridge, 1997), pp. 207-22; Ruth M. Blakely, 'The Scottish Bruces and the English Crown, c.1200-1290', in Michael Prestwich, Richard Britnell and Robin Frame (eds.), *Thirteenth Century England IX: Proceedings of the Durham Conference 2001* (Woodbridge, 2003), pp. 101-13. A useful summary of the literature up to 1995 is Bruce Webster, 'Anglo-Scottish Relations, 1296-1389: Some Recent Essays', *SHR* 74 (1995), 99-108. On the earls of Atholl specifically, see the recent work of Alisdair Ross, 'Men for All Seasons? The Strathbogie Earls of Atholl and the Wars of Independence, c.1290-c.1335. Part 1: Earl John (1266x1270-1306) and Earl David III (c.1290-1326)', *Northern Scotland* 20 (2000), 1-30; and 'Men for All Seasons? The Strathbogie Earls of Atholl and the Wars of Independence, c.1290-c.1335. Part 2: Earl David IV (1307-1335)', *Northern Scotland* 21 (2001), 1-15.

summoned to three parliaments in 1339-40.¹⁶⁶ On the list for the 1339 parliament is included the name of Edward Balliol, who is styled as 'king of Scotland'.¹⁶⁷

The persistent inclusion of such men demonstrates the reluctance of the kings of England to abandon their claims to effective overlordship of Scotland. As long as Edward I and Edward II could include amongst their counsellors men with strong claims to high rank north of the border, they could claim a cloak of legitimacy for their policy towards Scotland.¹⁶⁸ Although the Treaty of Northampton (1328) conceded Scottish independence, Edward III was no more willing than his grandfather to countenance the idea of an independent Scotland in the 1330s, especially when he was in a position to pursue his aims militarily.¹⁶⁹ The issue of the Disinherited was a particularly galling one for Edward, and continued to be a feature of his relations with David II beyond the 1330s. Anglo-Scottish relations in the 1330s and 1340s were not clear-cut. Traditionally, Edward Balliol has been seen as a usurper, selfishly pursuing his claim to the throne through the unforgivable means of English assistance. However, it is worth remembering that the first succession in a dynasty was always a nerve-racking occasion, and despite the relentless propaganda campaign waged by Robert I, the legitimacy and security of the Bruces was still in question in 1329. The accession of a five-year-old cannot have been universally welcomed in Scotland, and it provided those who had opposed Robert (whether covertly or openly) with an opportunity. In the mid-1330s, the Bruce dynasty was not unambiguously more legitimate than the Balliol one (after all, Robert I had come to the throne after committing murder at the altar), and it is plausible that some of the Scottish political class may have

¹⁶⁶ Alice was the niece of John Comyn, seventh earl of Buchan. Beaumont's career is outlined in J.R. Maddicott, 'Beaumont, Sir Henry de (c.1280-1340)', *Oxford DNB*, accessed online at <<http://www.oxforddnb.com/view/article/37169>>.

¹⁶⁷ *RDP*, IV, 504. On Balliol: Bruce Webster, 'Balliol, Edward (b. in or after 1281, d. 1364)', *Oxford DNB*, accessed online at <<http://www.oxforddnb.com/view/article/1206>>; Brown, *Wars of Scotland*, pp. 232-54.

¹⁶⁸ For Edward I's Scottish policy, see the recent work of Fiona Watson: 'Edward I in Scotland, 1296-1305', unpublished University of Glasgow PhD thesis (1991); 'Settling the Stalemate: Edward I's Peace in Scotland, 1303-1305', in Michael Prestwich, Richard Britnell and Robin Frame (eds.), *Thirteenth Century England VI: Proceedings of the Durham Conference 1995* (Woodbridge, 1997), pp. 127-43; 'The Enigmatic Lion: Scotland, Kingship and National Identity in the Wars of Independence', in Dauvit Broun, R.J. Finlay and Michael Lynch (eds.), *Image and Identity: The Making and Re-making of Scotland through the Ages* (Edinburgh, 1998), pp. 18-37; and *Under the Hammer: Edward I and Scotland, 1286-1307* (East Linton, 1998).

¹⁶⁹ Nicholson, *Edward III and the Scots*. The Treaty of Northampton, actually a series of agreements hammered out at Edinburgh and York, is printed in *Anglo-Scottish Relations, 1174-1328: Some Selected Documents*, ed. E.L.G. Stones (London, 1965), pp. 161-70.

been prepared to consider Edward Balliol as an alternative to the infant David II. There was still no clear division between the nobility of England and Scotland, which allowed the kings of England to summon Scots to their assemblies. It is worth remembering that Thomas Randolph, the guardian of Scotland, summoned the bishop of Durham to attend the Scottish parliament in September 1331.¹⁷⁰ As long as there were important men who maintained vested interests in both kingdoms, the lines of authority were always going to be blurred, especially once the thirteenth-century *modus vivendi* was destroyed. Yet there remains a suspicion that Edward III's attitude towards the Disinherited, and the Scottish lords loyal to him, was somewhat cynical and opportunistic, something shown by his later treatment of Balliol.

The summons to these Scottish lords does raise interesting questions about the extent to which the 'English' parliament was exclusively English. Edward I had a vision of ruling throughout the British Isles, and in Wales and (to a certain extent) Ireland this vision became a reality.¹⁷¹ Yet Ireland had her own parliament, whilst Wales' role in the assemblies of her conqueror was minimal. The four Welsh bishops were always summoned to assemblies, but this was probably in their role as suffragans of the archbishop of Canterbury. Even after Edward I had completed the conquest of Wales in the early 1280s, the country was never fully integrated into the English administrative system. With two notable exceptions (in May 1322 and January 1327), the Welsh would also have to wait until the sixteenth century before they were asked to send representatives to the Commons.¹⁷² Their only participation was through the bishops and the right to petition. From the perspective of the English authorities, Wales was clearly a conquered country, not a political equal to England, and was represented only incidentally in parliament. Scotland was a different matter. Although the term is even more problematic than in England, the Scottish parliament had also

¹⁷⁰ *Calendar of Documents Relating to Scotland*, ed. J. Bain, 5 vols. (Edinburgh, 1881-88), vol. 3, nos. 1024, 1034; A.A.M. Duncan, 'The Early Parliaments of Scotland', *SHR* 45 (1966), 36-58, pp. 55-56; Penman, *David II*, pp. 42-43.

¹⁷¹ There is a small but growing literature dealing with the medieval history of the British Isles and the concepts of national identities involved at this stage. Amongst the most important works are R.R. Davies (ed.), *The British Isles 1100-1500: Comparisons, Contrasts and Connections* (Edinburgh, 1988); R.R. Davies, *Domination and Conquest: The Experience of Ireland, Scotland and Wales, 1100-1300* (Cambridge, 1990); Robin Frame, *The Political Development of the British Isles, 1100-1400* (Oxford, 1990); R.R. Davies, *The First English Empire: Power and Identities in the British Isles, 1093-1343* (Oxford, 2000).

¹⁷² These parliaments are discussed in Chapter 4, below.

developed during the thirteenth century, and there was thus a clear tradition of an independent assembly.¹⁷³ Edward I did not deny King John's right to hold his own parliaments during his brief reign in the 1290s, but the English king did clearly see these assemblies as subordinate to the English parliament and himself as overlord of Scotland.¹⁷⁴ John was summoned to parliament in England to answer complaints made against him as Edward's vassal (ironically a right also claimed by Philip IV of France as Edward's overlord in Gascony), and his refusal to answer a case in an English court led directly to his deposition in 1296. Whilst an English king was never again in a position to control the Scottish parliament, summoning rebel Scots to the English parliament was a useful weapon against the king of Scotland. And the presence of 'foreigners' in parliament – Irish and Welsh bishops, Scottish nobles, Gascon petitioners – is a useful reminder of the need to remember that the territories and interests of the English king extended beyond England.

As with the higher clergy, the main problem was persuading the lords to actually bother attending parliament. For much of the early fourteenth century, and in Edward II's reign in particular, the king fought a losing battle in this respect. As has been observed, 'given the political importance of this institution, it is somewhat disarming to discover that so few members of the aristocracy actually responded to parliamentary summonses and turned up in person'.¹⁷⁵ We have only a tiny number of proxies from secular lords excusing their absence and appointing proctors (although it is not clear that many of them felt obliged to take the trouble to do this if they failed to attend), but it is still obvious that absenteeism was a serious problem.¹⁷⁶ It was exceptional when parliament *did* manage to start on time because enough members were present. On numerous occasions proceedings were delayed as a result of too few lords having turned

¹⁷³ Duncan, 'Early Parliaments of Scotland'; Brown, *Wars of Scotland*, p. 170; Alison A.B. MacQueen, 'Parliament, the Guardians and John Balliol, 1284-1296', in Keith M. Brown and Roland J. Tanner (eds.), *The History of the Scottish Parliament Volume I: Parliament and Politics in Scotland, 1235-1560* (Edinburgh, 2004), pp. 29-49.

¹⁷⁴ H.G. Richardson and G.O. Sayles, 'The Scottish Parliaments of Edward I', *SHR* 24 (1927), 300-17; reprinted in Richardson and Sayles, *The English Parliament*, article XIII.

¹⁷⁵ Ormrod, *Reign of Edward III*, p. 101.

¹⁷⁶ Those laymen who we know appointed proctors in this period were: Robert de Vere, earl of Oxford, in 1319, 1322, 1328 and 1330; Henry, earl of Lancaster and Leicester in 1332, 1334 and 1339; John de Warenne, earl of Surrey in 1322, 1332; John de Beauchamp of Somerset in 1307; Robert Fitzwalter in 1322; Robert de Clifford in 1329; and William la Zouche of Haringworth in 1331, 1332 (twice), 1333, 1334, 1335 and 1336. TNA SC 10/52/1-16, SC 10/14/672.

up.¹⁷⁷ The king did occasionally try to deal with the problem. When parliament met at Lincoln in January 1316, the main business was delayed by poor attendance (and especially the absence of the earl of Lancaster). As a consequence, the chancellor 'was told that he was to receive the proxies and excuses of prelates and others who had been summoned to the parliament and had not come, and that he and others whom the king would associate with him were to examine them and allow adequate excuses provided those excused had proctors with sufficient authority, and that the names of those that who neither came nor sent excuses nor appointed proctors were to be reported to the king so that he could act thereon as he ought to do'.¹⁷⁸ Faced with a similar problem in 1344, Edward III ordered that a list of absentees should be sent to him, in order that he could take such action as he saw fit.¹⁷⁹ Poor attendance remained an issue throughout the fourteenth and fifteenth centuries, although there is no evidence that kings ever resorted to using the financial penalties outlined in the *Modus*.¹⁸⁰ The change was in the reasons for absence.¹⁸¹ Until about 1340, reluctance was probably the major motive for non-appearance. Winter journeys (especially to remote places) were unpopular, whilst in the 1310s and 1320s attending parliament could be physically dangerous for certain magnates (this was the excuse offered by both Thomas and Henry of Lancaster at various stages). There are several examples of safe conducts granted by the king for the parliaments of the 1310s, especially for the meeting of September 1313 to end the standoff arising out of Gaveston's death.¹⁸² After the crisis of 1340-41, 'it was the very involvement of the nobility in the king's wars, rather than any negative political feeling, that now prevented men from attending'.¹⁸³ As far as the nobility were concerned, parliamentary attendance in between 1290 and 1340 had been a burden. By 1348 they genuinely wanted to participate, a testament to Edward III's political management after 1341.

¹⁷⁷ For example January 1307 (*PROME* from TNA C 153/1), January 1316 (*PROME* from TNA SC 9/20), March 1332 (*PROME* from TNA C 65/2), December 1332 (*PROME* from TNA C 65/2, prorogued until January 1333 due to absences), and June 1344 (*PROME* from TNA C 65/11).

¹⁷⁸ TNA SC 9/20, printed in *RP*, I, 350; *Functions of the Medieval Parliament*, p. 332; J.R.S. Phillips, 'Edward II: Parliament of 1316, Text and Translation', in *PROME*.

¹⁷⁹ TNA C 65/11, printed in *RP*, II, 147; W.M. Ormrod, 'Edward III: Parliament of 1344, Text and Translation', in *PROME*.

¹⁸⁰ Roskell, 'Problem of the Lords', pp. 165-72; below, Chapter 3.

¹⁸¹ The rest of this paragraph relies on Ormrod, *Reign of Edward III*, pp. 101-102.

¹⁸² *CPR, 1313-1317*, pp. 16-17; *CPR, 1317-1321*, p. 29.

¹⁸³ Ormrod, *Reign of Edward III*, p. 102.

(ii) The Lower Nobility

By the later fourteenth and fifteenth centuries, a defined parliamentary peerage had emerged, in which the right to sit in parliament clearly marked a man out as a member of the upper echelons of the aristocracy.¹⁸⁴ In the earlier fourteenth century, things were very different. A hugely differing number of men were summoned as barons to each parliament, and they were often 'far from representative of the English baronage in either number, wealth or position'.¹⁸⁵ Sometimes only a handful would receive a personal summons, on other occasions the number could be in excess of a hundred. Under Edward I the names used in summons were haphazard and do not usually list titles.¹⁸⁶ At times great care was taken to edit the list of barons and ensure they were kept up to date, yet on other occasions there is a noticeable carelessness with the inclusion of men who had been dead several years.¹⁸⁷ In the early years of Edward II the lists of summons were error-strewn chaos, although by the mid-1320s more care was being taken and the list became almost standard.¹⁸⁸ But 'peerage' remained a somewhat fluid concept, and it was not until the last quarter of the century that those who did and did not belong to this group had become clear.

Once again, the issue of tenants-in-chief is an important one. Technically speaking, the barons were a particular group of tenants-in-chief, holding of the king by baronial tenure, and they 'formed a distinct and definable class in the eyes of the lawyers and, presumably, of everyone else in thirteenth-century England'.¹⁸⁹ What Powell and Wallis have shown is that the men summoned to parliament as barons did not necessarily belong to this group.¹⁹⁰ Not all held of the king in chief, which means we must look for other reasons behind the pattern of summonses in the late thirteenth and early fourteenth centuries.

The most convincing and logical explanation is that, under Edward I at least, parliamentary summons and military service were linked. Those who served the king in war were also summoned to assist the king in parliament. During the last

¹⁸⁴ Given-Wilson, *English Nobility*, p. 55. The place of the lesser nobility in parliament is examined in detail in Powell and Wallis, *House of Lords*, and so is only dealt with briefly here.

¹⁸⁵ F.M. Stenton, 'The Changing Feudalism of the Middle Ages', *History* 19 (1934-35), pp. 296-97.

¹⁸⁶ Powell and Wallis, *House of Lords*, p. 231.

¹⁸⁷ *Ibid*, pp. 252, 256-57.

¹⁸⁸ *Ibid*, pp. 309-15.

¹⁸⁹ *Ibid*, p. 225.

¹⁹⁰ *Ibid*, pp. 224-26.

decade of Edward's reign, when the king was often faced with serious opposition, those summoned as barons contained a high proportion of Edward's household knights.¹⁹¹ In 1300 especially, it appears the king 'attempted to control opposition to unpopular measures through the summoning of a large number of household knights', and at the same time 'he "packed" the commissions which were set up to enforce the unpopular measure of summoning men with more than forty *librates* of land to perform military service'.¹⁹² This accounts for the seemingly erratic pattern of the summonses, especially when we remember that the list enrolled by the chancery was by no means exhaustive. Michael Prestwich has compared the lists of summons for 1297, 1301 and 1306 with surviving wardrobe accounts of the payments made to messengers for delivering the writs to demonstrate that both lists contain names not found on the other.¹⁹³ The accounts, which list who the messengers delivered to, show that some apparently inexplicable omissions can be put down to carelessness in chancery, and remind us of the limitations of the writs as evidence.

During the reign of Edward II, the list of barons was periodically updated to include new people and correct the more glaring errors that had accumulated since the last revision. The baronial list under Edward II was chaotic and inconsistent, largely due to the frequent political instability that characterised the years 1307-27. However, as Edward III's reign progressed, the barons in parliament once more began to include new men who had risen to prominence in the king's wars.¹⁹⁴ Men who at one time or another received individual summons as barons could also be present in parliament in another capacity. Hugh de Courtenay was summoned as a baron before his elevation to the earldom of Devon in 1337. From this period onwards, the parliamentary list began to stabilise. One novel feature was that the lists for parliaments and great councils ceased to be so closely linked, and from the council of April 1342 onwards a large number of men were summoned to councils who would not be invited to participate in parliaments.¹⁹⁵

¹⁹¹ Ruth Ingamells, 'The Political Role of the Household Knights of Edward I', in P.R. Coss and S.D. Lloyd (eds.), *Thirteenth Century England V: Proceedings of the Newcastle upon Tyne Conference 1993* (Woodbridge, 1995), pp. 29-35.

¹⁹² *Ibid.*, p. 33.

¹⁹³ Prestwich, 'Magnate Summonses', pp. 97-100.

¹⁹⁴ Powell and Wallis, *House of Lords*, p. 355.

¹⁹⁵ *Ibid.*, pp. 348-49.

Ultimately, it seems that pragmatism was the key feature of baronial summons to parliament. The warrior kings Edward I and Edward III used the baronial list as a means to ensure the presence in parliament of men who had loyally served them in their military campaigns. Because there was no fixed list of those who ought to be summoned (unlike the dukes and earls), the king could be flexible according to the needs of the parliament. The list could serve both a political and military function.¹⁹⁶

The King's Ministers

The least noticed, but one of the most important groups present in parliament consisted of the officials and justices who made up the core of the royal council.¹⁹⁷ Somewhere between twenty and forty of these men were summoned by individual writ, but served a very different function to the prelates and nobility. They were not present to discuss great matters of state or debate grants of taxation, but instead provided the logistical expertise essential to the smooth running of parliament.¹⁹⁸ The clerks had to keep records of proceedings, enrol petitions, and take charge of the administrative affairs of parliament. Meanwhile the justices were the necessary legal experts for parliament's judicial responsibilities (although after 1305, they played no role in receiving petitions).¹⁹⁹ Sometimes they would be joined by foreign dignitaries or ambassadors, present to observe proceedings or due to a vested interest in matters under discussion. The development of this aspect of parliament distinguished the English parliament from other assemblies such as the *parlement* of Paris. In the latter, the officials became the main constituent, and parliament became a largely administrative body.²⁰⁰ In England, the official element was essential to parliament's smooth-running, but the power and influence of the assembly was vested in the higher clergy, nobility, and – increasingly – the elected representatives. The officials

¹⁹⁶ Ingamells, 'Political Role of Household Knights', pp. 34-35.

¹⁹⁷ H.G. Richardson and G.O. Sayles, 'The King's Ministers in Parliament, 1272-1307', *EHR* 46 (1931), 529-50, reprinted in Richardson and Sayles, *The English Parliament*, article VI; H.G. Richardson and G.O. Sayles, 'The King's Ministers in Parliament, 1307-1327', *EHR* 47 (1932), 194-203, reprinted in Richardson and Sayles, *The English Parliament*, article XVII; David Higgins, 'Justices and Parliament in the Early Fourteenth Century', *PH* 12 (1993), 1-18.

¹⁹⁸ Prestwich, *Three Edwards*, p. 131.

¹⁹⁹ Richardson and Sayles, 'King's Ministers, 1307-1327', p. 196.

²⁰⁰ J.H. Shennan, *The Parlement of Paris* (London, 1968).

were those who worked behind the scenes, keeping parliament running and doing all the administrative work, advising the king on judicial matters, but rarely making direct appearances in the records themselves. It was through their work – which will feature in later chapters – that they distinguished themselves.

The Knights of the Shire

In many ways, the practicalities of summoning knights of the shire – freed from personal animosities that could create problems between the king and the lay and clerical nobility – were much simpler. Although the presence of the representatives was optional at the start of this period, by the 1340s it had become a *sine qua non* that they had to be present for an assembly to count as a parliament. Thirty-seven counties (the palatinates of Cheshire and Durham being excepted) returned two members each in response to a royal writ, leading to an invariable total of seventy-four knights of the shire.²⁰¹ The mechanism by which these men were chosen is yet another mystery, although it is unlikely that contested elections were a feature of this period.²⁰² When the sheriff received the writ of summons, he was required to convene the county court (or act at the next session) to select these members, and return the writ to parliament with the names of the ‘elected’ men.

In spite of the massive interest in medieval representation which dominated parliamentary history in the early twentieth century, the shire representatives before 1377 are curiously understudied. For later fourteenth-century historians, the knights of the shire are hardly a neglected subject. The work of J.S. Roskell and his students has led to meticulous cataloguing of the biographical details of MPs from Richard II’s reign onwards, in spite of the caustic comments of G.O. Sayles. To a large extent, this neglect can be attributed to the relative unimportance of MPs in the first century of parliamentary history, at least in the official records. In a period where there was no speaker, no intercommuning (at least before the 1340s), and where the representatives apparently had little

²⁰¹ At least in theory. The tricky issue of attendance is discussed later in this section.

²⁰² There is very little evidence for elections at any point in the middle ages, although there are examples from fifteenth-century Nottinghamshire: S.J. Payling, *Political Society in Lancastrian England: the Greater Gentry of Nottinghamshire* (Oxford, 1991); S.J. Payling, ‘County Parliamentary Elections in Fifteenth-Century England’, *Parliamentary History* 18 (1999), 237-57.

importance in parliament, few have seen the merit in examining the ‘sparse and uninformative details of the obscure lives of obscure men’.²⁰³

It has to be acknowledged that, of some 2,000 men who represented their shires in parliament in the period 1295-1348, a significant number are indeed utterly obscure, making a fleeting appearance in a single parliament and being otherwise untraceable in official records. But there were other men who built a parliamentary career, sometimes as part of a wider role in local government and office-holding, and were repeatedly returned to serve by their communities. The matter of attendance and re-election is an important issue, having a bearing on how we view the relative importance of MPs, and it was at the heart of the debate between Edwards and Pollard.²⁰⁴ Edwards’s statistical work was impressive, but he did not specifically cover the matter of attendance in his detailed tables. As he fully appreciated, this is a tricky subject, as we are almost entirely reliant upon the enrolment of the writs *de expensis* on the dorse of the close rolls. Only for Yorkshire are the writs anything like complete, and there are parliaments – such as that held at Northampton in October 1307 – for which we have no enrolments whatsoever. Edwards and McKisack between them have drawn attention to several examples where payments were made by the shire or borough communities, despite no writ *de expensis* having been issued.²⁰⁵ It is also possible that MPs, and citizens or burgesses in particular, would not be paid expenses if parliament was held in their home town. Neither the Northamptonshire county MPs nor the Northampton town MPs were issued writs *de expensis* for the parliament of April 1328, but it would be very surprising if none of them had attended a parliament held in Northampton.²⁰⁶ These problems mean that we can be reasonably certain that those who were issued writs *de expensis* actually attended parliament, but we must look to the writs as giving a minimum rather than a definitive figure. However, even with this caveat, what evidence we have suggests that the knights of the shire could largely be trusted to perform their

²⁰³ Sayles, *King’s Parliament*, p. 18.

²⁰⁴ J.G. Edwards, ‘The Personnel of the Commons in Parliament under Edward I and Edward II’, in Fryde and Miller (eds.), *Historical Studies*, vol. 1, pp. 150-67. A.F. Pollard responded in ‘History, English and Statistics’, *History* 11 (1926), 15-24, with Edwards retaliating in “‘Re-election” and the Medieval Parliament’, *History* 11 (1926), 204-10.

²⁰⁵ Edwards, ‘Personnel of the Commons’; May McKisack, *The Parliamentary Representation of the English Boroughs during the Middle Ages* (Oxford, 1932).

²⁰⁶ *CCR, 1327-1330*, p. 388.

parliamentary duties. Measured by the number of writs *de expensis* issued, the attendance rate was normally comfortably over fifty percent of the seventy-four county MPs.

There were occasions when the knights of the shire seem to have been more reluctant to attend parliament, although firm conclusions are hampered by the problems with evidence mentioned above. The final three parliaments of Edward I's reign – in February 1305, May 1306²⁰⁷ and January 1307 – saw writs issued for the expenses of little more than half of the shire MPs. Interestingly enough, the highest attendance (forty-one) was at the last of these assemblies, despite the fact it was held in remote Carlisle in the depths of winter. On average, marginally less than fifty percent attended the four parliaments between August 1312 and September 1313. As two assemblies had been held in 1311 (August and November), bringing the total to six in just two years, this can possibly be attributed to travel-fatigue on the part of the MPs. Numbers were again low at the two York parliaments of 1322, perhaps explicable in terms of the upheaval following the return of the Despencers and the defeat of Lancaster at the battle of Boroughbridge in March. Excellent attendance at the first two parliaments of 1328 (as high as seventy-two in April), tailed off in July, and plummeted to thirty-one in February of the following year. The story was a similar one in the later 1330s, with good attendance in the parliaments of 1336 diminishing as a further nine parliaments were held in less than four years. It seems that poor attendance was the exception rather than the rule, and can typically be explained in terms of weariness at too many parliaments in too short a period, or reluctance to be involved in national politics at times of crisis or insecurity.

However, this leads to a more important question. The MPs may have been conscientious in performing their duties, but this is less impressive if the men elected were generally non-entities who could easily be pressurised into taking a job that the wealthier men of the county wished to avoid. If, on the other hand, the representatives were significant figures within their respective shires, this

²⁰⁷ There is some debate about whether the May 1306 assembly was technically a parliament. See H.G. Richardson and G.O. Sayles, 'The Early Records of the English Parliaments: The English Parliaments of Edward I', *Bulletin of the Institute of Historical Research* 5 (1928), 129-54, pp. 147-48, reprinted in H.G. Richardson and G.O. Sayles, *The English Parliament in the Middle Ages* (London, 1981), article V; G.O. Sayles, *The King's Parliament of England* (London, 1975), p. 139; Prestwich, 'Magnate Summonses'.

would tend to indicate a respect amongst the political community for parliament. So who were the men serving as knights of the shire in the early fourteenth century? The best way to approach this question, Sayles notwithstanding, is to take a brief prosopographical look at the type of men who served in the parliaments of this period, focusing on five counties: Leicestershire, Norfolk, Surrey, Worcestershire and Yorkshire. There are problems inherent in this approach, as it can often be difficult to distinguish between men of the same name. A good example would be the two Constantine Mortimers, father and son, in Norfolk. A Constantine of Mortimer was returned to fourteen parliaments between 1321 and 1338. As the son had been taken hostage with the earl of Pembroke in 1317, and was not released until the autumn of 1324, the MP in the early years must have been the father.²⁰⁸ After that date, with both men in England and old enough to serve in parliament, and the writs unhelpfully failing to distinguish between the two, we cannot possibly be certain which of the two acted as MP. It was unusual for sons to become parliamentary representatives at the same time as their fathers were still active, but in this case was by no means impossible. Such an intractable problem is thankfully rare, but there are other occasions when distinguishing between MPs can be difficult. Things become awkward when there are men serving in two counties that are separated geographically by some distance, and there is no clear evidence to link the holdings. Are we dealing with one man or two? The inconsistency of medieval spelling can also make for frustrating difficulties. Luckily this is not a common problem – identical names are found surprisingly infrequently – but it is a pitfall that must be noted.

That notwithstanding, the careers of most men can be traced, and it is apparent that a significant majority were men of at least reasonable status within their county community. One thing immediately clear is that most counties valued experience. Even if some have seen re-election as a phenomenon which became more widespread as the fourteenth century progressed, it was certainly not unusual

²⁰⁸ *CPR, 1324-1327*, p. 39; *Calendar of Papal Letters, 1305-1342*, p. 204; J.R.S. Phillips, *Aymer de Valence, Earl of Pembroke 1307-1324: Baronial Politics in the Reign of Edward II* (Oxford, 1972), p. 116.

under the first three Edwards.²⁰⁹ Table 1.1 shows the frequency with which experienced and novice members were returned by five counties between 1300 and 1348.

Table 1.1
Experienced and Novice MPs in Parliament, 1300-1348

	A	B	C	D
Leicestershire	53	17	26	10
Norfolk	56	25	23	8
Surrey	49	26	17	6
Worcestershire	54	19	22	13
Yorkshire	57	11	26	20
Total	269	98	114	57

A – Number of elections for which names of both MPs survive.

B – Number of elections in which two MPs with parliamentary experience were elected.

C – Number of elections in which one experienced MP and one novice were elected.

D – Number of elections in which two novices were elected.

As can be seen, it was rare for two novices to be sent to represent these counties during this period, although slightly more common in Yorkshire than in the other four shires. This is perhaps unsurprising, as Yorkshire was a vast county with a large political community eligible for election. There seems to be little discernible pattern in when two new men would be elected, although in the political instability of the late 1310s and early 1320s, Worcestershire and Yorkshire returned two novices in several successive elections. This may indicate that parliamentary election had temporarily ceased to be an attractive proposition at a time of turmoil and uncertainty. Few of the men who became MPs in these

²⁰⁹ On re-election in general, see Edwards, 'Personnel of the Commons'. Nigel Saul, *Knights and Esquires: The Gloucestershire Gentry in the Fourteenth Century* (Oxford, 1981), pp. 125-26, demonstrates the increasing frequency of re-election in Gloucestershire towards the end of the fourteenth century.

two counties at this stage served in more than one further parliament at most, the principal exception being John Stone, first elected for Worcestershire in October 1320 and re-elected on a further eight occasions between 1322 and 1339. On the whole, however, counties seemed keen to have at least some experience in their parliamentary representation, and it was not uncommon for established pairs of MPs to serve together in several parliaments, especially if they came in close succession. During the 1330s and 1340s, with political stability restored following the overthrow of Edward II and Isabella and Mortimer, it became very rare for the communities of Leicestershire, Norfolk and Surrey to return two novices, and only slightly more common in Worcestershire. Yorkshire alone was an exception to this rule, and even there it was more typical for at least one experienced member to be chosen. When the communities proved reluctant to re-elect, this was often a result of anger at the concession of a grant of taxation, with J.R. Maddicott having demonstrated the fall in re-election rates after tax-granting assemblies.²¹⁰

Otherwise it was possible to enjoy distinguished parliamentary careers over the course of many years. A handful of men in these counties were returned on numerous occasions. Men like William Motoun (seven times Leicestershire MP, 1327-43), Robert Baynard (representative of Norfolk nine times, 1309-27), Peter Grete (elected on nine occasions by Worcestershire, 1328-38), and Gregory Thornton (eleven times Yorkshire knight of the shire, 1313-33) clearly had the confidence of their county electorate and found parliamentary service in some way attractive. Few can match Surrey's John Hayton, who served in no less than twenty-three parliaments (including six consecutively) between 1327 and 1357, or Ralph Bocking, who was Sussex MP at least twenty-two times, representing his shire in practically every assembly between 1325 and 1343. Such records compare well with those of the later fourteenth and fifteenth centuries, and show that from an early date men could establish parliamentary careers over an extended period of time.

Those elected were thus largely reliable in their duties, whether through conscientiousness or with an eye on the expenses. This was partially because the counties themselves were careful to select men upon whom they could depend as

²¹⁰ J.R. Maddicott, 'Parliament and the Constituencies, 1272-1377', in Davies and Denton (eds.), *English Parliament*, pp. 61-87.

their representatives. As has been observed, there was no formal requirement in the royal writs that those elected should find mainperors for their attendance.²¹¹ This seems to have been an initiative of the counties themselves: parliament was technically a court, in which non-attendance could be punished (although the only occasion on which this actually happened was in 1454), and the shire court probably wished to ensure that they could not be held culpable for the failure of their representatives to appear. It should be noted that the men chosen as mainperors were not usually of the same status as the knights of the shire, and were almost never amongst those whom the county would elect as MPs. Robert Burdet, who acted as mainperor in Leicestershire for Richard de Perers (1311), Nicholas Payn (1324) and – somewhat irregularly – for himself (January 1327), seems to have been something of an exception.²¹² If mainperning was indeed a way for the county electorate to cover themselves, it is not surprising that men of lesser means – and largely untraceable to posterity – should be used for a function that was more procedural than meaningful. Of course there were exceptions, when the sheriff would note that one or both MPs had failed to find any mainperors, although the election was usually allowed to stand. Often the sheriff reported this fact without comment, but occasionally the reason provided gives us an insight into the election procedure. John D'Abernoun, elected MP for Surrey in 1297, failed to find any mainperors because he was working as an assessor and collector of taxes in neighbouring Hampshire.²¹³ This would suggest that it was possible for a man to be elected even if he was not in attendance in the county court on the appropriate day, as it seems unlikely D'Abernoun would have failed to find securities had he been present to canvas for them. However, in general, ensuring attendance appears to have been important to the communities. There are examples of sheriffs refusing to permit the election of men who did not hold land in the county that could be distrained as a security for attendance, usually because the man in question was a landowner in liberties outside the sheriff's jurisdiction. For example, Robert de Waltham was elected as knight of the shire for Berkshire in May and November 1322, but on the second occasion the sheriff

²¹¹ J.S. ILLSLEY, 'Parliamentary Elections in the Reign of Edward I', *BIHR* 49 (1976), 24-40.

²¹² *PW*, II.i, 61, 310, 362.

²¹³ *PW*, I, 61.

returned that Waltham was entirely resident in exempt hundreds and thus had no property to distrain, hence a replacement had been elected.²¹⁴

Such concern in choosing suitable members and ensuring their attendance did not necessarily mean the shires always welcomed having to send representatives. In some cases it must have proved a severe financial or logistical burden to the communities. The order to elect members to the parliament of January 1315 at Westminster met with a desperate reply from the sheriff of Northumberland, who returned that the county court had decided that the men of the county were already overstretched in their attempts to defend the border, and could not spare even two to send to parliament.²¹⁵ Given that this was barely seven months after the Bannockburn shambles, and a period when damaging Scottish raids across the border were beginning in earnest, this has a ring of truth rather than contumacy or evasion. Nine years later, another sheriff of Northumberland claimed to have only received the writs for parliament, due to meet on 20 October in London, on the 15th, far too late for him to be able to act upon them.²¹⁶ Further problems sometimes arose with the issue of payment, for which the communities themselves were responsible upon receipt of the writ *de expensis* from the chancery. The MPs' wages were usually divided up between the various sections of the shire, which could lead to a headache for the sheriff when he tried to collect money from the liberties or exempt hundreds. Sometimes the sheriff himself took up the case, as in 1319 when the sheriff of Surrey and Sussex informed the government that he had received no answer to his demands for payment of the relevant portions from liberties in the hands of the archbishop of Canterbury, the bishops of Salisbury and Winchester, and the abbot of Chertsey.²¹⁷ At other times, the MP himself had to fight the liberties for his wages, as did the unfortunate Adam de la Fenne after representing Oxfordshire in 1318.²¹⁸ Disputes over payment could also mask more serious battles about electoral practice. In 1320, the Lancashire county community complained that the sheriff had simply sent two of his friends to

²¹⁴ *PW*, II.i, 273.

²¹⁵ *Returns*, vol. 1, p. 49.

²¹⁶ *PW*, II.i, p. 322. The king had issued the writs on 24 September from Porchester, in distant Hampshire. It is thus not impossible that they took three weeks to reach Northumberland, although even allowing for the difficulties of travel in this period, this would have been unusually slow: Hampshire was around seven days travel from York, with a further two days or so to Northumberland. Ormrod, 'Competing Capitals?', pp. 95-96.

²¹⁷ *PW*, II.i, 217.

²¹⁸ *PW*, II.i, 233.

parliament, when the two men they wished to elect would have served for half the salary.²¹⁹

The majority of the knights of the shire were men of significant means or position within their county, but this does not mean that there was such a thing as a typical parliamentary career. Many of those who served as MPs during the later part of Edward I's reign had played (or continued to play) a part in some or all of the king's campaigns in Scotland, Wales and Gascony. Having served the king militarily in their youthful and more active years, in middle age they found a new career in county administration and parliamentary representation. A large number continued to be summoned to the controversial musters of the late 1290s, although whether or not they actually served is another matter. Although military men, the knights of the shire were typically genuine representatives of the county communities, which may account for Edward's policy of summoning his household knights as barons in the later years of his reign.²²⁰ The musters of the late 1290s had led to widespread dissent, and the king 'attempted to control opposition to unpopular measures through the summoning of a large number of household knights.'²²¹ The gap between military service and parliamentary election varied. John Folevill was first elected for Leicestershire in March 1300, just nine months after he had been involved in the defence of Edinburgh castle (his first election had been for Rutland in 1298).²²² At the other extreme, Robert Balliol represented Yorkshire in January 1301, nineteen years after having performed military service against Llewellyn on behalf of the bishop of Durham.²²³ Some men limited their role in county affairs to serving in just one or two parliaments, and otherwise made very little impact in local administration or upon the official records. Men like Adam Elmerig (Worcestershire MP in 1302) and Bartholomew Somerton (Norfolk representative in January 1307) are little more than enigmatic names on the list of MPs. Others were frequently employed as royal agents in the shires, rising to prominence in local matters. John D'Abernoun, five times Surrey MP between 1298 and 1313, was kept immensely busy as a tax assessor and collector, keeper of the peace, commissioner of *oyer*

²¹⁹ G.H. Tupling (ed.), *South Lancashire in the Reign of Edward II as Illustrated by the Pleas at Wigan Recorded in Coram Rege Roll 254*, Chetham Society, 3rd Series, 1 (Manchester, 1949).

²²⁰ Prestwich, 'Magnate Summonses'; Ingamells, 'Political Role of Household Knights'.

²²¹ Ingamells, 'Political Role of Household Knights', p. 33.

²²² *CPR, 1292-1301*, p. 421.

²²³ *PW*, I, 228, 235.

and *terminer* and of array, and justice to deliver Guildford gaol, until he was granted a life exemption from office in 1322, probably as a result of increasing infirmity (he died in 1327).²²⁴ As Edward III's men progressed, and parliaments were increasingly held in the king's absence, military and parliamentary careers tended to overlap. Rather than ending a respectable career as a warrior by moving to a more sedate political career, men often began as MPs and became soldiers later, or even served in those two roles alternately.

Men such as Robert Baynard included parliamentary service as just one element in a hectic life. Baynard was first elected for Norfolk in 1309, becoming sheriff of Norfolk and Suffolk in 1311, and going on to be MP for his county a further eight times before his death in 1330. However, Baynard was also a lawyer, and was kept busy throughout the 1310s and 1320s with numerous judicial commissions and appointments. Given that such a man would have had a strong case for wanting to avoid election as a knight of the shire, that he served so often adds weight to the oft-stated theory that parliamentary service was in some way desirable to a sizeable number of the county gentry. However, equally busy lawyers such as Alexander de Cave (Yorkshire, 1318) were elected only once as an MP during the course of the working lives. Cave was perhaps a more significant figure than Baynard, being entrusted with higher profile commissions: he was a keeper of the Templar lands in Yorkshire, and a guardian of the temporalities of the archbishopric of York during the vacancy between the incumbencies of William Greenfield and William Melton.²²⁵ Men of law had hectic lives, and lack of time could explain why a number of men had only brief stints in parliament.

However, the communities may sometimes have had cause to regret furthering the careers of certain of the men they elected. The antics of the Folevill family after John's death are well-known.²²⁶ Gerard Salveyn was elected in 1301, by the Yorkshire community, as an assessor and collector of a fifteenth in that county, before being returned to parliament in 1305 and January 1307.²²⁷ In 1311, he was appointed sheriff of Yorkshire, an office he held until 1314. Judging by the

²²⁴ *CIPM, 1-9 Edward III*, p. 22, 43. D'Abernoun refused his appointment as sheriff of Surrey and Sussex in 1318: *CFR, 1307-1319*, pp. 382-83.

²²⁵ *CPR, 1313-1317*, pp. 33, 184.

²²⁶ E.L.G. Stones, 'The Folevilles of Ashby-Foleville, Leicestershire, and their Associates in Crime, 1326-1347', *Transactions of the Royal Historical Society, 5th Series*, 7 (1957), 117-36.

²²⁷ *PW*, 1, 369.

complaints forthcoming when he was replaced, and the number of commissions issued to deal with them, Salveyn was a particularly corrupt sheriff.²²⁸ He was actually imprisoned for a short time in 1315, and only escaped from his predicament by effectively bribing the king, granting him a Yorkshire manor and £2000 in 1316.²²⁹ Unfortunately he failed to learn his lesson: he was indicted for theft and abduction the following year, and also seems to have become involved with Thomas of Lancaster.²³⁰ Salveyn is something of an extreme example, but criminal behaviour was certainly no bar to parliamentary election. John de Olney was accused of theft and assault on several occasions in the 1310s and early 1320s, although his associations with the younger Despenser probably saved him undue hassle.²³¹ Despite being accused of involvement with gangs forcibly entering royal and Despenser manors in Leicestershire, Roger la Zouche continued to be trusted with local commissions until he was forced to become a fugitive in 1326, after his involvement in the death of Roger Beler.²³² Ultimately, royal justice in the provinces was dependent upon the co-operation and knowledge of local men, which allowed many men to be criminals and justices simultaneously.²³³ The men who served as MPs were those employed by the government on judicial commissions, but they were also those who made such commissions necessary.

In general, it has to be said that the men representing their counties do seem to have been the genuine choices of their communities. Of course there were occasional disputes. The Lancashire case of 1320 has already been mentioned, whilst the sheriff of Cambridgeshire was accused of selecting his friends as MPs – without the trouble of elections – over a seven-year period.²³⁴ Yet these are isolated cases, and the very fact that these communities were prepared to fight them indicates that parliamentary election was taken seriously. Moreover, to a far

²²⁸ *CPR, 1313-1317*, pp. 72, 249, 310, 312, 404.

²²⁹ *CPR, 1313-1317*, pp. 352, 554.

²³⁰ *CPR, 1317-1321*, pp. 81, 228.

²³¹ *CPR, 1313-1317*, pp. 60, 301-302; *CPR, 1317-1321*, pp. 467, 476; *CPR, 1321-1324*, p. 160; *CPR, 1324-1327*, p. 146. For his association with Despenser, see *CPR, 1321-1324*, p. 188.

²³² *PW*, II.i, 685, 733-34 and II.ii, 189, 192, 226, 285; *CPR, 1321-1324*, pp. 167, 309; *CPR, 1324-1327*, pp. 79, 245.

²³³ On the personnel and makeup of local commissions, see Anthony Musson and W.M. Ormrod, *The Evolution of English Justice: Law, Politics and Society in the Fourteenth Century* (Basingstoke, 1999), pp. 54-74.

²³⁴ M.M. Taylor, 'Parliamentary Elections in Cambridgeshire, 1332-8', *Bulletin of the Institute of Historical Research* 18 (1940-41), 776-801.

greater extent than in the later fourteenth century and beyond, the selection of knights of the shire escaped the attention of the nobility. As has been noted, in the early fourteenth century household knights received individual summonses and sat with the lords, rather than being forced upon the shires.

True, individual MPs could have connections with various magnates or the king. Leicestershire is a good case. A number of the men who sat as MPs in Edward II's reign had associations with Thomas of Lancaster, and were named in the pardons of 1313 (for any involvement in the death of Gaveston) and 1318. William Neville, Richard Perers, Ralph Sechevill and Roger la Zouche all fall into this category.²³⁵ La Zouche and William Kaythorp both fought on the side of Lancaster and Hereford at Boroughbridge, and were only pardoned in return for military service in Gascony and Scotland.²³⁶ William Trussel was the most recalcitrant of the rebels, proving a thorn in the king's side until his deposition. Yet these connections were coincidental, and had little impact upon their role knights of the shire. One of Lancaster's five earldoms was that of Leicester, and the earldom of Lancaster was a major landholder in Leicestershire. It is unsurprising that some of the principal gentry in the shire were associated with the earl, but there is no reason to suppose that this was the cause of their election. They became representatives because they were important local men, not because they were adherents of Lancaster. What is more remarkable is the number of Leicestershire men who opted for the king in 1322: Roger Belgrave, Robert Gaddesby and John Olney were all involved in pursuing Contrarians or administering their lands.²³⁷ Elsewhere fewer men had Lancastrian connections. Robert Walkefare (MP for Norfolk in 1318, 1330, 1332 and 1333) was associated with the earls of Lancaster and Hereford, and following Boroughbridge was never reconciled to the king, spending the rest of Edward II's reign as a rebel.²³⁸ Others who were MPs were also in the retinues of or associated with different magnates, especially the earl of Pembroke and the two Despensers. Following Pembroke's

²³⁵ *CPR, 1313-1317*, pp. 22-23, 25; *CPR, 137-1321*, p. 228. Of these only Neville and Perers were actually retainers of Lancaster: J.R. Maddicott, *Thomas of Lancaster, 1307-1322: A Study in the Reign of Edward II* (Oxford, 1970), pp. 63-64.

²³⁶ *PW*, II.i, 207, 691 and II.ii, 199; *CPR, 1321-1324*, p. 188.

²³⁷ *PW*, II.ii, 182, 184, 252; *CPR, 1321-1324*, pp. 161, 263

²³⁸ *CPR, 1313-1317*, pp. 21, 690; *CPR, 1317-1321*, p. 284; *CPR, 1321-1324*, pp. 18, 81, 179, 449; *CPR, 1324-1327*, pp. 212, 243.

death, a number of his retainers seem to have switched to the Despensers,²³⁹ but in spite of this considerable following, there was little impact on parliamentary elections. At a time when the lords were overwhelmingly dominant in parliament (although the Commons were starting to gain in confidence by the 1330s), there was no need for the king or the nobility to take much of an interest in the election of knights of the shire.

The electoral rules were, at this stage, not especially well-defined. Ordinances or statutes to govern the procedures more clearly date from the later fourteenth or early fifteenth century: forbidding the representation of more than one shire, banning the return of non-residents, outlawing the practice of sitting sheriffs being elected and limiting the franchise to the 40s freeholders. In other words, the selection of MPs took place in a far less-regulated manner. Instances which historians of the late fourteenth century and beyond would call abuses are to historians of the early fourteenth century relatively common practice, *de facto* acceptable in the absence of any laws prohibiting them.

In the early fourteenth century, it was far more common for knights of the shire to represent more than one constituency. Given that land-holdings rarely showed respect for the administrative tidiness of the county boundaries, this is not entirely surprising. Only later in the century did it become customary for men to represent only their principal shire of residence, hence at this stage there was nothing inherently wrong with being an MP for two (or more) counties over the course of a career. Typically these were neighbouring shires, and for a tiny county such as Rutland, with a small political class of its own, being able to 'appropriate' the gentry of neighbouring Leicestershire must have been very useful. John Folevill had his seat at Ashby Folevill in Leicestershire, but started his parliamentary career in 1298 as knight of the shire for Rutland, where he also held land. But there are also examples of men switching between the more populous counties.²⁴⁰ Richard Windsor represented Berkshire and Middlesex interchangeably between 1298 and 1313. Robert Hotot sat three times for Bedfordshire between 1314 and 1322, before representing Northamptonshire in 1329. John Dene was MP eleven times during the opening two decades of the fourteenth century, sitting variously

²³⁹ Nigel Saul, 'The Despensers and the Downfall of Edward II', *EHR* 99 (1984), 1-33, pp. 6-9.

²⁴⁰ For the Gloucestershire examples, see Saul, *Knights and Esquires*, pp. 125-26.

for Huntingdonshire, Northamptonshire, Shropshire and Warwickshire. More atypical were those men who, on occasion, represented two counties in the same parliament. Folevill sat for both Leicestershire and Rutland in 1300, whilst Windsor was knight of the shire for Berkshire and Middlesex together in 1306. This raises an obvious question. If a man was an MP for two counties simultaneously, who was responsible for paying him? Assuming he attended the parliament, he could conceivably be handed writs *de expensis* for both shires he represented, and there are indeed instances when it can be shown that this was the case. However, a knight of the shire with two constituencies could not be fully devoted to the interests of either, and there might be justifiable resentment at such a man receiving two salaries. On the other hand, there may have been a compromise that made this scenario attractive to all sides. If the electing counties agreed to split the MP's wage between them, then it actually reduced the costs associated with parliamentary representation. Thus whilst the representative was not fully dedicated to the requirements of either of his constituencies, the reduction of the financial burden could have been sufficient compensation for this. Meanwhile, the representative still received payment without an appreciable increase in workload. This is not provable, but is a plausible hypothesis for why a small number of shires were occasionally prepared to share representatives.

One final issue, which indicates very clearly the differences between the early and the late fourteenth century, is the increasing phenomenon of the serving sheriff being elected as an MP.²⁴¹ Over the course of the thirty years considered here, forty-two sheriffs represented their counties on fifty-eight occasions whilst in office.²⁴² Sheriffs were first elected in October 1302, when John de Cambhou, sheriff of Northumberland, and Miles Pichard, of Herefordshire, represented their counties in parliament. However, aside from a single man in the Carlisle parliament of January 1307, sheriffs were returned regularly only from 1311 onwards. Throughout the 1310s, one or two sheriffs were then present in most parliaments. Six, an unusually high number, were elected to the assembly of October 1320, one in 1321, and then five to the important parliament at York in May 1322. A lone sheriff was present in each of the remaining parliaments of

²⁴¹ For a list of serving sheriffs as MPs, see Appendix 3.

²⁴² This discussion excludes Cheshire and Durham, county palatinates having atypical administrative arrangements and not returning members to parliament. Middlesex, which contained London and had an unusual practice, electing two sheriffs annually, is also omitted here.

Edward II's reign (two in February 1324), and in the two parliaments of 1327. Then in 1328, there was a dramatic increase in the number of serving sheriffs in the year's three parliaments: seven in February, six in April, and three in July. Thereafter it remained relatively common to return serving sheriffs to parliament, until the Commons protested against the practice in 1339, and even then the practice was not eradicated.²⁴³ In theory, there were no rules against returning a serving sheriff at this stage in parliamentary history (until 1339), even if some counties – such as Cumberland, Herefordshire, Lincolnshire and Nottinghamshire – were more inclined to do so than others. Some men made a habit of returning themselves to parliament. Adam Walraund of Wiltshire was present in Edward II's last three parliaments. John de Hinkley, sheriff of Shropshire and Staffordshire, was MP for Staffordshire in February and April 1328, and for both counties of his shrievalty in May 1335 and March 1336. Robert Ingram (sheriff of Nottinghamshire and Derbyshire, Nottinghamshire MP) and Simon de Kynardesleye (Lincolnshire) were both elected to all three parliaments of 1328. Peter de Tilliol (Cumberland) was sheriff and MP in February 1328, July 1328 and November 1330. In the joint shrievalties, some men did not even limit themselves to representing a single county, being elected by both constituencies. This first happened in May 1322 when Thomas de Marlebergh was MP for both Somerset and Dorset, and in the 1330s and 1340s various sheriffs of Shropshire and Staffordshire quite often represented the two shires simultaneously. It was exceptional for a man to be sheriff of one county and MP for another, but it was not unknown. John Beaufoy had represented Derbyshire as sheriff of Nottinghamshire and Derbyshire in 1316, but when he returned to parliament in 1320, he did so as knight of the shire for Derbyshire but sheriff of Lincolnshire. It is possible that the sharp increase, in the late 1320s, in the number of serving sheriffs serving as MPs was a result of Isabella and Mortimer's need for support in parliament. An additional complicating factor is that a number of these sheriffs were current or former members of the royal household, as was the case with Pichard in 1302.²⁴⁴ Although this is significant, there is little evidence that this

²⁴³ For this and a discussion of sheriffs in parliament in the mid-fourteenth century, see K.L. Wood-Legh, 'Sheriffs, Lawyers and Belted Knights in the Parliaments of Edward III', *EHR* 46 (1931), 372-88.

²⁴⁴ Ingamells, 'Role of Household Knights', Ruth Ingamells, 'The Household Knights of Edward I', 2 vols., unpublished University of Durham PhD Thesis (1992); Alistair Tebbit, 'Household

was a concerted effort by the crown to pack parliament, as would be the case in later centuries.

The Citizens and Burgesses

Whilst a defined number of knights of the shire were asked to attend parliament, the situation was different in the case of the cities and boroughs.²⁴⁵ The number of citizens and burgesses returned fluctuated significantly, partially as a result of the wording of the writs. The writ ordered that the sheriff was to cause each city and borough within his shire to elect two of their number to represent them in parliament. Thus whereas the sheriff had no option but to have two men elected for each county, he had much more discretion with the towns. The sheriff's judgement was thus a crucial factor in which cities and boroughs received the summonses. In the early years of parliament, it appears that some sheriffs interpreted the writ as broadly as possible, requesting returns from a large number of communities, whilst others were much more discriminating.²⁴⁶ Whilst some historians have argued that towns attempted to evade returning members as boroughs to avoid being assessed at the higher rate of taxation, it has been easily shown that parliamentary representation was certainly not one of the criteria when assessing taxation boroughs.²⁴⁷ Fairly quickly, this number would decrease as sheriffs applied stricter criteria. In November 1295, a total of 110 cities and boroughs received the writ of summons from the sheriffs.²⁴⁸ By the late 1340s, this figure was in the region of sixty to seventy places. The changing interpretation of the writ can be seen by examining the differences between the returns of 1295 and those of later years.

Knights and Military Service under the Direction of Edward II', in Gwilym Dodd and Anthony Musson (eds.), *The Reign of Edward II: New Perspectives* (Woodbridge, 2006), pp. 76-96; Caroline Shenton, 'The English Court and the Restoration of Royal Prestige, 1327-1345', unpublished University of Oxford D.Phil. Thesis (1995).

²⁴⁵ The major (and only substantial) treatment of this subject is McKisack, *Representation of Boroughs*.

²⁴⁶ McKisack, *Representation of Boroughs*, p. 17.

²⁴⁷ *Ibid*, p. 77.

²⁴⁸ *Returns*, vol. 1, pp. 4-6.

In 1295, the sheriff of Worcestershire requested the presence of members from seven of the county's towns.²⁴⁹ Five of these towns would not be summoned again for the rest of the middle ages. In 1311, Droitwich returned members for the last known time before the reign of Edward VI, leaving Worcester as the shire's only parliamentary constituency. Returns survive from thirteen Wiltshire towns in 1295,²⁵⁰ and a large number of towns also held elections in 1305 (twelve), 1306 (ten) and 1307 (eleven). By the 1340s, Salisbury was the only invariable place on the list, usually accompanied by Wilton, and occasionally Malmesbury or Malborough. Eleven Yorkshire cities and boroughs were represented in 1295,²⁵¹ but by 1348 the standard list consisted of Hull, Scarborough and York.²⁵² Hampshire's list reduced from nine in 1295 to typical representation by three towns in 1348 (although Winchester was the only constant name).²⁵³ Although the general pattern was for the number of towns to decrease, some counties added names to their list over the course of this period. The sheriffs of Buckinghamshire sent no borough returns until 1301 (when four towns were suddenly deemed suitable), and thereafter Wycombe featured regularly amongst the places returning members. Rutland never sent any representatives from towns. It could be that large settlements were rather lacking in such a tiny county, but it may also be the case that the small Rutland community considered that they were adequately represented by the knights of the shire.

A caveat is necessary here. The towns we know to have returned names to the sheriff must be treated as a minimum number rather than an exhaustive list. As May McKisack has shown, there is occasionally evidence of attendance by citizens or burgesses for whom no return has survived.²⁵⁴ It is not especially uncommon to find a sheriff noting that a particular city or borough made no return. This covered the sheriff against accusations of neglecting his duty, but

²⁴⁹ Bromsgrove, Droitwich, Dudley, Evesham, Kidderminster, Pershore and Worcester. *Returns*, vol. 1, p. 6.

²⁵⁰ Bedwin, Bradford, Calne, Chippenham, Crickdale, Devizes, Downton, Ludgershall, Malmesbury, Malborough, Old Sarum, Salisbury and Wilton. *Returns*, vol. 1, p. 6.

²⁵¹ Beverley, Hedon, Malton, Pickering, Pontefract, Ripon, Scarborough, Thirsk, Tickhill, Yarum and York. *Returns*, vol. 1, p. 6.

²⁵² *Returns*, vol. 1, p. 147.

²⁵³ Alresford, Alton, Andover, Basingstoke, Overton, Portsmouth, Southampton, Winchester, and Yarmouth and Newport. These last two, on the Isle of Wight, seem to have shared representation. By the 1340s, only members from Portsmouth, Southampton and Winchester were regularly summoned. *Returns*, vol. 1, pp. 6, 130-47.

²⁵⁴ This is discussed in McKisack, *Representation of Boroughs*, *passim*, but see especially the table on pp. 146-57.

does not necessarily mean that no members were elected. There are examples of writs *de expensis* being issued for members representing such towns, which would indicate that the election had been made. Whilst it is certainly possible that there was reluctance to send members, at least occasionally, on the part of some towns, it was often the case that the return reached the sheriff too late, or that the MPs simply took their mandates with them to parliament. The period elapsing between the issue of the writs of summons and the start of parliament was limited, and the difficulty of getting the return to the sheriff in time must have been particularly acute in counties as large as Yorkshire. That said, there were serial offenders such as Southampton, which was hardly far away from the county town of Winchester. Sporadic laziness cannot be ruled out.

The mechanism for electing citizens and burgesses is only imperfectly understood, largely due to the paucity of surviving evidence. The sheriffs' returns make no mention of how the election was held, although there are often clues. In some cases, they were elected in the shire court alongside the county representatives. This was particularly likely to happen in the county town, where the shire court usually met, but others towns could also elect in this manner. Alternatively, the election would happen in the town itself, which led to the problem of late returns identified above. In theory, until the advent of county boroughs in the 1370s, the sheriff was meant to act as the returning officer for all constituencies within his shrievalty (for the double shrievalties, this could be a fairly large number). The fact that he selected the constituencies gave him, potentially at least, a considerable degree of power, but there is no evidence of any serious abuses in this period.

However, there were differing opinions as to what qualified as an appropriate city or borough. By the end of the period in question, the only borough constituency in many shires was the county town. This was particularly the case in the midlands, the fenlands, and the northern shires: Appleby, Cambridge, Carlisle, Derby, Huntingdon, Leicester, Newcastle-on-Tyne, Northampton, Nottingham, Oxford, Stafford, Warwick and Worcester were the only represented towns in their counties.²⁵⁵ Shires with important ports returned members from the county town and the port: this applied to Gloucestershire (Bristol and Gloucester)

²⁵⁵ Coventry elected members in 1346, but this was the first time since 1315 and seems to have been a one-off: *Returns*, vol. 1, p. 142.

and Lincolnshire (Grimsby and Lincoln). These were counties which differed significantly in size. Huntingdonshire and Westmorland, for example, were small compared to most of the others listed. Lancashire returned no borough MPs after 1331, whilst vast Yorkshire had only three parliamentary towns by 1348.

The overwhelming majority of parliamentary boroughs were located in southern England and the midlands, broadly reflecting the distribution of the population. However, in terms of populace, the south west of England was grossly over-represented. The counties of Cornwall, Devon, Dorset and Somerset could account for anything up to twenty-three towns (fifty-six MPs including the knights of the shire) between them. This means, very roughly, that a quarter of the average number of MPs came from a tenth of the constituencies. Moreover, whilst population estimates for the medieval period can never be especially accurate, we can be certain that the West Country did not account for anything like a quarter of England's inhabitants. By contrast, if we exclude the atypical example of London (which frequently returned three or four members), far fewer boroughs returned MPs in the much more populous south east. By 1348, Bedfordshire contained one borough (Bedford), Berkshire two (Reading and Wallingford), Buckinghamshire one (Wycombe), Essex two (Colchester and Maldon), Kent two (Canterbury and Rochester) and Surrey a maximum of four (Bletchingley, Guildford, Reigate and Southwark), although only Guildford and Southwark consistently returned members. Hertfordshire had not returned any burgesses since 1336, when Hertford and St. Albans were represented. Only Sussex, with anywhere between three and seven parliamentary boroughs, approached the levels of the south-western counties. In other words, these eight counties accounted for just thirteen to eighteen constituencies (with the shire knights, forty-two to fifty-two MPs).

There was thus little consistency in selecting the borough constituencies, a fact that can be put down to the vagueness of the writ of summons. It required interpretation by the sheriff, and we can have no idea now about the criteria they employed in making their decision. The government maintained no central list of parliamentary boroughs, and whether a town returned MPs does not seem to have affected the rate at which they were taxed by the crown. Some sheriffs interpreted the writ widely, others narrowly. Gradually a pattern became established which

later sheriffs began to adhere to, although there was never a clear or immutable list of parliamentary boroughs.

As with the knights of the shire, traditional wisdom held that the citizens and burgesses saw parliamentary attendance as something of a burden. In purely numerical terms, such a position has some justice. Typically, only a handful of writs *de expensis* were ever enrolled for representatives of the towns. However, the writs do not give anything like an accurate picture of attendance for this particular group. For a start, the great towns and cities of England – including Bristol, Norwich, London, Salisbury, Southampton, Winchester and York – seem to have made their own arrangements for paying their representatives, and almost no writs *de expensis* are enrolled for these places. By examining the local records, May McKisack demonstrated that these towns did indeed pay their members for attendance on occasions when there is no enrolled writ.²⁵⁶ Moreover, investigation of other local records – in particular the valuable survivals from Leicester – has shown that there are frequent instances of MPs being paid despite the absence of a writ *de expensis*.²⁵⁷ Evidence from the parliaments rolls suggests that members who were not issued writs were definitely present, as they are named amongst the members of parliamentary committees.²⁵⁸ In short, the attendance record as shown by the writs *de expensis* is anything but accurate, despite the arguments of A.F. Pollard.²⁵⁹ Whilst it is probable that the burgesses were less assiduous attendees than the knights (at least proportionally), they were still present in respectable numbers.

Conclusion: The Membership of Parliament

As the foregoing discussion has shown, the membership of parliament in the early fourteenth century was anything but rigid. Whilst there were stable elements, including the bishops and earls, other groups represented in parliament – especially the abbots and lower clergy – went through a period of significant experimentation and change. The officials remained an integral element, but they were never to gain the dominant place of their Parisian counterparts. If the

²⁵⁶ McKisack, *Representation of Boroughs*, pp. 68-72.

²⁵⁷ Edwards, 'Attendance'; McKisack, *Representation of Boroughs*, pp. 72-73.

²⁵⁸ Edwards, 'Attendance'; McKisack, *Representation of Boroughs*, p. 76.

²⁵⁹ A.F. Pollard, *The Evolution of Parliament* (2nd edition: London, 1926).

knights of the shire had asserted their role by 1348, there was still uncertainty about the citizens, burgesses and – as will be seen in the next chapter – other groups such as the merchants. In summary, this period was one of refinement, and by the advent of the Black Death, the membership of parliament had broadly assumed the form it would hold until the dissolution of the monasteries under Henry VIII. There was nothing inevitable about this. The form parliament took in 1348 was a contingent one, established through nearly a century of various trials and in response to specific circumstances. Politics and practical considerations combined over a long period to produce the assembly that would be recognisable to fifteenth-century historians, and it is always important to remember that parliament could have taken a very different path. With that recognised, and the issue of parliament's practicalities and membership addressed, it is time to turn to a thornier question. What did parliament do?

CHAPTER 2

FUNCTIONS AND CONSEQUENCES

Historiographically, the question of parliament's functions has been a particularly vexed one. In the arguments that raged into the early 1970s, historians used much ink in attempting to elucidate parliament's essence, largely without success.¹ The major problem we face in this regard is one of evidence. Such parliament rolls as exist are, at least until the end of the period under consideration, sparse and often uninformative; whilst the chroniclers are often indifferent to parliament, or write about it with a very specific purpose in mind.² In determining parliament's functions and considering what actually went on in the assembly, we always have to bear in mind the incompleteness and selectivity of the material available.

There has been no shortage of attempts to reduce parliamentary functions to a basic core, the key element which – when all other 'non-essential' aspects have been removed – defines the institution. For Richardson and Sayles, parliament was first and foremost a body for the dispensation of justice.³ Others, whilst less zealous in their approach, have still viewed a particular aspect of parliamentary work as more important than the rest. There is an obvious danger with trying to emphasise one particular function of parliament to the detriment of the others. It ignores the fact that parliament did perform a variety of tasks, and the risk is that we stress the element which makes most sense within the context of a particular theory or our own cultural context. In the case of Richardson and Sayles, it could justifiably be argued that their conclusions were strongly influenced by the nature of the surviving evidence. Especially under Edward I and Edward II, the vast majority of the material we have for studying parliaments consists of petitions and judicial cases. Yet it was precisely these aspects of business that needed to be recorded in case the judgement was later

¹ For the history of the debate, see above, pp. 8-39.

² For the records of parliament, see above, pp. 39-54; for the chronicles, see below, pp. 200-220.

³ H.G. Richardson and G.O. Sayles, 'The Early Records of the English Parliaments: The English Parliaments of Edward I', *BIHR* 5 (1928), p. 133; reprinted in H.G. Richardson and G.O. Sayles, *The English Parliament in the Middle Ages* (London, 1981), article V.

challenged or needed for consultation, and it would be extremely foolish to deny that parliament had other important functions at this stage, even if they were not recorded in such detail. Of course, there is a concurrent hazard in trying to take too broad an overview of parliament. If we view it only as an ‘ill-defined body with an untidy assortment of activities’,⁴ then we miss the fact that particular functions may have taken on greater importance than others in specific parliaments, depending on the *raison d’être* of the assembly in question. The nature of parliament at this stage may seem untidy to twenty-first-century historians, but that may say more about our obsession with neat categorisation than about the fourteenth-century parliament. In the minds of contemporaries, parliament seems to have possessed a logical coherence; people expected certain things of a session of parliament, even if those expectations changed over time.

That is not to say that everyone had the same expectations. The king’s perspective is to be found in the writs of summons and the opening speech to a session of parliament, both of which stated the reason the king had called the assembly. Typically these dealt with matters of pressing national urgency (war, for example), the requirement for justice to be done in a particular case (such as the Great Cause), or the royal need for taxation. Rarely do the writs or speeches mention the hearing and determining of petitions as a main cause for the summoning of parliament. The *Modus Tenendi Parliamentum*, the only procedural text about parliament we possess for this period, outlines a specific order of business: war and matters touching the king; issues of common concern and justice; and private petitions.⁵ Yet within this scheme, petitions are afforded an important place. The king had a duty to discuss all petitions, provided they have been submitted by the named date, before ending parliament.⁶ The king may have had clear intentions when issuing a summons, but those intentions may not have coincided with the desires of those attending parliament, or even have been stated honestly in the writs. To what extent, therefore, did parliament mean different things to different people?

⁴ Sandra Raban, *England under Edward I and Edward II, 1259-1327* (Oxford, 2000), p. 126.

⁵ *Parliamentary Texts of the Later Middle Ages*, ed. Nicholas Pronay and John Taylor (Oxford, 1980), p. 88. The case for the *Modus* as a 1320s text, along with a discussion of its purpose and authorship, can be found in Chapter 3 below.

⁶ *Parliamentary Texts*, ed. Pronay and Taylor, p. 90.

This chapter considers the various functions that were the business of parliament, and how these changed across the course of the fifty-eight years under consideration. It may be anachronistic to treat these functions as separate elements, as the neat categories and obvious assumptions of current historians rarely match the nuances and feelings of those living through events.⁷ However, it is a better way to analyse the development of the business of parliament than a chronological overview, in that it can more readily chart shifting attitudes, and for that reason this approach is adopted here. It may also capture something of the way in which parliament generated a myriad of competing expectations, making it hard to tie down to any base essence, and took on a different complexion depending upon the time and the circumstances.

Counsel

In the rubric of the writs of summons, the king's desire for the advice of his subjects was typically the reason given for summoning parliament. By far the most common formula was that in which the king expressed the need for consultation about 'various urgent matters touching us and the state of our realm' in a parliament or council. Occasionally there was some indication of what that business might be, for example a desire for clerical taxation (1296), a need for discussion about the perambulation of the forests (1301), or resolution of the ordinances for Scotland (1307).⁸ Rarely were any further details forthcoming, with even the writs to such tense assemblies as that of May 1322 employing typically vague wording.⁹

It would be a mistake to take the writs of summons too literally. True, there are instances when there is evidence of a genuine discussion between the king and relevant officials, although this may have taken place in written altercations rather than in the kind of debate we associate with the modern House of Lords. The best example is the exchange between Edward II and his officials over the St Sardos crisis

⁷ Timothy Garton Ash, *History of the Present: Essays, Sketches and Despatches from Europe in the 1990s* (revised edition: London, 2000), pp. xv-xxvii.

⁸ *PW*, I, 47, 89, 182.

⁹ *PW*, II.ii, 245. The writs for May 1322, issued a few days before, make no reference to the tense political situation

in the mid-1320s.¹⁰ On another occasion, Edward also had to endure a rather too precise interpretation of his duty to take counsel, when the bishop of Durham's brother pointedly refused to agree with the king at the council at Bishopthorpe (near York) in 1323.¹¹ Yet for the most part, we have little evidence of the discussions that occurred in parliament.

It is hard to imagine that the king intended the invitation to discussion to be taken too literally. Doubtless there were occasions when a king genuinely wanted advice about how to proceed or what action to take, but a full session of parliament was hardly the ideal place to obtain such advice. Such full sessions, with all the membership present, were presumably more ceremonial affairs, such as the opening of an assembly or (in later years) the formal response to common petitions. A meeting of close advisors or the council was more conducive in this respect. After all, the lords were the king's natural advisors and the council his chosen administrative body, and it was with them that he could work most productively.¹² The responsibility to seek counsel from parliament, highlighted in the writs of summons, was for the most part a rhetorical exercise. More typically, the king would actually desire consent for taxation, or legitimacy for certain actions such as war. This did not extend to asking the whole parliamentary membership whether he should request money or declare war. The king summoned parliament with a specific purpose in mind, not to ask genuine questions about which he was neutral. In June 1344, the terms of the truce in Brittany were presented to parliament for deliberation, but it cannot have been seriously expected that anyone, especially the Commons, would seriously challenge the details of the agreements.¹³

The king was required to seek the counsel of his subjects, and gain their consent for actions touching the realm. For the most part, this was a cosmetic exercise. The king

¹⁰ TNA E 30/1582, printed in *Rotuli Parliamentorum Hactenus Inediti, MCCLXXIX-MCCCLXXIII*, ed. H.G. Richardson and G.O. Sayles, Camden Society, 3rd Series, 51 (London, 1935), pp. 94-98; *The War of Saint-Sardos (1323-1325): Gascon Correspondence and Diplomatic Documents*, ed. P. Chaplais, Camden Society, 3rd Series, 87 (London, 1954), pp. 95-97; J.R.S. Phillips, 'Edward II: Parliament of October 1324, Text and Translation', in *PROME*. This document is discussed at length in Chapter 5.

¹¹ *CCR, 1318-23*, p. 717.

¹² These issues are discussed in Chapter 5.

¹³ TNA C 65/11, printed in W.M. Ormrod, 'Edward III: Parliament of 1344, Text and Translation', in *PROME*.

knew what he wanted, parliament knew what the king wanted to hear, and the king was aware what he had to concede to hear it. Counsel fitted in with the other parliamentary functions, most especially taxation and petitioning. Suggestions may have been given, but for the most part parliament was content to affirm the king's actions and give him the support he required, in exchange for the king responding to the needs and requests of the political community. Rhetorically, counsel was the *raison d'être* of parliament. Practically, it was often the façade for the matters most of its members considered more important.

Taxation

Kings of England were required to spend large sums of money to maintain their personal status and act as protector of their kingdom. Money derived from the sizeable crown landholdings was insufficient to finance the demands of kingship, and consequently other sources of revenue had to be found. The English system of taxation evolved gradually from the Anglo-Saxon period onwards, initially developing from the *danegeld* (the tribute paid by the Saxon kings to the Vikings) and *heregeld* (levied by the last Saxon kings to pay the wages of foreign sailors).¹⁴ This developed into the *geld*, a tax raised by the king whenever he had need of extraordinary income, and levied on the basis of land (typically the hide, although there were regional variations).¹⁵ The *geld* continued to be raised after the Norman conquest – some historians have viewed Domesday Book as a *geld* assessment book –

¹⁴ M.K. Lawson, 'The Collection of Danegeld and Heregeld in the Reigns of Aethelred II and Cnut', *EHR* 99 (1984), 721-38; John Gillingham, "'The Most Precious Jewel in the English Crown": Levels of Danegeld and Heregeld in the Early Eleventh Century', *EHR* 104 (1989), 373-84; M.K. Lawson, "'Those Stories Look True": Levels of Taxation in the Reigns of Aethelred II and Cnut', *EHR* 104 (1989), 385-406; M.K. Lawson, 'Danegeld and Heregeld Once More', *EHR* 105 (1990), 951-61; M.K. Lawson, *Cnut: The Danes in England in the Early Eleventh Century* (Harlow, 1993), pp. 189-96; M. Jurkowski, C.L. Smith and D. Crook, *Lay Taxes in England and Wales, 1188-1688*, Public Record Office Handbook 31 (Kew, 1998), pp. xvi-xvii; Frank Barlow, *The Feudal Kingdom of England, 1042-1216* (5th edition: Harlow, 1999), pp. 39-40. On the development of national taxation in general, see G.L. Harriss, *King, Parliament and Public Finance in Medieval England to 1369* (Oxford, 1975), pp. 1-48.

¹⁵ J.L. Grassi, 'The Lands and Revenues of Edward the Confessor', *EHR* 117 (2002), 251-83.

until its demise in the reign of Henry II.¹⁶ Attempts to introduce a new land-based tax, the carucage (or hidage), were short-lived.¹⁷ But the coming of the Normans also saw the introduction of feudal levies which remained important into the early fourteenth century. According to chapter 12 of Magna Carta, the king was entitled to an aid from his vassals when his eldest son was knighted and when his eldest daughter was married, as well as on any occasion he needed to be ransomed (although only Richard I ever had the need to test this prerogative). Those holding land directly of the king, the tenants-in-chief, were required to perform military service in person with a certain number of knights, but those unwilling or unable to do so could make a payment in lieu, known as scutage ('shield money').¹⁸ King John had a notorious habit of summoning the feudal host and then dismissing it, in order to collect scutage, which led to resistance and ultimately a compromise under Henry III where scutage came to resemble a general land tax, rather than reflecting the precise demands of feudal law.¹⁹ The Jews, who were considered royal property, were taxed as and when the king felt the urge, although this source of revenue disappeared after Edward I expelled them from England in 1290.²⁰ From the reign of Henry II tallage (known by

¹⁶ Judith Green, 'William Rufus, Henry I and the royal demesne' *History* 64 (1979), 337-52; J.A. Green, 'The Last Century of the Danegeld', *EHR* 96 (1981), 241-58; J.A. Green, *The Government of England under Henry I*, (Cambridge, 1986), pp. 69-75; Jurkowski, Smith and Crook, *Lay Taxes*, p. xvi. For the view that Domesday book was a tax book, see J.O. Prestwich, 'Mistranslations and Misinterpretations in Medieval English History', *Peritia* 10 (1996), 327-36.

¹⁷ S.K. Mitchell, *Taxation in Medieval England* (New Haven, 1951); Jurkowski, Smith and Crook, *Lay Taxes*, pp. xvii-xix; Robert Bartlett, *England under the Norman and Angevin Kings, 1075-1225* (Oxford, 2000), pp. 165-66.

¹⁸ S.K. Mitchell, *Studies in Taxation under John and Henry III* (New Haven, 1914); Helena M. Chew, 'Scutages and Aids in England, particularly in the Fourteenth Century', unpublished University of London MA thesis (1921); W.A. Morris, 'A Mention of Scutage in the Year 1100', *EHR* 36 (1921), 45-46; Helena M. Chew, *The English Ecclesiastical Tenants-in-Chief and Knight Service, especially in the Thirteenth and Fourteenth Centuries* (Oxford, 1932); Mitchell, *Taxation in Medieval England*; C. Warren Hollister, 'The Significance of Scutage Rates in Eleventh- and Twelfth-Century England', *EHR* 75 (1960), 577-88; Michael Powicke, *Military Obligation in Medieval England: A Study in Liberty and Duty* (Oxford, 1962); Alan Harding, *England in the Thirteenth Century* (Cambridge, 1993), pp. 188, 220; Nick Barratt, 'The Revenue of King John' *EHR* 111 (1996), 835-55; Jurkowski, Smith and Crook, *Lay Taxes*, pp. xix-xxi; Nick Barratt, 'The Revenues of John and Philip Augustus Revisited', in S.D. Church (ed.), *King John: New Interpretations* (Woodbridge, 1999), pp. 75-99.

¹⁹ J.C. Holt, *The Northerners: A Study in the Reign of King John* (Oxford, 1961), pp. 89-90, 98-102, 119, 192, 207; Michael Prestwich, *English Politics in the Thirteenth Century* (Basingstoke, 1990), pp. 113-14; Ralph V. Turner, *King John* (Harlow, 1994), pp. 100-102, 217-18, 231-32, 244-45; Barratt, 'Revenues of John and Philip', especially pp. 86-90.

²⁰ H.G. Richardson, *The English Jewry under the Angevin Kings* (London, 1965); R.C. Stacey, *Politics, Policy and Finance under Henry III, 1215-1245* (Oxford, 1987), pp. 132-59; Robin R. Mundill, 'The Jews in England, 1272-1290', unpublished University of St Andrews PhD Thesis (1987); R.C. Stacey,

a variety of names in its earliest days) was levied from the royal demesne and royal boroughs, an arbitrary tax requiring no consent beyond possible negotiations over the amount.²¹ Henry III had particular need of these feudal dues, as he was unable to gain consent to direct taxation after 1237. Other feudal rights, such as wardships and reliefs, supplemented the royal income.²² Money from the clergy was obtained through papal taxation, a significant proportion of which was passed to the crown. Financial support could also be obtained through loans to the crown (voluntary or otherwise), especially from Italian banking companies, as well as income from customs duties and levies on merchants.²³

²⁰ *cont.* 'Royal Taxation and the Structure of Medieval Anglo-Jewry: The Tallages of 1239-1242', *Hebrew Union College Annual* 56 (1985), 175-249; R.C. Stacey, 'Parliamentary Negotiation and the Expulsion of the Jews from England', in Michael Prestwich, R.H. Britnell and Robin Frame (eds.), *Thirteenth Century England VI: Proceedings of the Durham Conference 1995* (Woodbridge, 1997), pp. 77-102; Robin R. Mundill, *England's Jewish Solution, 1262-1290: Experiment and Expulsion* (Cambridge, 1998); Zefira Entin Rokéah, *Medieval English Jews and Royal Officials: Entries of Jewish Interest in the Memoranda Rolls, 1226-93* (Jerusalem, 2000); Zefira Entin Rokéah, 'An Anglo-Jewish Assembly or "Mini-Parliament" in 1287', in Michael Prestwich, Richard Britnell and Robin Frame (eds.), *Thirteenth Century England VIII: Proceedings of the Durham Conference 1999* (Woodbridge, 2001), pp. 71-95.

²¹ Robert S. Hoyt, 'Royal Demesne, Parliamentary Taxation and the Realm, 1294-1322', *Speculum* 23 (1948), 58-69; R.S. Hoyt, 'The nature and origins of the ancient demesne', *EHR* 65 (1950), 145-74; Robert S. Hoyt, 'Royal Taxation and the Growth of the Realm in Medieval England', *Speculum* 25 (1950), 36-48; R.S. Hoyt, *The Royal Demesne in English Constitutional History, 1066-1272* (Ithaca, NY, 1951); Mitchell, *Taxation in Medieval England*; Jurkowski, Smith and Crook, *Lay Taxes*, pp. xxiii-xxiv.

²² Scott L. Waugh, 'Marriage, Class and Royal Lordship in England under Henry III', *Viator* 16 (1985), 181-207; Scott L. Waugh, 'The Fiscal Uses of Royal Wardships in the Reign of Edward I', in P.R. Coss and S.D. Lloyd (eds.), *Thirteenth Century England I: Proceedings of the Newcastle upon Tyne Conference 1985* (Woodbridge, 1986), pp. 53-60; Scott L. Waugh, 'Tenure to Contract: Lordship and Clientage in Thirteenth-Century England' *EHR* 101 (1986), 811-39; Scott L. Waugh, *The Lordship of England: Royal Wardships and Marriages in English Society and Politics, 1217-1327* (Princeton, 1988).

²³ Ephraim Russell, 'The Societies of the Bardi and Peruzzi and their Dealings with Edward III, 1327-1345', in George Unwin (ed.), *Finance and Trade Under Edward III* (Manchester, 1918), pp. 93-135; E.B. Fryde, 'Loans to the English Crown, 1328-31', *EHR* 70 (1955), 198-211, reprinted in E.B. Fryde, *Studies in Medieval Trade and Finance* (London, 1983), article IV; Michael Prestwich, *War, Politics and Finance Under Edward I* (London, 1972), pp. 204-23; Richard W. Kaeuper, *Bankers to the Crown: The Riccardi of Lucca and Edward I* (Princeton, 1973); R.W. Kaeuper, 'The Frescobaldi of Florence and the English Crown', *Studies in Medieval and Renaissance History* 10 (1973), 41-95; R.W. Kaeuper, 'The Role of Italian Financiers in the Edwardian Conquest of Wales', *Welsh History Review* 6 (1973), 387-403; Michael Prestwich, 'Italian Merchants in Late Thirteenth and Early Fourteenth Century England', in *The Dawn of Modern Banking* (New Haven and London, 1979), pp. 77-104; E.B. Fryde, *William de la Pole, Merchant and King's Banker* (London, 1988); Richard W. Kaeuper, *War, Justice and Public Order: England and France in the Later Middle Ages* (Oxford, 1988), pp. 42-52; W.M. Ormrod, *The Reign of Edward III* (revised edition: Stroud, 2000), pp. 170-72.

Yet direct taxation was by far the most profitable single source of royal income before the mid-fourteenth century, when the various customs levies became more lucrative.²⁴ Towards the end of Henry III's reign, there was an attempt to revive the land-based tax.²⁵ However, the system that predominated from the early years of Edward I (although not new) was one in which people were taxed a particular fraction of the value of their movable goods.²⁶ Sometimes everyone was taxed at the same rate, but more frequently (and invariably from the 1330s), the boroughs and royal demesne paid a higher rate than the shires. Until the tax was standardised as a fifteenth and tenth, early in the reign of Edward III, this rate was highly variable, ranging from as low as a thirtieth and twentieth (1306) to as high as a tenth and sixth (1294 and 1322). Assessors and collectors were appointed for each county and borough, who were responsible for establishing how much tax each person had to pay, and for ensuring the money was presented to the exchequer (as a lump sum or in instalments, depending on the terms of the grant).²⁷ There were problems with the honesty of the assessors and the eagerness of the communities to be assessed at as

²⁴ On royal revenues and financial policy in general, see James Henry Ramsay, *A History of the Revenues of the Kings of England*, 2 vols. (Oxford, 1925); 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* 57 (1979), 824-60, reprinted in Fryde, *Studies in Medieval Trade and Finance*, article I; W.M. Ormrod, 'The Crown and the English Economy, 1290-1348', in Bruce M. Campbell (ed.), *Before the Black Death: Studies in the 'Crisis' of the Early Fourteenth Century* (Manchester, 1991), pp. 149-83; W.M. Ormrod, 'State-Building and State Finance in the Reign of Edward I', in W.M. Ormrod (ed.), *England in the Thirteenth Century: Proceedings of the 1989 Harlaxton Symposium* (Stamford, 1991), pp. 15-35; W.M. Ormrod, 'Royal Finance in Thirteenth-Century England', in P.R. Coss and S.D. Lloyd (eds.), *Thirteenth Century England V: Proceedings of the Newcastle upon Tyne Conference 1993* (Woodbridge, 1995), pp. 141-64; W.M. Ormrod, 'The English State and the Plantagenet Empire: A Fiscal Perspective', in J.R. Maddicott and D.M. Palliser (eds.), *The Medieval State: Essays Presented to James Campbell* (London, 2000), pp. 197-214.

²⁵ J.R. Maddicott, 'The Crusade Taxation of 1268-1270 and the Development of Parliament', in P.R. Coss and S.D. Lloyd (eds.), *Thirteenth Century England II: Proceedings of the Newcastle upon Tyne Conference 1987* (Woodbridge, 1988), pp. 93-117.

²⁶ The early period of this form of taxation, along with the definition of movables and minimum taxable values, is dealt with by James F. Willard, 'The Taxes upon Movables of the Reign of Edward I', *EHR* 28 (1913), 517-21; James F. Willard, 'The Taxes upon Movables of the Reign of Edward II', *EHR* 29 (1914), 317-21; James F. Willard, 'The Taxes upon Movables of the Reign of Edward III', *EHR* 30 (1915), 69-7; James F. Willard, *Parliamentary Taxes on Personal Property, 1290-1334* (Cambridge, Mass., 1934); Prestwich, *War Politics and Finance*, pp. 177-84; J.F. Hadwin, 'The Medieval Lay Subsidies and Economic History', *ECHR*, New Series 36 (1983), 200-17. On movables, see also Frederick Pollock and Frederic William Maitland, *The History of English Law before the Time of Edward I*, 2 vols. (Cambridge, 1895), vol. 2, pp. 148-81.

²⁷ Willard, *Parliamentary Taxes*, pp. 33-68, 183-219; Charles Johnson, 'The Collectors of Lay Taxes', in James F. Willard et al (eds.), *The English Government at Work, 1327-36*, 3 vols. (Cambridge, Mass., 1940-50), vol. 2, pp. 201-26.

low a rate as possible, resulting in such anomalies as the ninth of 1297 (assessed at £34,419 2s 2½d) yielding less than the considerably lower-rate thirtieth and twentieth of 1306 (£34,777 13s 8¾d).²⁸ There is evidence of entertaining assessors giving way to outright bribery, but other factors could also have been responsible for the fluctuation in assessments.²⁹ Harvest failure and famine were a problem in the early fourteenth century, whilst the devastation wreaked by the Scots meant that the northern counties were frequently unable to pay anything (Northumberland did not contribute to any tax on moveables between 1307 and 1336).³⁰ In 1334, each county was required to raise a certain amount, which then became the standard sum demanded for each subsequent tax. This moved the burden of assessment from individuals to communities, each village deciding amongst themselves how to divide up their allotted sum. In other words, the fifteenth and tenth became such in name only, leading to problems (especially after the Black Death) as the figures increasingly failed to connect with reality.

²⁸ Figures from Prestwich, *War, Politics and Finance*, pp. 179-80. The individual county assessments are given in Willard, 'Taxes of Edward I', p. 521. On the relative value of tax assessments between 1275 and 1334, see the tables in Hadwin, 'Medieval Lay Subsidies', pp. 215-17.

²⁹ The most famous example of bribery is given by P.D.A. Harvey, *A Medieval Oxfordshire Village: Cuxham, 1240 to 1400* (Oxford, 1965), pp. 105-108.

³⁰ John Barbour, *The Bruce*, ed. and trans. A.A.M. Duncan (Edinburgh, 1997), pp. 517-19; *The Chronicle of Lanercost, 1272-1346*, trans. H. Maxwell (1913; reprinted Cribyn, 2001), *passim*, but especially pp. 197-218; 'Gesta Edwardi de Carnarvon, Auctore Canonico Bridlingtoniensi, cum Continuatione ad A.D. 1377', in *Chronicles of the Reigns of Edward I and Edward II*, ed. William Stubbs, 2 vols., RS 76 (London, 1882-83), vol. 2, pp. 24-151; *Ancient Petitions relating to Northumberland*, ed. C.M. Fraser, Surtees Society 176 (Durham, 1966), pp. 161-62, 181-82; *Historical Papers and Letters from the Northern Registers*, ed. James Raine, RS 61 (London, 1873), pp. 248, 282, 306-23; James F. Willard, 'The Scotch Raids and the Fourteenth-Century Taxation of Northern England', *University of Colorado Studies* 5 (1907-1908), 237-42; Willard, *Parliamentary Taxes*, pp. 123-25; Jean Scammell, 'Robert I and the North of England', *EHR* 73 (1958), 392-402; Ian Kershaw, *Bolton Priory: The Economy of a Northern Monastery, 1286-1325* (Oxford, 1973); Ian Kershaw, 'The Great Famine and Agrarian Crisis in England 1315-1322', *P&P* 59 (1973), 3-50; J.L. Bolton, *The Medieval English Economy, 1150-1550* (London, 1980); Colm McNamee, 'William Wallace's Invasion of Northern England in 1297', *NH* 26 (1990), 40-58; Richard Lomas, *North-East England in the Middle Ages* (Edinburgh, 1992); Colm McNamee, 'Buying off Robert Bruce: An Account of Monies Paid to the Scots by Cumberland Communities in 1313-14', *Transactions of the Cumberland and Westmorland Antiquarian and Archaeological Society* 92 (1992), 77-89; Richard Lomas, *County of Conflict: Northumberland from Conquest to Civil War* (East Linton, 1996); Richard Lomas, 'The Impact of Border Warfare: The Scots and South Tweedside, c.1290-c.1520', *SHR* 75 (1996), 143-67; Colm McNamee, *The Wars of the Bruces: Scotland, England and Ireland, 1306-1328* (East Linton, 1997), pp. 72-165.

Table 2.1 Direct Taxes, 1290-1348

Prerogative taxes, along with those negotiated rather than granted in parliament or council, are in italics. Those revoked or not collected are in parentheses.

Date of Parliament, Council or Writ	Tax Granted or Demanded
April 1290	Fifteenth
November 1294	Tenth and Sixth
November 1295, Westminster	Eleventh and Seventh
November 1296, Bury St Edmunds (July 1297)	Twelfth and Eighth (<i>Eighth and Fifth</i>)
October 1297 (March 1300, Westminster)	Ninth (<i>Twentieth</i>)
May 1300	<i>Fifteenth in Wales</i>
January 1301, Lincoln	Fifteenth
October 1302	<i>Aid to marry the king's daughter</i>
July 1303-January 1304	<i>Tallage</i>
February 1305	Scutage (granted by parliament)
May 1306	Thirtieth and Twentieth (to knight Prince Edward)
October 1307, Westminster	Twentieth and Fifteenth
April 1309, Westminster	Twenty-Fifth
December 1312	<i>Tallage</i>
September 1313	Twentieth and Fifteenth
November 1314	<i>Scutage</i>
January 1315, Westminster	Twentieth and Fifteenth
January/August 1316, Lincoln	Sixteenth and Fifteenth
May 1319, York	Eighteenth and Twelfth
May 1319	<i>Scutage</i>
November 1322, York	Tenth and Sixth
September 1327, Lincoln (June 1332)	Twentieth (<i>Tallage</i>)
September 1332, Westminster	Fifteenth and Tenth
September 1334, Westminster	Fifteenth and Tenth
March 1336, Westminster	Fifteenth and Tenth
September 1336, Nottingham	Fifteenth and Tenth
July 1337	<i>Subsidy negotiated with county communities</i>
September 1337, Westminster (October 1337)	3 x Fifteenths and Tenths (<i>Scutage</i>)
July 1338, Northampton	Tax on wool
April 1340, Westminster	(i) 2 x Ninths on corn, wool and sheep (ii) 2 x Ninths and Fifteenths (where (i) not applicable)
June 1344, Westminster	2 x Fifteenths and Tenths
September 1346, Westminster	2 x Fifteenths and Tenths
September 1346	<i>Aid to knight Prince Edward</i>
March 1348, Westminster	3 x Fifteenths and Tenths

Sources: Willard, *Parliamentary Taxes*; Jurkowski, Smith and Crook, *Lay Taxes*; Prestwich, *War, Politics and Finance*, p. 179; Ormrod, *Reign of Edward III*, p. 189.

The key point about the taxes on moveables is that they were parliamentary subsidies. In the later thirteenth century, it rapidly became accepted that such taxation could only be collected once the king had obtained assent from representatives of the realm, although it was not until the early fourteenth century that this was deemed to mean the magnates, knights and burgesses for lay taxes. As late as 1297, there was no theoretical demand that this consent had to be given in parliament – hence Edward I's attempt to collect a tax granted 'by the people standing around in his chamber'³¹ – but in practice this had been the place where such agreement was sought.³²

Since the 1270s, there had been representatives present at every assembly which had granted taxes, and whilst this was not the only issue at stake in the crisis of 1297, it was certainly a critical one.³³ For all the king tried to give the impression of legitimate assent in his writs concerning the tax, the subsequent reaction indicated that it was not considered enough for parliament to simply be in session. Instead, explicit consent from the assembly was required. Although Edward failed to obtain as much as he desired from the parliamentary grant that followed in October (a ninth instead of the proposed eighth and fifth), this was still the highest tax of his reign, and it is notable that parliament gave in to his demands in spite of his behaviour in the summer. 1297 marks an important turning point, as it clearly laid down the principle that direct taxes on moveables could only be granted once the assent of the community had been obtained *in* and *from* parliament. In *De Tallagio non Concedendo* and the *Confirmatio Cartarum*, the proper method for obtaining consent

³¹ *Flores Historiarum*, ed. Henry Richards Luard, 3 vols, RS 95 (London, 1890), vol. 3, p. 296. For the relevant government sources, see *Documents Illustrating the Crisis of 1297-98 in England*, ed. Michael Prestwich, Camden Society, 4th Series, 24 (1980), pp. 99-15.

³² Willard, *Parliamentary Taxes*, pp. 13-18. The distinction between parliaments and councils was not clear at this stage: see above, pp. 56-60.

³³ Prestwich, *War, Politics and Finance*, pp. 247-61; Harriss, *King, Parliament and Public Finance*, pp. 49-74; *Documents*, ed. Prestwich, pp. 1-37; Michael Prestwich, *Edward I* (revised edition: New Haven and London, 1997), pp. 401-35; Prestwich, *Plantagenet England*, pp. 168-72.

was properly laid down in theory, although the issue was far from being finally resolved.³⁴

It did become clear that a fully representative assembly, whether called a parliament or not, was essential to any request for taxation. Over seventy years ago, J.G. Edwards argued that the main reason the crown insisted that representatives possess full power to act on behalf of their communities was to enable them to grant taxes.³⁵ In opposition to this, others – most importantly Gaines Post and G.L. Harriss – have suggested that the king was using Roman law doctrines in summoning the representatives, and that as long as he could prove that a necessity for aid existed, they had a duty to grant that aid to him (which would consequently reduce the significance of the MPs).³⁶ However, the two positions may not be mutually contradictory. Once it was established that direct taxation had to be granted in parliament, and that such a parliament had to contain the representatives, it was in the king's interests to ensure that there could be no challenge to their right to agree to taxation on behalf of their communities. Certainly the county communities held their representatives accountable for concessions over taxation, and subtle arguments over the doctrine of necessity – which may have made sense to those actually involved in parliament – cut little ice back in the shires.³⁷ A further problem relates to the royal

³⁴ Both *De Tallagio non Concedendo* and *Confirmatio Cartarum* are printed in *Select Charters and Other Illustrations of English Constitutional History from the Earliest Times to the Reign of Edward the First*, ed. William Stubbs (9th edition revised by H.W.C. Davis: Oxford, 1913), pp. 490-94; and in *Documents*, ed. Prestwich, pp. 154-55, 158-60. A full text of the *Confirmatio*, along with variants, is given by Harry Rothwell, 'The Confirmation of the Charters, 1297', *EHR* 60 (1945), 16-35, 177-91, 300-15, pp. 303-305. There has been some dispute over the authenticity of *De Tallagio*: J.G. Edwards, 'Confirmatio Cartarum and Baronial Grievances in 1297', *EHR* 58 (1943), 147-71, 273-300; Rothwell, 'Confirmation'. J.H. Denton's discovery of the pardon in the Evesham chronicle echoing the wording of *De Tallagio* suggests that it is indeed genuine: J.H. Denton, 'The Crisis of 1297 from the Evesham Chronicle', *EHR* 93 (1978), 560-79; *Documents*, ed. Prestwich, pp. 30-31.

³⁵ J.G. Edwards, 'The *Plena Potestas* of English Parliamentary Representatives', in *Oxford Essays in Medieval History Presented to Herbert Edward Salter* (Oxford, 1934), pp. 141-54; reprinted in E.B. Fryde and Edward Miller (eds.), *Historical Studies Historical Studies of the English Parliament*, 2 vols. (Cambridge, 1970), vol. 1, pp. 136-49.

³⁶ Gaines Post, *Studies in Medieval Legal Thought: Public Law and the State, 1100-1322* (Princeton, NJ, 1964), pp. 91-164; Harriss, *King, Parliament, and Public Finance*, pp. 23-24, 52-53; G.L. Harriss, 'War and the Emergence of the English Parliament, 1297-1360', *JMH* 2 (1976), 35-56. For criticism, see *Documents*, ed. Prestwich, pp. 27-30; and Michael Prestwich, 'Parliament and the Community of the Realm in Fourteenth Century England', in A. Cosgrove and J.I. McGuire (eds.), *Parliament and Community* (Belfast, 1983), p. 9.

³⁷ 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. 80-84.

demesne, whose inhabitants were taxed at the higher rate and were thus not technically represented (in this respect) by the knights of the shire.³⁸ Moreover, before the citizens and burgesses became a standard parliamentary fixture, their taxes had to be 'negotiated' on the occasions (such as 1294) when they were unrepresented in the consenting assembly. But it was advantageous to the king if he was able to prove that parliament had a duty to grant an aid to meet a specific emergency. The summons to parliament rarely stated explicitly that the king intended to seek assent to a tax, even if in most circumstances this was his primary aim. Instead, the summonses tended to refer to the emergency which could be used as a justification for seeking a grant. The most famous example of this is the writ to the November 1295 assembly, in which Edward I drew attention to the great threat posed by the king of France to Gascony, England and (incongruously from a French-speaking king) the English language.³⁹ The subtext is that resources were needed to combat Philip IV, and parliament's duty was to concede them. War was an expensive business, and for kings like Edward I – fighting in France, Scotland and Wales in the 1290s – and Edward III in the late 1330s, the overriding motivation for calling parliaments must have been to obtain funds for their campaigns. But the opening charge to parliament often made clear the king's intentions. When the parliament of March-April 1340 assembled, the following was given as the main reason for the assembly:

Our lord the king will need to be aided with a great aid, or he will be dishonoured forever and his lands both here and overseas will be in great peril, because he will lose his allies, and will also need to return to Brussels in person and remain there as a prisoner until the sum of money for which he is bound to them shall be fully paid. And if he is aided all such misfortunes will cease, and the undertaking which he has made will be brought, with the help of God, to a good end, and as a result there will be peace and quiet everywhere.⁴⁰

The demand for money makes up the entire justification on this occasion. Four years later, the request for a subsidy is not made explicit in the parliament roll's summary

³⁸ This problem is dealt with by Hoyt, 'Royal Demesne'.

³⁹ *PW*, I, 29; *Select Charters*, ed. Stubbs, pp. 480-82.

⁴⁰ TNA C 65/7, printed in W.M. Ormrod, 'Edward III: Parliament of March 1340, Text and Translation', in *PROME*.

of the chancellor's opening declaration, but it is the first act of business mentioned thereafter and given in response to the council's request.⁴¹

Yet if parliament, in theory at least, had an obligation to meet a case of necessity with a grant of taxation, they had a considerable degree of latitude in practice. Debate could revolve around the concept of necessity itself, and the length of some sessions which discussed taxation suggests that the king's argument was not automatically taken for granted. Particular problems arose over the king's foreign territories, with a reluctance to see Gascony in the 1290s and France in the 1330s as affairs which the king's English subjects were bound to finance. In cases of urgent need, such as the utter chaos in northern England resulting from Edward II's incompetent Scottish policy, parliament usually acquiesced to royal demands. It was very rare for parliament to actually refuse to grant a subsidy, although they did take this step in 1324, refusing to provide money to recover John of Brittany from the Scots, on the grounds that only the king or his immediate family were eligible to be ransomed in this way.⁴² An alternative to refusal was to grant the king less than he demanded, as in 1297. But the members of parliament rapidly realised that the most effective method to temper royal demands was to make their grants conditional. By demanding that certain grievances were redressed, or at least a promise that a resolution would be quickly worked out, before they consented to taxation, parliament gained in importance. The conditions attached to the grant of a twentieth in 1300, whereby (besides having already issued the *Articuli super Cartas*) the king was required to accept without question the results of commissions perambulating the forests, proved unacceptable to Edward, who consequently declined to collect the tax.⁴³ A long parliamentary session in late 1312 failed to give Edward II a grant before Christmas, as he desired, instead making it conditional upon pardons for those

⁴¹ TNA C 65/11, printed in W.M. Ormrod, 'Edward III: Parliament of 1344, Text and Translation', in *PROME*.

⁴² *Flores Historiarum*, vol. 3, p. 219; *Adae Murimuth Continuatio Chronicarum*, Robert de Avesbury *de Gestis Mirabilibus Regis Edwardi Tertii*, ed. Edward Maunde Thompson, RS 93 (London, 1889), p. 43; *Chronicon Monasterii S. Albani*, ed. H.T. Riley, 7 vols. in 12 parts, RS 28 (London, 1863-76), vol. 1.1, p. 171; Mark Buck, *Politics, Finance and the Church in the Reign of Edward II: Walter Stapeldon, Treasurer of England* (Cambridge, 1983), p. 145.

⁴³ Prestwich, *War, Politics and Finance*, pp. 265-66.

involved in Gaveston's death, to be issued in the next parliament (March 1313).⁴⁴ In the March-April 1340 parliament mentioned above, the king was granted two unusual (and somewhat complex) ninths and fifteenths on the condition that he promised not to hold his English subjects in any way accountable to him as king of France.⁴⁵ Given that Edward III had not taken the trouble to inform his English subjects about the assumption of his new royal title ('king of England and France'), and that this action came on top of massive financial demands, it is hardly surprising that parliament felt the need to tie the king down in this manner.⁴⁶ In 1344, the provisos attached by the Commons verged on temerity, insisting that the grant could only be employed for the specific purposes for which it was requested, whilst the money from north of the River Trent was to be reserved for Scottish action under Edward Balliol.⁴⁷ If parliament accepted its duty to provide finance for the king's wars, its members were not going to hand over money unconditionally, and were keen to ensure it was used effectively. Edward III may have had a relatively successful time, in military terms, during the 1330s, but the memories of his father's abject failure in this respect (along with the waste of money it involved) lingered on. Edward I's parliaments may have attached unwelcome conditions to grants, but they never dared to tell him how he ought to spend the money once it was conceded. Here is the clearest indication that, by the 1340s, parliament in some sense involved a suspension of the normal rules whereby the Commons felt strong enough to limit the king's absolute right to financial aid. For the rest of the middle ages, parliament would frequently make their grants conditional upon certain terms. Whilst the king often

⁴⁴ *Vita Edwardi Secundi Monachi Cuiusdam Malmesberiensis: The Life of Edward II by the So-called Monk of Malmesbury*, ed. and trans. N. Denholm-Young (London, 1957), p. 38; *Vita Edwardi Secundi: The Life of Edward II*, ed. and trans. Wendy R. Childs (Oxford, 2005), pp. 66-67; J.R. Maddicott, *Thomas of Lancaster, 1307-1322: A Study in the Reign of Edward II* (Oxford, 1970), pp. 135-40; J.F. Hadwin, 'The Last Royal Tallages', *EHR* 96 (1981), 344-58, pp. 349-50.

⁴⁵ TNA C 65/7, printed in Ormrod, 'Parliament of March 1340'; *SR*, I, 292; *Select Documents of English Constitutional History, 1307-1485*, ed. S.B. Chrimes and A.L. Brown (London, 1961), p. 55; Jurkowski, Smith and Crook, *Lay Taxes*, pp. 43-46. The Commons expressed a similar concern following the Treaty of Troyes in 1420, when they requested that Henry V rule England and France as separate entities: TNA C 65/81, printed in Chris Given-Wilson, 'Henry V: Parliament of 1420, Text and Translation'; Nigel Saul, 'Henry V and the Dual Monarchy', *History Today* 36.5 (May 1986), 39-43, reprinted in Nigel Saul (ed.), *England in Europe, 1066-1453* (London, 1994), pp. 144-50.

⁴⁶ W.M. Ormrod, 'A Problem of Precedence: Edward III, the Double Monarchy, and the Royal Style', in J.S. Bothwell (ed.), *The Age of Edward III* (York, 2001), pp. 133-53, especially pp. 145-49.

⁴⁷ TNA C 65/11, printed in Ormrod, 'Parliament of 1344'.

needed parliament as a means to finance his campaigns, the members were never prepared to allow the assembly to become a purely financial one. In the crisis years of 1339-41, with the king in desperate need of money, the Commons were able to introduce 'a new stage between their recognition of the necessity and the grant of a tax'.⁴⁸ They were aware that the king required their assent and co-operation for successful taxation, and were thus able to ensure that the elements they tended to value most in parliament – the judicial and the redress of grievances – received prominence in return. There were ways in which the kings tried to evade this problem. On four occasions in the early part of his reign, Edward III held great councils rather than parliaments to grant subsidies, in an attempt to deny the direct link between taxation and petitions that parliament had begun to suggest.⁴⁹ The policy failed, with a king desperate for money and a community critical of his actions ensuring Edward ultimately had to accept parliament as the fully-representative body which had to be consulted over taxation *and* have the right to air their grievances.

Under these circumstances, the first three Edwards resorted to other ways to raise money. Their reasons were, at least to an extent, practical as well as political: the subsidies took time to assess and collect, and time was not a luxury usually possessed by a king in the middle of a war. Yet there was also a royal reluctance to be reliant on taxes which depended upon parliamentary assent. It was recognised that this consent was necessary, and it remained the most common form of taxation, but there was a concerted attempt to find other sources of revenue. This created further conflict, as parliament gradually sought rights over taxes that the king regarded as his unquestionable entitlement. After the crisis of 1297, Edward I tried to fund his sizeable outgoings by the revival of feudal dues. The aid granted by parliament for Princess Eleanor's marriage, granted in 1290 but superseded by a fifteenth (as well as the inconvenient death of the prospective husband), was taken up during 1302.⁵⁰ In

⁴⁸ Harriss, *King, Parliament and Public Finance*, p. 259.

⁴⁹ The councils were in September 1327 (Lincoln), September 1336 (Nottingham), September 1337 (Westminster) and July 1338 (Northampton). H.G. Richardson and G.O. Sayles, 'The Parliaments of Edward III', *BIHR* 8 (1930), 65-77 and 9 (1931), 1-18, reprinted in H.G. Richardson and G.O. Sayles, *The English Parliament in the Middle Ages* (London, 1981), article XXI; Ormrod, *Reign of Edward III*, p. 64.

⁵⁰ *CPR, 1301-1307*, p. 76; Chew, 'Scutages and Aids', pp. 160-62; Jurkowski, Smith and Crook, *Lay Taxes*, p. 26.

1306, a thirtieth and twentieth was granted for the knighting of Prince Edward, although this was assented to by parliament with the king's promise that it would not set a precedent.⁵¹ 1303 saw writs issued for the collection of tallage, not levied since the 1260s.⁵² In part, this was to avoid setting the negative precedent of failure to tallage during the reign, which could have been used against the crown at a later date,⁵³ but it also showed an element of desperation on the king's part. The Scottish war continued to be a drain on resources, and with parliament reluctant to grant money (at least without concessions the king was unwilling to give), and the native merchants refusing to subject themselves to the new custom, tallage was a valuable source of revenue. Despite the misplaced verdicts of late nineteenth- and early twentieth-century historians like Stubbs and Ramsay, Edward still possessed the right to levy tallage on the demesne lands.⁵⁴ As Mitchell observed, the term 'tallage' in *De Tallagio non Concedendo* was used in a general sense rather than a technical one, to complain about the extremely heavy burden of taxes on moveable levied during the 1290s; there would have been no sense in the magnates protesting against an exaction last levied thirty years previously.⁵⁵ It seems to have raised little resistance in principle (although some communities used the excuse of the three decades elapsed since the last tallage to try and claim exemption), and produced a respectable yield.⁵⁶ When Edward II levied the last tallage in 1312 – again in desperation after parliament failed to grant him a regular subsidy – the response was again positive, with the

⁵¹ *PW*, I, pp. 169, 178-79; *CCR*, 1302-1307, p. 413; *CPR*, 1301-1307, p. 456; Chew, 'Scutages and Aids', pp. 162-63; Jurkowski, Smith and Crook, *Lay Taxes*, pp. 28-29.

⁵² The Annals of Osney refer to a tallage levied in the king's absence in 1288, but there are no reference to this in any government document: 'Annales Monasterii de Oseneia', in *Annales Monastici*, ed. Henry Richards Luard, 5 vols., RS 36 (London, 1864-69), vol. 4, p. 316; Mitchell, *Taxation in Medieval England*, p. 360.

⁵³ The memorandum from John Droxford, noting that the king was favourable to the idea of tallage (which had not been levied 'in his time'), is printed by James Fosdick Baldwin, *The King's Council in England during the Middle Ages* (Oxford, 1913), p. 466. See also *CCW*, 1244-1326, p. 197; Prestwich, *War, Politics and Finance*, pp. 184-85; Hadwin, 'Last Tallages', pp. 345-46.

⁵⁴ William Stubbs, *The Constitutional History of England in its Origin and Development*, 3 vols. (2nd edition: Oxford, 1880), vol. II, pp. 362-63, 565-68; *Select Charters*, ed. Stubbs, p. 419; Ramsay, *History of Revenues*, pp. 70-72. Their views are accepted by M.V. Clarke, *Medieval Representation and Consent: A Study of Early Parliaments in England and Ireland, with Special Reference to the Modus Tenendi Parliamentum* (London, 1936), p. 273.

⁵⁵ Mitchell, *Taxation in Medieval England*, pp. 365-75.

⁵⁶ *CCR*, 1302-1307, pp. 135, 145, 163, 175, 200-204, 206-207; Mitchell, *Taxation in Medieval England*, pp. 385-87; Hadwin, 'Last Tallages', pp. 345-49.

exception of fierce (although not unprecedented) opposition from London.⁵⁷ In other words, there was as yet no understanding that *all* taxes had to be granted by parliament, and the king retained his right to demand feudal dues. Yet twenty years later, Edward III's writs to collect tallage were enough to frighten parliament into granting a fifteenth and tenth, on the condition that the tallage was revoked.⁵⁸

The king did not give up his right to tallage – Edward considered levying it again in 1338-39 – but it was allowed to die 'of sheer neglect'.⁵⁹ Scutage had been used fairly successfully by Edward I for his Welsh wars in the 1270s, but his attempts (along with those of his son) to revive the levy in the early fourteenth century met with strong resistance.⁶⁰ Edward II was still trying to collect his father's scutages when he requested his own in 1319, whilst the latter had to be written off by Edward III in 1330. Although parliament granted Edward II the highly unusual supply of foot soldiers at Lincoln in 1316, the concept of the feudal host had been dying for some time. The basic problem was that feudal levies such as scutage and tallage had ceased to be profitable. They took as long as subsidies to collect, and provided a substantially lower yield (around £5,000 instead of a subsidy total in excess of £30,000). Quick supplies were better obtained through loans, the customs and prises. By the early fourteenth century, tallage and scutage were no longer considered regular or important sources of revenue, but were instead the last resort of kings in need of money and at loggerheads with those who could grant it. It was far more profitable if the king could convince parliament to grant him a tax on moveables (and

⁵⁷ *PW*, II.ii, Appendix, pp. 59, 84-85; *CPR*, 1307-1313, pp. 520-21; Mitchell, *Taxation in Medieval England*, pp. 323-30; Gwyn A. Williams, *Medieval London: From Commune to Capital* (London, 1963), pp. 198-99; 389-93; Hadwin, 'Last Tallages', pp. 349-54. Problems with the tallage in Bristol are covered in E.A. Fuller, 'The Tallage of 6 Edward II', *Bristol and Gloucestershire Archaeological Society Transactions* 19 (1894-95), 171-278.

⁵⁸ *CPR*, 1330-1334, pp. 312-13; TNA C 65/2, printed in *RP*, II, 66 and in J.R.S. Phillips, 'Edward III: Parliament of March 1332, Text and Translation', in *PROME*; Mitchell, *Taxation in Medieval England*, pp. 392-99; Hadwin, 'Last Tallages', pp. 354-55.

⁵⁹ The quote is from Hadwin, 'Last Tallages', p. 356. On 1338: Dorothy Hughes, *A Study of Social and Constitutional Tendencies in the Early Years of Edward III* (London, 1915), pp. 64-66, 73-74, 240, 245; Harriss, *King, Parliament and Public Finance*, p. 245.

⁶⁰ For the financing of the Welsh wars, see J.E. Morris, *The Welsh Wars of Edward I* (Oxford, 1901), reissued with a foreword by M.C. Prestwich (Stroud, 1996), pp. 141, 185-86, 197-200; Prestwich, *War, Politics and Finance*; Kaeuper, 'Role of Italian Financiers'; Prestwich, *Edward I*, pp. 170-232. On scutage, see Chew, 'Scutages and Aids'; Helena M. Chew, 'Scutage Under Edward I', *EHR* 37 (1922), 321-36; Helena M. Chew, 'Scutage in the Fourteenth Century', *EHR* 38 (1923), 19-41; Chew, *Ecclesiastical Tenants-in-Chief*; Jurkowski, Smith and Crook, *Lay Taxes*, pp. 27-28, 31-32, 35.

obtain the money swiftly by setting it against loans). By the 1330s, such dues were little more than a bargaining tool with parliament. Edward III did collect an aid to knight the Black Prince in 1346, although this created problems with the parliament of 1348, who considered this contrary to the spirit of the statute of 1340.⁶¹ In effect, the arbitrary taxes fell into disuse, with the crown agreeing in 1352 that in future they would only be collected with the consent of parliament.⁶²

In addition to direct and prerogative taxation of the laity, the king was able to supplement his income with money granted by the clergy. Prior to the 1290s, clerical money was obtained either when the clergy made a direct grant or, more frequently, when the pope granted the share of a tax levied by the Holy See.⁶³ In 1291, Nicholas IV granted Edward I the proceeds of a sexennial tenth levied on the English clergy, ostensibly to fund the crusade the king had promised to undertake, which led to a reassessment of clerical estates which was not popular with the owners.⁶⁴ Papal taxation such as this could provide a useful source of additional income for the king (as the clergy would be unable to resist the demands of king and pope working in unison), but it required a compliant pope and time-consuming communication with Rome. From 1294, the clergy were liable to lay subsidies granted in parliament, but only on temporalities acquired after the 1291 assessment.⁶⁵ Reluctant though the clergy were to concede the point, kings were able to extract subsidies from them in return for the consideration of clerical *gravamina*, discussed below.⁶⁶

⁶¹ TNA C 65/12, printed in W.M. Ormrod, 'Parliament of January 1348: Text and Translation', in *PROME*.

⁶² *Ibid*; *SR*, I, 322.

⁶³ William E. Lunt, *Financial Relations of the Papacy with England to 1327* (Cambridge, Mass., 1939); William E. Lunt, *Financial Relations of the Papacy with England, 1327-1534* (Cambridge, Mass., 1962). See also W.E. Lunt, 'Papal Taxation in England in the Reign of Edward I', *EHR* 30 (1915), 398-417; H.S. Deighton, 'Clerical Taxation by Consent, 1279-1301', *EHR* 68 (1953), 161-92. For the context of papal finances, see William E. Lunt, *Papal Revenues in the Middle Ages* (New York, 1934).

⁶⁴ *Bartholomaei de Cotton, Monachi Norwicensis, Historia Anglicana (A.D. 449-1298)*, ed. Henry Richards Luard, RS 46 (London, 1859), pp. 198-99; Lunt, 'Papal Taxation'; W.E. Lunt, 'Collectors' Accounts for the Clerical Tenth Levied in England by Order of Nicholas IV', *EHR* 31 (1916), 102-19; Lunt, *Financial Relations*, vol. 1, pp. 346-65.

⁶⁵ James F. Willard, 'The English Church and the Lay Taxes of the Fourteenth Century', *University of Colorado Studies* 4 (1907), 217-25; Willard, *Parliamentary Taxes*, pp. 93-102; J.H. Denton, *Robert Winchelsey and the Crown, 1294-1313: A Study in the Defence of Ecclesiastical Liberty* (Cambridge, 1980), p. 59.

⁶⁶ Below, pp. 161-64.

Table 2.2 Clerical Subsidies, 1290-1348

Date of Grant	Province	Subsidy
October 1290	Canterbury	Tenth
1290	York	Tenth
<i>March 1291</i>	<i>Papal Sexennial tenth – king to receive all</i>	
September 1294	Canterbury and York	Half (moiety)
December 1295	Canterbury and York	Tenth
1297	Canterbury and York	Fifth (fine for protection)
November 1297	Canterbury	Tenth
November 1297	York	Tenth
<i>February 1301</i>	<i>Papal triennial tenth – king to receive half</i>	
<i>August 1305</i>	<i>Papal biennial tenth – king to receive all but £2,000 per annum</i>	
October 1307	Canterbury and York	Fifteenth
<i>May 1309</i>	<i>Papal triennial tenth – king to receive three quarters</i>	
<i>May 1309</i>	<i>Papal tenth – king to receive all</i>	
<i>December 1312</i>	<i>Papal sexennial tenth – king to receive all</i>	
<i>March 1317</i>	<i>Papal tenth – king to receive all</i>	
<i>May 1319</i>	Canterbury	<i>Papal tenth – king to receive all</i>
<i>April 1322</i>	<i>Papal biennial tenth – king to receive all</i>	
October 1327	York	Tenth
November 1327	Canterbury	Tenth
1330	<i>Papal quadrennial tenth – king to receive half</i>	
September 1334	Canterbury	Tenth
October 1334	York	Tenth
March 1336	Canterbury	Tenth
May 1336	York	Tenth
September 1336	Canterbury	Tenth
October 1336	York	Tenth
September 1337	Canterbury	3 x Tenths
November 1337	York	3 x Tenths
October 1338	Canterbury	Tenth
February 1340	Canterbury	Tenth
February 1340	York	2 x tenths
October 1342	Canterbury	Tenth
December 1342	York	Tenth
May 1344	Canterbury	3 x Tenths
June 1344	York	3 x Tenths
October 1346	Canterbury	2 x Tenths
January 1347	York	2 x Tenths

Sources: Lunt, *Financial Relations to 1327*; Lunt, *Financial Relations 1327-1534*; Denton, *Robert Winchelsey*, pp. 299-301; Ormrod, *Reign of Edward III*, p. 190.

There were two other aspects of taxation for which the early fourteenth century proved critical: the wool subsidies and clerical taxation. From 1275, wool and cloth exports had been subject to an export charge known as the ancient custom, whilst from 1303 to 1311 and after 1322, alien merchants paid an additional subsidy (the new custom) for the protection of their rights by the king.⁶⁷ The charge was not excessive and raised little serious protest, whilst the king was able to raise loans from Italian merchants on the security of the customs revenues. But wool was the backbone of the English economy, and a potentially lucrative commodity for a king in need of money.⁶⁸ In financial difficulties in 1294, Edward I initially attempted to seize all English wool (as a forced loan) and sell it to raise funds, before strong opposition from the merchants persuaded him to abandon this idea in favour of increasing the export tax on wool.⁶⁹ This increased duty, the *maltolt*, was unpopular and eventually scrapped by the king in 1297 as a result of demands from the opposition.⁷⁰ However, it is important to stress that the issue was not fundamentally about the non-parliamentary nature of the *maltolt*, but about its exaction over a prolonged period with the consequent impact on wool-producers. The levy had been assented to by the merchants (albeit under heavy pressure from the king), and there was little feeling at this stage that the *maltolt* should be a matter for the wider

⁶⁷ Norman Scott Brien Gras, 'The Origin of the National Customs Revenue of England' *Quarterly Journal of Economics* 27 (1913), 107-49; Norman Scott Brien Gras, *The Early English Customs System: A Documentary Study of the Institutional and Economic History of the Customs from the Thirteenth to the Sixteenth Century* (Cambridge, Mass., 1926); E.M. Carus-Wilson and Olive Coleman, *England's Export Trade, 1275-1547* (Oxford, 1963); Kaeuper, *Bankers to the Crown*, pp. 136-41; T.H. Lloyd, *The English Wool Trade in the Middle Ages* (Cambridge, 1977), pp. 60-62; Prestwich, 'Italian Merchants'; T.H. Lloyd, *Alien Merchants in England in the High Middle Ages* (Brighton, 1982).

⁶⁸ Eileen Power, *The Wool Trade in Medieval English History* (Oxford, 1941); D.R. Bivens, 'The Wool Trade and the Finances of English Monasteries, c.1300', *Studies in Medieval Culture* 4 (1974), 330-37; Lloyd, *English Wool Trade*; J.H. Munro, 'Wool-Price Schedules and the Qualities of English Wool in the Later Middle Ages, c.1270-1499', *Textile History* 9 (1978), 118-69, M.L. Ryder, 'Medieval Sheep and Wool Types', *Agricultural History Review* 32 (1984), 14-28; Patrick Chorley, 'English Cloth Exports during the Thirteenth and Early Fourteenth Centuries: The Continental Evidence', *Historical Research* 61 (1988), 1-10.

⁶⁹ TNA C 49/1/17; *Bartholomaei de Cotton*, pp. 245-47; C.V. Langlois, 'Project for Taxation Presented to Edward I', *EHR* 4 (1889), 517-21; G.O. Sayles, 'The Seizure of Wool at Easter 1297', *EHR* 67 (1952), 543-47, reprinted in H.G. Richardson and G.O. Sayles, *The English Parliament in the Middle Ages* (London, 1981), article X; Prestwich, *War, Politics and Finance*, p. 196; Lloyd, *English Wool Trade*, pp. 74-77.

⁷⁰ For the *maltolt*, see especially F.R. Barnes, 'The Taxation of Wool, 1327-1348', in George Unwin (ed.), *Finance and Trade Under Edward III* (Manchester, 1918), pp. 137-77; B. Wilkinson, *Studies in the Constitutional History of the Thirteenth and Fourteenth Centuries* (Manchester, 1937), pp. 55-81; Harriss, *King, Parliament and Public Finance*, pp. 420-49; Lloyd, *English Wool Trade*, pp. 75-98.

community. After all, the burden of the tax fell upon the exporting merchants, even if there were fears that this would be passed on in the form of lower prices for the producers.⁷¹

Negotiations concerning the wool trade continued to take place both inside and outside parliament. Typically discussions were held in merchant assemblies, which could meet either separately from or simultaneously with parliament. In 1317, Edward II used such a meeting to obtain a loan on wool, to avoid appealing to parliament at a time of political tension.⁷² With parliament's failure to make a decision on the issue of home staples, further merchant assemblies were held in January 1319 (London), April 1319 (Westminster) and June 1322 (York), the last of which granted the king a one-year subsidy on wool.⁷³ No protest was raised because this was seen as a matter for the merchants, and Edward firmly stated that it was a one-off measure.⁷⁴ Assemblies of merchants continued to meet into the 1340s and beyond, consisting of men from towns nominated by the king, who appeared before the king's council.⁷⁵ The composition of these assemblies was far from uniform, varying from a handful of nominated merchants to in excess of a hundred, and covering the whole country or a select geographical range. However, by 1340 the Commons in parliament were objecting to the king using merchants to grant the wool subsidy, seeking to gain control for parliament itself.

⁷¹ Harriss, *King, Parliament and Public Finance*, p. 425.

⁷² *CFR, 1307-1319*, p. 335; W.M. Ormrod, 'Political Theory in Practice: The Forced Loan on English Overseas Trade of 1317-18', *HR* 64 (1991), 204-15.

⁷³ *PW*, II.ii, 196; TNA C 49/5/10; *CPR, 1321-1324*, p. 282; A.E. Bland, 'The Establishment of Home Staples, 1319', *EHR* 29 (1914), 94-97; James Conway Davies, 'An Assembly of Wool Merchants in 1322', *EHR* 31 (1916), 596-606; Lloyd, *English Wool Trade*, pp. 106-18.

⁷⁴ *CCR, 1318-1323*, p. 724; Harriss, *King, Parliament and Public Finance*, p. 426.

⁷⁵ During the period under consideration, merchant assemblies or representatives from towns were summoned for January 1328 at York (*Returns*, vol. 1, p. 80); June 1336 at Northampton (*RDP*, IV, 458-60); January 1337 for London (towns around the Thames) and Norwich (towns north of the Thames, *RDP*, IV, 469-70); June 1337 at Stamford (*RDP*, IV, 474); July 1337 at Westminster (*RDP*, IV, 477-79); February 1338 at London (*RDP*, IV, 491-92); January 1340 at Westminster (*RDP*, IV, 510-11); March and May 1340 at Westminster (*RDP*, IV, 512-15, 518-21); August 1340 at London or Westminster (*RDP*, IV, 524-25); October 1340 at Westminster (*RDP*, IV, 527); July 1342 at London (*RDP*, IV, 540-41); April 1343 at Westminster (*RDP*, IV, 548-50); August 1343 at Westminster (*RDP*, IV, 550); July-August 1345 at Westminster (*RDP*, IV, 555-56); April 1347 at Westminster (*RDP*, IV, 562-65); June 1347 at Westminster (*RDP*, IV, 565-67); and July-August 1347 at London (*RDP*, IV, 567-71).

Historians are divided on the reasons behind this. The root cause of this division lies in the treatment of the subject by George Unwin in 1918, in which he talked of an 'estate of merchants', in natural opposition to the Commons in parliament.⁷⁶ Yet more recent historians have tried to show that there was no inherent antagonism between merchants and Commons, and that tensions arose specifically within the context of the mid-1330s onwards.⁷⁷ Although merchant assemblies became less frequent after the early 1350s, the merchants remained an integral part of parliament and other consultative bodies, even if they were not always especially prominent.⁷⁸ As long as royal demands were reasonable, few objected to allowing the merchants the major voice in granting taxation on wool. The problems arose when, from 1336, Edward III's demands became anything but reasonable. With the already heavy direct taxation insufficient for the king's war aims, he attempted to tap into the wealth of the wool trade through increased subsidies and the ill-fated monopoly scheme.⁷⁹ The result of this was to divide the merchants themselves, creating tensions between those involved in monopolies and the lesser merchants, as well as between merchants and producers. Any coherence that the 'estate of merchants' had previously possessed was destroyed by the king's schemes. Parliament stepped in not because of any urgent desire to regulate the wool trade, but because the king's actions were

⁷⁶ G. Unwin, 'The Estate of Merchants, 1336-1365', in Unwin (ed.), *Finance and Trade*, pp. 179-255.

⁷⁷ Harriss, *King, Parliament and Public Finance*, pp. 420-49; Lloyd, *English Wool Trade*, pp. 144-92; W.M. Ormrod, 'The English Crown and the Customs, 1349-63', *EcHR*, 2nd Series 40 (1987), 27-40; Ormrod, *Reign of Edward III*, pp. 172-80.

⁷⁸ Gwilym Dodd, 'The Lords, Taxation and the Community of Parliament in the 1370s and Early 1380s', *PH* 20 (2001), 287-310; Christian D. Liddy, 'The Estate of Merchants in the Parliament of 1381', *HR* 74 (2001), 331-45; Gwilym Dodd, 'The Calais Staple and the Parliament of May 1382', *EHR* 117 (2002), 94-103.

⁷⁹ Barnes, 'Taxation of Wool'; E.B. Fryde, 'Dismissal of Robert de Wodehouse from the Office of Treasurer, December 1338', *EHR* 67 (1952), 74-78, reprinted in Fryde, *Studies in Medieval Trade*, article VIII; E.B. Fryde, 'Edward III's Wool Monopoly: A Fourteenth-Century Royal Trading Venture', *History*, New Series 37 (1952), 8-24, reprinted in Fryde, *Studies in Medieval Trade*, article VI; E.B. Fryde, 'The Wool Accounts of William de la Pole', *St Anthony's Hall Publications* 25 (1964), pp. 3-31, reprinted in Fryde, *Studies in Medieval Trade*, article IX; E.B. Fryde, 'Parliament and the French War, 1336-40', in *Essays in Medieval History Presented to Bertie Wilkinson*, ed. T.A. Sandquist and M.R. Powicke (Toronto, 1969), pp. 250-69, reprinted in E.B. Fryde and Edward Miller (eds.), *Historical Studies of the English Parliament*, 2 vols. (Cambridge, 1970), vol. 1, pp. 242-61, and in Fryde, *Studies in Medieval Trade*, article V; Harriss, *King, Parliament and Public Finance*, pp. 231-312; Lloyd, *English Wool Trade*, pp. 144-55; Fryde, *William de la Pole*; Ormrod, *Reign of Edward III*, pp. 21-23, 159-81.

threatening the basis of consent on which taxation was based.⁸⁰ The *maltolt*, legitimately agreed to by merchants at a sensible rate, was acceptable. The monopoly scheme forced lesser merchants and producers to turn to parliament, making the wool subsidy an explicitly parliamentary matter.⁸¹

The king was reluctant to accept this, and throughout the 1340s he continued to seek the assent of merchant groups and the great council for levying the wool subsidy, either in addition to or instead of the agreement of the Commons. Doubtless Edward believed that the important issue was that of consent, and, when relating to mercantile matters, that consent did not necessarily have to be parliamentary. At this stage, parliament was not the only assembly the king summoned or dealt with, and there was no inherent reason or tradition he should consult it over the wool subsidy. That he was increasingly forced to from the late 1330s was not inevitable, but a result of him overplaying his hand and alienating a significant proportion of the community. Parliament never gained full control of the subsidy in any case – in later years, it would be granted for long stretches of time – but the move from mercantile assent to parliamentary assent for the *maltolt* was an important stage in the history of the medieval parliament. As long as the wool subsidy was subject to the merchants rather than parliamentary consent, the king could still have some income even if relations with parliament were strained. With the principal sources of direct and indirect taxation now subject to parliamentary grant, albeit with various degrees of success, kings who did not have a good working relationship with parliament had to look to increasingly arbitrary ways (such as forced loans) to deal with financial difficulties.

Justice

There is no doubt that justice was a major function of the medieval parliament, although that judicial activity was multi-faceted. During the fourteenth century, as the concept of peerage developed, it was increasingly accepted that parliament (or

⁸⁰ Harriss, *King, Parliament and Public Finance*, p. 439.

⁸¹ *Ibid*, pp. 438-41.

more specifically the lords in parliament) was the place where state trials should take place.⁸² Edmund, earl of Kent and Roger Mortimer, earl of March were both condemned in parliaments at either end of 1330, although on the initiative of the *de facto* ruler in each case, the Commons not having developed the political teeth that would result in the idea of impeachment later in the fourteenth century.⁸³ On a more typical level, the judicial role of parliament was reflected in the right of individuals and groups to bring complaints to parliament through the private petition, and from the 1320s through the common petition.

(i) Private Petitions

It had long been accepted that the king was the ultimate arbiter of justice, responsible for ensuring that his subjects received fair treatment at the hands of the law. Of course that responsibility was delegated to his agents through the system of courts and the development of the common law from the reign of Henry II onwards, but it remained the right of a subject to petition the king in person.⁸⁴ Magna Carta had set down the tenet of the king's fundamental duty to provide justice for his people, a principle which had wide currency in thirteenth-century Europe with the Golden Bull in Hungary, and similar charters of liberties in Aragon, Catalonia, the

⁸² Explicitly laid down in a statute of 1340, printed in *SR*, I, 295, and in W.M. Ormrod, 'Edward III: Parliament of April 1340, Text and Translation', in *PROME*. For the concept of peerage, see Chris Given-Wilson, *The English Nobility in the Late Middle Ages: The Fourteenth-Century Political Community* (London, 1987).

⁸³ Impeachment is discussed in George Holmes, *The Good Parliament* (Oxford, 1975), pp. 63-69, 100-26; and J.S. Roskell, *The Impeachment of Michael de la Pole, Earl of Suffolk, in 1386, in the Context of the Reign of Richard II* (Manchester, 1984).

⁸⁴ W.L. Warren, *Henry II* (revised edition: New Haven and London, 2000), pp. 317-62; J.H. Baker, *An Introduction to English Legal History* (3rd edition: London, 1990); Paul Brand, *The Making of the Common Law* (London, 1992); Paul A. Brand, *The Origins of the English Legal Profession* (Oxford, 1992); W.M. Ormrod, *Political Life in Medieval England, 1300-1450* (Basingstoke, 1995), pp. 109-29; John Hudson, *The Formation of the English Common Law: Law and Society in England from the Norman Conquest to Magna Carta* (London, 1996); Anthony Musson, *Public Order and Law Enforcement: The Local Administration of Criminal Justice, 1294-1350* (Woodbridge, 1996); Anthony Musson, *Medieval Law in Context: The Growth of Legal Consciousness from Magna Carta to the Peasants' Revolt* (Manchester, 2001); Paul Brand, *Kings, Barons and Justices: The Making and Enforcement of Legislation in Thirteenth-Century England* (Cambridge, 2003).

Holy Roman Empire and Sicily.⁸⁵ In England, Edward I turned parliament into the occasion for his subjects to appeal for this justice through the private petition.⁸⁶ The English parliament was not the only institution to develop this judicial function; the Scottish parliament was also a forum for petitioning (a feature revived in this body's latest incarnation), and in the parlement of Paris justice became the principal activity.⁸⁷ However, from the outset it is best to remember Plucknett's words of caution, that parliament was not strictly a body that could be petitioned: the vast majority of petitions are addressed to the king and his council.⁸⁸ Parliament may have been the setting or occasion for the presentation of petitions, and the king or his nominated agents may have dealt with them in parliament, but it was the justice of the king and council, not that of parliament, that the petitioner sought.

Paradoxically enough, given that petitions are preserved in far larger numbers than any other materials for the early fourteenth century parliament, we have a real problem with evidence. There is no issue with those petitions that were enrolled on the appropriate parliament roll, which can thus be dated with some ease. The real difficulty lies in the thousands of loose petitions which bear no date, unhelpfully subjected to the organisational mania of officials at the Public Record Office in the nineteenth century and formed into series SC 8, thus destroying the chronological

⁸⁵ J.C. Holt, 'Rights and Liberties in Magna Carta', in *Album Helen Maud Cam*, 2 vols. (Louvain, 1960), vol. 1, pp. 57-69, reprinted in J.C. Holt, *Magna Carta and Medieval Government* (London, 1985), pp. 203-15; T.N. Bisson, 'An "Unknown Charter" for Catalonia (A.D. 1205)', *Album Mályusz* (1976), 61-76; T.N. Bisson, *The Medieval Crown of Aragon: A Short History* (Oxford, 1986), pp. 86-94; J.C. Holt, *Magna Carta* (Cambridge, 1992), especially pp. 24-27; Pál Engel, *The Realm of St Stephen: A History of Medieval Hungary, 895-1526* (London, 2001), pp. 83-100.

⁸⁶ *Rotuli Parliamentorum Hactenus Inediti*, p. ix; Michael Prestwich, *The Three Edwards: War and State in England, 1272-1377* (London, 1980), pp. 124-25; Maddicott, 'Parliament and the Constituencies', in Davies and Denton (eds.), *English Parliament*, pp. 63-67; Ormrod, *Political Life*, pp. 33-34; Musson, *Medieval Law in Context*, p. 187.

⁸⁷ A.A.M. Duncan, 'The Early Parliaments of Scotland', *SHR* 45 (1966), 36-58; Keith M. Brown and Roland J. Tanner, 'Introduction: Parliament and Politics in Scotland, 1235-1560', in Keith M. Brown and Roland J. Tanner (eds.), *The History of the Scottish Parliament Volume I: Parliament and Politics in Scotland, 1235-1560* (Edinburgh, 2004), pp. 1-28; The Scottish Parliament Guide to Petitioning, online at <<http://www.scottish.parliament.uk/business/petitions/guidance/index.htm>>; J.H. Shennan, *The Parlement of Paris* (London, 1968).

⁸⁸ Theodore F.T. Plucknett, 'Parliament', in Willard *et al* (eds.), *English Government at Work*, vol. 1, pp. 113-14; reprinted in Fryde and Miller (eds.), *Historical Studies*, vol. 1, pp. 226-27.

sequence in which they had previously been preserved.⁸⁹ An attempt to rectify this is being made, insofar as is possible, by the painstaking research of the Ancient Petitions project, but the damage done by the creation of SC 8 cannot be completely repaired.⁹⁰

There has been some debate as to why Edward chose to bring petitions into parliament in the 1270s. G.O. Sayles saw it as something of a 'stop-gap arrangement' prior to eyre circuits being appointed in 1278, but the machinery established to deal with private petitions suggests that it was meant to be a permanent arrangement from the start.⁹¹ One line of thought holds that the principal reason Edward encouraged people to bring petitions was to 'facilitate complaints against his ministers and to place the check of public opinion on their activities'.⁹² Dr Maddicott observes that of the petitions sent by shire communities in the period 1298-1307, some thirty per cent (seven of twenty-three) are concerned with royal officials. From this perspective, the admission of petitions to parliament was part of Edward's concern with a wider reform of local government, reflected in the Hundred Rolls enquiry and the *Quo Warranto* proceedings.⁹³ The problem, as Haskins long ago noted, is that petitions from shire communities represent only a small fraction of the total number at this

⁸⁹ Haskins, 'Petitions of Representatives'; Gwilym Dodd, 'Crown, Magnates and Gentry: The English Parliament, 1369-1421', unpublished University of York D.Phil. thesis (1998), pp. 170-80; Gwilym Dodd, 'The Hidden Presence: Parliament and the Private Petition in the Fourteenth Century', in Anthony Musson (ed.), *Expectations of the Law in the Middle Ages* (Woodbridge, 2001), pp. 135-49; Brand, 'Petitions and Parliament', pp. 17-24.

⁹⁰ The results of this research can be found in summaries of the petitions in series SC 8, including tentative dates, in the catalogue on the National Archives website, at <<http://www.nationalarchives.gov.uk>>.

⁹¹ G.O. Sayles, *The King's Parliament of England* (London, 1975), p. 76; Paul Brand, 'Petitions and Parliament in the Reign of Edward I', in Linda Clark (ed.), *Parchment and People: Parliament in the Middle Ages* (Edinburgh, 2004), p. 16.

⁹² Maddicott, 'Parliament and the Constituencies', p. 64. The argument that representatives were summoned for the purpose of bringing in petitions of complaint about officials was made by Ludwig Riess, *The History of English Electoral Law in the Middle Ages* (Cambridge, 1940); and D. Pasquet, *An Essay on the Origins of the House of Commons* (Cambridge, 1925), pp. 183-202.

⁹³ Helen M. Cam, *The Hundreds and the Hundred Rolls: An Outline of Local Government in Medieval England* (London, 1930); D.W. Sutherland, *Quo Warranto Proceedings in the Reign of Edward I, 1278-1294* (Oxford, 1963); Maddicott, 'Parliament and the Constituencies', p. 67; Sandra Raban, 'Edward I's Other Inquiries', in Michael Prestwich, Richard Britnell and Robin Frame (eds.), *Thirteenth Century England IX: Proceedings of the Durham Conference 2003* (Woodbridge, 2003), pp. 43-57; Sandra Raban, *A Second Domesday? The Hundred Rolls of 1279-80* (Oxford, 2004).

stage.⁹⁴ His argument that petitions were presented to parliaments without representatives is only partially relevant, as whilst it obviously indicates that MPs were not necessarily the conduits for community petitions under Edward I, the shires could still have sent some of its number to parliament to present complaints.⁹⁵ There is no doubt that individuals and communities did make use of petitions presented in parliament to complain about the misdeeds of royal officials, and we have to allow for the loss of evidence. Yet even if it was the main reason Edward I opened parliament to petitions, it was certainly not his only motive, nor was it treated as such by petitioners.

There was an obvious advantage for the king in linking parliament to the presentation of petitions, as it made a specific occasion the opportunity for his subjects to present their complaints, reducing the chances of them harassing him at less convenient times. It should be stressed from the outset that parliament was not the only opportunity for the presentation of petitions, as demonstrated by the fact that some bear endorsements from dates when parliament was not sitting, alongside evidence of Edward III being hassled whilst on campaign in the Scottish borderland and in Calais.⁹⁶ However, it seems that it was overwhelmingly accepted that petitions should be brought to parliament for resolution. It gave people an opportunity to protest about all kinds of grievances or issues for which they desired redress, free from the restrictions of the eyres or central courts. And people responded to that opportunity, petitioning parliament in such numbers that the king was forced to delegate most of the routine petitions to council or chancery, and from around 1290 to specialist commissions. Parliament often continued in session, dealing with judicial matters, long after the representatives were sent home.⁹⁷ Once established, private petitioning was largely immune to the political vicissitudes affecting the higher

⁹⁴ George L. Haskins, 'The Petitions of Representatives in the Parliaments of Edward I', *EHR* 53 (1938), 1-20, pp. 7-11.

⁹⁵ Haskins, 'Petitions of Representatives', pp. 7-8; Helen Cam, 'The Legislators of Medieval England', *Proceedings of the British Academy* 31 (1950), 127-50, reprinted in Helen Cam, *Law-Finders and Law-Makers in Medieval England: Collected Studies in Legal and Constitutional History* (London, 1962), pp. 144-45.

⁹⁶ Haskins, 'Petitions of Representatives', pp. 5-6; Ormrod, *Reign of Edward III*, pp. 59-60.

⁹⁷ Baldwin, *King's Council*, pp. 307-44; F.W. Maitland, 'Introduction to Memoranda de Parlamento, 1305', in Fryde and Miller (eds.), *Historical Studies*, vol. 1, pp. 91-135.

echelons of the social order, being a largely routine procedure which was accepted as a duty of a parliamentary session. Even the abbots, who were not given to taking the trouble to attend parliament very often for any other reason, saw the potential advantages of the private petition and made use of it in some numbers. The private petition also gave access to royal justice to those living in the king of England's other domains. Parliament in Ireland did have judicial responsibilities, and there were occasions when the English parliament referred matters to its Irish counterpart.⁹⁸ Yet although the king of England may have been lord of Ireland, few medieval kings would have dreamed of actually going to the country. This was the Irish parliament's key weakness. The king sat in parliament in England, and the perception that the ultimate fount of justice was the king meant that petitions came in from all of the king's territories (or those that he laid claim to). Naturally most petitioners came from England, but there were a significant minority from the rest of the British Isles. In the parliament of August 1312, there are twenty-seven enrolled petitions, seventeen from England, six from Wales, and two each from Ireland and Scotland.⁹⁹ Although Scotland was an independent realm with its own parliament to hear petitions, the terms on which Edward I awarded the Scottish crown to John Balliol in 1292 allowed the English king to perceive the English parliament as a higher entity than the Scottish, and thus act as a court of final appeal, as outlined at the parliament of Easter 1293: 'when any complainant or appellant makes complaint or appeals to the overlord [Edward I] about a false judgment on any matter given to him in the court of the king of Scotland, the king of Scotland will be commanded in this case to produce the record and process of the suit held on the matter in his court before his overlord'.¹⁰⁰ Macduff, earl of Fife, appealed his case to Edward in 1293, and Scottish affairs occupy significant space in the proceedings of both parliaments in that year.¹⁰¹ By the 1310s, Edward II's claim to Scotland existed more in name than in fact, but

⁹⁸ H.G. Richardson and G.O. Sayles, *The Irish Parliament in the Middle Ages* (Philadelphia, 1952), pp. 63-70; Beth Hartland, 'Edward I and Petitions Relating to Ireland', in Prestwich, Britnell and Frame (eds.), *Thirteenth Century England IX*, pp. 59-70.

⁹⁹ TNA SC 9/17 and SC 9/26, printed in J.R.S. Phillips, 'Edward II: Parliament of 1312, Texts and Translations', in *PROME*.

¹⁰⁰ TNA SC 9/7, printed in Paul Brand, 'Edward I: Original Documents Relating to the Parliaments of Edward I, Roll 7', item 1, in *PROME*.

¹⁰¹ Brand, 'Roll 7', items 1-3.

the handful of petitions that made their way to the parliament of King Edward rather than King Robert indicates that the issues of the disinherited were still to be resolved, and that it was still possible to appeal to another monarch for justice if the king of Scotland gave the 'wrong' answer. The English king was in a similar position in his role as duke of Aquitaine. Gascon petitions were likewise received in the English parliament, but Philip IV of France encouraged those dissatisfied with the king of England's answer to appeal to him in the parlement of Paris. Petitions were also accepted from the Channel Islands (part of the duchy of Normandy), and during Edward III's war against France citizens of Flanders (1343) and Brittany (1344) were invited to submit petitions to England.

As Gwilym Dodd has shown, despite the generally dismissive attitude of previous historians, the private petition remained an integral part of parliament well into the fifteenth century.¹⁰² Shire communities continued to petition the king in parliament with the aim of defending local privileges in the 1340s and 1350s.¹⁰³ Nevertheless, from 1332 the clerks of parliament ceased enrolling these petitions on the parliament roll, which was instead becoming a selective narrative of proceedings and a place to record the developing common petitions.¹⁰⁴ This is a question of some importance to which we will return, after looking at the petitions themselves, and the mechanism for dealing with them. Given the huge volume of evidence available, what follows is naturally highly selective.¹⁰⁵

For the men and women in the shires, the ability to present grievances in this fashion was arguably what mattered most to them about parliament. In theory anyone could petition the king in parliament, be it the tenants of the abbot of Halesowen, the widow of a London butcher, or the man assaulted on his way to Wales.¹⁰⁶ Archbishops, abbots, earls and knights could protest about land issues; burgesses petition for their town privileges; tenants complain about ill-treatment by their lord. Petitioning also cut through the gender barrier that otherwise existed in the medieval

¹⁰² Dodd, 'Crown, Magnates and Gentry', pp. 163-200; Dodd, 'Hidden Presence'.

¹⁰³ Ormrod, *Reign of Edward III*, pp. 152-53.

¹⁰⁴ W.M. Ormrod, 'On – and Off – the Record: The Rolls of Parliament, 1337-1377', in Clark (ed.), *Parchment and People*, pp. 39-56.

¹⁰⁵ Gwilym Dodd will be dealing with the subject in depth in a new monograph: *Justice and Grace: Private Petitioning and the English Parliament in the Later Middle Ages* (Oxford, forthcoming).

¹⁰⁶ These examples are taken from Maddicott, 'Parliament and the Constituencies', p. 62.

parliament, allowing women to put their case to the king, although they did so simply as landowners rather than as women *per se*.¹⁰⁷ Taken in this sense, the private petition was an inherently selfish instrument, employed typically to resolve a particular gripe expressed by an individual or family. That is not to deny that it *could* have the more community-minded utility suggested by Maddicott, and be employed as a means of local action against officials' misdemeanours. Yet the very fact that it survived the advent of the common petition, which dealt explicitly with grievances affecting the realm at large, would suggest that its primary function was to provide justice for the personal concerns of individuals and interest groups. With this in mind, it is worth looking at a specific example.

Sixty-nine petitions are enrolled, with the appropriate responses or endorsements, on the parliament roll for the assembly which met at Westminster in July 1302.¹⁰⁸ The two tables following this paragraph categorise these petitions according to the type of petitioner (table 2.3), and the subject matter of the petition (table 2.4). As can be seen, a little over half of these petitions were presented on behalf of individuals or family groups. These were by far the largest group petitioning king and council in parliament, and this is fairly typical of most parliament rolls where petitions are enrolled in any number. As the higher clergy petitioned about personal matters as well as community ones, the number is probably well over fifty per cent. The abbot of Baltinglass requested permission to pay back a 278 mark debt at a rate of ten marks *per annum*; the bishop of Kildare submitted two petitions, one requesting repayment of ten marks by the king, and another asking for powers to treat for peace with the Irish; and the abbess of Shaftesbury requested that she might pay a fine for her house, instead of the escheator, to have custody of the convent during the next vacancy.¹⁰⁹ On the other hand, we have the complaints of communities: the citizens of Dublin and Winchester; the burgesses of Drogheda; the men of Westminster; and the tenants of the Palace of Westminster.¹¹⁰ Parliament was clearly the accepted place for these

¹⁰⁷ Gwilym Dodd, 'Making the Case for Grace: Women Petitioners in the Late Medieval Parliament', unpublished paper given at the International Medieval Congress in Leeds, July 2004.

¹⁰⁸ TNA SC 9/25, printed in Paul Brand, 'Edward I: Original Documents Relating to the Parliaments of Edward I, Roll 25', in *PROME*. See also Brand, 'Petitions and Parliament', p. 18.

¹⁰⁹ Items 46, 49, 69 and 37 in Brand, 'Roll 25'.

¹¹⁰ Items 50, 15, 67, 17 and 9 in Brand, 'Roll 25'.

communities to express their grievances. The most intriguing petition is that submitted in the name of the Commons, requesting a new ordinance and statute about worsted cloth.¹¹¹ It met with no sympathy from the king, but the interesting question is whether this can be considered a 'common petition' in the later sense of the word. Given that it is listed without comment amongst the private petitions, it seems unlikely. It has been shown that the language of community was prone to be misused by certain interest groups, and the terms of this petition suggest that a mercantile interest of some form lay behind it.¹¹²

Table 2.3 Number of petitions enrolled on the July 1302 parliament roll (TNA SC9/25), by status of petitioner.

	English Petitions	Irish Petitions	Total
Abbots, Abbesses & Priors	5	5	10
Archbishops & Bishops	0	2	2
Cities	2	2	4
'Commons'	1	0	1
Earl Marshal of Ireland	0	1	1
Executors of Wills	2	1	3
Hospitals	2	2	4
Individuals & Families	25	11	36
Religious Communities	2	4	6
Royal Officials	0	1	1
Tenants	1	0	1
<i>Total</i>	<i>40</i>	<i>29</i>	<i>69</i>

Source: TNA SC 9/25, printed in Paul Brand, 'Edward I: Original Documents Relating to the Parliaments of Edward I, Roll 25', in PROME.

¹¹¹ Item 18 in Brand, 'Roll 25'.

¹¹² Brand, 'Petitions and Parliament', pp. 31-32.

Table 2.4 Number of petitions enrolled on the July 1302 parliament roll (TNA SC9/25), by subject of petition.

	English Petitions	Irish Petitions	Total
Complaints against officials	6	1	7
Financial matters, wills	10	11	21
Judicial affairs & appeals	9	7	16
Lands & titles to land	14	9	23
Subject not recorded	1	0	1
Trade	0	1	1
<i>Total</i>	<i>40</i>	<i>29</i>	<i>69</i>

Source: TNA SC 9/25, printed in Paul Brand, 'Edward I: Original Documents Relating to the Parliaments of Edward I, Roll 25', in PROME.

What most concerned petitioners were issues of claims to land, estate matters, and appeals against the decision of other courts or to have cases speeded up. These were the issues that most concerned the majority of people, and it was for this reason that parliament was conceived as useful by them. Given the huge popularity of the private petition as a means of seeking redress, it would be fair to argue that for most of the inhabitants of England (as well as a significant minority in Gascony, Ireland, Wales, and – in a somewhat different context – Scotland) this right to petition was the prime function of the early fourteenth-century parliament. Those dwelling in coastal counties may have been interested in discussions over the risk of invasion, everyone was affected by periodic demands for taxation, but the right to petition parliament provided a theoretical framework in which all could seek direct royal justice. As the drafting of petitions required the input of provincial lawyers (or scribes in the towns), and the ability to write the appropriate formulae in Latin or (more commonly) Anglo-Norman French, this suggests a high degree of legal consciousness in the shires.¹¹³ It was not necessarily a straightforward task to have a petition drawn up correctly and take it to parliament, and that so many people took the effort to do so

¹¹³ Musson, *Medieval Law in Context*, p. 187. On the language of address in petitions under Edward I, see Brand, 'Petitions and Parliament', pp. 27-31.

does indicate that they considered the process would give them a reasonable chance of having their grievances resolved. Whether everyone took their own petitions to parliament is a debatable matter. The higher clergy (bishops and abbots) who wished to petition parliament would typically be present at the assembly in any case, or have sent a proctor.¹¹⁴ For the people in the provinces, and the communities in general, it is plausible that the elected representatives were employed as couriers to take petitions to parliament. Aside from the fact that common sense suggests that this would be a practical way to avoid overburdening an already stretched host city,¹¹⁵ there is some evidence that MPs were responsible for presenting certain petitions to parliament, and promoting some of them.¹¹⁶

Of course a positive answer was by no means guaranteed, and certain matters could be bluntly dismissed as a waste of time or a concern of another court. This happened to John of Pontefract when he appealed to the king for an allowance to cover the cost of goods purveyed by the earl of Lancaster prior to his execution in 1322, which met with the brusque response that the king was not responsible for settling the earl's debts.¹¹⁷ However, the frequent complaints that petitions were not being heard demonstrate the perceived importance of this aspect of business to a large number of people.¹¹⁸ In somewhat idealistic fashion, given the sheer volume of petitions presented on some occasions, the author of the *Modus Tenendi Parliamentum* wrote in the 1320s that 'parliament ought not to depart as long as any petition remains undiscussed, or at least to which no reply has been determined upon, and the king breaks his oath if he allows the contrary'.¹¹⁹

Naturally, the king could not dispense justice to everyone in person. If it suited Edward I's purposes to encourage the submission of petitions at certain times, there must have been other occasions when judicial business threatened to swamp what the king probably considered more urgent business. From around 1290, it proved

¹¹⁴ See above, pp. 71-92.

¹¹⁵ See above, pp. 60-69.

¹¹⁶ Maddicott, 'Parliament and the Constituencies', pp. 68-69.

¹¹⁷ TNA SC 8/5/212.

¹¹⁸ A good expression of the tenor of these complaints is item 5 of TNA SC 8/8/392, printed in *RP*, II, 417 (although the original reference is wrongly identified), and calendared in *CCR*, 1323-1327, pp. 539-40.

¹¹⁹ *Parliamentary Texts*, ed. Pronay and Taylor, p. 90.

necessary to set up special committees of auditors or triers to handle the bulk of routine work, with only difficult or novel cases being referred to the king himself, or to the council.¹²⁰ These commissions were usually appointed as the first act of parliament, before the opening address was given, which may suggest the king's desire to clear aside what he considered less important business, rather than being a measure of importance. Unfortunately, our knowledge of these committees is limited for this period, as the names were rarely enrolled. For example, the 1315 parliament roll refers to a decision of the auditors of petitions, but they are not mentioned by name.¹²¹ Not until the 1340s were the names of the committees regularly enrolled, and in the period under consideration we have complete information only for the parliaments of February 1305, 1316, 1320, 1321, 1333, 1341, 1343, 1344, 1346 and January 1348.¹²² This fragmentary evidence is still enough to show that these commissions were an evolving feature at this time, not taking on their final form until 1355.

In all cases, at least before the common petition became significant from the 1330s, a receiver or receivers were appointed to receive petitions, which had to be submitted by a named date, and then enrol them before passing them on to the relevant auditors. In Edward II's reign there were four receivers (two each for the two types of petitions), and by the mid-1340s the standard number was six (two groups of three).¹²³ Typically these receivers were senior chancery clerks, although occasionally they held other clerical posts, especially in Edward I's reign: John Kirby and Adam Lymbergh were remembrancers in the exchequer; John Bush was a clerk

¹²⁰ Dodd, 'Crown, Magnates and Gentry', p. 163; Ralph A. Griffiths, 'The English Realm and Dominions and the King's Subjects in the Later Middle Ages', in J.G. Rowe (ed.), *Aspects of Late Medieval Government and Society* (Toronto, 1986), pp. 83-105, reprinted in Ralph A. Griffiths, *King and Country: England and Wales in the Fifteenth Century* (London, 1991), pp. 33-54.

¹²¹ TNA SC 9/20, printed in J.R.S. Phillips, 'Edward II: Parliament of 1315, Text and Translation', item 20, in *PROME*.

¹²² For this and the information in the rest of the paragraph, see Appendix 4. Richardson and Sayles erroneously believed that the names of the English and Welsh receivers for 1321 had been lost, but they are preserved in TNA SC 9/24: H.G. Richardson and G.O. Sayles, 'The King's Ministers in Parliament, 1307-1327', *EHR* 47 (1932), p. 195; reprinted in Richardson and Sayles, *English Parliament*, article XVII.

¹²³ See Appendix 3. H.G. Richardson and G.O. Sayles, 'The King's Ministers in Parliament, 1272-1307', *EHR* 46 (1931), pp. 545-46, reprinted in Richardson and Sayles, *English Parliament*, article VI; Richardson and Sayles, 'King's Ministers, 1307-1327', pp. 195-96.

of the household and apostolic notary.¹²⁴ The usual practice was for the remit of the receivers and auditors to coincide (so, for example, one set of receivers and auditors would be appointed for England, and another for foreign territories), although in 1316 two receivers were named for English petitions, and another two for those from Gascony, Wales, Ireland and Scotland, whilst auditors were named to three committees: England; Gascony and the Channel Islands; and Wales, Ireland and Scotland. The most common arrangement, prior to 1355, was for petitions to be split into two groups, English and all others. Yet there are several variations on this: England and Wales against Gascony, Ireland and the Channel Islands (1321); England and Ireland separate from Gascony, Wales, Scotland and the Channel Islands (1346); and – most intriguingly – England and Scotland as one, the clergy as another, and Gascony, Wales and Ireland as a third group (1348). Given that the form settled upon in 1355 was a committee for England, Ireland, Scotland and Wales, and another for Gascony and all other foreign lands, it can be deduced that there was considerable uncertainty as to the best way to organise the logistics for dealing with petitions.

Although we cannot make any final judgements about the committees due to the missing records, some provisional comments can be ventured. Where names have survived for two or more successive parliaments, it is evident that there was a reasonable degree of continuity in the men appointed to the committees. The same four names feature in the scattered references to receivers in the period 1293-1305. The receivers and auditors for 1320 were all reappointed to the same role in 1321. It appears that the king and his advisors made an effort to establish groups of auditors which represented a cross-section of the lords and council. Obviously these included men with expertise in the law and procedure, such as justices of assize, justices of the King's Bench and Common Pleas, barons of the exchequer, king's serjeants, and clerks of chancery.¹²⁵ This was, after all, the reason they were in parliament in the first place. Moreover, they would have had the necessary expertise to indicate when a case should more properly be transferred to the jurisdiction of the chancery or the

¹²⁴ Richardson and Sayles, 'King's Ministers, 1272-1307', pp. 544-45.

¹²⁵ Lists of officials, with brief notes, for Edward II's reign can be found in T.F. Tout, *The Place of the Reign of Edward II in English History* (Manchester, 1914), pp. 319-98. There are also comments in Richardson and Sayles, 'King's Ministers, 1272-1307', pp. 544-47'; Richardson and Sayles, 'King's Ministers, 1307-1327', pp. 197-99.

exchequer. The chancellor and the treasurer acted in a consultative capacity, ordered to make themselves available to all the committees of auditors where possible and necessary. Some household knights, who had not received official summonses to parliament, were occasionally drafted in as experts to hear petitions, as was the case with Arnold de Caupenne and William Dene in 1305.¹²⁶ Members of the higher clergy were always included amongst the auditors. Of these, the most important were the bishops, two or three of whom were invariably appointed to each auditing committee. The occasional abbot makes an appearance, although it is tempting to conclude that the attendance record of the abbots as a group was so atrocious that the king collared any major abbot who happened to attend, and put him on petitions duty. Sometime between 1321 and 1333, it became the practice to add noblemen to the committees, and by the 1340s earls were frequently being appointed auditors. Thus what began as largely judicial committees under Edward I had become larger and more distinguished by 1348, with the clergy and magnates outnumbering the officials.

The fact that these panels of auditors continued to be appointed, with refinements frequently made to their membership, is proof enough that private petitioning remained an important element of parliamentary business. The stumbling block, however, is that the clerk of parliament ceased to enrol them after about 1332, although they were still archived.¹²⁷ There are no surviving orders from the king that this should be the case, and it is hard to be certain why this step was taken when private petitions had a long future ahead of them. In part, it may have been that the gradual change of approach to the records of parliament was responsible, and it was felt that only matters touching the realm as a whole should be recorded on the roll of parliament. After all, this was becoming a selective narrative of proceedings, which did not lend itself to recording the cumbersome work of two or three committees meeting separately. The growing importance of the Commons, and the nascent practice of making grants of taxation dependent upon satisfactory resolution of common petitions, meant that these were the decisions that people would want

¹²⁶ Ruth Ingamells, 'The Household Knights of Edward I', 2 vols., unpublished University of Durham PhD thesis (1992), vol. 2, p. 119.

¹²⁷ Some significant matters can still be found on the parliament roll after 1332, such as the case arising from the petition of Geoffrey Staunton in 1340: TNA C 65/8, printed in W.M. Ormrod, 'Edward III: Parliament of July 1340, Text and Translation', in *PROME*.

recorded for future reference.¹²⁸ The common petition by no means replaced the private petition, but it did edge it off the parliament roll, because it contained concerns and royal actions that affected the whole community. The simplest explanation also seems the most sensible: 'enrolment ceased because the use of the original petitions, suitably endorsed and forwarded to the administrative departments concerned, was found to be more expeditious'.¹²⁹

(ii) *Clerical Gravamina and Common Petitions*

As has already been noted, members of the clergy were entitled to petition the king in parliament in a private capacity, regarding such issues as their lands or particular concerns of their office. A large number of the clergy, especially the bishops and abbots, took advantage of this right. However, early in the reign of Henry III, long before parliament was established as the setting for private petitioning, the clergy had been presenting their corporate grievances, known as *gravamina*, to the king.¹³⁰ As distinct from the complaints of an individual prelate, diocese or abbey, the *gravamina* encompassed those issues affecting the rights and liberties of the church as a whole. In theory, these were guaranteed by Magna Carta, but there was considerable dispute over the details of ecclesiastical liberties between the king (and usually the lay nobility) on the one hand, and the Church on the other. The points of contention were deep-rooted, with several matters still unresolved from the quarrels between Anselm

¹²⁸ H.G. Richardson and G.O. Sayles, 'The King's Ministers in Parliament, 1327-1377', *EHR* 47 (1932), pp. 12-13; reprinted in Richardson and Sayles, *English Parliament*, article XXII.

¹²⁹ Plucknett, 'Parliament', p. 114; reprint, p. 227. See also Bertie Wilkinson, *The Chancery under Edward III* (Manchester, 1929), p. 81.

¹³⁰ The main study of this question is W.R. Jones, 'Bishops, Politics and the Two Laws: The *Gravamina* of the English Clergy, 1237-1399', *Speculum* 41 (1966), 209-45. See also Eric Waldram Kemp, *Counsel and Consent: Aspects of the Government of the Church as Exemplified in the History of the English Provincial Synods* (London, 1961), pp. 65-112.

and William II and Henry I, and between Thomas Becket and Henry II.¹³¹ The second half of the thirteenth century saw a series of able and determined archbishops enthroned in Canterbury, occasionally resulting in tense relations with an equally capable and resolute Edward I. Under the direction of Archbishop Pecham, the church articulated its grievances clearly and forcefully.¹³² Edward swiftly dealt with his archbishop's temerity, but the issues of 1279-80 remained unresolved, with the *gravamina* of 1280 forming the basis of complaints well into the fourteenth century.

In the period under consideration here, the clergy presented the king with lists of *gravamina* on seven separate occasions (1295, 1300-1301, 1309, 1316, 1327, 1341 and 1344).¹³³ The dates are significant, as all but the last coincide with grave political crises. In normal circumstances, a king in a position of strength was rarely minded to make concessions to the clergy, and the normal royal response to the items contained in the *gravamina* – if it was not outright rejection – was prevarication. Edward I took

¹³¹ The major historical issues are covered in: Marion Gibbs and Jane Lang, *Bishops and Reform, 1215-1272* (Oxford, 1934); C.R. Cheney, *From Becket to Langton: English Church Government, 1170-1213* (Manchester, 1956); Margaret Howells, *Regalian Right in Medieval England* (London, 1962); C.H. Lawrence (ed.), *The English Church and the Papacy in the Middle Ages* (London, 1965); J.H. Denton, *English Royal Free Chapels: A Constitutional History* (Manchester, 1970); Jane Sayers, *Papal Judges Delegate in the Province of Canterbury, 1198-1254* (Oxford, 1971); Frank Barlow, *The English Church, 1066-1154* (London, 1979); Jane Sayers, *Papal Government and England during the Pontificate of Honorius III, 1216-1227* (Cambridge, 1983); Frank Barlow, *Thomas Becket* (London, 1986); R.W. Southern, *Saint Anselm: A Portrait in a Landscape* (Cambridge, 1990); Janet Burton, *Monastic and Religious Orders in Britain, 1000-1300* (Cambridge, 1994); Frank Barlow, *William Rufus* (revised edition: New Haven and London, 2000); Warren, *Henry II*; Anne Duggan, *Thomas Becket* (London, 2004).

¹³² T.F. Tout, *Edward the First* (London, 1893), pp. 156-60; Decima L. Douie, *Archbishop Pecham* (Oxford, 1952); Prestwich, *Edward I*, pp. 249-55.

¹³³ See the table in Jones, 'Bishops, Politics and Two Laws', pp. 240-43. The *gravamina* are printed as follows: those of 1295 in *Registrum Johannis de Pontissara, Episcopi Wyntoniensis, A.D. MCCLXXXII-MCCCIV*, ed. C. Deedes, 2 vols., CYS vols. 19 and 30 (London, 1915-24), vol. 2, pp. 771-78; those of 1300 and 1301 in *Registrum Roberti Winchelsey, Cantuariensis Archiepiscopi*, ed. Rose Graham, 2 vols., Canterbury and York Society vols. 51-52 (Oxford, 1952-26), vol. 2, pp. 1018-28, and also in *Councils and Synods, with Other Documents Relating to the English Church*, ed. F.M. Powicke and C.R. Cheney, 2 vols. with continuous pagination (Oxford, 1964), vol. 2, pp. 1205-18, as well as in *Register of John de Halton, Bishop of Carlisle, A.D. 1292-1324*, 2 vols., ed. W.N. Thompson, CYS 12-13 (London, 1913), vol. 1, p. 172; those of 1309 in *Registrum Roberti Winchelsey*, vol. 2, pp. 1013-30, and also in *Councils and Synods*, vol. 2, pp. 1269-74 (although only the new complaints from that year are printed); those of 1316 in *SR*, I, 171-74, with the articles presented earlier in the year at Lincoln printed by J.H. Denton, 'The Making of the *'Articuli Cleri'* of 1316', *EHR* 101 (1986), 564-95, pp. 590-95; those of 1327 in *Rotuli Parliamentorum Hactenus Inediti*, pp. 106-10, and also in J.R.S. Phillips, 'Edward III: Parliament of January 1327, Canterbury Register I, Text and Translation', in *PROME*; those of 1341 in *RP*, II, 129-30, and also in W.M. Ormrod, 'Edward III: Parliament of April 1341, Text and Translation', in *PROME*; and those of 1344 in *RP*, II, 151-52, and also in W.M. Ormrod, 'Edward III: Parliament of 1344, Text and Translation', in *PROME*.

a full year to respond to the complaints presented to him in 1300, which is why they were put forward again in 1301, whilst the *Articuli Cleri* had already been presented to Edward II (albeit in slightly different form) on a previous occasion in 1316.¹³⁴ *Gravamina* do not even feature on the parliament roll until the 1320s, although the *Articuli Cleri* were placed on the statute roll, which means we are reliant upon the (edited) versions found in bishops' registers. In short, the clergy became adept at taking advantage of moments when the king was weak and possibly more receptive to their demands. Perhaps unsurprisingly, this policy only led to short-lived triumphs, with the king able to seize back the initiative once the political climate had become more favourable. Nothing more clearly illustrates the long-term failure of the church than the fact that the issues of 1280 were still being presented twenty, thirty and forty years later. Reading through the lists of complaints the clergy put forward in the early fourteenth century, the most striking thing is the mind-numbing regularity with which they rehearsed exactly the same issues, in almost identical language each time. Always they relate to the infringement of ecclesiastical liberties and the king's rights: writs of prohibition; the jurisdiction of courts Christian; and issues of justice and sanctuary. And always the royal response is guarded, evasive, or an uncompromising refusal.

Typically, *gravamina* would be presented to the king in a session of parliament by certain bishops acting as representatives of the clergy. Unfortunately, our evidence for precisely how the complaints were drawn up is limited, but a Canterbury Register entry for 1309 provides clues as to how the process worked.¹³⁵ A week was spent collecting grievances from those assembled in the Canterbury provincial council at St Paul's in December, after which clerks trained in canon and common law drafted these complaints into articles. These were then appended to the unresolved *gravamina* of previous years, once the latter had been read out to the assembled clergy. The resulting text was carried to the king by the bishops of Norwich and

¹³⁴ *Councils and Synods*, vol. 2, p. 1205; Denton, 'Making of the *'Articuli Cleri'*'. See also the comments in H.G. Richardson and G.O. Sayles, 'The Clergy in the Easter Parliament, 1285', *EHR* 52 (1937), 220-34; reprinted in Richardson and Sayles, *English Parliament*, article VIII.

¹³⁵ Printed in *Concilia Magnae Britanniae et Hiberniae*, ed. D. Wilkins, 4 vols. (London, 1737), vol. 2, p. 313.

Winchester.¹³⁶ This account of proceedings is important, because it indicates the crucial role the clerks had in the preparation of clerical grievances. Far from the clergy sitting down as one to work out the infringement of their corporate liberties, individuals presented their complaints, and it was then the responsibility of the appointed clerks to forge these into general articles representing issues affecting the church as a whole.

This point is especially pertinent if we look at the secular parallel. Amongst the petitions of Edward I's reign, and to a lesser extent in later periods, there are a tiny number that purport to be from the 'commons', the 'community of the realm', or some other group similarly named. On the whole, historians have been justifiably sceptical about the origin of these petitions, observing that the subject matter is so specific or localised that it cannot possibly have been an issue of common concern, and that this was rhetoric adopted by particular interest groups to give greater legitimacy to what was, in effect, a private petition.¹³⁷ However, under Edward II, a handful of petitions were presented that may well represent the concerns of a broader constituency.¹³⁸ Edward's reign saw a critical shift in the understanding of the term 'community of the realm' away from the nobility (who used this umbrella term in their conflicts with the crown during the period 1290-1312).¹³⁹ Instead, the language of community came to apply to the political class in its entirety, especially as represented in parliament and set down in the much-discussed final clause of the Statute of York (1322). Two months before this legislation, the king's most implacable opponents – Lancaster and Hereford – had been slain at Boroughbridge; Richmond was a Scottish captive after the Byland debacle later in the year; Carlisle would be executed for treason at the start of 1323; and Pembroke died in 1324. There

¹³⁶ Jones, 'Bishops, Politics and the Two Laws', pp. 222-23.

¹³⁷ Howard L. Gray, *The Influence of the Commons on Early Legislation: A Study of the Fourteenth and Fifteenth Centuries* (Cambridge, Mass., 1932), pp. 201-202; Doris Rayner, 'The Forms and Machinery of the "Commune Petition" in the Fourteenth Century', *EHR* 56 (1941), 198-233, 549-70, pp. 201-205; Prestwich, 'Parliament and the Community of the Realm', p. 8; Brand, 'Petitions and Parliament', pp. 31-32.

¹³⁸ There are surviving petitions from 1309, 1314 and 1320 that may well be representative of the community as a whole: Gray, *Influence of the Commons*, pp. 202-204; Harriss, *King, Parliament and Public Finance*, pp. 118-19

¹³⁹ However, it should be noted that G.L. Harriss views the representatives as playing a major role in the formulation of grievances, which were then put forward by the barons: Harriss, *King, Parliament and Public Finance*, pp. 98-121.

were precious few earls left to form the cowed and demoralised group whom – as the author of the *Vita Edwardi Secundi* acidly observed – proved utterly incapable of opposing the increasingly rapacious Despenser regime.¹⁴⁰ Instead, it fell to the Commons – in the face of a total absence of leadership from the traditional source – to seize the initiative, and present a surprisingly consistent agenda through the 1320s and 1330s.¹⁴¹ It was in this context that the common petition first emerged as an important element in parliament.

But what exactly was the common petition at this stage? Later in the middle ages, the Commons would formulate its complaints as a body and present them to the king, which made the presence of a number of trained lawyers in parliament important. In its earliest incarnation, however, it seems unlikely that the common petition reflected the corporate complaints of MPs carefully drawn up in their deliberations. The Commons may have developed rapidly in the 1320s, but there was still no real feeling of corporate solidarity amongst the diverse elements – knights and burgesses, along with some clerical proctors – who made up the parliamentary representatives. The crucial role, as with the clergy in provincial councils or convocation, was that of the clerks. It was their responsibility to forward to the king those petitions they judged to be relevant to the community at large. The early lists of common petitions are arbitrary creations, representing those petitions so designated by officials. In other words, the common petition was a creation of the clerks of parliament, and only gradually did the Commons take control of this process. Given the similarity to the clerical procedure – collection of complaints, composition of a list of corporate grievances by clerks, presentation of these to the king (without them necessarily being seen by those in whose name they were put forward) – it is worth asking whether there was a direct link between the development of secular and clerical complaint mechanisms. Without knowledge of the processes involved in preparing the common petitions at this stage, this is not a question we can answer, but it may be

¹⁴⁰ ‘The king’s harshness has indeed increased so much today that no one, however great and wise, dares to cross the king’s will. Thus parliaments, consultations and councils decide nothing these days. For the nobles of the realm, terrified by threats and the penalties inflicted on others, let the king’s will have free rein. Thus today will conquers reason. For whatever pleases the king, though lacking in reason, has the force of law.’ *Vita*, ed. Denholm-Young, p. 136; *Vita*, ed. Childs, pp. 230-31. (The translation is that in the Childs edition.)

¹⁴¹ W.M. Ormrod, ‘Agenda for Legislation, 1322-c.1340’, *EHR* 105 (1990), 1-33.

that the development of the common petition was an administrative rather than a political initiative.

Legislation

From the later fourteenth century, legislation was an important aspect of parliamentary business, with the texts of the statutes making clear that legislation was considered and promulgated in parliament. The opening of the statute roll entry for 1354 reads:

Our lord the king, at his parliament held at Westminster on the Monday next after the feast of St Mark the Evangelist, in the twenty-eighth year of his reign in England and the fifteenth in France, to the honour of God and holy church, and for the common profit of him and his people, by the assent of the prelates, the prince, dukes, earls, barons, and the Commons of his realm there assembled, hath ordained and established the points written below.¹⁴²

The form used nearly a century later, in the 1450-51 parliament, to introduce the statutes following Jack Cade's revolt, differs only in minor detail.

Our sovereign lord the king, Henry the sixth after the conquest, at his parliament held at Westminster on the feast of St Leonard, in the twenty-ninth year of his reign, by the advice and assent of the lords spiritual and temporal, and at the request of the Commons assembled in the same parliament, and by the authority of the same, has ordained and established several ordinances and statutes in the following form.¹⁴³

There continued to be differences in this format throughout the later half of the fourteenth century (the rubric of Richard II's statutes often include effusive statements about his desire for peace), but from Henry IV's reign it was largely invariable. From the middle of Edward III's reign, the basic principle was that statutes were passed by the king in parliament with the assent of the lords, and either

¹⁴² *SR*, I, 345.

¹⁴³ *SR*, II, 357.

with the assent or at the request of the Commons (the form which continues to be used today).¹⁴⁴

The situation in the late thirteenth and early fourteenth century is more complex. Firstly, the term 'legislation' itself is problematic. Statutes passed by or in parliament were certainly not the only means of enacting law. From the 1320s a clearer distinction was gradually drawn between the terms 'statute' and 'ordinance', and this division was understood by mid-century, but at this stage the difference is not at all clear and may not have been intended.¹⁴⁵ The complicating factor of common law is also an issue. Statutes were not typically a means of codifying common law, but amending and improving it, although 'it was only in retrospect that it became clear that the statutes were a distinct type of legislative instrument'.¹⁴⁶ They could be in either Latin or French, and not until 1299 was a roll for statutes introduced (although it was backdated to include Magna Carta and other key texts), which makes it difficult to appreciate exactly what contemporaries understood by legislation.¹⁴⁷ Several of Edward I's acts, for example *Quia Emptores*, launch straight into the matter in hand, not bothering with technicalities such as the enabling authority or the precise date.¹⁴⁸ Questions would later be raised about the authenticity of certain texts from the 1270s and 1280s, although on the whole it seems that it was understood from fairly early on what was meant by the term 'statute', especially as 'it was the courts and those who practised in them who came to regard certain documents as statutes, rather than those who drafted or promulgated them'.¹⁴⁹

It is important to stress that legislation was not a parliamentary function *per se*. The idea that parliament drafted and passed statutes, sending them to the monarch

¹⁴⁴ The modern opening of a statute contains a sentence explaining the purpose of the act (e.g. 'an Act to amend the law relating to the provision and regulation of railway services; and for connected purposes'), the date, and then reads: "Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows...". This example is taken from the Railways Act 2005, available with all legislation from 1988 onwards at <<http://www.opsi.gov.uk/acts.htm>>.

¹⁴⁵ Theodore T.F. Plucknett, *Statutes and their Interpretation in the First Half of the Fourteenth Century* (Cambridge, 1922); A.L. Brown, *The Governance of Late Medieval England, 1272-1461* (London, 1989), p. 219.

¹⁴⁶ Plucknett, *Statutes and their Interpretation*; Prestwich, *Edward I*, pp. 268-70, with quote on p. 268.

¹⁴⁷ *Select Cases in the Court of King's Bench*, ed. G.O. Sayles, 7 vols., Selden Society 55, 57-58, 74, 76, 82, 88 (London, 1936-74), vol. 3, pp. xv-xvi; Prestwich, *Edward I*, p. 268.

¹⁴⁸ *SR*, I, 106.

¹⁴⁹ Prestwich, *Edward I*, pp. 268-69, with quote on p. 268.

merely for approval (guaranteed after 1707, the last occasion on which a bill was refused the royal assent), belongs to a much later period. As with petitioning, parliament was often the setting for statutory legislation, but not the responsible authority. Statutes were a fairly technical business and drafting them required the skill of trained lawyers. The king held ultimate responsibility, but Edward I's reputation as the 'English Justinian' should not obscure the fact that it is highly unlikely that kings had any detailed role in framing the wording of statutes.¹⁵⁰ Assemblies designated as great councils in the writs were also responsible for passing legislation. As a result of an appeal from his subjects in the council at Nottingham in 1336, Edward III gave the bizarre command that no one should serve more than two courses at any meal, except on the principal feast days.¹⁵¹ This reinforces the point noted above, that the difference between parliaments and great councils was not yet a rigid one. However, by the early 1350s, it was seen as desirable to ensure that ordinances given in council were re-enacted as statutes in parliament at the next available opportunity.¹⁵²

Ultimately, the king was the main initiator of statutes and other acts. Writs to the sheriffs, ordering them to proclaim the enclosed statute, often refer to the king's command alone, at least in the earlier stage of our period. As late as October 1341, in revoking the earlier statute of that year, Edward III made no attempt to hide the fact that this was his personal action, not even taking the cosmetic step of doing it in parliament.¹⁵³ But it became frequent practice to specify that the king had caused a statute to be passed as a result of a particular complaint or request. The 1293 statute, concerned with assizes and juries, noted that the king had perceived the problem as a result of the 'continual and grievous complaint of his subjects'.¹⁵⁴ Often parliament is described as the setting for these general complaints. A statute about sheriffs was enacted in 1316 after complaints from people (undefined) in the parliament at Lincoln, whilst similar motives were used to introduce a statute passed as a result of

¹⁵⁰ Prestwich, *Edward I*, pp. 269-70.

¹⁵¹ *SR*, I, 278-79.

¹⁵² Brown, *Governance*, pp. 219-20.

¹⁵³ *SR*, I, 297.

¹⁵⁴ *SR*, I, 131.

the York parliament of 1318.¹⁵⁵ However, it was more commonplace (especially in later years) for the complainants to be more clearly identified. The concession of the *Articuli Super Cartas* in 1300 stated that the king had ‘granted, renewed and confirmed them [the charters] at the request of his prelates, earls and barons assembled in his parliament at Westminster’.¹⁵⁶ The fact that the representatives and the commonalty in general are not referred to indicates that it was not yet a *sine qua non* that statutes were assented to by parliament. A statute concerned with escheators, which was passed during the Lincoln parliament of 1301, was commanded by the king and agreed by the council, according to the advice of the bishop of Coventry and Lichfield (the treasurer, Walter Langton).¹⁵⁷ In 1340, Edward III was recorded to have granted legislation to remedy wrongs against the Church on the instigation of Archbishop Stratford and other prelates.¹⁵⁸ The Ordinance for Justices of 1346 was issued on the authority of the king with the assent of ‘the great men and other wise men of our council’.¹⁵⁹ Thus well into the mid-fourteenth century, the king was still passing statutes without reference to the Commons, a reminder that he (with the council) largely controlled the legislative agenda.

Sometimes the explanatory wording of statutes is exaggerated or even fictional. It is hard to take seriously the claim made in the May 1322 parliament, that Edward II revoked the sentence of exile against the Despencers after being shown it was unjust by the ‘prelates, earls, barons, knights of the shires, and the commonalty of his realm’.¹⁶⁰ Yet what is notable about this, and the more famous Statute of York emerging from the same parliament, is the increasing acknowledgement of the knights of the shire and the ‘commonalty’. Thereafter, they are included (in one form or another) on the majority of statutes passed after that date. The distinction between knights of the shire and other representatives of the commonalty was occasionally drawn into the 1330s – as in 1335, when the knights, citizens and burgesses are listed

¹⁵⁵ *SR*, I, 174, 177.

¹⁵⁶ *SR*, I, 136.

¹⁵⁷ *SR*, I, 142.

¹⁵⁸ *SR*, I, 292.

¹⁵⁹ *SR*, I, 303.

¹⁶⁰ *SR*, I, 187.

as coming to parliament ‘for the Commons of the said shires, cities and boroughs’¹⁶¹ – but from the start of Edward III’s reign it was increasingly the case that the assent of ‘the Commons’ was added to that of the ‘prelates, earls, barons and other great men’. In other words, whilst it was still accepted that the king had the right to introduce new laws ‘for the maintenance of peace and the safeguard of his people’,¹⁶² it was seen as desirable (or expedient) to record the assent of the representatives on statutes. It is worth noting the brief introduction of the formula ‘the commonalty of the people of *England*’ in 1341,¹⁶³ perhaps a royal exercise to calm fears about the potential conflict between Edward III’s theoretical position as king of England and France.

What was the role of the Commons in the creation of legislation? During the 1330s, some statutes began to be enacted with ‘the assent of the prelates, earls, barons and other great men, and at the request [or demonstration] of the Commons’. Of course we need to be wary of such phrases being conventional rather than illustrating actual practice, as well as the changing format of the parliamentary records. Initiatives which were said to have been enacted in this way may have concerned the king far more than the Commons or other members of parliament, such as statutes to deal with counterfeiting and debased coinage.¹⁶⁴ Although the evidence is fragmentary until the very end of the 1330s, the Commons did start to take a much greater interest in the legislative agenda. As noted above, the abdication of leadership by the barons after 1322, combined with the exceptionally heavy demands for taxation in the 1330s, gave the Commons a stronger solidarity and sense of identity, which led to them taking control of the common petition and using parliament as the major forum to negotiate with the king. As a consequence of this, they began to attach a greater importance to statute law and parliament’s role in its formation. A recurring theme in lists of common petitions is the request that previous statutes and the charters be confirmed by the king, an indication that these were considered to be significant. Since the struggle over the charters of the 1290s, their confirmation had

¹⁶¹ *SR*, I, 269.

¹⁶² *SR*, I, 275.

¹⁶³ *SR*, I, 295-96.

¹⁶⁴ *SR*, I, 273-74.

been the opening feature of a large proportion of subsequent statutes, and it became commonplace for kings to confirm the legislation of their predecessors. There was understandable disquiet after Edward III's actions in 1341, leading to the following request in the parliament of 1343.

The said commons pray: that it may please your high lordship, at God's pleasure and above all for your honour, that the statutes made by the peers of the land and by the commons should not be repealed or undone, but maintained in their force, for the estate of your crown and the salvation of your subjects, the peers of the land and the commonalty.¹⁶⁵

Yet as well as requesting confirmation of previous acts, the Commons also began to ask for the introduction of new legislation to deal with their concerns. At times it was convenient for the king simply to enrol the common petitions (with replies or amendments as necessary) on the statute roll. Some measures were clearly enacted at the behest of the Commons, for example the statute by which the king promised to separate his kingship in England and France.¹⁶⁶ But it is important to remember that the king was still the essential element in the legislative process, and that the Commons were not unduly worried about the precise form of legislation. They were prepared to ask for certain measures to be taken and request the basic content of the legislation, but were more than happy to leave the technicalities to the royal council and lawyers. Unlike the Scottish parliament, which developed the system of Lords of the Articles to compose and introduce legislation, the English parliament remained more flexible.¹⁶⁷ For the most part, statutes were not composed by the magnates or (in later years) the Commons and then sent to the king for assent, and the final text does not even seem to have been put before parliament for approval. True, some statutes (such as that of 1318) were issued whilst parliament was in session.¹⁶⁸ Under Edward II and in the early years of Edward III, however, a number of statutes seem to have been issued on the final day of parliament or the following day, if we take the end date to be the day on which the writs *de expensis* were issued to the

¹⁶⁵ TNA C 65/10, printed in W.M. Ormrod, 'Edward III: Parliament of 1343, Text and Translation', in *PROME*.

¹⁶⁶ *SR*, I, 292, a response to the common petition in TNA C 65/7, printed in Ormrod, 'Parliament of March 1340'.

¹⁶⁷ Roland Tanner, 'The Lords of the Articles before 1540: A Reassessment', *SHR* 79 (2000), 189-212.

¹⁶⁸ *SR*, I, 177-79.

representatives.¹⁶⁹ Such was the case with statutes issued, for example, in 1316 and 1327.¹⁷⁰ In 1322, the Statute of York was issued on the same day as the writs (19 May), whilst the statute revoking the exile of the Despensers was issued the next day.¹⁷¹ It is more than possible this was partially a measure of convenience, as it would have allowed the MPs to take a copy of the statute and the accompanying royal writ to the sheriff of his county or borough for promulgation. It is equally possible that this was something of an administrative fiction, to ensure that a statute was associated with a particular parliament.

From the 1330s, the gap between the end of parliament and the issuing of statutes became more marked. Statutes were still associated with a particular parliament, either by name or by reference to the petitions presented therein, but days, weeks or even months could elapse before the king had the statute promulgated. In 1336, the Westminster parliament ended on 20 March, but it was 1 April (with the king by then at Eltham) before the relevant statute was issued.¹⁷² The great council at Nottingham, later in the same year, finished on 27 September, ensuing legislation was not issued until 15 October, from Bishop Auckland.¹⁷³ The following March, the king retired to Windsor to issue the statute prohibiting export of wool and use of foreign cloth, eight days after the end of parliament.¹⁷⁴ Naturally some statutes continued to be introduced during the parliamentary session. This was the case with the glut of legislation passed in April 1340, although it is possibly the case on this occasion that parliament (and the Commons in particular) wanted to ensure the king answered their demands with a statute.¹⁷⁵ However, it seems clear that there was a relatively relaxed approach to the making of parliamentary legislation. The petitions were presented in parliament by the Commons and any discussions or points of concern were deliberated upon there, but the MPs were content with a promise to create an appropriate statute. The details of wording and other technicalities were left to the

¹⁶⁹ The dates of the extant writs *de expensis* can most conveniently be found in the *Handbook of British Chronology*, ed. E.B. Fryde *et al* (3rd edition: London, 1986), pp. 548-61.

¹⁷⁰ *SR*, I, 174-75, 251-54.

¹⁷¹ *SR*, I, 185-90.

¹⁷² *SR*, I, 275.

¹⁷³ *SR*, I, 278-79.

¹⁷⁴ *SR*, I, 280-81.

¹⁷⁵ *SR*, I, 281-96.

royal lawyers, and for this reason statutes were most often issued outside parliament, despite being the result of parliamentary talks. And the king retained the right to issue statutes in a council of restricted membership, although from the middle of Edward III's reign these measures were generally referred to as ordinances, and parliament would be used to upgrade them to statutes. The role of parliament in the creation of legislation was far more prominent in 1348 than had been the case in 1290, but it would still be some years before it became an exclusively parliamentary function.

Conclusion: The Functions of Parliament

There was no essential element to parliament. Instead, it had a variety of functions, certain of which became more important according to the circumstances in which the relevant parliament met. For certain matters, such as petitioning and the passing of legislation, parliament was technically an occasion employed to do this, not in any sense an authorising body. If the writs of summons most often drew upon the king's desire to discuss certain matters 'touching the affairs of his realm', both the king and those he summoned usually had a different agenda. The king fulfilled his duty to consult and gained legitimacy for policies such as war, and – more importantly – used parliament to obtain his single most lucrative form of income, taxation. The members of parliament accepted their duty to fund royal campaigns if they were properly consulted, but they increasingly required the king to respond by remedying their problems and ensuring justice. In some ways, there is a considerable difference between the functions of parliament in 1290 and those in 1348. Although the lords had taken the lead under Edward I and sought redress for wrongs in the name of the community of the realm, the period after 1322 saw the rapid emergence of the Commons as a corporate body and their gradual adoption of the common petition as a means to seek concessions from the king. Indirect taxes and the *maltolt*, seen as no concern of parliament at the start of our period, had been subjected to parliamentary assent. Yet we should not overemphasise the importance of the Commons. Whilst they may have gained significance during these years, the parliamentary initiative rested with the king, and the single most important element overall was probably still

the council. That said, it would be fair to say that parliament in 1348 was a body which had a role broadly recognisable to the political class (and historians) of the next century.

PART II

PARLIAMENT IN POLITICS

CHAPTER 3

PARLIAMENT AS IDEOLOGY

The previous section examined how parliament worked, both theoretically and practically, in the early fourteenth century. Given that this was a critical stage in parliamentary development, it is not surprising that some people had particular visions for what the assembly should be. Although these did not necessarily work out, it is important to recognise that there were routes parliament could have taken, and ideals mapped out for it, which differed significantly from the form it ultimately took.

The ‘Lancastrian Agenda’

Those historians of the early twentieth century who proposed the idea of ‘baronial constitutionalism’ also attempted to see a coherent programme in the opposition to the crown under Edward II and during the early years of his son’s reign.¹ In many ways, given the characters involved, this is understandable. Thomas of Lancaster’s quarrel with Edward II was the dominant political theme of the years 1312-22, and even in death the king was unable to rob his cousin of influence, however much certain chroniclers questioned the popular cult of sainthood which grew up around the executed earl.² Six years after Lancaster went to his grave, his brother Henry became a major beneficiary of the coup that

¹ For baronial constitutionalism, see especially T.F. Tout, *The Place of the Reign of Edward II in English History* (Manchester, 1914); and James Conway Davies, *The Baronial Opposition to Edward II, its Character and Policy: A Study in Administrative History* (London, 1918). For criticism, see J.R. Maddicott, *Thomas of Lancaster, 1307-1322: A Study in the Reign of Edward II* (Oxford, 1970); and J.R.S. Phillips, *Aymer de Valance, Earl of Pembroke 1307-1324: Baronial Politics in the Reign of Edward II* (Oxford, 1972).

² Maddicott, *Thomas of Lancaster*; Andy King, ‘Thomas of Lancaster’s First Quarrel with Edward II’, in W.M. Ormrod (ed.), *Fourteenth Century England III*, (Woodbridge, 2004), pp. 31-45. On the cult: *Polychronicon Ranulphi Higden, Monachi Cestrensis*, ed. Churchill Babington and J.R. Lumby, 9 vols., RS 41 (London, 1865-86), vol. 8, pp. 313-15; *Flores Historiarum*, ed. Henry Richards Luard, 3 vols, RS 95 (London, 1890), vol. 3, pp. 213-14; John Edwards, ‘The Cult of “St” Thomas of Lancaster and Its Iconography’, *Yorkshire Archaeological Journal* 64 (1992), 103-22; Simon Walker, ‘Political Saints in Medieval England’, in R.H. Britnell and A.J. Pollard (eds.), *The McFarlane Legacy: Studies in Late Medieval Politics and Society* (Stroud, 1995), 77-106; John Edwards, ‘The Cult of “St” Thomas of Lancaster and Its Iconography: A Supplementary Note’, *Yorkshire Archaeological Journal* 67 (1995), 187-91; Danna Pirovansky, ‘Bloody Miracles of a Political Martyr: The Case of Thomas Earl of Lancaster’, *Studies in Church History* 41 (2005), 228-38; John McQuilton, ‘Who was St Thomas of Lancaster?’, in J.S. Hamilton (ed.), *Fourteenth Century England IV* (Woodbridge, 2006), pp. 1-25.

overthrew Edward II, but was quickly disillusioned and emerged as the leader of the opposition to the Isabella and Mortimer regime.³ As bishop of Winchester, John Stratford was a key supporter of Henry of Lancaster in the later 1320s; twelve years later, as archbishop of Canterbury, he was singled out by Edward III as a major opponent and clashed bitterly with the king.⁴ It is the opposition of these three men that has been lumped together under the term ‘Lancastrian’. With the personal and political lives of these three men so closely linked, it is perhaps no surprise that historians have tried to see a common strand, or even ideology, in their opposition to Edward II and Edward III.

Yet it must be questioned from the outset whether we can legitimately talk of any ‘Lancastrian Agenda’. Superficially, the men fought an ideological battle over the place of parliament and counsel and the right of the king to use them as his personal instruments. But how valid is this assessment? In spite of the obvious overlap in the careers of the three protagonists, there is a risk of retrospectively ‘joining the dots’, providing coherence to their contingent actions and assigning precedents they may not have seen themselves. Because of this, there are real problems with calling the opposition of these years an ‘agenda’. Whatever the similarities in the positions of the three, they went into opposition as a result of specific – but differing – circumstances, as we shall see. The term ‘Lancastrian’ is also an awkward one. Aside from the potential confusion with the more famous Lancastrian cause of the fifteenth century, it fails to convey anything about the substance of the three men’s opposition. ‘Lancastrian’ in 1399 and thereafter would carry a dynastic meaning, a commitment to the legitimate rights of Bolingbroke as duke of Lancaster against Richard II’s actions, and then to the regime of Henry IV and his successors. The opposition of Thomas, Henry and

³ G.A. Holmes, ‘The Rebellion of the Earl of Lancaster, 1328-29’ *BIHR* 28 (1955), 84-89; Kenneth Fowler, *The King’s Lieutenant: Henry of Grosmont, First Duke of Lancaster, 1310-1361* (London, 1969); W.M. Ormrod, *The Reign of Edward III* (revised edition: Stroud, 2000), pp. 13-14; Paul Doherty, *Isabella and the Strange Death of Edward II* (London, 2003), pp. 106-108, 114-115; Ian Mortimer, *The Greatest Traitor: The Life of Sir Roger Mortimer, 1st Earl of March, Ruler of England 1327-1330* (London, 2003), pp. 172-74; Ian Mortimer, *The Perfect King: The Life of Edward III, Father of the English Nation* (London, 2006), pp. 68-72; There is no biography of Henry of Lancaster, although see Scott L. Waugh, ‘Henry of Lancaster, third earl of Lancaster and third earl of Leicester (c.1280-1345)’, *Oxford DNB*, accessed online at <<http://www.oxforddnb.com/view/article/12959>>.

⁴ Roy Martin Haines, *The Church and Politics in Fourteenth-Century England: The Career of Adam Orleton, c. 1275-1345* (Cambridge, 1978); Roy Martin Haines, *Archbishop John Stratford: Political Revolutionary and Champion of the Liberties of the English Church, ca. 1275/80-1348* (Toronto, 1986).

Stratford was political, and took its stance, at least theoretically, upon wider community concerns rather than the issue of the crown. However, if the term 'Lancastrian Agenda' is clumsy, and perhaps even unhelpful, it is less so than any potential alternatives. Few terms for medieval groups come without problems – even the concepts of 'Lancastrian' and 'Yorkist' during the Wars of the Roses are complex ones – and although 'Lancastrian Agenda' may be unsatisfactory, it is at least a convenient shorthand for the common strands in the opposition programmes of 1310-41.

Thomas of Lancaster, Henry of Lancaster and John Stratford all made parliament a major theme in their opposition. It is notable that each of them conceived of parliament in 'baronial' terms, as an institution whose principal component was the lords. Although Thomas would make overtures towards the representatives in the early 1320s, as a desperate gesture when he had lost the support of nearly all the other magnates, this does not disguise the fact that he stood for parliament as a fundamentally baronial assembly.⁵ Henry made almost no effort to appeal to the Commons as he made his stance in 1328-29, instead drawing his support from the archbishop of Canterbury (Simon Mepham), the bishops of London (Stephen Gravesend) and Winchester (Stratford), and possibly the earls of Kent and Norfolk, the king's brothers.⁶ As he faced trial in 1341, Stratford's support came from his relatives, the bishops of Chichester and London.⁷ He based his defence on the right to trial in parliament by his peers, with no reference whatsoever to the representatives. Although with hindsight there were important developments in the role of the Commons at this stage, it is notable that none of the opposition protagonists at the time felt the need to 'court' the Commons or appeal to them except in desperation. In all three cases, it seems that parliament was viewed primarily as a consultative baronial assembly, where the king was expected to talk with and take the advice of his lords.

⁵ Maddicott, *Thomas of Lancaster*, especially pp. 275-312.

⁶ Holmes, 'Rebellion of the Earl of Lancaster'; J.R.L. Highfield, 'The English Hierarchy in the Reign of Edward III', *TRHS*, 5th Series, 6 (1956), 115-38; Gwyn A. Williams, *Medieval London: From Commune to Capital* (London, 1963), pp. 301-302; Natalie M. Fryde, 'John Stratford, Bishop of Winchester, and the Crown, 1323-30', *BIHR* 44 (1971), 153-61; Haines, *Archbishop John Stratford*, pp. 191-214; Roy Martin Haines, 'An Innocent Abroad: The Career of Simon Mepham, Archbishop of Canterbury, 1328-33', *EHR* 112 (1997), 555-96. Holmes sees Kent and Norfolk as disinterested rather than rebellious.

⁷ For 1341, see below, pp. 243-50.

Within that core element of the lords, each man also saw himself as playing a leading role. Thomas and Henry, as the king's cousins, both believed they had a right to be the principal figure in the realm after the king himself. Thomas's political stance was based almost entirely, and totally inflexibly, on the Ordinances, which made much of the importance of baronial parliaments.⁸ Henry demanded the primacy of the council (with himself at its head) as the king's advice mechanism, as opposed to the queen mother's lover. Stratford could be equally zealous in the defence of his rights. In 1341, the archbishop went so far as to inform the parliamentary serjeants-at-arms that 'I ought to have first voice after the king, coming with the rights of my church of Canterbury'.⁹ In Thomas's case, his pre-eminence was officially recognised when he was appointed the king's chief councillor at the Lincoln parliament of 1316.¹⁰ For Henry and Stratford, there would be no direct acknowledgment of their status, which would add to the tension. Because each man saw himself as an obvious leader amongst the core element of parliament (and in the realm more generally), they also believed themselves to have a right to lead opposition to the crown, tied in with a strong element of personal pride.

The form of expressing opposition, however, is the point where we can least see any form of coherent 'agenda'. Both earls of Lancaster stayed away from parliament as a means of protest; Stratford fought for the right to be let in to the meeting. In this, although we can see Henry in some ways taking up Thomas's approach, there is very little continuity with Stratford a decade later. Thomas dressed up his opposition in constitutional legitimacy and staked his all on the Ordinances, but ultimately his total inability to compromise led him to become something of a 'rebel without a cause'. Likewise, Henry provided little in the way of a viable opposition programme, instead seeking to criticise the regime and refusing to attend parliament. Whilst they claimed to be standing for points of principle, the refusal of the earls of Lancaster to work with others left them

⁸ *SR*, I, 157-67; below, pp. 229-33.

⁹ 'Ego major post regem primam vocem habere debens, jura ecclesiae meae Cantuariensis vendico.' 'Stephani Birchingtoni Monachi Cantuariensis Historia de Archiepiscopis', in *Anglia Sacra, sive Collectio Historiarum, Patrim Antiquitus, partim recenter Scriptarum, de Archiepiscopus et Episcopis Angliae, a Prima Fidei Christianae susceptione ad Annum MDXL*, ed. Henry Wharton, 2 vols. (London, 1691), vol. 1, p. 39; below, pp. 243-50.

¹⁰ TNA SC 9/20, printed in J.R.S. Phillips, 'Edward II: Parliament of 1316, Text and Translation', items 2-4, in *PROME*.

seriously alienated from the rest of the magnates. Stratford, by contrast, made a serious effort to work with parliament, looking to achieve his goals from within the assembly.

For someone so resolutely committed to the importance of parliament, Thomas of Lancaster was not overly concerned with the technicality of actually attending the assembly. This was the case even before he became the resolute opponent of the crown: in January 1307, Lancaster was one of the earls whose attendance the king had to request for a second time after parliament had started, when he failed to turn up in Carlisle.¹¹ On other occasions, he took his stand on a technicality, that the wording of the writs did not conform to the traditional form. In January 1316, the assembly at which he was to celebrate his triumph by becoming chief councillor, the earl caused parliament in Lincoln to be delayed for a fortnight by his late appearance.¹² In 1317, with the relationship between king and earl having reached a new low, Thomas refused to attend councils at Clarendon, Westminster and Nottingham.¹³ By 1320, he had abandoned all caution.

The lord king therefore summoned his barons to York to make arrangements about the state of the realm before his departure. The earl of Lancaster, however, as frequently happened, when summoned, did not come. He stated that it was improper to hold parliament in secret.¹⁴

What Lancaster meant is anyone's guess. The 1320 assembly cannot be considered 'secret' in terms of its membership; the representatives may not have been present, but a full complement of lay and spiritual magnates had been summoned. If, as Wendy Childs suggests, Lancaster was referring to Chapter XXIX of the Ordinances (which stated parliament must be summoned to a

¹¹ TNA C 151/1 (*Vetus Codex*), printed in Paul Brand, 'Edward I: Parliament of 1307, Text and Translation', in *PROME*.

¹² TNA SC9/20, printed in J.R.S. Phillips, 'Edward II: Parliament of 1316, Text and Translation', item 1, in *PROME*. H.G. Richardson and G.O. Sayles, 'The Parliament of Lincoln, 1316', *BIHR* 12 (1934), 105-107, reprinted in H.G. Richardson and G.O. Sayles, *The English Parliament in the Middle Ages* (London, 1981), article XVIII; Maddicott, *Thomas of Lancaster*, p. 180.

¹³ *Adae Murimuth Continuatio Chronicarum, Robert de Avesbury de Gestis Mirabilibus Regis Edwardi Tertii*, ed. Edward Maunde Thompson, RS 93 (London, 1889), pp. 271-76; 'Gesta Edwardi de Carnarvon, Auctore Canonico Bridlingtoniensi, cum Continuatione ad A.D. 1377', in *Chronicles of the Reigns of Edward I and Edward II*, ed. William Stubbs, 2 vols., RS 76 (London, 1882-83), vol. 2, pp. 50-52; Maddicott, *Thomas of Lancaster*, pp. 190-92.

¹⁴ *Vita Edwardi Secundi Monachi Cuiusdam Malmesberiensis: The Life of Edward II by the So-called Monk of Malmesbury*, ed. and trans. N. Denholm-Young (London, 1957), p. 250; *Vita Edwardi Secundi: The Life of Edward II*, ed. and trans. Wendy R. Childs (Oxford, 2005), pp. 176-77.

convenient place),¹⁵ it is hard to see how the realm's second city could be called inconvenient or secret. Given Lancaster's past reluctance to attend meetings of parliament – which had not escaped the notice of the *Vita's* author – it seems much more likely that the earl could view parliament with something approaching contempt. Parliament only became important to the earl when he was able to use it as an instrument to press home his political advantage against the king. It is noticeable that Lancaster was most assiduous in his parliamentary attendance and activity following the Bannockburn debacle. He took the lead in the meetings at York in September 1314 and Westminster in January 1315, forcing concessions from Edward and reorganising the structure of government.¹⁶ This provides a sharp contrast to his actions in the early 1320s when, largely isolated and alienated from the nobility, Lancaster sulkily ignored parliaments and even resorted to holding rival assemblies in the north of England. Desperate and alone, his tactics contradicted the professed importance of parliament in his thinking.

As J.R. Maddicott has pointed out, there were precedents for this in the northern meetings of 1315.¹⁷ Yet these were ostensibly concerned with the defence of the north against the damaging Scottish raids. The three assemblies Lancaster convened in 1321 – in May at Pontefract, in June at Sherburn-in-Elmet, and in November at Doncaster – were of a fundamentally different character. It may be true that such meetings were not novel, but they were a direct challenge to Edward II. There could be no such thing as a parliament without the king, and Lancaster had spent the previous decade arguing for the basic importance of a properly summoned parliament to represent the interests of the community of the realm and enforce good governance. In other words, the earl was now guilty of the very allegation he had hurled at the king, of holding 'secret' assemblies. The membership was restricted, and whatever their official purpose they served as a means for Lancaster to rally support. Of course the old rhetoric can still be found in the documents emerging from these meetings, the Sherburn Indenture and the Doncaster Petition, including the appeal to Magna Carta and the charters, and the necessity of enforcing the Ordinances.¹⁸ Evil counsellors – the Despencers are not

¹⁵ *Vita Edwardi Secundi*, ed. Childs, p. 177, n. 357.

¹⁶ Maddicott, *Thomas of Lancaster*, pp. 164-68.

¹⁷ Maddicott, *Thomas of Lancaster*, pp. 167-69, 268.

¹⁸ George L. Haskins, 'The Doncaster Petition, 1321', *EHR* 53 (1938), 478-85; Bertie Wilkinson, 'The Sherburn Indenture and the Attack on the Despencers, 1321', *EHR* 63 (1948), 1-28.

named explicitly in the Sherburn text – must be removed, and parliament must have its full powers. However, the insistence on the literal and absolute enforcement of the Ordinances has disappeared in the Sherburn and Doncaster texts, ‘and their resurrection on these two occasions appears more as an act of piety than as a vital part of a political manifesto’.¹⁹ Lancaster could not risk his gains from the 1318 settlement, and instead concentrated on the Despencers. Yet he still failed to win over many of the potential opposition. Hereford and the three northern bishops were present at Sherburn, as were parties of marchers and northerners, but these merely disguised the fact that the largest group in attendance was Lancaster’s own retainers.²⁰ The other nobles preferred to act legitimately, using the session of parliament in July 1321 to force the Despencers into exile. Lancaster had violated the fundamental principle that parliament was the ‘king’s parliament’.

For that reason, his brother would never go to the extent of summoning rival assemblies, but Henry of Lancaster was equally loath to attend parliament when he perceived himself to have been slighted. Unlike his brother, Henry could not easily cloak his intentions in an appeal to constitutional propriety. Thomas had adhered rigidly to the Ordinances, but in 1328 these had been discredited and duly annulled by parliamentary process. Henry’s demands – that the king should support himself financially and accept proper counsel, and that Isabella and Mortimer (named as Edward II’s murderers and accused of having wasted his fortune) should abandon the huge estates they had awarded themselves – were suspiciously self-seeking.²¹ All Lancaster offered was ‘an alternative which was partisan and every bit as corruptible as Roger and Isabella’s rule’.²² Thomas had made much of correct parliamentary procedure, the necessity of being summoned properly, and the importance of parliamentary assent for key decisions such as warfare and ministerial appointments. The Salisbury parliament was to prove the battleground for Henry’s rebellion, but he never made any attempt to use it to

¹⁹ Maddicott, *Thomas of Lancaster*, p. 312.

²⁰ ‘Gesta Edwardi de Carnarvon’, vol. 2, pp. 62-70; Wilkinson, ‘Sherburn Indenture’; Maddicott, *Thomas of Lancaster*, pp. 274-75.

²¹ The accusations are in *The Brut, or Chronicles of England*, ed. F.W.D. Brie, Early English Text Society, 2 vols. (London, 1906-08), vol. 1, p. 259. For London’s support, see *Calendar of Plea and Memoranda Rolls preserved among the Archives of the Corporation of the City of London at the Guildhall, A.D. 1323-1364*, ed. A.H. Thomas (London, 1926), pp. 66-85.

²² Mortimer, *Greatest Traitor*, p. 213.

legitimise his actions. Instead he waited at nearby Winchester and complained. Parliament, in other words, was an incidental feature of Henry's revolt. He faced a regime whose legitimacy was questionable and which was becoming increasingly avaricious and unpopular. Rather than taking a stand on the right of the nobility in parliament to be the proper advisors of the king, the theoretical stance his brother would probably have adopted, Henry fell back on time-honoured complaints. Some of the charges laid against Edward II, less than two years before, could easily be applied to Isabella and Mortimer: bad counsel and disdain for wise advice; losing Scotland; greed; and governing badly and only for profit.²³ No explicit reference was made to these articles, but the similarities can hardly have been lost on Henry or his audience. Moreover, Henry could make a stand on financial grounds. Thomas of Lancaster had never been able to make taxation an issue, because there was a clear Scottish threat to be faced and the king obviously needed resources to fight it. But Isabella and Mortimer had made peace with Scotland and France, which meant that Henry could resurrect the idea that the king should live according to his own means.²⁴ He could also avoid directly attacking Edward III. This was not an adult king who had personally chosen inappropriate advisors, like Edward II. Henry was not really quarrelling with the fifteen-year-old king, but with those who claimed to rule in his name. His principal gripe was that the council – with him as the foremost member – had been supplanted by the rule of Mortimer. His refusal to attend parliament had nothing to do with the incorrectness of the summons or the illegality of the assembly, nor with a lack of parliaments (six were held in the opening twenty-one months of Edward III's reign), but everything to do with his quarrel with Mortimer and – in his opinion – the threat to his personal safety. It may be significant that Mortimer did not try to use parliament to crush the earl, as he did in Kent's parliamentary show trial, but instead resorted to naked force. The bishops and earls who backed him did so because they too were disenchanted with

²³ The articles are printed in Claire Valente, 'The Deposition and Abdication of Edward II', *EHR* 113 (1998), 852-81, pp. 880-81.

²⁴ For the doctrine of necessity and the legal issues associated with taxation: G.L. Harriss, *King, Parliament, and Public Finance in Medieval England to 1369* (Oxford, 1975), especially Part One; G.L. Harriss, 'War and the Emergence of the English Parliament, 1297-1360', *JMH* 2 (1976), 35-56; Richard W. Kaeuper, *War, Justice and Public Order: England and France in the Later Middle Ages* (Oxford, 1988).

Mortimer, not as a result of any constitutional struggle. As in 1310-12 and 1321, the opposition proved to be a disparate band drawn together by convenience.

Stratford's opposition is addressed in detail in the next chapter,²⁵ but the important point to be stressed is that he fought for the right to make his way into the parliament chamber to defend himself and his point. Whereas the Lancaster brothers had, by their actions, effectively brought into question the legitimacy of parliament as the king's, Stratford never made such a challenge. He fully accepted the concept of the 'king's parliament', but he argued for the illegitimacy of a royal action which undermined the right of an archbishop to be present in that parliament. Unlike Thomas and Henry, Stratford found backing for his case within parliament itself. He also sought to use parliament as a stage to fight his battle, arguing that the king could only be justified in his accusations if he allowed the archbishop a full trial by his peers in parliament.

Historians of the fifteenth century, especially those studying the Wars of the Roses and the dynastic crisis in the period 1450-87, have recently tried to look for ideological motives behind the actions of the major protagonists of these years.²⁶ A key strand in this argument is that Henry VI was so manifestly incapable as a king, that the nobility had no choice but to challenge his right to rule and find a more workable way of upholding the constitution. Although these ideas are controversial, they do at least raise the issue of ideology, and pose interesting questions about the thinking behind the major opponents of the Lancastrian crown in the middle of the fifteenth century. However, it is difficult to apply such an approach to the early fourteenth century. Although Thomas of Lancaster, Henry of Lancaster, and John Stratford each claimed to be making a stand on points of principle, only in Stratford's case does this come close to being supported by the evidence. There were certainly similarities between the two brothers. Both were, technically at least, the senior English magnate outside the immediate royal family

²⁵ Below, pp. 243-50.

²⁶ See especially John Watts, 'Ideas, Principles and Politics', in A.J. Pollard (ed.), *The Wars of the Roses* (Basingstoke, 1995), pp. 110-33; John Watts, *Henry VI and the Politics of Kingship* (Cambridge, 1996); Christine Carpenter, *The Wars of the Roses: Politics and the Constitution in England, c.1437-1509* (Cambridge, 1997); Christine Carpenter, 'Resisting and Deposing Kings in England in the Thirteenth, Fourteenth and Fifteenth Centuries', in Robert von Friedeberg (ed.), *Murder and Monarchy: Regicide in European History, 1300-1800* (Basingstoke, 2004), pp. 99-121; John Watts, 'The Pressure of the Public on Later Medieval Politics', in Linda Clark and Christine Carpenter (eds.), *Political Culture in Late Medieval Britain* (Woodbridge, 2004), pp. 159-80.

when they revolted. As the king's cousins, they could have anticipated being the principal royal counsellors, expectations dashed by Gaveston, Despenser and Mortimer. Thomas and Henry both reacted against unpopular regimes which they felt had excluded them from their birthright. They each managed to draw together fragile and short-lived coalitions of support against hated parvenus, but proved unable to hold these together once the immediate source of tension had been removed. But their stands were largely made because they felt personally slighted or excluded, rather than for any deep-rooted point of principle. There was a significant element of personal pride in Stratford's opposition as well, but he chose to work within the king's structures to resolve his complaints. In all three cases, what was presented as ideology covered some far less praiseworthy motives.

This is the major problem with attempting to see any form of coherent programme in the opposition to the crown of these three men. Although each opposed parliament in some form, only Stratford provided any credible alternative model of what he thought should change to make the assembly acceptable. Thomas's agenda was based upon legalism and a rigorous application of the Ordinances. In theory, he presented himself as *primes inter pares* amongst the magnate community, which had a duty through parliament to ensure the king governed according to the standards of Magna Carta and subsequent agreements with his subjects. This approach could strike a chord with the wider population in the shires, who used parliament as a means to redress personal and local grievances. In a way, he achieved a posthumous success, as all subsequent matters of great import – such as the impeachment and trials of noblemen – would be settled in parliament. For this, Stratford could indeed draw upon an earlier strand in 'Lancastrian' thinking, but it is doubtful that he had the precedent of Thomas in his mind, especially as the earl had never submitted himself to his peers in this manner. If the reality did not match the rhetoric, Thomas at least recognised the critical propagandist function parliament could play in his struggle with the king, a king who in turn adapted part of that propaganda to destroy Lancaster's programme. Henry was simply concerned at his marginalisation by a regime he saw as illegitimate. He made the case for the importance of counsel and the council (with himself as the chief councillor), but he did not place this within a specifically parliamentary context. The 1311 Ordinances were a dead

letter, and Henry made no attempt to introduce a new set. Ultimately, the political circumstances Henry faced in 1328-29 were of a different kind to those which had confronted his brother, and those faced by Stratford in 1340-41 were different again. In spite of the similarities, it is hard to see that either Henry of Lancaster or Stratford were heavily influenced by the arguments presented in the earlier opposition programmes. Each man responded to a particular threat to his position at a particular time, and if Stratford could legitimately claim his opposition was 'parliamentary' and at least partly constructive, Thomas and Henry used the façade of parliament to cover personal animosities that were largely unique to their circumstances. For an ideological approach to parliament, we must turn elsewhere.

'How to Write a Parliament Roll': The *Modus Tenendi Parliamentum*

The small tract known as the *Modus Tenendi Parliamentum* has a long and confusing historiography. Following W.A. Morris and M.V. Clarke, nearly all scholars had accepted by the 1980s that the document was composed in the early 1320s. Its origin and purpose remained a subject for conjecture, but few had many qualms about employing the *Modus* as a source for parliament from the later years of Edward II's reign onwards. Few recent writers have felt a serious need to justify this dating, instead referring readers back to the arguments of their predecessors, especially Pronay and Taylor. The only serious dissenters were G.O. Sayles and, more recently, Kathryn Kerby-Fulton and Stephen Justice, although their work does not seem to have made a serious impact on the consensus.²⁷

The arguments of Kerby-Fulton and Justice were part of a wider thesis which saw the *Modus* as having arisen out of the 'clericist culture' of the fourteenth-century English civil service.²⁸ In terms of date, they favoured the second half of Edward III's reign as the most likely option. Like Sayles, one of the cornerstones

²⁷ For the historiographical debate over the *Modus*, see above, pp. 20-25.

²⁸ Kathryn Kerby-Fulton and Stephen Justice, 'Reformist Intellectual Culture in the English and Irish Civil Service: The *Modus Tenendi Parliamentum* and its Literary Relations', *Traditio* 53 (1998), 149-202; Kathryn Kerby-Fulton, 'Informal Book Illustration, Reformist Ideology and the Anglo-Irish Civil Service', in Kathryn Kerby-Fulton and Denise L. Despres, *Iconography and the Professional Reader: The Politics of Book Production in the Douce Piers Plowman* (Minneapolis, and London, 1999), pp. 68-91; and Kathryn Kerby-Fulton and Stephen Justice, 'Langlandian Reading Circles and the Civil Service in London and Dublin, 1380-1427', *New Medieval Literatures* 1 (1998), 59-83.

of their argument was the manuscript history. The principal opinions on this subject are summarised in Diagram A, which demonstrates the problems associated with the text. Since Miss Clarke's detailed work on the manuscripts, it has been accepted that the Latin manuscripts fall into two principal types, an 'A' recension and a 'B' recension.²⁹ Of these, 'A' is by far the better text, and was the version used by Clarke in her printed edition.³⁰ The order of the chapters in the 'B' recension makes very little sense, and verges on the deranged. This has also resulted in some amusing errors in the 'B' text, such as the startling notion that 'parliament ought to be held in a secret place'.³¹

Sayles, later supported by Kerby-Fulton and Justice, suggested that these corruptions resulted from incorrect folding of the quartos and subsequent copying of the result, a convincing argument.³² Most historians have accepted that the 'A' recension is the earliest text, although Pronay and Taylor (with little support) have argued, principally on the basis of a few technicalities within the text, that the 'B' recension has priority.³³ They also introduce a 'C' version, a composite version of 'A' and 'B', a theory accepted by Kerby-Fulton and Justice. Michael Prestwich is in favour of 'A' preceding 'B', but follows Sayles in seeing 'C' as an even more corrupt version of 'B', in other words 'B2'.³⁴ It is commonly accepted that 'F', a French version, is a translation from these English texts. The real sticking point relates to the Irish *Modus*. Since Clarke, practically everyone has agreed that the Irish version was translated from the French text, and is thus derivative from all the English texts. Everyone, that is, except Richardson and Sayles, who argued in typically vehement fashion that a lost Irish text was in fact the ancestor of all the other versions.³⁵ Their arguments have found virtually no support, for reasons discussed below.

²⁹ M.V. Clarke, *Medieval Representation and Consent: A Study of Early Parliaments in England and Ireland, with Special Reference to the Modus Tenendi Parliamentum* (London, 1936), pp. 348-69.

³⁰ Clarke, *Representation and Consent*, pp. 374-84.

³¹ 'Omnes pares parliamenti debent teneri in occulto loco'. *Parliamentary Texts of the Later Middle Ages*, ed. Nicholas Pronay and John Taylor (Oxford, 1980), p. 108.

³² G.O. Sayles, 'Modus Tenendi Parliamentum: Irish or English?', in James Lydon (ed.), *England and Ireland in the Later Middle Ages: Essays in Honour of Jocelyn Otway-Ruthven* (Kill Land [County Dublin], 1981), pp. 122-52, pp. 126-28; Kerby-Fulton and Justice, 'Reformist Intellectual Culture', pp. 159-60.

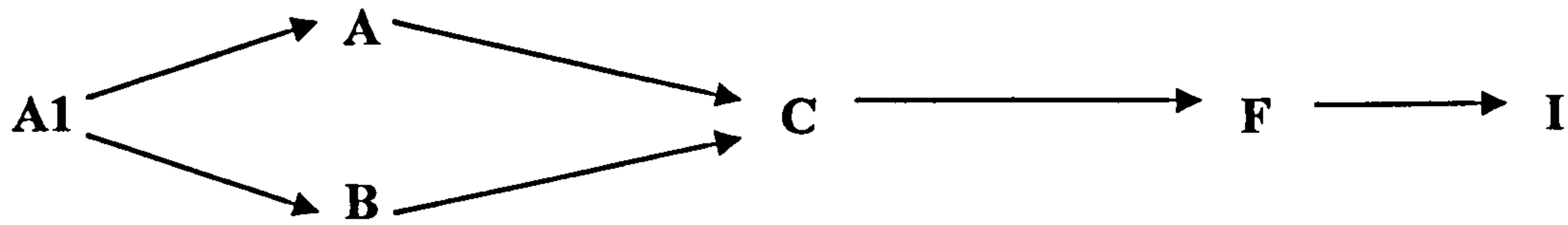
³³ *Parliamentary Texts*, ed. Pronay and Taylor, pp. 24-25, 59-63.

³⁴ Michael Prestwich, 'The Modus Tenendi Parliamentum', *PH* 1 (1982), 221-25, p. 223.

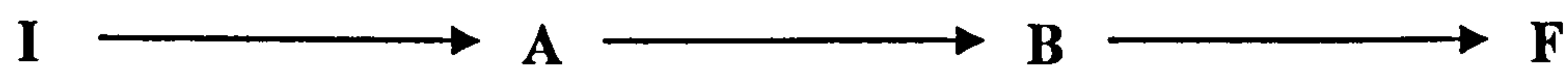
³⁵ H.G. Richardson and G.O. Sayles, *The Irish Parliament in the Middle Ages* (Philadelphia, 1952), pp. 137-38; Sayles, 'Modus Tenendi Parliamentum'.

Diagram 3.1: The Relationship of the Manuscripts of the *Modus*

This diagram shows the major recent arguments advanced by historians for the relationship between the surviving texts of the Modus Tenendi Parliamentum. They have been constructed (and simplified in the case of Sayles) from the works noted.



(i) Pronay and Taylor, *Parliamentary Texts*, pp. 59-63.



(ii) Sayles, '*Modus*'.



(iii) Kerby-Fulton and Justice, '*Reformist Intellectual Culture*', pp. 196-202.

- A English A (Latin)
- B English B (Latin, corrupted)
- C English C (Latin)
- F English (French)
- I Irish (Latin)

Ultimately, however, the earliest manuscripts to survive date from the late fourteenth century.³⁶ The oldest text is a French recension found in the Courtenay Cartulary which, on palaeographical evidence, was almost certainly written around 1375-85.³⁷ As this is a derivative text – it is universally accepted that the French version is a translation of the Latin – the manuscript tradition is of little use for answering questions about the date, authorship and purpose of the *Modus*. It does tell us a lot about the later audience of the tract and the uses to which it was put, but texts can be used in ways and contexts very different to those in which they were originally conceived. The critical difficulties surrounding the *Modus* can only be addressed by using the internal evidence of the text itself.

This in itself is problematic. Parts of the *Modus* are demonstrably true, other parts are demonstrably false, and several elements are not demonstrable either way. For example, we lack the evidence to make any judgement on most of the routine procedural matters. We do know that sermons were preached in parliament,³⁸ and on some of the later rolls of parliament records of these survive, but we have no material before the deposition parliament of 1327. However, the initiative for choosing the preacher probably lay with the king rather than the provincial archbishop, and the speaker was almost invariably the chancellor.³⁹ The declarations to parliaments pose little problem.⁴⁰ The first surviving example is from the 1316 Lincoln parliament, when William Inge did the honours.⁴¹ The king himself rarely addressed parliament: Richard II seems to have been unusual in this respect.⁴² Our evidence for seating arrangements in parliament – aside

³⁶ A list of extant manuscripts and their dates can be found in *Parliamentary Texts*, ed. Pronay and Taylor, pp. 202-205.

³⁷ 'Kathryn Kerby-Fulton and R. Horie, The French Version of the *Modus Tenedi Parliamentum* in the Courtenay Cartulary: A Transcription and Introduction', in Kathryn Kerby-Fulton and Maidie Hilmo (eds.), *The Medieval Reader: Reception and Cultural History in the Late Medieval Manuscript*, special edition issued as *Studies in Medieval and Renaissance History*, 3rd Series, 1 (2001), 225-47. I am grateful to Professor Linne Mooney for confirming the accuracy of this dating.

³⁸ *Modus*, X.

³⁹ A.L. Brown, 'Parliament, c. 1377-1422', in Davies and Denton (eds.), *English Parliament*, p. 122-23.

⁴⁰ *Modus*, XI-XII. Later on, the charge would be included with the sermon, and would sometimes be outlined a second time by a minister: Brown, 'Parliament', pp. 122-23.

⁴¹ TNA SC 9/20, printed in *RP*, I, 350; *The Functions of the Medieval Parliament of England*, ed. and trans. G.O. Sayles (London, 1988), p. 332; J.R.S. Phillips, 'Edward II: Parliament of 1316: Text and Translation', in *PROME*.

⁴² *Parliamentary Texts*, ed. Pronay and Taylor, pp. 94-95.

from later, highly idealised illuminations – is virtually non-existent, although the scheme in the *Modus* does not seem unreasonable.⁴³ On the whole, however, we are left with an infuriating selection of bald statements whose truth (or otherwise) cannot be established.

It is almost impossible to state the case with absolute certainty, but the balance of probabilities indicates that the *Modus* is indeed a product of the 1320s. There are problems with dating the text at any point in the fourteenth century, but there are just too many anachronisms to accept it as a product of the later part of Edward III's reign or the early part of Richard II's. A later fourteenth-century tract would surely take account of three major developments of Edward III's reign: the common petition, intercommuning between lords and Commons, and the office of the speaker. From the mid-1320s, individual petitions began to be replaced by common petitions, presented on behalf of the community as a whole, even if they were never fully superseded.⁴⁴ By the last quarter of the fourteenth century, a group of peers would regularly deliberate with a party from the Commons (or even the entire body), especially when taxes were being sought by the king.⁴⁵ We have good evidence for the mechanics of this from the 1352 parliament,⁴⁶ and for several subsequent parliaments, with the best-known example coming from the Good Parliament of 1376.⁴⁷ There is considerable evidence that intercommuning took place from about 1340 onwards.⁴⁸ However, there is no evidence of such negotiations prior to that date, which is perhaps unsurprising given the less standardised form of parliament at this time. The same applies to the speakers. By the middle of Richard II's reign, this was an

⁴³ *Modus*, XIV. When we do have evidence for seating, from the Tudor period, it seems to have followed this pattern: J. Enoch Powell and Keith Wallis, *The House of Lords in the Middle Ages: A History of the English House of Lords to 1540* (London, 1968), pp. 545-46; *Parliamentary Texts*, ed. Pronay and Taylor, p. 95.

⁴⁴ Above, pp. 164-66; D. Rayner, 'The Forms and Machinery of the "Commune Petition" in the Fourteenth Century', *EHR* 56 (1941), 198-233, 549-70; Gwilym Dodd, 'Crown, Magnates and Gentry: The English Parliament, 1369-1421', unpublished University of York D.Phil. thesis (1998), pp. 163-200; Gwilym Dodd, 'The Hidden Presence: Parliament and the Private Petition in the Fourteenth Century', in Anthony Musson (ed.), *Expectations of the Law in the Middle Ages* (Woodbridge, 2001), pp. 135-49.

⁴⁵ J.G. Edwards, *The Commons in Medieval English Parliaments* (London, 1958), pp. 28-36, Brown, 'Parliament', pp. 122-23; Ronald Butt, *A History of Parliament: The Middle Ages* (London, 1989), pp. 266-67.

⁴⁶ Butt, *History of Parliament*, pp. 266-67.

⁴⁷ *The St. Albans Chronicle: The Chronicle Maiora of Thomas Walsingham I, 1376-1394*, ed. and trans. John Taylor, Wendy R. Childs and Leslie Watkiss (Oxford, 2003), pp. 2-7.

⁴⁸ Edwards, *Commons in Medieval Parliaments*, pp. 28-29; W.N. Bryant, 'Some Earlier Examples of Intercommuning in Parliament, 1340-1348', *EHR* 85 (1970), 54-58.

established office, following the key role given to Peter de la Mare by the chroniclers in 1376.⁴⁹ Intercommuning and the role of speaker seem to have developed from the early 1340s, and by the mid-1370s had reached the form recognisable for the rest of the middle ages. There is a section on the mechanism for enrolling private petitions, something which was stopped in the early 1330s.⁵⁰ If the *Modus* dates from the late fourteenth century, it would surely touch on these points. Even if it were from the middle years of the century, we would expect to find something about these developments, and their absence is telling. The technical arguments in favour of a date in the early 1320s have been rehearsed at great length by past historians, and little that has been written recently has seriously shaken their conclusions.

However, this concentration on the accuracy of the text and the evidence for dating, whilst important, may miss the wider picture. One of the most interesting facts about the *Modus* is the way in which it obsessed about certain mundane details. We have already seen that there is no way we can judge the accuracy of the sections about such matters as speeches, sermons and seating arrangements. But the curious point is that they are there at all, and at some length. Indeed, the author seems more concerned with correctness of procedure and membership than with what parliament actually did. Numerous scholars have focused on the sections about the parliament rolls, entering into surreal debates about their width and where they were deposited.⁵¹ It is argued that ten inches corresponds to the width of a parliament roll under Edward II, and that during the 1320s the rolls started to be kept in the chancery rather than the Treasury, and these facts are then used as part of the evidence for an early 1320s composition.⁵² This may be true, but is this perhaps to overlook the more important questions that such sections raise? In concentrating on such minutiae, and outlining technicalities that often seem tedious or irrelevant to us, the author may be revealing his true colours. If we step back for a moment from the relentless attempt to use these details solely

⁴⁹ *St. Albans Chronicle*, pp. 8-11; J.S. Roskell, 'The Medieval Speakers for the Commons in Parliament', *BIHR* 23 (1950), 31-52, reprinted in J.S. Roskell, *Parliament and Politics in Late Medieval England*, 3 vols. (London, 1981-83), vol. 1, article IV; J.S. Roskell, *The Commons and their Speakers in the English Parliament* (Manchester, 1965).

⁵⁰ *Modus*, XV.

⁵¹ *Modus*, XV, XXV.

⁵² For example, see Clarke, *Representation and Consent*, pp. 211-15; Galbraith, 'Modus Tenendi Parliamentum', p. 88; *Parliamentary Texts*, ed. Pronay and Taylor, p. 23.

as a means to date the *Modus*, constantly looking for events that could correspond to parts of the text, then maybe we have an opportunity to see it in a new light.

Parliament in the 1320s was still a relatively new institution. The role of the representatives was still being established, the distinction between parliaments and great councils was not clear-cut, and the place of the lower clergy was still being debated.⁵³ Furthermore, the means of recording what happened in parliament was still being worked out. Chancery clerks could produce a charter, writ, or warrant effortlessly, according to the templates used by the English government for decades.⁵⁴ A parliament roll was a different matter. The chronological – if highly selective – rolls of proceedings are a product of later in Edward III's reign.⁵⁵ For the parliaments of Edward I and Edward II, and the earlier assemblies of Edward III, the majority of records consist of petitions and responses. There seems to have been considerable uncertainty as to how a parliament roll was correctly composed and filed, or indeed what purpose it was meant to serve.

The late 1310s and early 1320s was the time when Walter Stapeldon, bishop of Exeter and Edward II's treasurer, was undertaking his reforms of exchequer procedure and records.⁵⁶ A Gascon calendar was compiled, whilst whole series of other documents were resorted and organised, 'in order to make manageable the use of larger records'.⁵⁷ One of the reforms led to the creation of the *Vetus Codex*, a collection of parliament rolls copied together into a book.⁵⁸ This is an invaluable document, as several of the rolls copied into the book have not survived. Seen in the light of these reforms, the sections about parliament rolls make sense. There is no apparent reason why an author writing a political tract or polemic would see fit to incorporate such banal details, but every reason why someone associated with Stapeldon's reforms would want to do so. He is making

⁵³ Above, pp. 87-92.

⁵⁴ On the decoration and form of charters, see Elizabeth Danbury, 'The Decoration and Illumination of Royal Charters in England, 1250-1509: An Introduction', in Michael Jones and Malcolm Vale (eds.), *England and her Neighbours, 1066-1453: Essays in Honour of Pierre Chaplais* (London, 1989), pp. 157-79.

⁵⁵ Above, pp. 43-44; W.M. Ormrod, 'On – and Off – the Record: The Rolls of Parliament, 1337-1377', in Linda Clark (ed.), *Parchment and People: Parliament in the Middle Ages* (Edinburgh, 2004), pp. 39-56.

⁵⁶ Mark Buck, *Politics, Finance and the Church in the Reign of Edward II: Walter Stapeldon, Treasurer of England* (Cambridge, 1983), pp. 163-96; M.C. Buck, 'The Reform of the Exchequer, 1316-1326', *EHR* 98 (1983), 241-60.

⁵⁷ Buck, *Politics, Finance and the Church*, p. 169.

⁵⁸ The original *Vetus Codex* is TNA C 153/1. Palgrave printed parts of it in *Parliamentary Writs*, whilst all rolls are printed in the new edition of PROME (although only those that do not survive elsewhere are included as part of the *Vetus Codex*).

a didactic point: the parliament roll should be ten inches wide; copies should be available at a fixed price to those who request them; and the original text should be delivered into the custody of the Treasury, where it can be included in the new exchequer filing system. Chancery clerks employed in parliament may know everything there is to know about charters and similar chancery documents, but they need to be reminded – or taught – the correct system for writing the record of parliament. The *Modus* is the product of an organised, administrative mind that is greatly concerned about procedure. Aside from the guidelines for the actual records, he lays considerable stress on such themes as numbers (for example, how many days in advance parliament should be summoned and how many clerks there should be) and the correct order of seating.

In other words, the *Modus* needs to be depoliticised. There are many elements that would be peculiar inclusions in a political text. The fact that it was not until later in the fourteenth century that the tract began to circulate widely suggests that it had little immediate impact at the time of its composition. Yet seen as the product of the reforms of the early 1320s, the text makes a good deal of sense. There is very little way of knowing precisely who was responsible for writing the *Modus*, although the most likely candidate would be someone in the exchequer associated with Stapeldon's restructuring programme. Indeed, it is not totally absurd to suggest that Stapeldon himself could have had a hand in penning the text, or even been the author. We know that he had a healthy respect for decisions reached in parliament: it was Stapeldon – along with the bishop of Worcester – who had the courage (albeit only by letter) to tell the king in 1322 that, since the judgement against the Despencers had been passed in parliament, it could only be revoked in parliament.⁵⁹ As bishop of Exeter since 1307, and treasurer during the middle and later years of Edward II, Stapeldon would have had first-hand knowledge of the workings of parliament. Responsible for the exchequer and its reforms, he was also in an ideal position to know about – or influence – the way in which the records of parliament were created and stored. In short, Stapeldon was in an ideal position to write a text like the *Modus*. Both Roskell and Weber floated the possibility of Stapeldon's authorship, although both also appreciated

⁵⁹ Buck, *Politics, Finance and the Church*, pp. 138-39. Buck has also written a more recent summary of Stapeldon's life: M.C. Buck, 'Stapeldon, Walter (*b.* in or before 1265, *d.* 1326)', *Oxford DNB*, accessed online at <<http://www.oxforddnb.com/view/article/26296>>.

the problems associated with it, not least the bishop's opposition to clerical taxation.⁶⁰ Another argument against this line of thought is that there is nothing to directly associate Stapeldon with the tract, and there is no surviving, contemporary government copy. That said, this does not affect the idea that it could have come initially out of this context, and then later been preserved as a legal text in the manner outlined by Pronay and Taylor.⁶¹ A procedural manual for parliament would hardly have been a must-read text for many people.

To depoliticise the text is not to make it apolitical. It is all too easy to view the medieval civil service as something of a faceless bureaucracy, monotonously producing charters and rolls upon receipt of orders from above. Yet this would be to deny the fact that they were human. The clerks of the chancery and the exchequer worked at the heart of the royal administration, and thus must have known a considerable amount about contemporary affairs and disputes. Amongst this group, there was an established culture of book exchange and learning.⁶² They surely had opinions about political matters, which would explain the presence of the more overtly political or idealistic points within the text. Thus the *Modus* may have been primarily a form of manual to ensure that correct procedures were followed, but it was also a good opportunity for the author to present the ideals he felt parliament should stand for. Weber has tentatively suggested that the *Modus* 'was drawn up for the purpose of serving as an administrative manual in the future, matching reality after the discrepancies in question had been overcome by certain changes in parliamentary procedure'.⁶³ Consequently, some of the elements may have come out of direct contemporary experience, with the author putting forward his views on disputes or problems he perceived with parliament as it stood.

A good example is the section which states that the king is duty-bound to be present in parliament unless he is too ill, with strict rules laid down to check that

⁶⁰ J.S. Roskell, 'A Consideration of Certain Aspects and Problems of the English *Modus Tenendi Parliamentum*', *BJRL* 50 (1968), 411-42, p. 434, reprinted in Roskell, *Parliament and Politics*, vol. 1, article III; W.C. Weber, 'The Purpose of the English *Modus Tenendi Parliamentum*', *PH* 17 (1998), 149-75, p. 174.

⁶¹ *Parliamentary Texts*, ed. Pronay and Taylor, pp. 13-30.

⁶² T.F. Tout, 'The English Civil Service in the Fourteenth Century', *BJRL* 3 (1917), 185-214; reprinted in T.F. Tout, *The Collected Papers of Thomas Frederick Tout*, 3 vols. (Manchester, 1932-34), vol. 3, pp. 191-221.

⁶³ Weber, 'Purpose of the English *Modus*', p. 170.

the malady is genuine.⁶⁴ In general, kings were reluctant to allow parliament to take place in their absence, and we certainly have little evidence for this happening. One notable exception is the 1313 parliament, when Edward II did stay away, on account of an illness that contemporaries believed to be feigned.⁶⁵ It has been suggested, plausibly, that the author had this incident in mind in laying down his harsh terms.⁶⁶ Peers were subject to equally stringent regulations in the author's scheme, including financial penalties.⁶⁷ Given Thomas of Lancaster's abject failure to attend most of the parliaments held in the 1310s and early 1320s, this can also be read as a direct attack on recent practice.

Another significant case in point concerns the treatment of the Commons. According to the author of the *Modus*, whilst it was necessary for all peers to agree to grant an aid, 'two knights who come to parliament for the shire, have a greater voice in granting and denying than the greatest earl of England, and in the same manner the proctors of the clergy from one diocese, if they are agreed, have a greater voice in parliament than the bishop himself, and this in everything that ought to be granted, denied, or done in parliament'.⁶⁸ The representatives alone spoke for the entire community of the realm, and consequently parliament could take place if the lords refused to attend, but not if the Commons were absent. This has been seen as radical at best, fanciful at worst. However, whilst it is undoubtedly an exaggeration, the underlying point is accurate enough. By the second half of Edward II's reign, at the latest, it was widely accepted that decisions involving the whole community had to be decided in full parliament, something which (admittedly for different reasons) was enacted in law by the Statute of York in 1322.⁶⁹ The validity of the view presented in the *Modus* is best summed up by G.L. Harriss.

Doubtless the Commons by themselves could not claim to represent the whole community of England as the author asserts, but it was an entirely defensible (though not entirely verifiable) assertion that in rendering the assent of that community the

⁶⁴ *Modus*, XIII.

⁶⁵ *Vita*, ed. Denholm-Young (London, 1957), p. 38; *Vita*, ed. Childs, p. 67

⁶⁶ W.A. Morris, 'The Date of the "Modus Tenendi Parliamentum"', *EHR* 49 (1934), 407-22, p. 410; *Parliamentary Texts*, p. 95.

⁶⁷ *Modus*, IX.

⁶⁸ *Modus*, XXIII.

⁶⁹ *SR*, I, 189. The Statute of York is discussed in more detail above, pp. 13-15.

unanimous voice of the representatives had greater weight than the individual voices of the lords. At the very least their assent had become a *sine qua non*.⁷⁰

The 1320s was in many ways the critical period in the development of the Commons, when they began to find a more assertive voice.⁷¹ For the first time parliament refused a royal request for taxation outright, something that would not happen again until the 1370s. In February 1324, Edward II requested a subsidy in order to ransom the earl of Richmond, captured in the disastrous campaign against the Scots in 1322. Parliament's answer was blunt: only the king or his immediate family merited a ransom paid for by the realm as a whole.⁷² What part – if any – the Commons played in that rebuff is a question about which the sources are silent, and it has been suggested recently that the importance of this rejection has in any case been overstated.⁷³ It may also be worth noting that the *Modus* also says that 'for the granting of such aids it is necessary that all the peers of parliament consent'.⁷⁴ Even allowing for this, the author of the *Modus* seems to identify with a more determined mood amongst the representatives, and it something of which he evidently approves. He lays down very clearly the conditions which must be met before a subsidy can be granted, which rather pointedly excludes ransoming captured earls of Richmond or anywhere else.⁷⁵ Moreover, parliament should not be dissolved until all the petitions have been dealt with, an issue which was probably the major concern of most of the representatives present.

Yet it is a step too far to see him as in any way radical. In the final analysis parliament is a royal assembly. The king is 'the head, the beginning, and the end of parliament, and therefore he has no peer in his grade'.⁷⁶ In short, the parliament is the king's parliament, and it cannot exist without him. This indicates the widespread acceptance of this point since Henry III first argued it in 1260, when he forbade the baronial rebels to hold parliament whilst he was out of

⁷⁰ Harriss, *King, Parliament and Public Finance*, p. 84.

⁷¹ W.M. Ormrod, 'Agenda for Legislation, 1322-c.1340', *EHR* 105 (1990), 1-33.

⁷² *Flores Historiarum*, vol. 3, p. 219; *Adae Murimuth Continuatio Chronicarum*, p. 43; *Chronicon Monasterii S. Albani*, ed. Henry Thomas Riley, 7 vols. in 12 parts, RS 28 (London, 1863-76), vol. 1.1, p. 171; Buck, *Politics, Finance and the Church*, p. 145.

⁷³ Gwilym Dodd, 'Parliament and Political Legitimacy in the Reign of Edward II', in Gwilym Dodd and Anthony Musson (eds.), *The Reign of Edward II: New Perspectives* (Woodbridge, 2006), pp. 165-89.

⁷⁴ *Modus*, XXIII.

⁷⁵ *Modus*, XXIII.

⁷⁶ *Modus*, XXVI.

the country.⁷⁷ Moreover, 'if any of the said grades below the king be absent, provided that they have all been forewarned by due and correct summons of parliament, none the less it shall considered to be complete'.⁷⁸ Presumably this could not be taken to its logical but ridiculous conclusion, but it is nevertheless an important point. Parliament is important and the representatives have a significant role to play, but the king is its ultimate *raison d'être*. He is bound by the basic rules, he has to treat parliament with the utmost seriousness, and there are elements that would probably have irritated Edward II. Yet at the most fundamental point, the author opts for a conservative affirmation of parliament as the instrument of the king. And this may be one of the most telling arguments against the *Modus* originating in the Lancastrian camp. The case for the author being a supporter of Lancaster, writing in mid-1321, has been well made by Morris and Maddicott.⁷⁹ There are strong arguments in favour of their position, such as the importance given to the Steward and the point that parliament should not be held in secret (one of Lancaster's demands in 1320). However, the emphasis placed on the Commons surely tells against a Lancastrian origin, even if we take into account Lancaster's courting of the representatives as he found himself bereft of allies towards the end of his life. The powers afforded the Steward are tempered by similar concessions to the Constable. Above all, the *Modus* contains nothing about the Ordinances, the utterly inflexible mainstay of Lancaster's policy throughout the 1310s. The Sherburn Indenture, arising out of the political crisis over the Despensers in the summer of 1321, is written with far more venom and the expected Lancastrian stress upon the Ordinances.⁸⁰ It is not enough that some of the material in the *Modus* and the Ordinances seems to overlap.⁸¹ These were ideas that would be known to anyone involved in politics since 1310, and given how Lancaster had infuriated almost everyone with his intractable adherence to the Ordinances, it is highly unlikely that anyone associated with him would not have made explicit reference to them in the *Modus*.

⁷⁷ See Chapter 5.

⁷⁸ *Modus*, XXVI.

⁷⁹ Morris, 'Date of the Modus'; Maddicott, *Thomas of Lancaster*, pp. 289-92.

⁸⁰ The Indenture is printed by B. Wilkinson, 'The Sherburn Indenture and the Attack on the Despensers, 1321', *EHR* 63 (1948), 1-28. There is a detailed discussion of the documents (and Wilkinson's conclusions) in Maddicott, *Thomas of Lancaster*, pp. 269-89.

⁸¹ Maddicott, *Thomas of Lancaster*, p. 290.

As far as dating is concerned, it is simply not possible to narrow the limits as far as 1321-22, let alone to be as precise as to pinpoint summer 1321 as the date of composition. Much as historians are often loathe to admit a lack of knowledge, we can do no better than see the *Modus* as a product of the period 1316-25, although a date towards the very end of that span is very possible. This would take account of the growing importance of the Commons, the dispute over taxation for Brittany's ransom, and the inclusion of the barons of the Cinque Ports amongst the membership, with matters such as clerical representation and taxation remaining unresolved issues for debate.

A depoliticised text emerging from a member (or members) of the clerical component of parliament, also associated with the exchequer, would perhaps make the most sense of this infuriating document. Like all verdicts on the *Modus*, in the final analysis this can only be conjecture based on the balance of probabilities. But otherwise we are left to explain why the tract is so concerned with correct procedure and administrative minutiae at the expense of action. The major concern of the author – be he Stapeldon or someone associated with his reforms – was primarily to ensure that the rules were followed and that the proceedings of parliament were properly recorded for the developing parliamentary archive. Yet he was only human, and his particular prejudices and opinions on the chaos of Edward II's reign were allowed to colour the text, leading him to introduce novel elements that stretched reality to its limits. If the *Modus* is indeed principally (but not exclusively) an administrative document, it may also explain why it is so noticeably absent from contemporary discussion. If the clerks used it to get procedure right, this is hardly likely to have interested chroniclers or made its way onto the official record; after all, *Hansard* does not record where MPs sit. It had little use as a political text, because taken as a complete document it would not have represented the position of any of the major political factions, and it possessed enough controversial elements to annoy everyone in at least some way. In the end, it was the lawyers of the later fourteenth century who were to rescue it from obscurity and give it a new lease of life in a different context. To modern historians of the early fourteenth century, however, the *Modus Tenendi Parliamentum* is of value chiefly because it shows parliament as an evolving institution which did not develop in any inevitable way, but could ultimately have taken one of several directions.

Parliament in the Chronicles

Caught between the age of Matthew Paris and the era of Thomas Walsingham, the early fourteenth century has not been seen by historians as a period of great literary endeavour, especially as far as the chronicles are concerned.⁸² Chronicle coverage of parliament has provoked particular dismay. This is largely because the outstanding accounts we possess of the Good Parliament cast a giant shadow over all parliamentary coverage that precede them, making them appear terse and frequently uninformative.⁸³ After 1376, chroniclers began to take a more sustained interest in parliament as an institution, and works such as the Westminster Chronicle and Henry Knighton's chronicle went into great detail about the parliaments of Richard II's reign.⁸⁴ Yet scouring the chronicles of the early 1300s for reference to parliament is somewhat discouraging: 'although chroniclers on occasion showed some inclination to report the events of more notable parliaments ... they continued to portray them as populated almost exclusively by kings and magnates, and their all too brief reports were usually followed by decades in which parliaments seem barely to have been considered worth a mention'.⁸⁵ The only exception is the story of the 1341 parliament as told

⁸² The most detailed treatment of medieval chronicles is Antonia Gransden, *Historical Writing in England, c.550 to c.1307* (London, 1974), and *Historical Writing in England, 1307 to the Early Sixteenth Century* (London, 1982). A more thematic approach is adopted in Chris Given-Wilson, *Chronicles: The Writing of History in Medieval England* (London and New York, 2004). Also relevant for this period is John Taylor, *English Historical Literature in the Fourteenth Century* (Oxford, 1987). On the St Albans chronicle tradition specifically, see Gransden, *Historical Writing, c.550 to c.1307*, pp. 356-79; Gransden, *Historical Writing, 1307 to Sixteenth Century*, pp. 118-56; Taylor, *English Historical Literature*, pp. 59-77; James G. Clark, *A Monastic Renaissance at St Albans: Thomas Walsingham and his Circle, c.1350-1440* (Oxford, 2004); John Taylor, 'Walsingham, Thomas (c.1340-c.1422)', *Oxford DNB*, accessed online at <<http://www.oxforddnb.com/view/article/28627>>. For the value of chronicles from the thirteenth-century, see Alan Harding, *England in the Thirteenth Century* (Cambridge, 1993), pp. 1-16.

⁸³ *St Albans Chronicle; The Anonimale Chronicle, 1333 to 1381, from an MS. Written at St. Mary's Abbey, York*, ed. V.H. Galbraith (Manchester, 1970), pp. 79-94; George Holmes, *The Good Parliament* (Oxford, 1975); Taylor, *English Historical Literature*, pp. 198-205; John Taylor, 'The Good Parliament and its Sources', in John Taylor and Wendy R. Childs (eds.), *Politics and Crisis in Fourteenth-Century England* (Gloucester, 1990), pp. 81-96; Given-Wilson, *Chronicles*, pp. 174-76.

⁸⁴ *The Westminster Chronicle, 1381-1394*, ed. and trans. L.C. Hector and Barbara F. Harvey (Oxford, 1982); *Knighton's Chronicle, 1337-1396*, ed. and trans. G.H. Martin (Oxford, 1995); Given-Wilson, *Chronicles*, p. 178.

⁸⁵ Given-Wilson, *Chronicles*, p. 174.

in the *Croniques de London*, which is as close as we come to a detailed account of a single assembly before 1376.⁸⁶

The most common description of a parliament to be found is an austere line stating that the king held his parliament at Westminster (or wherever may have been the case) on a particular date. Occasionally this is elaborated upon, usually if there was a subsidy granted. Of course there are many incidences of more detailed descriptions, but there is considerable variation in the space afforded to individual assemblies and the detail in which they are described. Parliaments that witnessed momentous events obviously attracted the most attention. The January 1327 parliament, which saw the unprecedented deposition of a reigning king, is related in all the accounts that deal with national affairs. On the other hand, some assemblies are completely ignored by the chroniclers, with only the *Historia Roffensis* deigning to note the meeting which took place at York in November 1322.⁸⁷ Even parliaments which have been invested with considerable significance by later historians – such as the May 1322 assembly which passed the Statute of York – are treated indifferently by contemporaries.⁸⁸

However, merely to count the chronicle references to parliament misses the wider picture. True, the succinct nature of many of these references means that we cannot often use them as a source for what happened at parliament, but the crucial issue to remember is that fourteenth-century chroniclers were not writing objective accounts of the past; they had particular concerns and put pen to paper with a specific purpose in mind. That they fail to mention every parliament does not automatically mean that an assembly was not important in its own right, merely that not all parliaments were dramatic or impacted upon the writer of the chronicle. Moreover, they were not writing for an especially large number of people. Almost all of the chronicles of this period are in Latin or Anglo-Norman French, the languages of the clerical and secular elites, and English would not become the dominant language until the fifteenth-century.⁸⁹ In any case, literacy was not common amongst the general population and, before printing, mass-production of texts was difficult. Hence we need to remember that chronicles

⁸⁶ *Croniques de London, depuis l'An 44 Hen. III jusau'à l'An 17 Edw. III*, ed. George James Aungier, Camden Society, 1st Series 28 (London, 1844), pp. 82-90.

⁸⁷ *Anglia Sacra*, p. 362.

⁸⁸ For the Statute of York, see above, pp. 13-15.

⁸⁹ Given-Wilson, *Chronicles*, pp. 137-52.

were generally targeted at particular people or groups, texts brought together from disparate sources.⁹⁰ If we bear in mind the rationale of each chronicle's author and look at the reasons why he was composing his text, then we can at least employ the chronicles to understand how contemporaries viewed parliament, and how it fitted within the purpose of their overall work.

Monastic chroniclers tended to write for a very specific, restricted audience. Far from wishing to provide a generally comprehensible narrative for the masses (who in any case were unable to read it), 'the monastic writer aimed to use records to convey to posterity a deliberately created and rigorously selected version of events'.⁹¹ Hence some chroniclers provide informative accounts of parliament largely because the assembly impacted significantly upon the local or monastic affairs forming the principal subject matter of the chronicle. This is not surprising, as 'a chronicler's concern for his own monastery, or its equivalent, tended to override all other considerations'.⁹² A good illustration is the chronicle of Bury St Edmunds Abbey in Suffolk. From around 1265 to 1301 (where the text ends), it is a contemporaneous work written by two men, the first penning the section from 1265 to 1296, the second the final five years.⁹³ Neither writer has ever been identified with absolute certainty, although Antonia Gransden makes a good case for ascribing the earlier and longer section to William Hoo, sacristan of Bury St Edmunds between 1280 and 1294. She observes that the author was preoccupied to the point of obsession with taxation and its effect upon Bury St Edmunds, pointing out that his 'obsession with taxation is quite explicable if the chronicle for these years was written in the sacristan's office, especially as the sacristy was in serious financial difficulties, the result, according to the author of the *Gesta Sacristarum*, of taxation'.⁹⁴ This fixation explains the fairly lengthy discussions of parliament that feature in the Bury Chronicle in the years 1290-

⁹⁰ *Ibid*, pp. 14-20.

⁹¹ M.T. Clanchy, *From Memory to Written Record: England, 1066-1307* (2nd edition: Oxford, 1993), p. 147.

⁹² Gransden, 'The Chronicles of Medieval England and Scotland', *JMH* 16 (1990), 129-50 and 17 (1991), 217-43; reprinted in Antonia Gransden, *Legends, Traditions and History in Medieval England* (London and Rio Grande, 1992), pp. 199-238, p. 210.

⁹³ Gransden, *Historical Writing, c.500 to c.1307*, pp. 395-96; Harding, *England in the Thirteenth Century*, pp. 8-10.

⁹⁴ Antonia Gransden, 'A Critical Edition of the Bury St Edmunds Chronicle in Arundel MS 30 (College of Arms)', unpublished Institute of Historical Research PhD thesis (1957), pp. 72-85; Gransden, *Historical Writing, c.500 to c.1307*, pp. 396-98, with quote at p. 398.

1301. The manner in which national politics are used to illuminate local affairs in the text is perfectly demonstrated by this account of parliament in 1294.

The king held a parliament at Westminster on Michaelmas day and on the following day. After beginning with prayers, entreaties and even threats, he compelled and forced each and every prelate and their clergy and the religious who owned property, whom he had summoned to this parliament, to make him a payment of half of all their spiritual and temporal revenues according to the assessment made recently for the tenth, to be paid in three instalments during this year. The sum total of the contribution is said to have amounted to £101,000. Our contribution was £655 0s 11¾d.⁹⁵

For the November 1295 parliament, the chronicler recorded the grant of a subsidy before proceeding to name the lay tax collectors in Suffolk and the clerical collectors in the bishopric of Norwich.⁹⁶ For the impoverished abbey, the decisions made about taxation by those meeting in parliament were of considerable significance, which accounts for the detailed (and, from the historian's point of view, invaluable) treatment of the subject in the Bury Chronicle. Thus although other important parliamentary business, such as quarrels between the king and magnates in the later 1290s and early 1300s,⁹⁷ does have a place in the narrative, it is always as a secondary theme to the overriding preoccupation with taxation. The authors of the chronicle had no intention of writing a definitive national history, but events at this level naturally impacted upon the story of Bury St Edmunds Abbey, necessitating the reporting of parliaments within a text with a primarily local orientation. A similar approach can be found in another work compiled in East Anglia, the Norwich chronicler Bartholomew Cotton. Dealing at length with the hefty financial demands of the 1290s (from both king and pope) and the disputes arising from these, Cotton assiduously copies letters from the principal protagonists of the era into his text. But he also weaved in the local implications of national politics: the taxation of the bishopric of Norwich in 1291; a letter excusing the monks of Norwich from

⁹⁵ *The Chronicle of Bury St Edmunds, 1212-1301*, ed. and trans. Antonia Gransden (London, 1964), pp. 123-24.

⁹⁶ *Ibid.*, p. 129.

⁹⁷ *Ibid.*, pp. 148, 152, 154, 156, 163.

paying the tenth in 1294; and the form of the summons addressed to the prior of Norwich in 1295.⁹⁸

Other chroniclers take this approach to extremes. The *Historia Roffensis*, a chronicle written at Rochester and covering the years 1314-51, has a certain value for national affairs, especially in the 1320s. Like so many chronicles of this period, we do not know the author for certain, although it is possibly the work of William Dene, archdeacon of Rochester from 1323.⁹⁹ Whoever the writer of the text was, whenever he allows parliament to intrude into the narrative, it is almost always in relation to the activities of Hamo Hethe, bishop of Rochester.¹⁰⁰ The author's account of the May 1322 parliament records the route Bishop Hethe took to get to York – through Suffolk, Norfolk, Holland and Lindsey in Lincolnshire to Barton-upon-Humber and thence on to York – as well as the expenses he incurred in attending, before moving on to discuss where he spent the summer, making absolutely no mention of what actually happened in the assembly.¹⁰¹ The description of the January 1327 meeting deals almost entirely with the conduct of the prelates: the sermons by the archbishop of Canterbury and the bishops of Hereford and Winchester; the refusal of some (including Hethe) to sing the *Glory, Laud and Honour* to the new king; and the subsequent recalcitrance of the archbishop of York and the bishops of Carlisle and London in the matter of swearing allegiance to Edward III.¹⁰² However, the writer's masterpiece is his treatment of the parliament of November 1330. Anyone ignorant of the history of the 1320s and 1330s could happily read the *Historia Roffensis* and assume that the principal feature of this assembly was the resurgence of the perennial dispute between the archbishops of Canterbury and York about carrying crosses.¹⁰³ The writer is sublimely uninterested in the issue that every subsequent historian would pinpoint as the political event of paramount importance in 1330, namely the capture of Roger Mortimer at Nottingham Castle and his subsequent condemnation by the November parliament. None of this is reckoned worthy of

⁹⁸ *Bartholomaei de Cotton, Monachi Norwicensis, Historia Anglicana (A.D. 449-1298)*, ed. Henry Richards Luard, RS 46 (London, 1859), pp. 183, 256, 294.

⁹⁹ M.C. Buck, 'Dene, William (fl. 1317-1354)', *Oxford DNB*, accessed online at <<http://www.oxforddnb.com/view/article/7475>>.

¹⁰⁰ On Hethe, see M.C. Buck, 'Hythe, Hamo (b. c.1270, d. in or after 1357)', *Oxford DNB*, accessed online at <<http://www.oxforddnb.com/view/article/37508>>.

¹⁰¹ BL Cotton Ms. Faustina B.v, f. 39r.; printed in *Anglia Sacra*, p. 362.

¹⁰² *Anglia Sacra*, p. 367.

¹⁰³ BL Cotton Ms. Faustina B.v, ff. 52r.-55v.; printed in *Anglia Sacra*, p. 370.

inclusion in the *Historia Roffensis*. Nothing could illustrate more clearly that the principal interest of the author was the bishopric of Rochester and its incumbent Hethe, with parliament and national politics generally a subsidiary theme that gives context to the local material. Yet it should be noted that there is an important exception in the account of the parliament that met in London in the summer of 1321.¹⁰⁴ This detailed record of the development of magnate opposition to the Despensers is invaluable because it is the fullest description now extant.¹⁰⁵ It is possible that this parliament was singled out for extensive treatment because the bishop of Rochester emerges as a staunch ally of the king, Edward (in this version at least) confiding his anger to Hethe at the royal table.¹⁰⁶ This section of the *Historia Roffensis* may provide a crucial source for later historians, but it fits unashamedly within the author's wider purpose of recording the deeds of Hethe and the see of Rochester.

A chronicler's reporting of parliament may have been hampered by geography, as is possible in the case of the Bridlington Chronicle. The original text was composed contemporaneously until the 1330s, but the surviving chronicle dates from the later fourteenth century and includes additions dating from as late as the 1370s, and the distinction between the original text and later interpolations is not always clear.¹⁰⁷ Even allowing for this, the Bridlington Chronicle is a valuable source, shedding considerable light on Edward II's failure to defend the north from the Scots and the subsequent hardships this caused.¹⁰⁸ The complex, myriad shifts in politics can also be traced in its pages: until Gaveston's murder, the author – in common with all other chronicles – was a severe critic of the king, but in the later 1310s he developed a hatred of Lancaster that made him considerably more sympathetic to Edward.¹⁰⁹ However, the Bridlington Chronicle does not have a huge amount to say about parliament. Only five London/Westminster

¹⁰⁴ Wharton omitted this section from *Anglia Sacra*, but it is printed as 'A Rochester Account concerning Disputes during the Parliament of 1321', in *Parliamentary Texts*, ed. Pronay and Taylor, pp. 161-64, with a translation on pp. 165-69.

¹⁰⁵ Maddicott, *Thomas of Lancaster*, pp. 280-89; *Parliamentary Texts*, ed. Pronay and Taylor, pp. 155-60, 170-73; Taylor, *English Historical Literature*, p. 197.

¹⁰⁶ *Parliamentary Texts*, ed. Pronay and Taylor, pp. 164, 169.

¹⁰⁷ Gransden, *Historical Writing, 1307 to Sixteenth Century*, p. 9; Chris Given-Wilson, 'Edward II and the Chronicles', unpublished paper given at the Edward II Symposium at the University of Nottingham, July 2004.

¹⁰⁸ Gransden, *Historical Writing, 1307 to Sixteenth Century*, pp. 10-12; Taylor, *English Historical Literature*, pp. 151-52.

¹⁰⁹ Given-Wilson, 'Edward II and the Chronicles'.

parliaments are judged worthy of mention: the assembly dealing with Gaveston's exile; the meeting at which Edward II confirmed the Ordinances in 1315; the deposition parliament of 1327; Mortimer's condemnation in 1330; and the new peerage creations of 1337.¹¹⁰ The Lincoln parliament of 1316 is considered important enough to merit a short description,¹¹¹ as are the York assemblies of 1318, 1319, May 1322, 1333 and 1335.¹¹² Whilst none of the author's accounts of parliaments are detailed, those at York do tend to receive slightly longer treatment. This is particularly true of the first three meetings in the city that he discusses, very possibly because these years saw the dispute between the king and Lancaster reach its climax. It is possible that the Bridlington chronicler was not particularly interested in parliament, which cannot have impacted too often upon a medium-size priory on a remote stretch of the Yorkshire coast. On the other hand, that remoteness may have been the reason that parliament is not a major feature of the narrative, and explain why the York assemblies receive most attention. Although the chronicle has a few fragments of unique information relating to southern and national events, it is most valuable as a source for northern England and southern Scotland. The secluded location of Bridlington priory means that information about parliament may not necessarily have found its way there. This is especially true if we consider that the prior of Bridlington was summoned to parliament only intermittently (and never after Edward II's reign), probably attended infrequently, and thus there was no one consistently bringing direct information about parliaments back to the priory.

Similar remarks can be made about the other major northern chronicle of the early fourteenth century, that of the Augustinian House of Lanercost in Cumberland. This work also poses problems of authorship, with an original text – written as a continuation to Richard of Durham at the Franciscan Friary in Carlisle – only extant within the later Lanercost Chronicle.¹¹³ Like the Bridlington Chronicle, the Lanercost text is dominated by a concern with Scotland and the English kings' wars in the north. At best, parliament is allowed to make a fleeting appearance within the narrative, a sentence or two at a time about a select number

¹¹⁰ 'Gesta Edwardi de Carnarvon', vol. 2, pp. 33, 47, 90-91, 101, 129.

¹¹¹ *Ibid*, p. 49.

¹¹² *Ibid*, pp. 56, 78, 110, 122.

¹¹³ A.G. Little, 'The Authorship of the Lanercost Chronicle', *EHR* 31 (1916), 269-79; Gransden, *Historical Writing, 1307 to Sixteenth Century*, pp. 12-17, 115-17.

of assemblies. The description of the May 1322 parliament at York is curt and uninformative: 'the king held his parliament at York, and there Hugh Despenser the elder ... was made Earl of Winchester'.¹¹⁴ Only three other York parliaments are referred to (1314, 1332 and 1335), none any more enlighteningly than this.¹¹⁵ Marginally more of the Westminster/London parliaments merit a line or so, but no real detail. The vast majority of assemblies are passed over in complete silence. Most surprisingly, given that this portion of the text was probably written at Carlisle,¹¹⁶ the author has absolutely nothing to say about the January 1307 parliament. Writing perhaps thirty or more years later, the events of this assembly were just too distant for the author, irrelevant to his main purpose of demonstrating the terrors wreaked upon northern England by the Scottish wars. And like Bridlington, Lanercost was something of a remote foundation, and was not represented in parliament. Hence only important news would make its way to Cumberland for inclusion in the chronicle.

Of course there were other important reasons for the relative silence of these northern chronicles on parliament. Both the Bridlington and Lanercost chronicles are primarily concerned with northern affairs, and particularly the devastation wreaked across the borderlands by a triumphant Robert I following his victory at Bannockburn.¹¹⁷ Given the suffering caused, and the utter failure of the government to alleviate it or respond adequately, the king and his organs of government can hardly have commanded much respect in this area. Under the circumstances, both chroniclers could be forgiven for seeing parliament as a remote irrelevance, unable or unwilling to make a difference to the dire situation in the northern counties. A similar approach, for very different reasons, is to be found in some of the chronicles that covered the opening phase of the Hundred Years War. For men such as Robert of Avesbury or Thomas Gray, parliament

¹¹⁴ *The Chronicle of Lanercost, 1272-1346*, trans. H. Maxwell (1913; reprinted Cribyn, 2001), p. 237.

¹¹⁵ *Ibid*, pp. 211, 274, 290.

¹¹⁶ Gransden, *Historical Writing, 1307 to Sixteenth Century*, p. 12.

¹¹⁷ Colm McNamee, *The Wars of the Bruces: Scotland, England and Ireland, 1306-1328* (East Linton, 1997), pp. 72-165.

was something that occasionally had to be alluded to in their retelling of English glory and Edward III's military achievements.¹¹⁸

The most explicit example of a personal agenda influencing coverage of parliament is to be found in the Westminster continuation of the *Flores Historiarum*. The anonymous monk who composed the section up to 1306 was not especially interested in parliament, with the October 1302 assembly being the only one he sees fit to mention in the latter part of Edward I's reign.¹¹⁹ The approach of Robert of Reading, the probable author of that portion of the *Flores* covering the reign of Edward II, is entirely different. Robert was one of the most vitriolic Englishmen ever to take up chronicle writing, venom flowing from his pen in every line.¹²⁰ His hatred for Edward knew no bounds, and it is in his work that we find the only contemporary allegations of tyranny against the king.¹²¹ This view is maintained even when Robert comes to deal with parliament. It is not a subject he deigns to discuss often, but his primary interest when he does is to emphasise the absurd and illegitimate nature of Edward's assemblies. In the troubled period of 1307-1309, 'there were in England many false and ridiculous parliaments', from which 'discerning men – *who did not follow the counsel of the wicked* – stayed away, refusing the judgements of the iniquitous, seeking peace

¹¹⁸ Avesbury's Chronicle is printed with Murimuth's in *Adae Murimuth Continuatio Chronicarum*, pp. 279-471. A translation of Gray's is printed as *The Scalachronica: The Reigns of Edward I, Edward II and Edward III as Recorded by Sir Thomas Gray*, trans. H. Maxwell (London, 1907; reprinted Felinfach, 2000). See also Gransden, *Historical Writing, 1307 to Sixteenth Century*, pp. 58-100.

¹¹⁹ *Flores Historiarum*, vol. 3, p. 111. On this section, see Gransden, *Historical Writing, c.550 to c.1307*, pp. 453-60.

¹²⁰ T.F. Tout, 'The Westminster Chronicle attributed to Robert of Reading', *EHR* 31 (1916), 450-64; reprinted in *The Collected Papers of T.F. Tout*, 3 vols (Manchester, 1932-34), vol. 2, pp. 289-304. See also Antonia Gransden, 'The Continuations of the *Flores Historiarum* from 1265 to 1327', *Mediaeval Studies* 36 (1974), 472-92, reprinted in Gransden, *Legends, Traditions and History*, pp. 245-65; Gransden, *Historical Writing, 1307 to Sixteenth Century*, pp. 17-23; and Taylor, *English Historical Literature*, pp. 77-81. Gransden sees Robert's work as a *pièce justificative* for the regime of Isabella and Mortimer.

¹²¹ *Flores Historiarum*, vol. 3., p. 192. The modern case against Edward is argued by Natalie Fryde, *The Tyranny and Fall of Edward II* (Cambridge, 1979), a book praised in reviews by Christopher Dyer (*History Today* 30.5 (May 1980), 50), J.R. Lander (*AHR* 85 (1980), 869), G.L. Harriss (*History* 65 (1980), 291) and Michael Prestwich (*EHR* 95 (1980), 614-16). However, contemporary allegations of tyranny are virtually non-existent, and subsequent historians have proved uneasy about such an easy identification of the king personally as a tyrant, preferring to talk in terms of the failings or 'tyranny' of a *Despenser* regime: Nigel Saul, 'The Despensers and the Downfall of Edward II', *EHR* 99 (1984), 1-33; Ormrod, *Reign of Edward III*, p. 13. Professor Prestwich has recently argued that the mass of writs to the exchequer, purportedly from the king, were actually the work of the younger Despenser, using the king's name: Michael Prestwich, *Plantagenet England, 1225-1360* (Oxford, 2005), pp. 209-10.

and not finding it, searching for good and *lo, terror*'.¹²² In 1322, once Robert has lamented (in gleeful detail) the cruel and bloody treatment of the rebels and their families and associates, it is the clerics assembled in parliament who are on the receiving end of his bitter attacks. Quoting Isaiah 56:10, he dismissed them as 'silent dogs that cannot bark', accusing them of failing to stand up for the rights of the Church and 'selling Christ's flock'.¹²³ There is an ill-concealed trace of vindictive pleasure as he describes the king's futile arguments with parliament in 1324, in his (failed) attempt to persuade them to pay the earl of Richmond's ransom.¹²⁴ Unfortunately Robert died before the deposition parliament, and the description of this in the Westminster continuation of the *Flores* is borrowed from Adam Murimuth. Had Robert lived, we would doubtless have an extremely colourful account of proceedings. His depictions of parliament are so partisan and factually uninformative as to make them all but useless to historians wanting to trace the chronological or practical development of the institution. For all his attempts to undermine the legitimacy of Edward's parliaments, we cannot take him seriously: he carries his invective much too far, and his allegations find no corroboration in any other works of the same period.

On the whole, the golden age of the monastic chronicle lay in the past. Those that continued to be written are hardly stimulating works of history or literature. A good example is the *Eulogium Historiarum*, composed at Malmesbury Abbey, which mentions just ten parliaments in the sixty-eight years under consideration.¹²⁵ It is in any case an extraordinarily curt text: perhaps tellingly, the account of Edward II's entire reign occupies a mere five pages in the printed edition, less than half the space afforded to the Black Prince's 1356 itinerary. Even at St Albans, the home of Paris and Walsingham, the chronicle tradition faded for a while into the background. William Rishanger shows some interest in Edward I's assemblies of the 1290s and early 1300s, but John de Trokelowe and Henry Blanford, writing the St Albans accounts of the 1310s and 1320s, cover

¹²² 'In hujus anni revolutione multa fiebant in Anglia sophistica parlamenta et satis ridiculosa ... sed viri discreti qui non abierunt in consilio impiorum recesserunt ab eis, declinando iudicium impiorum, expectantes pacem et non inuenientes, quaesieruntque bona et ecce turbatio.' *Flores Historiarum*, vol. 3, p. 143. The quotations (italicised) are from Psalm 1:1 and Isaiah 17:14.

¹²³ *Flores Historiarum*, vol. 3, p. 209.

¹²⁴ *Ibid*, pp. 219-20.

¹²⁵ *Eulogium Historiarum*, ed. Frank Scott Haydon, 3 vols., RS 9 (London, 1858-63), vol. 3, pp. 149, 163, 166-68, 174, 191-92, 195, 202, 204; Gransden, *Historical Writing, 1307 to Sixteenth Century*, pp. 103-105.

parliament patchily at best.¹²⁶ Instead, the best chronicles gradually began to emerge from the homes of secular clerks during the early fourteenth century, and it is to them that we must now turn.

Much of interest can be found in the work of Londoners. The 1341 parliament aside, the authors of the *Croniques de Londres* cared little about parliament, especially when it took place outside London. A handful of London/Westminster assemblies managed to find a place in this work in the period 1293-1327, and the dramatic events of 1330 even prompted the writer to note the meetings at Winchester and Nottingham (although, strangely enough, not the final parliament of the year at Westminster).¹²⁷ Other chroniclers of the city, however, have more to say. Whilst prone to ignore parliaments like any other chronicler, the author of the *Annales Londoniensis* could be informative and detailed when a particular assembly interested him. The text is missing for the years 1293-1301, but from then until it finishes in 1316 it is an independent source of great interest for events in the city.¹²⁸ Yet the author's horizons extend beyond London, and he takes account of parliaments in Northampton, Stamford and Lincoln.¹²⁹ The details of the arguments over royal power in 1308 find a lengthy place in the text, as does the Statute of Stamford and the struggle over the Ordinances.¹³⁰ Whilst there is little unique in the work, parliament is afforded a relatively significant place at times of political crisis. Moreover, the *Annales Londoniensis* demonstrate the interplay between national and city politics, and the way in which parliament could impact upon the latter. Another London chronicle, the *Annales Paulini*, focuses more upon St Paul's and ecclesiastical affairs, although are by no means

¹²⁶ *Chronica Monasterii S. Albani: Willelmi Rishanger*, ed. Henry Thomas Riley, RS 28.2 (London, 1865), pp. 123, 142, 163, 165, 168, 172, 185-86, 190, 192-93, 198, 211; *Chronica Monasterii S. Albani: Johannis de Trokelowe et Henrici de Blaneforde*, ed. Henry Thomas Riley, RS 28.3 (London, 1866), pp. 66-67, 80, 88, 94, 102, 142, 152. There are problems with accepting Trokelowe's authorship of the relevant section: see Gransden, pp. 4-8.

¹²⁷ *Croniques de London*, pp. 23, 27-28, 47, 57-58, 59, 63-64.

¹²⁸ 'Introduction', in *Chronicles of the Reigns of Edward I and Edward II*, ed. Stubbs, vol. I, pp. xi-xli; Gwyn A. Williams, *Medieval London: From Commune to Capital* (London, 1963); Gransden, *Historical Writing, 1307 to Sixteenth Century*, pp. 23-25.

¹²⁹ 'Annales Londoniensis', in *Chronicles of the Reigns of Edward I and Edward II*, ed. Stubbs, vol. I, pp. 156-161, 237. The author is unknown, although Stubbs suggested Andrew Horn: 'Introduction', *Chronicles of the Reigns of Edward I and Edward II*, pp. xxii-xxviii. This theory is accepted by Williams, *Medieval London*; and Jeremy Catto, 'Horn, Andrew (c.1275-1328)', *Oxford DNB*, accessed online at <<http://www.oxforddnb.com/view/article/13780>>.

¹³⁰ 'Annales Londoniensis', pp. 153, 158-61, 167-74, 198-202.

uninterested in London or national events.¹³¹ Authorship is a major problem with this work, not least due to some considerable similarities between sections of this chronicle and Adam Murimuth, with the possibility of multiple authors.¹³² Whoever was responsible for the *Annales Paulini*, compared to other chroniclers he had something of an interest in parliament. Whilst his coverage is by no means comprehensive, he makes a real effort to treat most significant parliaments between 1308 and 1337. Nor are his efforts confined to his own city, with parliaments at Northampton, Salisbury, Stamford, Winchester and York receiving a reasonable degree of attention.¹³³ That parliament should have found a respectable place within these chronicles is understandable. As the city where the assembly was held most often, inhabitants of London came into regular personal contact with parliament. Of course London and Westminster were different places in the fourteenth century, but neither the chroniclers nor the government (in the writs of summons) showed any inclination to distinguish between the two, and it thus makes sense to treat them together when discussing parliaments. As there were occasions when parliament met at Westminster, with a southern convocation simultaneously in session at St Paul's in the city of London, there was probably a constant communication between the two assemblies in any case. Thus whether parliament met in Westminster or London, the chroniclers based in the city were on hand to record what happened, and were doubtless able to interact with some of its membership. Even when assemblies were summoned for York or one of the other provincial cities, there would always be people heading back to London when they finished, bringing information back with them. It is thus little surprise that some of the most even parliamentary coverage is found in the work of Londoners, such as the authors of the *Annales Londoniensis* and the *Annales Paulini*.

Other secular clerks had more ambitious aims in their writing, setting out to compose a more national history. The outstanding chronicle of the early fourteenth century is the *Vita Edwardi Secundi*, identified by Tout as 'the most human, most coloured, and in some ways most sympathetic and most critical of a

¹³¹ Gransden, *Historical Writing, 1307 to Sixteenth Century*, pp. 25-29; Taylor, *English Historical Literature*, pp. 26-27.

¹³² H.G. Richardson, 'The *Annales Paulini*', *Speculum* 23 (1948), 630-40; Gransden, *Historical Writing, 1307 to Sixteenth Century*, pp. 23-24.

¹³³ 'Annales Paulini', in *Chronicles of the Reigns of Edward I and Edward II*, ed. Stubbs, vol. I, pp. 264, 267, 284, 286, 287, 303, 339, 341, 342, 349, 361.

not very strong series of chronicles'.¹³⁴ Until it abruptly terminates in the middle of 1325, with the appeal to Isabella and Prince Edward to return to England, the *Vita* is one of the best-informed and perceptive chronicles of the reign.¹³⁵ Written contemporaneously at various points throughout the reign, it is a valuable source for charting the bewildering political shifts and developments that took place throughout these troubled years, although we have frustratingly lost six crucial leaves of the text, covering the period immediately after Lancaster's execution in 1322.¹³⁶ The author is preoccupied to the point of obsession with the conflicts involving the king and his barons: in a relentless coverage of Edward II's first five years on the throne, he is concerned only with the Gaveston problem at a time when most other chroniclers make at least a token effort to cover other major events, such as the destruction of the Templars. He refused to insert a complete text of the Ordinances, lest 'it would break the flow of this narrative and prove tedious to readers' and reminding people that they could be found 'in their proper place among the other statutes', but the *Vita* nevertheless contains a verbatim copy of the ordinance concerning Gaveston's exile.¹³⁷ With Gaveston dead, the king's struggle with the earl of Lancaster then takes centre stage (the writer's attitude towards both men is ambivalent, in contrast to his clear dislike for Gaveston). Given this interest in the issue of high politics, it is unsurprising that the author of the *Vita* proves knowledgeable about parliament and preserves important details missing elsewhere; for example, he is the only chronicler aware of a postponed parliament at Lincoln in 1318.¹³⁸ Unfortunately, the writer seems more interested in conflict parliaments than anything else. Nearly all the assemblies of the 1310s, when the king was at loggerheads with Lancaster, have entries in the *Vita*. In contrast, the meetings during Gaveston's exile in Ireland, and those between Boroughbridge and the Gascon emergency in 1325, are ignored (although the May

¹³⁴ T.F. Tout, *The Place of the Reign of Edward II in English History* (Manchester, 1914), p. 5.

¹³⁵ On the question of the authorship of the *Vita*, see *Vita*, ed. Denholm-Young, pp. xix-xxviii; N. Denholm-Young, 'The Authorship of the *Vita Edwardi Secundi*', *EHR* 71 (1956), 189-211; *Vita*, ed. Childs, pp. xxiv-xxxii.

¹³⁶ Prior to the mid-1990s, it was assumed by historians that the *Vita* was composed as a single piece in 1325-26, ending with the death of its anonymous author. However, Chris Given-Wilson has argued convincingly that the author wrote up his text at various stages in Edward II's reign, as can be shown by the changes in opinion and lack of foreknowledge displayed in the work: Chris Given-Wilson, 'Vita Edwardi Secundi: Memoir or Journal?', in Michael Prestwich, R.H. Britnell and Robin Frame (eds.), *Thirteenth Century England VI: Proceedings of the Durham Conference 1995* (Woodbridge, 1997), pp. 165-76.

¹³⁷ *Vita*, ed. Denholm-Young, pp. 18-20; *Vita*, ed. Childs, pp. 32-37.

¹³⁸ *Vita*, ed. Denholm-Young, pp. 84-87; *Vita*, ed. Childs, pp. 144-47.

1322 parliament would surely have featured in the lost portion of text covering the spring and early summer of that year). The author of the *Vita* was something of a moraliser, and liked to dwell upon the trouble caused by discord amongst the leading magnates. However, he seems to have been firmly of the opinion that parliament was the proper forum for key decisions to be taken, recognising its importance for good governance. His views can best be summed up in his oft-quoted complaint in 1325.

The king's harshness has indeed increased so much today that no one, however great and wise, dares to cross the king's will. Thus parliaments, consultations, and councils decide nothing these days. For the nobles of the realm, terrified by threats and the penalties inflicted on others, let the king's will have free rein. Thus today will conquers reason.

For whatever pleases the king, though lacking in reason, has the force of law.¹³⁹

Although traditionally read as an attack upon the king, these lines are also an implicit criticism of the nobility, who are failing to do their duty by standing up to Edward's unjust actions. The important point here is that the author saw parliament as the institution which should have been deciding these matters, and the failure of the barons to use it in this way was responsible for the ills caused by the king's policies. Parliament mattered to the author of the *Vita*.

Geoffrey le Baker is somewhat more explicit in his writings. His chronicle is a marvellous work of literature, although the early section depends strongly on Adam Murimuth.¹⁴⁰ The hero is Edward II, with Baker providing an elegant and moving account of his death (including the first appearance of the red-hot poker story) in which the king is portrayed as a martyr enduring his suffering like a saint.¹⁴¹ The villain is Adam Orleton, who barely escapes identification as the antichrist by a vituperative and hateful Baker, although Queen Isabella provides serious competition for the bishop. It makes for entertaining reading, but this does raise doubts about his value as a source for domestic affairs. Nevertheless, Baker does devote considerable space to discussions of parliament.¹⁴² Like the author of the *Vita*, he perceives it to be a place for the king and his magnates to thrash out

¹³⁹ *Vita*, ed. Denholm-Young, p. 136; *Vita*, ed. Childs, pp. 230-31.

¹⁴⁰ Gransden, *Historical Writing, 1307 to Sixteenth Century*, pp. 37-42; Taylor, *English Historical Literature*, pp. 27-28; Roy Martin Haines, 'Baker, Geoffrey le (fl. 1326-1358)', *Oxford DNB*, accessed online at <<http://www.oxforddnb.com/view/article/1114>>.

¹⁴¹ *Chronicon Galfridi Le Baker de Swynebroke*, ed. Edward Maunde Thompson (Oxford, 1889), pp. 26-32; Gransden, *Historical Writing, 1307 to Sixteenth Century*, pp. 41-42; Michael Evans, *The Death of Kings: Royal Deaths in Medieval England* (London, 2003), pp. 127-30; Mortimer, *Greatest Traitor*, pp. 191-94.

¹⁴² *Chronicon Galfridi le Baker*, pp. 11, 14, 16, 26, 40, 42, 44-45, 53, 56-58, 62, 67, 73, 75.

the details of governance and policy. He never misses the opportunity to denigrate Isabella or Orleton, for example in his accounts of the February 1324 or April 1328 parliaments.¹⁴³ In the latter, he is heavily critical of the ‘base peace made between the English and the Scots’ at Northampton, recording with some satisfaction the failure of the Scots in their attempts to reclaim the Stone of Scone from Westminster Abbey.¹⁴⁴ After the fall of Mortimer, Baker largely covers the parliaments of the 1330s within the context of the Scottish war. A lengthy account of the 1337 assembly records Edward III’s elevations to the peerage, with the shorter treatment of parliaments in the period 1338-42 focusing upon the king’s negotiations with his subjects over war taxation. Baker was a contemporary to these events, and his relatively detailed coverage of parliament demonstrates the increasing effect the assembly was starting to have on the consciousness of the lay authors. But it must be noticed that even he could despair of the assembly, criticising its members for being too eager for innovation at the expense of tradition.¹⁴⁵

The one chronicle in which we would expect to find detailed coverage of parliament is that of Adam Murimuth. Murimuth was at the heart of government, serving at the papal court in the 1310s as the representative at various times of the king and several bishops, and undertaking diplomatic activity for several parties – principally the archbishops and archdiocese of Canterbury – throughout the 1320s and 1330s.¹⁴⁶ He wrote from a personal journal, which gives his narrative contemporary value, even if hindsight naturally coloured some elements. What is surprising is that ‘the history to c.1337 is meagre and disappointing, given his career’.¹⁴⁷ Parliament features little in the story of Edward II’s reign, when Murimuth is concerned principally with papal and domestic ecclesiastical affairs. Even when parliament is covered, the references are brief or dismissive: his comment on the September 1314 assembly is that ‘nothing much of note was

¹⁴³ *Chronicon Galfridi le Baker*, pp. 16, 40.

¹⁴⁴ *Ibid*, p. 40.

¹⁴⁵ *Ibid*, p. 28; Michael Prestwich, ‘Parliament and the Community of the Realm in Fourteenth Century England’, in Art Cosgrove and J.I. McGuire (eds.), *Parliament and Community* (Belfast, 1983), p. 16.

¹⁴⁶ Gransden, *English Historical Literature, 1307 to Sixteenth Century*, pp. 29-31, 64-67; C. L. Kingsford, ‘Murimuth, Adam (1274/5-1347)’, rev. Wendy R. Childs, *Oxford DNB*, accessed online at <<http://www.oxforddnb.com/view/article/19567>>.

¹⁴⁷ ‘Murimuth’, *Oxford DNB*.

done'.¹⁴⁸ The account of the May 1322 parliament notes that 'many things were done', but makes explicit reference only to the elder Despenser's elevation to the earldom of Winchester, and then very tersely.¹⁴⁹ The February 1324 meeting attracts a few lines only because of the proceedings against the bishop of Hereford.¹⁵⁰ Although it is initially disconcerting that Murimuth has so little to say about Edward II's parliaments, we have to remember that he spent long spells of time out of England in these years, at the papal curia or on other diplomatic missions. Hence his journal would have had little to say about events at home unless they were particularly significant and reported to him. In dealing largely with the papacy and the church, Murimuth's chronicle reflects the demands of his career at this stage, not an intrinsic disinterest in parliament. His treatment of parliament becomes more extensive for Edward III's reign, although is still disappointingly curt for such a well-placed observer. The 1330 parliaments find a place as the occasions for the condemnation of Kent at Winchester, the capture of Mortimer at Nottingham, and his trial and execution at Westminster.¹⁵¹ Otherwise Murimuth brings parliament into his narrative only when it conceded subsidies (which he occasionally felt the need to object to), took resolute decisions against the Scots (Murimuth was a patriot), or acted against the papacy (of which Murimuth was not a fan).¹⁵² He adds little to our knowledge of parliament, and his interest in the institution *per se* seems to have been minimal. It is always present in the background, but Murimuth seems accepting of its existence rather than enthusiastic, and it is always a secondary concern to his dislike of the papacy, the French and the Scots.

The final issue to consider briefly is the small collection of surviving political poems and songs.¹⁵³ These often give a different perspective to the chronicles, and are possibly more representative of popular opinion than the chroniclers, who were isolated in monasteries or writing for specific educated audiences. These

¹⁴⁸ *Adae Murimuth Continuatio Chronicarum*, p. 21.

¹⁴⁹ *Ibid.*, p. 37.

¹⁵⁰ *Ibid.*, pp. 42-43.

¹⁵¹ *Ibid.*, pp. 59-62.

¹⁵² *Ibid.*, pp. 66, 72, 75, 77-78, 80, 82, 85, 104, 119-20, 136-42, 156.

¹⁵³ A selection of these from the thirteenth and early fourteenth-century can be found in *Thomas Wright's Political Songs of England, from the Reign of John to that of Edward II*, ed. P.R. Coss (revised edition: Cambridge, 1996); and in *Anglo-Norman Political Songs*, ed. Isabel S.T. Aspin, Anglo-Norman Text Society 11 (Oxford, 1953). See also J.R. Maddicott, 'Poems of Social Protest in Early Fourteenth Century England', in W.M. Ormrod (ed.), *England in the Fourteenth Century: Proceedings of the 1985 Harlaxton Symposium* (Woodbridge, 1986), pp. 130-44.

tended to be concerned with particular events and injustices rather than the development of institutions. Several took the form of a 'song on the times', lamenting the traditional range of evils and oppressions.¹⁵⁴ However, parliament is referred to in some of these works. A poem of Edward III's reign alludes explicitly to the fact that the king should not leave the realm to make war, 'unless the commons of his land shall consent', and furiously denounces the burden of taxation.¹⁵⁵ These lines were penned at the end of the 1330s, when Edward III's absence in France coincided with domestic economic depression. The achievements of the king's French campaign were questionable, and this combined with a depressed wool trade and anger about purveyance to make the parliamentary sessions of 1339-40 tricky for Edward.¹⁵⁶ Such works give tantalising hints that there was popular interest in the impact of parliament upon people's lives, and a growing acceptance that matters like taxation were only acceptable with the assent of the community in a proper assembly. This particular poem 'contains particularly illuminating comments because the author expresses the grievances and bewilderment of the common people'.¹⁵⁷ Unfortunately, whilst we have these invaluable fragments, too little material survives to properly assess the extent of parliament's popular influence through these means. Instead, we have to look to private petitions to provide a better gauge of how parliament was viewed and approached by the communities.

It is clear that, for the majority of early fourteenth-century chroniclers, parliament was an aristocratic assembly. They provide a sobering corrective to the voluminous twentieth-century literature focusing on the representatives and

¹⁵⁴ For example, 'Song on the Times', in *Thomas Wright's Political Songs*, ed. Coss, pp. 195-205, 251-53.

¹⁵⁵ 'Song against the King's Taxes', in *Thomas Wright's Political Songs*, ed. Coss, pp. 182-87, with quote at p. 182; also in *Anglo-Norman Political Songs*, ed. Aspin, pp. 105-15. Wright assumed this song was a product of Edward I's reign, and it was traditionally dated to around 1300. However, modern commentators prefer a date around 1336-40: *Anglo-Norman Political Songs*, ed. Aspin, p. 105; T. Stemmler, *Die Englischen Liebesgedichte des MS. Harley 2253* (Bonn, 1962), pp. 30-34; E.B. Fryde, 'Parliament and the French War, 1336-40', in *Essays in Medieval History Presented to Bertie Wilkinson*, ed. T.A. Sandquist and M.R. Powicke (Toronto, 1969), pp. 250-69, reprinted in E.B. Fryde and Edward Miller (eds.), *Historical Studies of the English Parliament*, 2 vols. (Cambridge, 1970), pp. 255-56, n. 71, and in E.B. Fryde, *Studies in Medieval Trade and Finance* (London, 1983), article V; Maddicott, 'Poems of Social Protest', p. 132; Peter Coss, 'Introduction to 1996 Edition', in *Thomas Wright's Political Songs*, ed. Coss, pp. lii-liii.

¹⁵⁶ Fryde, 'Parliament and the French War', pp. 255-60; Scott L. Waugh, *England in the Reign of Edward III* (Cambridge, 1991), pp. 81-83.

¹⁵⁷ Fryde, 'Parliament and the French War', p. 255.

the growth of the Commons. The MPs have practically no role to play in the chronicles of the early fourteenth century, and although with hindsight we can trace their developing role and importance, these were not necessarily apparent to contemporaries. Instead, the prime players in parliamentary terms were the king, the bishops and the secular nobility. The way in which proceedings are covered depends upon the personal preference or purpose of the chronicler. The monastic chronicles are more concerned with taxation and the effects on their houses, the secular works – whilst not indifferent to financial matters – tend to trouble themselves more with high politics and warfare. But the overall theme of a noble assembly remains, and tends to bear out the arguments of those who have argued recently for an increased emphasis on the aristocratic element in parliament.

Beyond the specifics of individual chroniclers, there is a wider question: how did the chroniclers get their information about parliament? After all, few were witnesses to the events they described, which made them reliant upon other sources. In the case of the monastic chronicles, this very probably meant people who had actually attended the assemblies in question, bringing news back with them. The abbots of Bury St Edmunds and St Albans, for example, headed two of England's largest and wealthiest monastic foundations, as a consequence of which they were regular fixtures on the parliamentary lists of summons. Both monasteries were also close to London, and St Albans was on the main road to York and the north. Whether their abbots attended in person with a retinue, or elected to send proctors in their stead, someone from the abbey would (presumably) be present in most assemblies. If it was deemed relevant or significant by the compiler of the monastic annals or chronicle, then news brought back by the delegates could be incorporated into the text. Of course, this cannot have been the case when the work was being composed some years after the events being described, as often happened. This may explain why so many accounts of parliament are brief and unrevealing, having been written long afterwards by those who could remember them only dimly or were writing from meagre sources. It is just possible that use was made of newsletters, although at this stage it is almost impossible to prove. Newsletters were used from the thirteenth century onwards, with the English government making particular use of

their potential in the Hundred Years War.¹⁵⁸ Many of these were incorporated into chronicles *verbatim*. However, these were military newsletters, concerned with English triumphs in battle overseas.¹⁵⁹ The coverage of parliaments in early fourteenth-century chronicles is so sparse that even if the information was culled from some basic newsletter, it could not be proved. Without extensive accounts of assemblies that overlap significantly, we cannot possibly know whether or not parliamentary newsletters did circulate, although given the nature of the chronicles, it seems highly unlikely. Even if it were to be the case, this would just create further problems, as we would need to know who wrote the newsletters and why. Without any evidence for their use, the issue of newsletters is not one that should detain historians of the early fourteenth-century parliament for long.¹⁶⁰

Whilst the chronicles of the late thirteenth and early fourteenth centuries have tended to disappoint students of parliament, they are not without value. The majority of entries may be blunt, and too many parliaments lacked interest for many chroniclers by the time they were writing. However, it is to the chronicles that we must turn to expand our knowledge of what actually went on in the parliaments of this period. Whilst the parliament rolls consisted (for the most part) of records of petitions, highlighting the judicial element of parliament, the chronicles tended to be sublimely indifferent to such matters. As a result of this, they provide a perfect complement to the 'official' records. Furthermore, because we lack any form of government record for many parliaments at this stage, often the chronicles are our only way of working out what happened in certain assemblies. On occasion, the record of parliament is fuller than the chronicle accounts. The January 1316 meeting at Lincoln is a good example of this: it is largely ignored by the chroniclers, but we possess the first detailed narrative parliament roll. At other times, the absent or scanty parliament rolls have to be supplemented by the details found in the chronicles. Their coverage may be sparse and frustrating, but we are hardly in possession of such an abundance of other evidence that we can begrudge what they do tell us. Perhaps the best approach to the early fourteenth-century chronicles is to see them alongside the

¹⁵⁸ John Barnie, *War in Medieval English Society* (London, 1974), p. 32; Gransden, *Historical Writing*, pp. 13, 65, 69, 77, 111; Taylor, *English Historical Literature*, pp. 229, 270.

¹⁵⁹ Gransden, *Historical Writing, 1307 to Sixteenth Century*, pp. 69-70, 601; *Knighton's Chronicle*, pp. xxii-xxiv; A.K. McHardy, 'Some Reflections on Edward III's Use of Propaganda' in J.S. Bothwell (ed.), *The Age of Edward III* (York, 2001), pp. 171-92.

¹⁶⁰ For parliamentary sources later in the century, see Taylor, 'Good Parliament', pp. 81-96.

parliament rolls, as an evolving genre coming to terms with a rapidly changing institution. Both came to reflect a carefully selected version of events that fits within an overall purpose, although in this sense it was the chronicles that led the way. Lacking the iconic status of Walsingham and his ilk, the narratives of this period may be more approachable and – if we ask the right questions – informative about a crucial stage in parliamentary development.

CHAPTER 4

PARLIAMENT AND POLITICAL CRISIS

The word 'crisis' is something of an overworked one. Even if we have moved beyond an approach to history as 'a great drama, in which, century after century, revolution followed revolution so inexorably that no part of the British past seemed complete without one',¹ historians continue to secretly thrive on crises. It can be hard to avoid seeing any given period as one peculiarly racked by crisis, and concentrate instead on the more routine and less dramatic developments in a society. Of course there is also the opposite danger, that 'British historians today are mainly concerned to show that less happened, less dramatically, than was once thought',² which risks minimising the effect of those events that truly did constitute a crisis or revolution. These caveats notwithstanding, the period 1290-1348 experienced its fair share of turmoil and events which could legitimately be termed crises. The peasantry were particularly hard hit in a period which saw harvest failure and famine in the 1310s, and ended with the arrival of the Black Death. For those in the north of England, these problems were compounded by the devastating Scottish raids carried out under Robert I, which left the six northern counties in severe agricultural and economic difficulties. Politically, aside from the events of 1297, 1330 and 1340-41, there are grounds for viewing the entire two decades of Edward II's reign as a crisis with the occasional change of protagonists. Unsurprisingly, these events impacted upon parliament and in certain ways helped to shape its development. Parliament in 1348 was a different type of assembly to parliament in 1290, but there was nothing inevitable about the form it took. This chapter seeks to examine some of the major events which helped to shape that change.

¹ David Cannadine, 'British History: Past, Present – and Future?', *P&P* 116 (1987), 169-91, p. 173.

² *Ibid*, p. 183. This debate over the idea of 'revolution' has been particularly fierce amongst seventeenth-century historians, producing on one side such titles as Christopher Hill's *The Century of Revolution, 1603-1714* (Edinburgh, 1961 and subsequent editions), and on the other works such as Conrad Russell's volume of essays, *Unrevolutionary England, 1603-1642* (London, 1990).

Parliament as Political Crisis (i): 1297

The first half of Edward I's reign saw a dynamic king attempting to establish hegemony over the British Isles, with the successful conquest of Wales and the (temporary) establishment of overlordship in Scotland.³ Aside from these successful military ventures, which gave the king and his nobility a common purpose, the 1270s and 1280s also witnessed the introduction of significant legislation and initiatives such as the *Quo Warranto* and hundred roll proceedings.⁴ But by the mid-1290s, with the king's debts mounting alarmingly and war on three fronts increasingly unpopular, there were serious tensions in the political community. These came to a head in 1296-97 with the clergy refusing to meet Edward's exorbitant financial demands, and the king consequently removing his protection from them. This situation was not fully resolved before Edward faced opposition from the secular nobility over taxation and military service. It should be noted that although their interests coalesced in the later part of 1297, the clergy and the laity were effectively locked in separate battles with the king. In both cases, the key issue was financial, with the king's subjects angered by his seemingly insatiable demands for money in the service of an apparently endless sequence of wars. The secular nobility had little interest in supporting the clergy in the dispute over the moiety and *Clericos Laicos*, and only began to oppose the king when they began to find his exactions intolerable on themselves.

³ J.E. Morris, *The Welsh Wars of Edward I* (Oxford, 1901), reissued with a foreword by Michael Prestwich (Stroud, 1996); Michael Prestwich, *War, Politics and Finance Under Edward I* (London, 1972); Michael Prestwich, *The Three Edwards: War and State in England, 1272-1377* (London, 1980); Michael Prestwich, *Edward I* (revised edition: New Haven and London, 1997); Fiona Watson, *Under the Hammer: Edward I and Scotland, 1286-1307* (East Linton, 1998; reprinted Edinburgh, 2005).

⁴ Helen M. Cam, *Studies in the Hundred Rolls: Some Aspects of Thirteenth Century Administration* (Oxford, 1921); Helen M. Cam, *The Hundreds and the Hundred Rolls: An Outline of Local Government in Medieval England* (London, 1930); T.F.T. Plucknett, *Legislation of Edward I* (Oxford, 1949); D.W. Sutherland, *Quo Warranto Proceedings in the Reign of Edward I, 1278-1294* (Oxford, 1963); Sandra Raban, 'The Making of the 1279-80 Hundred Rolls', *HR* 70 (1997), 123-45; Sandra Raban, *A Second Domesday? The Hundred Rolls of 1279-80* (Oxford, 2004).

The story of 1297 is a complex one, which has already been told well on several occasions, and does not need repeating here.⁵ Instead, the important point is that parliament had remarkably little place in the dispute or the opposition programme. In July, the Remonstrances opened with a protest against the demands for military service overseas and purveyance, before complaining of the poverty caused by the levying of ‘tallages, aids, prises and mises’, the injustice of the maltolt, and including traditional demands concerning *Magna Carta* and the forests.⁶ The first clause of *De Tallagio Non Concendo*, the opposition demands composed sometime before 10 October 1297, reads simply: ‘No tax [*tallagium*] or aid shall be imposed or levied by us or our heirs in our kingdom without the will and assent of the community of archbishops, bishops, other prelates, earls, barons, knights, burgesses and other free men of our realm’.⁷ This is followed by statements that ‘none of our ministers or those of our heirs shall seize corn, wool, hides, or any other goods without the will and assent of those from whom they are taken’, and a repudiation of the maltolt.⁸ It is unclear whether *De Tallagio* had any official character in the baronial negotiations with the king, although some modern authors have argued persuasively in favour of this being the case.⁹ Yet both the

⁵ The best contemporary accounts are those of Bartholomew Cotton and the Evesham Chronicle: *Bartholomaei de Cotton, Monachi Norwicensis, Historia Anglicana (A.D. 449-1298)*, ed. Henry Richards Luard, RS 46 (London, 1859), pp. 317-39; J.H. Denton, ‘The Crisis of 1297 from the Evesham Chronicle’, *EHR* 93 (1978), 560-79. Modern analysis is provided in J.G. Edwards, ‘Confirmatio Cartarum and Baronial Grievances in 1297’, *EHR* 59 (1943), 147-71, 273-300; Harry Rothwell, ‘The Confirmation of the Charters, 1297’, *EHR* 60 (1945), 300-15; Harry Rothwell, ‘Edward I and the Struggle for the Charters, 1297-1305’, in R.W. Hunt, W.A. Pantin and R.W. Southern (eds.), *Studies in Medieval History Presented to F.M. Powicke* (Oxford, 1948), pp. 319-32; Prestwich, *War, Politics and Finance*, pp. 247-61; J.H. Denton, *Robert Winchelsey and the Crown, 1294-1313: A Study in the Defence of Ecclesiastical Liberty* (Cambridge, 1980), pp. 55-176; *Documents Illustrating the Crisis of 1297-98 in England*, ed. Michael Prestwich, Camden Society, 4th Series, 24 (London, 1980), pp. 1-30; Prestwich, *Three Edwards*, pp. 27-32; J.R. Maddicott, ‘“1258” and “1297”: Some Comparisons and Contrasts’, in Michael Prestwich, Richard Britnell and Robin Frame (eds.), *Thirteenth Century England IX: Proceedings of the Durham Conference 1999* (Woodbridge, 2001), pp. 1-14; Prestwich, *Edward I*, pp. 401-35; Michael Prestwich, *Plantagenet England, 1225-1360* (Oxford, 2005), pp. 168-72.

⁶ The Remonstrances are printed in *Documents*, ed. Prestwich, pp. 115-17.

⁷ ‘Nullum tallagium vel auxilium per nos vel heredes nostros de cetero in regno nostro imponatur seu levetur sine voluntate et assensu communi archiepiscoporum, episcoporum et aliorum prelatorum, comitum, baronum, militum, burgencium et aliorum liberorum hominum in regno nostro.’ This is the text as printed in *Documents*, ed. Prestwich, pp. 154-55, although a version with full variants is given in Rothwell, ‘Confirmation of the Charters’, pp. 303-305. The reasons for translating ‘tallagium’ as ‘tax’, rather than the more technical ‘tallage’, are discussed in Chapter 2 above.

⁸ ‘Nullus minister noster vel heredum nostrorum capiat blanda, lanas, coria, aut aliqua alia bona cuiuscumque, sine voluntate et assensu illius cujus fuerint huiusmodi bona.’ *Documents*, ed. Prestwich, p. 154.

⁹ Rothwell, ‘Confirmation of Charters’; Denton, ‘Crisis of 1297’, pp. 565-67.

Remonstrances and *De Tallagio* place an emphasis on financial hardship caused by Edward's voracious demands, and highlight the belief that consent from the community was a necessary prerequisite to any grant. Both also leave open the question of the mechanism by which such consent was to be given. However, it is clear that the opposition regarded any idea of passive consent – whereby parliament was in session but not explicitly asked to sanction a grant of taxation – as unacceptable. Edward had issued writs for the collection of a tax – which the author of the *Flores Historiarum* famously claimed was granted 'by the people standing around in his chamber'¹⁰ – at the end of July 1297. A parliament was in session, but it was certainly not a full assembly, nor had it been asked to agree to the subsidy, despite the king's writs claiming that the eighth was approved by the usual cross-section of the community.¹¹ Yet when the earl of Hereford stormed into the exchequer on 22 August, his complaint revolved not around the fact that parliament was not used for granting assent, but around Edward's failure to gain any form of approval for either the taxation or the *maltolt*.¹² It is of note that when Edward did ask parliament in the appropriate manner in October, the members proved willing to replace the contested eighth and fifth with a ninth.

At this stage, the concept of making grants conditional upon certain concessions from the crown was in its infancy. Yet even if the idea of the full community giving its consent was something of a formality in many ways, 1297 illustrates that the formality was seen as a very important one. After that date, there were no attempts to ask for a subsidy from a parliament not containing representatives. Gradually parliament would gain the confidence to request redress of grievances before granting a tax, and even on occasion to refuse the request outright, but that lay in the future. The importance of 1297 was to create the framework in which those developments could happen. With the point clearly made that the king could not directly tax his subjects without the consent of a full cross-section of the community, questions gradually arose about the manner in which that consent should be granted. The events of the next forty years or so were to provide answers to those questions, as people began to have a much clearer view of what parliament and its role was.

¹⁰ 'A plebe in sua camera circumstante': *Flores Historiarum*, ed. Henry Richards Luard, 3 vols, RS 95 (London, 1890), vol. 3, p. 296.

¹¹ *Documents*, ed. Prestwich, pp. 110-13.

¹² *Ibid*, pp. 137-38.

Parliament in Political Crisis, 1298-1340

Between the crisis of 1297 and that of 1341, there were four other significant crises that had a major impact on parliament. The Ordainers in 1310-11 ultimately provided the circumstances which led Edward II to reassert the fundamentally royal nature of parliament in 1322, which in turn impacted upon the revolution of 1326-27 and Edward III's coup of 1330. What is noticeable in all these cases is how complete the victory of the opposition in 1297 had been in regard to taxation, as the method of consent (at least to direct taxation) is absent from the debates of these years. Yet it is equally clear that 1297 had not answered the question, 'what is parliament?', and it is far from certain that contemporaries even approached the assembly in these terms. It remained a flexible body with a wide variety of functions depending on circumstances, and attempts to formulate a strict definition of parliament's role (as happened in the Ordinances) proved unsuccessful in the first half of the fourteenth century.

The final decade of Edward I's reign was not marred by any further political crises, although the king remained suspicious of parliament and tried to avoid relying on it to grant him subsidies.¹³ Although Edward's own relationship with parliament is a subject for the next chapter,¹⁴ it is worth noting how a king who had consciously relied on parliament in his early years came to mistrust its potential to oppose his plans and summon it much less frequently.¹⁵ In 1300, he was forced to concede the *Articuli Super Cartas* and failed in his bid for a twentieth, whilst 1301 saw parliament adopt Henry of Keighley's bill of complaint as a condition of granting a fifteenth. Meanwhile, the demands that had angered the community in the 1290s – for service on the continent and vast sums of money to finance the Gascon campaigns – were not repeated in the first decade of the fourteenth century. Instead, Edward focused on the Scottish war, a venture with broad support that did not impose the same burdens. Nevertheless, when the old king died at the age of sixty-eight, the accession of his son was greeted with enthusiasm as the start of a new era.

¹³ Above, pp. 139-40.

¹⁴ Below, pp. 253-70.

¹⁵ Rothwell, 'Edward I'; Prestwich, *Plantagenet England*, pp. 172-77.

In the opening years of the reign, parliament was the stage on which the political crisis was played out, but was not itself the cause of the problem. Instead, the root cause of the strife was Edward II's favourite Piers Gaveston. It has long been recognised that Gaveston 'has been singularly unfortunate in the modern writers who have essayed to depict his character and career',¹⁶ and in hindsight was a much more appealing character than Hugh Despenser the younger in the 1320s.¹⁷ Gaveston made no real attempt to dominate politics, witnessing only a handful of royal charters, in contrast to the very noticeable presence of Despenser on the majority of witness lists in the closing years of the reign.¹⁸ But Gaveston's elevation to the earldom of Cornwall, although it raised a man of relatively low birth to a title normally reserved for a member of the royal family, was by no means an inevitable cause of hostility, given that seven earls attached their seals to the charter of enfeoffment.¹⁹ The majority share of the blame must be attributed to the king, whose political ineptness in his blatant favouritism

¹⁶ T.F. Tout, *The Place of the Reign of Edward II in English History* (Manchester, 1914), p. 12.

¹⁷ Gaveston's two recent biographers differ quite significantly on their subject: J.S. Hamilton, *Piers Gaveston: Politics and Patronage in the Reign of Edward II* (Detroit, 1988); Pierre Chaplais, *Piers Gaveston: Edward II's Adopted Brother* (Oxford, 1994). Two older biographies have little merit beyond historiographical interest: M. Marin Dimitresco, *Pierre de Gavaston, Comte de Cornouailles: Son Biographie et son Rôle pendant la Commencement du Regne d'Edouard II, 1307-14* (Paris, 1898); Walter Phelps Dodge, *Piers Gaveston: A Chapter in Early Constitutional History* (London, 1899). The development of the Gaveston legend – which according to Hamilton (pp. 12-13) has resulted in Gaveston's portrait becoming 'little more than a parody of the historical figure it is meant to represent' – is traced in A.A. Taylor, 'The Career of Peter of Gaveston and his Place in History', unpublished University of London MA thesis (1939). Attention has tended to focus on whether or not Edward and Gaveston were involved in a homosexual relationship, a subject first broached explicitly in H.F. Hutchison, *Edward II: The Pliant King* (London, 1971), pp. 146-48, with the most recent contributions being J.S. Hamilton, 'Menage à Roi: Edward II and Piers Gaveston', *History Today* 49 (1999), 26-31; Ian Mortimer, 'Sermons of Sodomy: A Reconsideration of Edward II's Sodomitical Reputation', in Gwilym Dodd and Anthony Musson (eds.), *The Reign of Edward II: New Perspectives* (Woodbridge, 2006), pp. 48-60; and W.M. Ormrod, 'The Sexualities of Edward II', in Dodd and Musson (eds.), *Reign of Edward II*, pp. 22-47.

¹⁸ J.S. Hamilton, 'Charter Witness Lists for the Reign of Edward II', in Nigel Saul (ed.), *Fourteenth Century England I* (Woodbridge, 2000), pp. 1-20; J.S. Hamilton, *The royal charter witness lists of Edward II (1307-1326) from the charter rolls in the Public Record Office*, List and Index Society 288 (Kew, 2001); J.S. Hamilton, "'Clouds of Witness": Patterns of Witnessing in the Reign of Edward II', unpublished paper delivered at the International Medieval Congress in Leeds, July 2005.

¹⁹ The charter (TNA E 41/460) is printed in *Foedera*, I.ii, p. 1018, and there is a photograph and transcription in Pierre Chaplais, *English Royal Documents, King John-Henry VI* (Oxford, 1971), plate 8b. See the comments of the anonymous author of the *Vita Edwardi Secundi Monachi Cuiusdam Malmesberiensis: The Life of Edward II by the So-called Monk of Malmesbury*, ed. and trans. N. Denholm-Young (London, 1957), p. 1; *Vita Edwardi Secundi: The Life of Edward II*, ed. and trans. Wendy R. Childs (Oxford, 2005), pp. 1-2; J.R. Maddicott, *Thomas of Lancaster, 1307-1322: A Study in the Reign of Edward II* (Oxford, 1970), pp. 70-71; J.R.S. Phillips, *Aymer de Valence, Earl of Pembroke 1307-1324: Baronial Politics in the Reign of Edward II* (Oxford, 1972), p. 27; Hamilton, *Piers Gaveston*, p. 37; Chaplais, *Piers Gaveston*, pp. 27-34.

towards Gaveston hardly reassured the established earls: 'the magnates of the land hated him, because he alone found favour in the king's eyes and lorded it over them like a second king, to whom all were subject and none equal'.²⁰ Whatever Gaveston's faults and merits, the king's blindness to noble opinion made parliament a real problem in the opening five years of the reign.

Past generations of historians were eager to set this period in a framework of 'baronial constitutionalism', seeing the barons as fighting for a constitutional principle against a king utterly oblivious to such niceties.²¹ More recently, historians have tended to stress the personal animosities that underlay the tension, turning a fundamentally loyal man like the earl of Lincoln into the leader of the opposition.²² From a parliamentary perspective, however, the main cause of the crisis was that the king lost control of the assembly. Parliament ceased to be, at least in any meaningful way, the 'king's parliament'. In the period up to Gaveston's death in the summer of 1312, Edward II only managed to obtain two grants of taxation, the first (1307) officially to finance Edward I's burial, the second (1309) collected only after considerable wrangling between king and parliament.²³ More worryingly, the barons were setting the parliamentary agenda with little or no reference to the king. In March 1308, 'the fact that the parliament met in the monks' refectory of Westminster abbey rather than within the king's palace of Westminster suggests that the magnates went ahead with a meeting at a place and time of their own choosing, and that the king had no option but to agree'.²⁴ That parliament obdurately refused to accept the king's demands and reached stalemate.²⁵ The next meeting of parliament, at the end of April, saw the barons arrive armed (for defence), the king staying in the Palace of Westminster whilst the earls met in the Abbey, and Lincoln argue for the distinction between

²⁰ *Vita*, ed. Denholm-Young, p. 1; *Vita*, ed. Childs, pp. 1-2.

²¹ Tout, *Place of Edward II*; James Conway Davies, *The Baronial Opposition to Edward II, its Character and Policy: A Study in Administrative History* (London, 1918).

²² Maddicott, *Thomas of Lancaster*; Phillips, *Aymer de Valence*; Hamilton, *Piers Gaveston*.

²³ M. Jurkowski, C.L. Smith and D. Crook, *Lay Taxes in England and Wales* (Kew, 1998), pp. 29-30.

²⁴ J.R.S. Phillips, 'Edward II: Parliament of March 1308, Introduction', in *PROME*.

²⁵ 'Annales Paulini', in *Chronicles of the Reigns of Edward I and Edward II*, ed. William Stubbs, 2 vols., RS 76 (London, 1882-83), vol. 1, pp. 262-62; *The Chronicle of Walter of Guisborough*, ed. Harry Rothwell, Camden Society, 3rd Series, 89 (London, 1957), pp. 381-82.

loyalty to the crown as opposed to the person of the king.²⁶ Edward was forced to accept Gaveston's exile to Ireland, but showed an uncharacteristic energy in winning support for his favourite's return, the price of which was the Statute of Stamford.²⁷

Yet the situation deteriorated once more. Lancaster fell out with Gaveston and moved into opposition. Robert Bruce was gaining ground in Scotland, whilst prizes had become a source of serious grievance.²⁸ In short, Edward II had forfeited the trust of the political community at a time when he was under severe financial pressure.²⁹ Edward I, at least in the first half of his reign, had consciously used parliament to work with that community and gain support for his legislation and military campaigns. Even in his later years, when he was often at odds with his nobles, his formidable personality had ensured that the worst parliament could do was refuse his demands. But his son had lost control, and less than three years into his reign the view was that 'the state of the kin and the kingdom had much deteriorated since the elder king Edward of happy memory died, and by this the whole kingdom had been not a little injured'.³⁰ It is not necessary to accept that the barons were fighting for any constitutional principles to realise that they had grasped the value of parliament as a forum in which to hold the king to account. In this sense, the appointment of the Ordainers was a logical step, formally acknowledging that Edward was not in command. However much the letters patent stressed that the appointment of the Ordainers was a result of the king's free will, this was little more than a fig leaf which failed to hide a humiliating *fait accompli*.³¹

Once more, parliament was the setting for the drama, but in itself was not a major source of contention. It provided the obvious occasion on which the barons could present their articles of complaint, but these related to matters of finance,

²⁶ 'Annales Paulini', p. 263. Lincoln's argument drew upon the Boulogne Declaration of January 1308, presented by the bishop of Durham with the earls of Lincoln, Surrey, Pembroke and Hereford alongside five barons, printed in Phillips, *Aymer de Valence*, pp. 316-17. There is no parliament roll for 1308, so Lincoln's arguments have to be culled from the chronicles. The most accessible version is in *English Historical Documents 1189-1327*, ed. Harry Rothwell (London, 1975), pp. 525-26.

²⁷ SR, I, 154-56.

²⁸ Maddicott, *Thomas of Lancaster*, pp. 106-108; G.L. Harriss, *King Parliament, and Public Finance in Medieval England to 1369* (Oxford, 1975), pp. 107-109.

²⁹ Richard W. Kaeuper, 'The Frescobaldi of Florence and the English Crown', *Studies in Medieval and Renaissance History* 10 (1973), 41-95; Prestwich, *Plantagenet England*, p. 181.

³⁰ *Vita*, ed. Denholm-Young, p. 9; *Vita*, ed. Childs, pp. 18-19.

³¹ *Foedera*, II.i, 108; *CPR*, 1307-13, p. 215.

the household, and general misgovernment. What is important is that the crisis of 1310 was largely one between the king and his nobility. In 1297, the idea of 'community' was a vague one which could conceivably have incorporated the knights of the shires and burgesses. The 1310 parliament met with only the bishops, earls and barons having been summoned, with the abbots, judges, royal clerks and representatives not receiving writs. The twenty-one Ordainers were a balanced selection of 'reformist' and 'royalist' minded men, but they were all prelates, earls and barons.³² This intentional narrowing of the base of opposition was a reflection of baronial aims. They were not interested in drawing in a wide section of the community to legitimise some deep constitutional theory they were proposing, but in drawing out what they saw as the poison afflicting the body politic, Piers Gaveston. For that reason, the barons stressed that only they could effect lasting reform, even if they included some of the bishops for cosmetic reasons. Edward's prevarications, and his attempt to hinder the Ordainers in their work by moving north and campaigning in Scotland, failed as a result of the single-minded determination of the leading Ordainers. Parliament needed the king; this extraordinary commission appointed in parliament did not. Ultimately the Ordinances were not even to be proclaimed in parliament, but by the bishop of Salisbury in St Paul's churchyard.³³

Michael Prestwich has stressed that much in the Ordinances marks a 'climax to the arguments that had begun in the 1290s',³⁴ and 'the end of a chapter, rather than a beginning'.³⁵ The text is an essentially conservative one, attempting to remedy the perceived wrongs of the previous two decades rather than provide a constructive way forward. In many ways, this explains why 'the text of the Ordinances of 1311 is surely the most neglected major document of the medieval

³² The archbishop of Canterbury (Robert Winchelsey); the bishops of Chichester (John Langton), Llandaff (John of Monmouth), London (Ralph Baldock), Norwich (John Salmon), St Davids (David Martin) and Salisbury (Simon of Ghent); the earls of Arundel (Edmund Fitzalan), Gloucester (Gilbert de Clare), Hereford (Humphrey de Bohun), Lancaster (Thomas of Lancaster), Lincoln (Henry de Lacy), Pembroke (Aymer de Valence), Richmond (John of Brittany) and Warwick (Guy de Beauchamp); and the barons Robert Clifford, Hugh de Courtenay, William Marshal, William Martin and Hugh de Vere.

³³ Printed in *SR*, I, 157-67.

³⁴ Prestwich, *Plantagenet England*, p. 182.

³⁵ Michael Prestwich, 'The Ordinances of 1311 and the Politics of the Early Fourteenth Century', in John Taylor and Wendy Childs (eds.), *Politics and Crisis in Fourteenth-Century England* (Gloucester, 1990), p. 15. See also Harriss, *King, Parliament and Public Finance*, p. 109.

period'.³⁶ The clauses guaranteeing the rights of the church, keeping the king's peace, and upholding Magna Carta (articles I, II and VI) were standard elements of statutes and royal concessions during this period. Attempts to curb prises, end the new custom, control aliens and merchants, and enforce forest law (articles X, XI, V, XVIII-XIX and XXXVIII) were likewise things various royal opponents had been fighting against, usually in vain, for years.³⁷ Considerable space is given to technical matters such as pleas in the exchequer and marshalsea, coroners' duties, money exchange and officers' oaths (articles XXV, XXVI, XXX and XXXIX). The longest clause is reserved for a diatribe against Piers Gaveston in which he is accused of practically every crime conceivable, either in person or by default, and which ends by demanding that he leave the realm (article XX), although this represents a toned-down version of the vicious attack in the draft text.³⁸ This is followed by the settling of a few more personal scores (articles XXI-XXIII). When it came to parliament, in article XXIX, the Ordainers took a surprisingly narrow approach.

Since many people are delayed in the king's court ... and many people are aggrieved by the king's ministers, grievances which cannot be resolved without a common parliament, we ordain that the king shall hold parliament once per year, or twice if necessary, in a convenient place. And in the same parliament, the pleas which are held up in the aforementioned manner, and the pleas in which the justices are of differing opinions, shall be recorded and determined. Likewise the bills which are delivered in parliament shall be finished as law and reason demand.³⁹

³⁶ Prestwich, 'Ordinances of 1311', p. 2.

³⁷ Prestwich, *War, Politics and Finance*, pp. 114-36, 151-76; W.R. Jones, 'Purveyance for war and the community of the realm in late medieval England', *Albion* 7 (1975), 300-16; J.R. Maddicott, 'The English Peasantry and the Demands of the Crown 1294-1341', *P&P* Supplement 1 (1975); T.H. Lloyd, *The English Wool Trade in the Middle Ages* (Cambridge, 1977), pp. 1-108; C.R. Young, *The Royal Forests of Medieval England* (Leicester, 1979); T.H. Lloyd, *Alien Merchants in England in the High Middle Ages* (Brighton, 1982); Jean Birrell, 'Common rights in the medieval forest: disputes and conflicts in the thirteenth century', *P&P* 117 (1987), 22-49; Jean Birrell, 'Forest Law and the Peasantry in the Later Thirteenth Century', in P.R. Coss and S.D. Lloyd (eds.), *Thirteenth Century England II: Proceedings of the Newcastle Upon Tyne Conference 1987* (Woodbridge, 1988), pp. 149-63; Huw Ridgeway, 'King Henry III and the "Aliens", 1236-1272', in Coss and Lloyd (eds.), *Thirteenth Century England II*, pp. 81-92; Raymond K.J. Grant, *The Royal Forests of England* (Stroud, 1990); Michael Prestwich, *Armies and Warfare in the Middle Ages: The English Experience* (New Haven and London, 1996), pp. 245-62; Kim Keechang, *Aliens in Medieval Law: The Origins of Modern Citizenship* (Cambridge, 2000).

³⁸ Michael Prestwich, 'A New Version of the Ordinances of 1311', *BIHR* 57 (1984), 189-203, p. 194, with the article printed on pp. 201-202.

³⁹ *SR*, I, 165 (translation modified).

This is an interesting definition of parliament. Given the predominantly baronial assembly envisaged elsewhere in the Ordinances, we might expect the demand for annual parliaments to arise from a desire for the king to receive the counsel of the magnates on a regular basis. Instead, the request is justified by the need for resolving petitions and ensuring that people's cases are not unduly delayed. It could be argued that this was an attempt to make the Ordinances more acceptable to the knights and burgesses, by promising them the prospect of regular and swift resolution of their legal affairs. But the prelates and barons were also suitors in parliament, and had a vested interest in speeding up access to justice for both themselves and their retainers. As the king had an acknowledged duty in this regard, such a demand could hardly be controversial. Of course the result would be that the barons could counsel the king on a regular basis, but that was not something that had to be explicitly stated. In emphasising the essentially judicial nature of parliament, the Ordainers cleverly focused upon a point which the king could not legitimately oppose. Once they had justified the necessity of annual (or more frequent) parliaments, the assembly's other functions could be regulated. Parliament was the place where a bishop, two earls and two barons should be appointed to hear and determine complaints against royal officials (article XL). The doubtful points of the Forest Charter were to be discussed by the barons and justices in parliament (article XXXVIII). More radically, parliament was to be a means to control the king. Gifts (castles, lands, wardships, marriages and escheats) were not to be awarded 'without common assent in parliament' (article VII). The king was forbidden 'to go out of his realm, or declare war, without the common assent of his baronage, and that in parliament' (article IX). The king's chief ministers were to be appointed 'by the counsel and assent of his baronage in parliament', and if that were not possible the next parliament should approve his choices (article XIV).⁴⁰ One noticeable absence in the list of parliamentary functions is consent to taxation, but this was a battle that had been fought and won in 1297, and it was presumably felt that there was no need to spell out something generally accepted. Instead, the focus was on the idea of the king being able to

⁴⁰ The chief ministers were defined as the chancellor, the chief justice of King's Bench, the chief justice of Common Pleas, the treasurer, the chancellor of the exchequer, the chief baron of the exchequer, the steward of the household, the keeper of the wardrobe, the comptroller of the wardrobe, the keeper of the privy seal, the keepers of the forest on both sides of the River Trent, the escheators on both sides of the River Trent, and the chief clerk of the king in the court of Common Pleas.

live 'of his own', eliminating the needless expenses of household and exchequer that made him reliant upon direct taxes. This idea clearly looks back to the 1290s and the exorbitant demands of the king's father, given that Edward II's financial demands had been relatively light in the opening years of the reign. Although the king may have been expected to live 'of his own', the Ordainers were not prepared to allow him control of his own financial affairs, as evidenced by the parliamentary control required for alienations, gifts and other matters. There is also no indication that parliament should necessarily have any legislative function, with the main proviso being that statutes contrary to Magna Carta, the forest charter, or the Ordinances would not be considered valid.

There is no attempt in the Ordinances to invoke the idea of 'community' in parliament, as Edward II would do eleven years later in the Statute of York. Parliament, reflecting the composition of the Ordainers, is viewed very much as a baronial concern.⁴¹ Whilst this may have given clarity to the irritatingly vague concept of the 'community of the realm' that is standard in later thirteenth-century documents, it is an important departure from traditional practice.⁴² It is true that the baronial monopoly on consent, as Professor Prestwich has observed, did little more than 'reflect the reality of early fourteenth-century politics'.⁴³ But the vagueness of the idea of 'community' served a useful theoretical purpose, allowing the barons to claim to be defending the just demands of the realm as a whole, rather than just a very narrow elite within it. In demanding control over war, royal absences from the realm, royal grants, appointments of officials and even members of the council, and the currency, the Ordainers were looking to give the barons a degree of power far greater than anything they had previously enjoyed: 'though the magnates drew on their inherited capital as defenders of the common good, in 1311 they crossed the Rubicon between reform of royal government and restraint of royal power'.⁴⁴ For the men of the towns and shires, parliament would be the place where they could obtain redress for grievances (it was for this reason that meetings were to be at least annual), and give consent to

⁴¹ Although Harriss argues that 'the Ordinances marked the culmination of a long tradition of co-operation between magnates and Commons in opposition to the Crown', it is difficult to see how the absent representatives could have played any significant role in the formation of the text: *King, Parliament, and Public Finance*, p. 112.

⁴² Prestwich, 'Ordinances of 1311', pp. 11-12.

⁴³ *Ibid*, p. 15.

⁴⁴ Harriss, *King, Parliament, and Public Finance*, p. 112.

taxation. Beyond that, the Ordainers' plan makes parliament look suspiciously like a means of controlling a king they did not trust, and who had shown himself worryingly extravagant in patronage to his favourite. If the Ordinances on one level attempted to respond to long-standing grievances, they were also very much a pragmatic response – albeit one that verged at times on the vindictive – to the specific failures of Edward II in his early years. Parliament provided the means for the barons to pursue a political solution against the king, but through curbing past excesses rather than providing new constitutional solutions.⁴⁵

The *Modus Tenendi Parliamentum*, written a decade or so later, does not allow nearly so significant a role to the barons, instead stressing very clearly that the king 'is the head, the beginning, and the end of parliament'.⁴⁶ This was a clear sign that, as a political programme, the Ordinances had failed. Thomas of Lancaster made them the non-negotiable core of his opposition in the 1310s, but that opposition had failed because of Lancaster's own intransigence and the limited relevance of the Ordinances after Gaveston's murder.⁴⁷ Certain clauses of the Ordinances were of enduring use – Edward II himself recognised this after revoking them in 1322, ordering that the constructive sections should be incorporated into a statute – but as a whole they were too much of a response to particular circumstances that no longer applied in the mid and late 1310s. The attempt at baronial control over such a wide range of traditionally royal prerogatives was perhaps workable as long as the barons themselves were united and the king in a weak position. But the manner of Gaveston's abduction and murder in 1312 fractured what was already a perilously fragile unity amongst the earls, and all, save Lancaster, were thereafter prepared to move on from strict adherence to the letter of the Ordinances.

It took the rise of new favourites, the Despencers, to reunite the community and ensure that parliament was once more used against the king. In July 1321, Edward was powerless as parliament presented articles against Despenser and had

⁴⁵ On the baronial nature of parliament, see Gwilym Dodd, 'Parliament and Political Legitimacy in the Reign of Edward II', in Dodd and Musson (eds.), *Reign of Edward II*, pp. 165-89.

⁴⁶ *Parliamentary Texts of the Middle Ages*, ed. Nicholas Pronay and John Taylor (Oxford, 1980), p. 91.

⁴⁷ On the Lancastrian opposition, see above, pp. 176-86.

them exiled.⁴⁸ Once more, the argument distinguishing between crown and king was rehearsed, and once more parliament was hijacked for baronial interests. It seems that the majority of negotiations took place outside parliament, whilst the representatives had no part to play in the sentence of exile, and the bishops – at least according to the *Historia Roffensis* – refused to assent to the attack on the Despensers.⁴⁹ Yet again the king had lost control of parliament, and the earls were able to use it as a means to legitimise their actions against Edward's latest favourites. Thus although the 1321 parliament was only in a limited sense a crisis parliament, it was the major cause of the events of early 1322, which saw England in civil war and Edward launch a bid to reclaim parliament.

The parliament which met at York in May 1322 was a means for Edward to reassert his authority. In one sense, with Lancaster and Hereford dead and the other earls cowed, the crisis had passed. But for the previous fifteen years, the king had seen his own parliament used to exile his favourites, restrict his freedom, and encroach onto areas he considered his exclusive prerogative. Without denying the right of the representatives to consent to taxation or have their grievances heard in parliament through petitions, the barons had sought to make parliament a body where they could hold the king to account. Freed of his main enemy, Edward's response was the Statute of York, a document which fascinated an earlier generation of historians.⁵⁰ It must be stressed that the *raison d'être* of the statute was the annulling of the Ordinances, and that was the concern uppermost in Edward II's mind.⁵¹ But he also wanted to be certain that there could be no repeat of the events of 1310-11: 'for ever hereafter, all manner of ordinances or provisions, made by the subjects of our lord the king or of his heirs, by any power or authority whatsoever, concerning the royal power of our lord the king or of his heirs, or against the estate of our said lord the king or of his heirs, or against the estate of the crown, shall be void and of no avail or force

⁴⁸ TNA SC 9/24, printed in J.R.S. Phillips, 'Edward II: Parliament of 1321, Text and Translation', in *PROME*. See also B. Wilkinson, 'The Sherburn Indenture and the Attack on the Despensers, 1321', *EHR* 63 (1948), 1-28; Scott L. Waugh, 'For King, Country and Patron: The Despensers and Local Administration, 1321-1322', *JBS* 23 (1983), 23-58; Nigel Saul, 'The Despensers and the Downfall of Edward II', *EHR* 99 (1984), 1-33; Michael Prestwich, 'The Charges Against the Despensers, 1321', *BIHR* 58 (1985), 95-100.

⁴⁹ BL Cotton Ms. Faustina B.v, f. 36v, printed in *Parliamentary Texts*, ed. Pronay and Taylor, pp. 164, 168-69.

⁵⁰ *SR*, I, 189. For the historiography, see above, pp. 13-15.

⁵¹ Dodd, 'Parliament and Political Legitimacy', pp. 180-81.

whatsoever'.⁵² It is interesting that there appears to be a limited acceptance of the distinction between crown and king that surfaced with the Boulogne Declaration, presumably to neutralise the effect of anyone trying to use this argument in future. And it is absolutely critical to note that the famous closing statement – ‘the matters which are to be established for the estate of our lord the king and of his heirs, and for the estate of the realm and of the people, shall be treated, accorded, and established in parliaments, by our lord the king, and by the assent of the prelates, earls, and barons, and the commonalty of the realm, as has been previously the custom’⁵³ – cannot be understood without reference to the previous line. Edward’s aim was not some form of proto-democracy, but a calculated attempt to ensure that the assembly once again became the ‘king’s parliament’. Matters concerning the crown are to be dealt with first and foremost by the king, and all that is asked of parliament is assent. More importantly, Edward significantly broadened the group whose assent was required, including the baronage as just one element alongside the prelates and representatives. Quite simply, the king had finally ‘acknowledged that he could no longer ignore parliament and that he would have to embrace it in order to prevent the institution ever from falling back into the hands of a baronial opposition’.⁵⁴ One means to ensure this was to encourage the development of the common petition to prevent the barons from attempting to speak again in the name of the community.⁵⁵ On one level, Edward was successful, with the barons too afraid to oppose an increasingly powerful king, as the famous barbed comment in the *Vita* makes clear.⁵⁶ On another, however, he created a new problem for himself, as the Commons moved to fill the power vacuum.⁵⁷ Edward was in control of the remaining parliaments of his reign, although this was largely because he had become extremely wealthy and no longer needed to rely on taxation. Certainly his last four parliaments proved remarkably recalcitrant, refusing his requests for

⁵² *SR*, I, 189.

⁵³ *SR*, I, 189.

⁵⁴ Dodd, ‘Parliament and Political Legitimacy’, p. 180.

⁵⁵ *Ibid.*, pp. 181-83; above, pp. 13-15, 164-66.

⁵⁶ *Vita*, ed. Denholm-Young, p. 136; *Vita*, ed. Childs, pp. 230-31.

⁵⁷ W.M. Ormrod, ‘Agenda for Legislation, 1322-c.1340’, *EHR* 105 (1990), 1-33.

subsidies and taking issue with his policies in Gascony and Scotland.⁵⁸ And although he had realised the need to work with parliament, his stress on the importance of broad-based assent was to prove his undoing within five years. The rhetoric failed to match reality, as the younger Despenser embarked on an increasingly cruel and avaricious campaign to acquire more lands and power.⁵⁹

Unsurprisingly, the parliament of 1327 has fascinated modern historians.⁶⁰ Whilst the debate has been less vexed than that attending the events of 1399 and associated arguments over the 'constitutional' nature of Richard II's deposition and Henry IV's accession, there is still considerable interest in what was the first

⁵⁸ *Flores Historiarum*, ed. Henry Richard Luard, 3 vols, RS 95 (London, 1890), vol. 3, p. 219; *Adae Murimuth Continuatio Chronicarum, Robert de Avesbury de Gestis Mirabilibus Regis Edwardi Tertii*, ed. Edward Maunde Thompson, RS 93 (London, 1889), p. 43; *Chronicon Monasterii S. Albani*, ed. Henry Thomas Riley, 7 vols. in 12 parts, RS 28 (London, 1863-76), vol. 1.1, p. 171; *The War of Saint-Sardos (1323-1325): Gascon Correspondence and Diplomatic Documents*, ed. Pierre Chaplais, Camden Society, 3rd Series, 87 (London, 1954); M.C. Buck, *Politics, Finance and the Church in the Reign of Edward II: Walter Stapeldon, Treasurer of England* (Cambridge, 1983), p. 145.

⁵⁹ Natalie Fryde, *The Tyranny and Fall of Edward II* (Cambridge, 1979); Saul, 'Despensers'.

⁶⁰ The fullest recent analysis is Claire Valente, 'The Deposition and Abdication of Edward II', *EHR* 113 (1998), 852-81. See also William Stubbs, *The Constitutional History of England in its Origin and Development*, 3 vols. (4th edition: Oxford, 1896), vol. 2, pp. 378-81; T.F. Tout, *The History of England from the Accession of Henry III to the Death of Edward III (1272-1377)* (London, 1905), pp. 301-302; M.V. Clarke, *Medieval Representation and Consent: A Study of Early Parliaments in England and Ireland, with Special Reference to the Modus Tenendi Parliamentum* (London, 1936), pp. 173-95; Michael R. Powicke, 'The English Commons in Scotland in 1322 and the Deposition of Edward II' *Speculum* 35 (1960), 556-62; Edward Peters, *The Shadow King: Rex Inutilis in Medieval Law and Literature, 751-1327* (New Haven and London, 1970), pp. 236-42; William Huse Dunham and Charles T. Wood, 'The Right to Rule in England: Depositions and the Kingdom's Authority, 1327-1485', *AHR* 81 (1976), 738-61; Roy Martin Haines, *The Church and Politics in Fourteenth-Century England: The Career of Adam Orleton, c.1275-1345* (Cambridge, 1978), pp. 168-77; Fryde, *Tyranny and Fall*, pp. 195-200; Roy Martin Haines, *Archbishop John Stratford: Political Revolutionary and Champion of the Liberties of the English Church, ca. 1275/80-1348* (Toronto, 1986), pp. 178-87; W.M. Ormrod, *Political Life in Medieval England, 1300-1450* (Basingstoke, 1995), pp. 77-82; Paul Doherty, *Isabella and the Strange Death of Edward II* (London, 2003), pp. 109-12; Roy Martin Haines, *King Edward II: Edward of Caernarfon, His Life, His Reign and Its Aftermath, 1284-1330* (Montreal, 2003), pp. 188-94; Ian Mortimer, *The Greatest Traitor: The Life of Sir Roger Mortimer, 1st Earl of March, Ruler of England 1327-1330* (London, 2003), pp. 166-70; Prestwich, *Plantagenet England*, pp. 216-18; Ian Mortimer, *The Perfect King: The Life of Edward III, Father of the English Nation* (London, 2006), pp. 51-53; Dodd, 'Parliament and Political Legitimacy'.

royal deposition in English history.⁶¹ It is hard for those of us aware of the subsequent and more dramatic depositions of British history (1399, 1461, 1470, 1471, 1483 and 1485 in England, 1567 in Scotland, and 1649 and 1688-89 in both) to appreciate the revolutionary nature of 1327, given the fact that Edward II remained alive and was succeeded peacefully by his son and heir. But contemporaries struggled to come to terms with an event for which they lacked any precedent in law or in the chronicles.⁶² They were forced 'to find an answer

⁶¹ On 1399, see M.V. Clarke and V.H. Galbraith, 'The Deposition of Richard II', *BJRL* 14 (1930), 125-81, reprinted in M.V. Clarke, *Fourteenth Century Studies*, pp. 53-98; Gaillard Lapsley, 'The Parliamentary Title of Henry IV', *EHR* 49 (1934), 423-49, 577-606, reprinted in Gaillard T. Lapsley, *Crown, Community and Parliament in the Later Middle Ages: Studies in English Constitutional History* (Oxford, 1951), pp. 273-340; Gaillard Lapsley, 'Richard II's "Last Parliament"', *EHR* 53 (1938), 53-78, reprinted in Lapsley, *Crown, Community and Parliament*, pp. 341-73; B. Wilkinson, 'The Deposition of Richard II and the Accession of Henry IV', *EHR* 54 (1939), 215-39, reprinted in E.B. Fryde and Edward Miller (eds.), *Historical Studies of the English Parliament*, 2 vols. (Cambridge, 1970), vol. 1, pp. 329-53; Anthony Steel, *Richard II* (Cambridge, 1941), pp. 260-85; Caroline M. Barron, 'The Tyranny of Richard II', *BIHR* 41 (1968), 1-18; G.O. Sayles, 'The Deposition of Richard II: Three Lancastrian Narratives', *BIHR* 54 (1981), 257-70; Peter McNiven, 'Legitimacy and Consent: Henry IV and the Lancastrian Title, 1399-1406', *Medieval Studies* 44 (1982), 470-88; James Sherborne, 'Perjury and the Lancastrian Revolution of 1399', *Welsh Historical Review* 14 (1988), 217-41, reprinted in James Sherborne, *War, Politics and Culture in Fourteenth-Century England* (London, 1994), pp. 131-53; Caroline M. Barron, 'The Deposition of Richard II', in John Taylor and Wendy R. Childs (eds.), *Politics and Crisis in Fourteenth-Century England* (Gloucester, 1990), pp. 132-49; Chris Given-Wilson (ed.), *Chronicles of the Revolution, 1397-1400: The Reign of Richard II* (Manchester, 1993); Chris Given-Wilson, 'The Manner of King Richard's Renunciation: A "Lancastrian Narrative"', *EHR* 108 (1993), 365-70; Paul Strohm, *England's Empty Throne: Usurpation and the Language of Legitimation, 1399-1422* (New Haven and London, 1998); Michael Bennett, *Richard II and the Revolution of 1399* (Stroud, 1999); Craig Taylor, "'Weep Thou for Me in France": French Views of the Deposition of Richard II', in W.M. Ormrod (ed.), *Fourteenth Century England III* (Woodbridge, 2003), pp. 207-22; John M. Theilmann, 'Caught Between Political Theory and Political Practice: "The Record and Process of the Deposition of Richard II"', *History of Political Thought* 25 (2004), 599-619; Gerald Harriss, *Shaping the Nation: England, 1360-1461* (Oxford, 2005), pp. 491-501; Miri Rubin, *The Hollow Crown: A History of Britain in the Late Middle Ages* (London, 2005), pp. 166-72.

⁶² The principal sources are: the *Historia Roffensis*, partially printed in *Anglia Sacra, sive Collectio Historiarum, Patrim Antiquitus, partim recenter Scriptarum, de Archiepiscopus et Episcopis Angliae, a Prima Fidei Christianae susceptione ad Annum MDXL*, ed. Henry Wharton, 2 vols. (London, 1691), vol. 1, p. 367, and in Haines, *King Edward II*, pp. 344-45; *Croniques de London, depuis l'An 44 Hen. III jusau'à l'An 17 Edw. III*, ed. G.J. Aungier, Camden Society, 1st Series 28 (London, 1844), pp. 57-58; *Adae Murimuth Continuatio Chronicarum, Robert de Avesbury de Gestis Mirabilibus Regis Edwardi Tertii*, ed. Edward Maunde Thompson, RS 93 (London, 1889), pp. 50-51; *The Brut, or Chronicles of England*, ed. F.W.D. Brie, Early English Text Society, 2 vols. (London, 1906-08), vol. 1, pp. 241-42; *The Chronicle of Lanercost, 1272-1346*, trans. H. Maxwell (1913; reprinted Cribyn, 2001), pp. 254-56; *Calendar of Plea and Memoranda Rolls preserved among the Archives of the Corporation of the City of London at the Guildhall, A.D. 1323-1364*, ed. A.H. Thomas (London, 1926), pp. 11-15; *Forma Depositionis Regis Edwardi Anglie post Conquestum Secundum*, printed in Fryde, *Tyranny and Fall*, pp. 233-35, and Haines, *King Edward II*, pp. 343-44; and the articles of deposition printed by Valente, 'Deposition and Abdication', pp. 878-81, with a translation in Hutchison, *Edward II*, pp. 169-70. Analysis of these, along with other later sources such as Geoffrey le Baker, can be found in Haines, *Church and Politics*, pp. 168-75; Haines, *Archbishop John Stratford*, pp. 178-86; and Valente, 'Deposition and Abdication'.

to a question which had not been asked seriously in England since the Norman Conquest. By what means might an undoubted king lawfully be removed?'⁶³ It is true that there were recent foreign parallels such as the removal, during the course of the 1290s, of Adolf of Nassau as Holy Roman Emperor and John Balliol as king of Scotland, but the circumstances in both these instances were very different.⁶⁴ The emperor was elected, which made it easier for pope and electors to remove him, whilst John had been a vassal king, facing a much more powerful foreign army led by an Edward I resolute on domination. Neither of these situations applied in England in 1327. Popes had excommunicated and deposed kings and emperors in the past, with varying degrees of success, but this was not a practical option given the distance between England and Rome and the desire for a speedy change of regime.⁶⁵ The novelty of proceedings, and the manner in which Isabella and Mortimer sought to cover all eventualities whilst blurring historical reality – hence the scenario of Edward being abdicating after his *de facto* deposition – led to considerable uncertainty amongst chroniclers, and modern historians have tended to add to this confusion rather than resolve it.⁶⁶

In the sense that Edward II was a healthy adult who would not have abdicated of his own volition had he been a free man, the events of January 1327 have to be termed a deposition, regardless of the legal technicalities employed by the opposition. Parliament played a major role in events, but it was a highly atypical role. It was summoned in the name of a captive king without his consent; it met –

⁶³ May McKisack, *The Fourteenth Century, 1307-1399* (Oxford, 1959), p. 91.

⁶⁴ On Adolf: *Monumenta Germaniae Historica: Constitutiones et Acta Publica Imperatorum et Regum*, 8 vols. (Hannover, 1893-1910), vol. 3, pp. 548-63; Geoffrey Barraclough, 'Edward I and Adolf of Nassau: A Chapter in Medieval Diplomatic History', *Cambridge Historical Journal* 6 (1940), 225-62; Peters, *Shadow King*, pp. 232-26; Michael Prestwich, 'Edward I and Adolf of Nassau', in P.R. Coss and S.D. Lloyd (eds.), *Thirteenth Century England III: Proceedings of the Newcastle upon Tyne Conference 1989*, (Woodbridge, 1991), pp. 127-36. On John: Ranald Nicholson, *Scotland: The Later Middle Ages* (Edinburgh, 1974), pp. 29-52; *Edward I and the Throne of Scotland 1290-1296: An Edition of the Record Sources for the Great Cause*, ed. E.L.G. Stones and G.G. Simpson, 2 vols. (Oxford, 1978); Geoffrey Stell, 'The Balliol Family and the Great Cause of 1291-2', in Keith Stringer (ed.), *Essays on the Nobility of Medieval Scotland* (Edinburgh, 1985), pp. 150-65; G.W.S. Barrow, *Robert Bruce and the Community of the Realm of Scotland* (3rd edition: Edinburgh, 1988), pp. 39-79; Fiona Watson, *Under the Hammer: Edward I and Scotland, 1286-1307* (East Linton, 1998; reprinted Edinburgh, 2005); Andrew Fisher, *William Wallace* (2nd edition: Edinburgh, 2002), pp. 31-54; Fiona Watson, 'The Demonisation of King John', in Edward J. Cowan and Richard J. Finlay (eds.), *Scottish History: The Power of the Past* (Edinburgh, 2002), pp. 29-45; Alison A.B. McQueen, 'Parliament, the Guardians and John Balliol, 1284-1296', in Keith M. Brown and Roland J. Tanner (eds.), *The History of the Scottish Parliament Volume I: Parliament and Politics in Scotland, 1235-1560* (Edinburgh, 2004), pp. 29-49.

⁶⁵ Prestwich, *Plantagenet England*, pp. 217-18.

⁶⁶ Valente, 'Deposition and Abdication', especially pp. 873-78.

in the presence of an unelected mob of Londoners to intimidate the members – whilst he was a prisoner a hundred miles away; and a group of bishops took a leading political role. The most remarkable anomaly was that parliament continued in session after Edward II's removal as if nothing had happened, despite the change of king.⁶⁷ Although it was rarely tested during the middle ages, the constitutional position seems to have been that parliament was automatically dissolved on the death of the monarch. This was one of the main reasons that Henry VIII's death was kept secret for three days, whilst the fate of the condemned duke of Norfolk was debated and the earl of Hertford secured his position.⁶⁸ Not until the reign of William and Mary was an act introduced stating that parliament would continue to sit for six months after the death of a sovereign (assuming that it had been in session when the death occurred), whilst only with the Representation of the People Act of 1867 was it established that a demise in the crown has no effect on the life of a parliament.⁶⁹ Yet in 1327, the parliamentary session continued into February as if nothing had happened, despite the momentous constitutional step taken during proceedings. Whilst it is true that real power remained in the same hands either side of the deposition, it is astonishing that no account was taken of the fact that Edward II's assembly should technically have ended with his reign.

In truth, whilst parliament had a very noticeable part in the deposition of Edward II, it was more than anything a symbolic role which served as a public relations exercise. After all, there was no concept of parliamentary sovereignty in this period.⁷⁰ Parliament provided the stage on which the drama was played out, and the key actors for the scene at Kenilworth, but at no juncture were they allowed to direct proceedings. The choice of vocabulary here is deliberate, for there is a strong sense in which the events of January 1327 were carefully orchestrated to unfold in a particular manner. Isabella and Mortimer knew in advance what they wanted parliament to achieve, and took every precaution to

⁶⁷ Historians have only recently begun to appreciate the significance of this: Prestwich, *Plantagenet England*, p. 217; Dodd, 'Parliament and Political Legitimacy'.

⁶⁸ J.J. Scarisbrick, *Henry VIII* (revised edition: New Haven and London, 1997), p. 496; David Starkey, *Henry VIII: Personalities and Politics* (revised edition: London, 2002), pp. 143-44.

⁶⁹ I am grateful to Caroline Luff of the House of Commons Information Office for supplying me with this information.

⁷⁰ J.W. McKenna, 'The Myth of Parliamentary Sovereignty in Late-Medieval England', *EHR* 94 (1979), 481-506.

ensure that they were successful. Supportive or pliant bishops – Reynolds of Canterbury, Stratford of Winchester and Orleton of Hereford – were used to provide ecclesiastical justification with sermons on the themes such as ‘when the head is sick, the rest of the body suffers’, and ‘the voice of people is the voice of God’.⁷¹ By having a sizeable London mob present, and posing leading questions to those assembled, Isabella and Mortimer ensured that God did not say the wrong thing.⁷² The use of parliament gave legitimacy to a *fait accompli*, and implicated the community at large in the deposition.⁷³ There were glitches, such as the refusal of the archbishop of York and the bishops of Carlisle, London and Rochester to swear allegiance to Edward III, but in general the parliament of January 1327 was a piece of clever theatre rather than an important change in the nature of the assembly.

This is made clear by the deeply ambiguous way in which contemporaries dealt with its legacy, at least in the short term. The example of Edward II might be quoted as a warning to Richard II later in the century, and Edward’s deposition provided an obvious precedent for those removing his great-grandson seventy-two years later, but in the immediate aftermath of 1327 people preferred to forget the drama. Naturally the parliament had a significant impact on the chroniclers, although this was because it was such an unusual assembly. Yet it suited the new regime, and Edward III after Isabella and Mortimer’s downfall, to treat the events of the January 1327 meeting as an aberration. It was, after all, not a comfortable legacy for kingship to accommodate, given that it was so manifestly ‘an inverted reflection of the normal process of political decision-making in fourteenth-century England’.⁷⁴ As Claire Valente has pointed out, the revolutionary nature of the process was already being downplayed while it was still underway; by forcing an abdication from the king at Kenilworth, the need to talk in terms of deposition was avoided.⁷⁵

The January 1327 parliament appeals to us because of its drama and uniqueness, but there is a strong case for seeing 1330, rather than 1327, as the

⁷¹ ‘Cujus caput infirmum, caetera membra dolent’ was preached by Stratford, whilst ‘vox populi, vox Dei’ was Reynolds’s effort: *Anglia Sacra*, vol. 1, p. 367; *Chronicle of Lanercost*, pp. 254-55.

⁷² Edward II had a tense relationship with London, which made Londoners strong supporters of Isabella’s invasion and *coup*, at least in the early months.

⁷³ Valente, ‘Deposition and Abdication’, pp. 876-77.

⁷⁴ *Ibid*, p. 877.

⁷⁵ *Ibid*, p. 877.

critical year for parliament in this period. The two trials held during the course of the year – the earl of Kent’s in March, Mortimer’s in November – both took place in parliament. In Kent’s case, Mortimer timed his strike against the king’s uncle to coincide with parliament at Winchester, but parliament itself had very little role in the proceedings. Mortimer had every intention of destroying the earl, and once again successfully managed proceedings, this time to ensure a death sentence rather than a deposition.⁷⁶ This was not a parliamentary trial, not least because Mortimer managed to implicate or alienate several of the spiritual lords whose support would have been necessary to carry the community along with his designs, including the archbishop of York and his clerk, the bishop of London, the provincials of the Dominicans and the Carmelites, and the abbot of Langdon.⁷⁷ Convocation met the following month and did not prove especially compliant, with the bishop of Rochester opposing a clerical subsidy.⁷⁸ Given the other enemies he had made in the previous three years, such as Lancaster and Stratford, Mortimer’s position was increasingly precarious. His interrogation of Edward III’s closest associates in October 1330, a blatant attack on royal power, demonstrated that he had come to see parliament as a means to consolidate his power through bullying his opponents.⁷⁹ But he had overreached himself, with one chronicler noting that he had ‘usurped royal power and great treasure and had thought to overthrow the king’.⁸⁰ Once Edward III staged his successful *coup* at Nottingham castle in October, none, save Isabella, were prepared to stand up to save Mortimer.⁸¹

⁷⁶ *Brut*, vol. 1, pp. 263-67; *Murimuth*, pp. 253-57; *Chronicle of Lanercost*, pp. 264-65; Haines, *Archbishop John Stratford*, pp. 208-13; Mortimer, *Greatest Traitor*, pp. 229-32; Mortimer, *Perfect King*, pp. 77-80.

⁷⁷ BL Cotton Ms. Faustina B.v, f. 56v; *Chronicon Galfridi Le Baker de Swynebroke*, ed. Edward Maunde Thompson (Oxford, 1889), p. 44; *Murimuth*, pp. 253-57; Haines, *Archbishop John Stratford*, p. 212.

⁷⁸ BL Cotton Ms. Faustina B.v, f. 56r.

⁷⁹ *The Scalachronica: The Reigns of Edward I, Edward II and Edward III as Recorded by Sir Thomas Gray*, trans. Herbert Maxwell (London, 1907; reprinted Felinfach, 2000), pp. 85-86; *Brut*, vol. 1, p. 269; W.M. Ormrod, *The Reign of Edward III* (revised edition: Stroud, 2000), p. 15; Mortimer, *Greatest Traitor*, pp. 236-37; Mortimer, *Perfect King*, p. 81.

⁸⁰ *The Anonimale Chronicle, 1307 to 1334, from Brotherton Collection MS. 29*, ed. and trans. Wendy Childs and John Taylor, Yorkshire Archaeological Society vol. 147 (Leeds, 1991), p. 145.

⁸¹ *Scalachronica*, pp. 86-87; C.G. Crump, ‘The Arrest of Roger Mortimer and Queen Isabel’, *EHR* 26 (1911), 331-32; Ormrod, *Reign of Edward III*, pp. 15-16; Caroline Shenton, ‘Edward III and the Coup of 1330’, in J.S. Bothwell (ed.), *The Age of Edward III* (York, 2001), pp. 13-34; Mortimer, *Greatest Traitor*, pp. 237-39; Mortimer, *Perfect King*, pp. 82-83.

The process against Mortimer was a mirror-image of that against Edward II almost four years earlier. In a relatively brief set of charges, Edward had been accused of governing too little and failing to fulfil his duty as king, with what was nominally his own parliament being used as the setting for him to be removed.⁸² It was deemed that ‘the person of the king is not sufficient to govern, since at all times he has been led and ruled by others of evil counsel, to his dishonour’, with the ‘defects of his own person’ making him a *rex inutilis*.⁸³ Mortimer faced a lengthier list of charges which accused him of over-governance to the point of tyranny, adopting royal power and exercising royal prerogatives illegally, as well as conniving in the murder of Edward II and mistreating the earls of Lancaster and Kent.⁸⁴ Where Edward was judged ‘through lack of good governance to have lost the realm of Scotland, along with other lands and lordships in Ireland and Gascony left to him by his father’,⁸⁵ in other words to have damaged English honour in Scotland through omission and incompetence, Mortimer was held guilty of intentionally surrendering English claims, ‘causing serious detriment to the heritage of the king and crown of England’.⁸⁶ The death sentence was a formality.

If Thomas Gray is to be believed, then Edward III had wanted Mortimer put to death at Leicester, but had been persuaded to call a parliament to pass sentence on the earl of March.⁸⁷ It is true that what happened in parliament can only be described as a ‘trial’ in a very loose sense, given that Mortimer was not allowed to speak in his defence. But the important fact is that the process took place in parliament, and that it had the approval of the lords.

The king thus charges you earls and barons, the peers of his realm, that, inasmuch as these things principally concern him, you, and all the people of his realm, you render just and lawful judgment on the said Roger as is appropriate for such a person to have who is truly guilty of all the above noted crimes, as he understands, and that the said things are notorious and well-known as true to you

⁸² Charges printed (from the Winchester Cartulary) in Valente, ‘Deposition and Abdication’, pp. 879-81.

⁸³ ‘La persone le Roi nest pas suffisaunt de gouverner. Kar en touz son temps ad il este mene et gouverne par alters qe lui ount maveisement consaille a deshonor de lui’: Valente, ‘Deposition and Abdication’, p. 880. See also Peters, *Shadow King*, pp. 240-42.

⁸⁴ TNA C 65/2, printed in J.R.S. Phillips, ‘Edward III: Parliament of November 1330, Text and Translation’, in *PROME*.

⁸⁵ ‘Par defaute de bon governemente ad il perdu le roialme de Scoce et altres terres et seignuriez en Garscoyne et Hirlande, les queux soun piere lui lessa’: Valente, ‘Deposition and Abdication’, p. 880.

⁸⁶ *Chronicle of Lanercost*, p. 266.

⁸⁷ *Scalachronica*, p. 86.

and to all the people of the realm. Which earls, barons and peers, having examined the articles by themselves, returned before the king in the same parliament and they all said through one of the peers that all the things contained in the said articles were notorious and well-known to them and to the people, and particularly the article touching the death of the lord Edward, the father of our present lord the king. Whereupon the said earls, barons and peers, as judges of the parliament, by the assent of the king in the same parliament, awarded and adjudged that the said Roger be drawn and hanged as a traitor and an enemy of the king and of the realm.⁸⁸

Of course guilt was presupposed, and it is unlikely that the ‘earls, barons and peers’ seriously debated any question of innocence or a less drastic sentence. However, it is crucial that the process was both legitimate and seen to be legitimate. The period 1312-30 had been plagued by half-hearted trials and judicial murders. Gaveston had been judicially murdered on a road on the earl of Warwick’s lands after what was, in effect, an illegal show trial; Lancaster had been executed after a highly dubious process in front of a carefully selected tribunal at his own castle of Pontefract; Arundel suffered a botched beheading at Hereford after a show trial held by Isabella and Mortimer; Bishop Stapledon of Exeter had his head hacked off by a London mob; no allowance was made for the elder Despenser’s age as he was drawn, hanged and beheaded at Bristol after a court of chivalry hearing; his son was dismembered after the barest pretence of a trial at Hereford; Ralph Baldock died of abuse in Newgate; Kent was left waiting for an executioner for hours after few shared Mortimer’s conviction about the earl’s guilt. In accepting that the trial of a noble needed the legitimacy of community consent – a consent that could only properly be sought in parliament – Edward III ended this bloody cycle of revenge. This laid the ground for the agreement in 1341 that the nobility could only be tried by their peers in parliament, and began to introduce some of the limitations on arbitrary royal action that would find fuller expression in the 1352 statute of treasons.

⁸⁸ Phillips, ‘Parliament of November 1330’.

Parliament as Political Crisis (ii): 1341

The challenge to Edward III's kingship was a serious one in 1340-41, with vicious accusations hurled by both sides. In many ways it echoed the problems that Edward I had faced in 1297, for, as in that year, this was a crisis born out of the pressures of war. There were, however, major differences to previous political crises. This one was not played out against a background of threats of civil war, and there was a far greater role for parliament. There was a new maturity to politics.⁸⁹

The crucial difference between the crises of 1297 and 1341 was the role played by parliament, and the much more developed understanding of the institution by the protagonists. In some ways, it must be asked whether viewing the events of 1341 as a full-blown 'crisis' is not a little melodramatic.⁹⁰ True, there were moments of high drama, such as the king's landing at the Tower of London at midnight to dismiss his ministers and judges, with bishops Northburgh and Stratford only spared arrest because of their clerical status.⁹¹ But in essence, the events of 1340-41 were a personal dispute between Edward III and John Stratford. Frustrated by a lack of success during his continental campaigns, and what he perceived as the failure of the government at home to provide him with the necessary financial aid, the king targeted the archbishop as a convenient scapegoat.⁹² Stratford had no

⁸⁹ Prestwich, *Plantagenet England*, p. 278.

⁹⁰ On 1341, see: Gaillard T. Lapsley, 'Archbishop Stratford and the Parliamentary Crisis of 1341', *EHR* 30 (1915), 6-18, 193-215, reprinted in Gaillard T. Lapsley, *Crown, Community and Parliament in the Later Middle Ages* (Oxford, 1951), pp. 231-72; Dorothy Hughes, *A Study of Social and Constitutional Tendencies in the Early Years of Edward III* (London, 1915), pp. 100-81; B. Wilkinson, 'The Protest of the Earls of Arundel and Surrey in the Crisis of 1341', *EHR* 46 (1931), 177-93; McKisack, *Fourteenth Century*, pp. 162-81; G.L. Harriss, *King, Parliament and Public Finance in Medieval England to 1369* (Oxford, 1975), pp. 270-312; Haines, *Church and Politics*, pp. 190-98; Anthony Tuck, *Crown and Nobility: England, 1272-1461* (2nd edition: Oxford, 1999), pp. 102-105; Haines, *Archbishop John Stratford*, pp. 278-327; Ormrod, *Reign of Edward III*, pp. 23-24, 83-84; Scott L. Waugh, *England in the Reign of Edward III* (Cambridge, 1991), pp. 213-20; Prestwich, *Plantagenet England*, pp. 273-78.

⁹¹ Natalie M. Fryde, 'Edward III's Removal of his Ministers and Judges, 1340-1', *BIHR* 48 (1975), 149-61.

⁹² H.J. Hewitt, *The Organisation of War Under Edward III, 1338-61* (Manchester, 1966); E.B. Fryde, 'Parliament and the French War, 1336-40', in *Essays in Medieval History Presented to Bertie Wilkinson*, ed. T.A. Sandquist and M.R. Powicke (Toronto, 1969), pp. 250-69, reprinted in E.B. Fryde and Edward Miller (eds.), *Historical Studies of the English Parliament*, 2 vols. (Cambridge, 1970), vol. 1, pp. 242-61, and in E.B. Fryde, *Studies in Medieval Trade and Finance* (London, 1983), article V; Christopher Allmand, *The Hundred Years War: England and France at War, c.1300-c.1450* (Cambridge, 1988), pp. 7-14; Jonathan Sumption, *The Hundred Years War I: Trial by Battle* (London, 1990), pp. 185-318; Anne Curry, *The Hundred Years War* (Basingstoke, 1993), pp. 44-58; Elsbeth Andre, *Ein Königshof auf Reisen: Der Kontinentaufenthalt Eduards III von England, 1338-1340* (Cologne, 1996); Clifford J. Rogers, *War Cruel and Sharp: English Strategy Under Edward III, 1327-1360* (Woodbridge, 2000); Prestwich, *Plantagenet England*, pp. 304-12.

intention of playing the role assigned to him by his monarch, and the resulting war of words (including the *Libellus Famosus*, the tract issued by the royal side to defame Stratford) hardly did any of the protagonists any credit. But the key point is that things never became any more serious than this. Unlike in 1297 or 1311, the king was not faced with widespread discontent amongst the nobility, and there was certainly no risk of military conflict or civil war.

The major drama of the 1341 parliament was the attempt to exclude Archbishop Stratford from the proceedings. We must exercise caution in reading the chronicle accounts here, as it seems highly unlikely that Stratford was dramatically held at the door for days on end, as the opening days of parliament were given over to delays and procedural affairs.⁹³ Equally, the parliament roll must be treated with some suspicion, as its chronology is open to question. However, the archbishop saw a more serious constitutional issue at stake. The issue of dates has been addressed extensively elsewhere,⁹⁴ with the important issue here is how parliament was viewed by the protagonists in the crisis. It has to be said that Edward's refusal to admit Stratford to parliament looks somewhat petty, although in some ways his position is understandable. For the previous four months, the archbishop had stayed resolutely in his cathedral city, refusing to accompany the king's messengers back to Westminster and demanding the summoning of a full parliament in which he could clear himself.⁹⁵ It is interesting that Stratford viewed parliament as the proper place for peers to answer charges, and that he seems to have felt he would receive a fair hearing there. With the events of 1327, March 1330 and above all November 1330, it was rapidly becoming accepted that important trials should take place in parliament, although the fates of Edward II, the earl of Kent and Roger Mortimer were hardly a good omen for the archbishop. Yet Stratford was a spiritual peer, which gave him the support of the Church and lessened the risk that his life would be in any serious danger. This perhaps explains why he wanted a very public opportunity to air his side of the story,

⁹³ Wilkinson, 'Protest of the Earls', pp. 181, 183; W.M. Ormrod, 'Edward III: Parliament of 1341, Introduction', in *PROME*.

⁹⁴ See especially Lapsley, 'Archbishop Stratford'; Wilkinson, 'Protest of the Earls'; Haines, *Archbishop John Stratford*.

⁹⁵ 'Stephani Birchingtoni Monachi Cantuariensis Historia de Archiepiscopis', in *Anglia Sacra*, vol. 1, pp. 22-32; Haines, *Archbishop John Stratford*, pp. 278-314, with the archbishop's itinerary for this period on pp. 498-99. Haines also discusses the authorship and value of the chronicle – which he argues is anonymous – on pp. 413-15.

something which the king feared would lead to widespread support for the archbishop. Edward's response suggests that he realised Stratford's strength, and understood the real risk that the peers (particularly the spiritual lords) would rally to the archbishop's side. He eventually summoned parliament not as a response to Stratford's demands, but because of the desperate financial straits he faced once more. The king wanted money from the assembly, not a showdown with Stratford from which the archbishop might very well emerge victorious. It is this that explains his dangerous strategy of excluding the primate.

This gave Stratford ammunition to take a constitutional stand. The Canterbury chronicle has him informing the serjeants-at-arms barring his way into the Painted Chamber that, 'my lord king has summoned me, Archbishop John, to this parliament by his writ, and I ought to have first voice after the king, coming with the rights of my church of Canterbury, and I seek entry to this chamber'.⁹⁶ John Darcy's challenge brings an equally firm response from Stratford: 'I have been summoned by the king's writ to this parliament, and for the vindication of the rights of my church I stand and will stand here at the entrance to parliament'.⁹⁷ Stratford's approach was an awkward one for the king to handle. It was accepted that the bishops were an integral part of parliament, and as the leader of the English church, the archbishop of Canterbury could indeed expect his counsel to be heeded. There was a precedent for the entire clergy not being summoned to parliament, when Edward I removed them from his protection in 1297. There were also instances of individual bishops not receiving a writ of summons, either because the king had more important tasks for them to perform (for example, the need for Richard Kellaw of Durham to defend the Scottish borderlands in the early 1310s), or as a result of a feud with the king (as was the case when Adam Orleton secured the see of Winchester in 1333).⁹⁸ Bishops themselves could elect not to attend parliament and send proctors in their stead.⁹⁹ However, it was unprecedented for a man to be personally summoned to parliament by due process, and then refused entry to the assembly. As it was unlikely that Edward

⁹⁶ 'Dominus meus rex me Johannem archiepiscopum ad hoc parliamentum per breve suum vocavit, et ego major post regem primam vocem habere debens, jura ecclesiae meae Cantuariensis vendico, et ideo ingressum istius camerae peto.' 'Stephani Birchingtoni', p. 39.

⁹⁷ 'Ego ex brevi regis ad hoc parliamentum vocatus, pro jure ecclesiae meae vindicandae hic sto et stabo ad ingrediendum parliamentum.' 'Stephani Birchingtoni', p. 39.

⁹⁸ Above, p. 75.

⁹⁹ See above, pp. 79-81; and Appendix 1.

could have declined to summon Stratford in the same way as he deliberately ignored Orleton a few years earlier, given the difference in circumstances and the relative status of the bishops, physical exclusion was left as a last desperate act. The extremely dubious nature of the king's actions allowed Stratford to take the constitutional high ground, even if his melodramatic bid for martyrdom, Thomas Becket-style – 'here my body is prepared for you to do what you will. I hope my soul will return to the Creator'¹⁰⁰ – won him few sympathisers amongst those trying to keep him out. The arguments used by the king's circle were weak and insulting, and failed to address the key question: was it permissible for the king to refuse to allow entry to someone (an archbishop, no less) he had previously summoned to parliament, and to prevent that man's voice being heard in his own defence?

Crucially, some of the earls thought not. It is unsurprising that the bishops rallied to Stratford's side, not least because one (Chichester) was his brother and another (London) his nephew. But it was less predictable that the earls of Surrey and Arundel would not back the king, even if their opposition was polite and loyal. Surrey had fought alongside Edward in Scotland and acted as keeper of the realm in 1338 and 1340, being generously rewarded for his service.¹⁰¹ Given that Arundel's father, loyal to Edward II, had been killed in 1326 during Isabella's invasion, the earl could have been forgiven for holding a grudge against the archbishop, who had played a key role in providing justification for the change of regime.¹⁰² Yet it was these two men who opted to challenge the king, supported – according to the Canterbury chronicler – by the earls of Northampton and Salisbury.¹⁰³ Surrey's challenge was a pointed one.

Sir king, how goes this parliament? Things were not formerly like this; everything is turned upside down. For those who should be foremost are excluded, and others of low status – who ought not to counsel you – sit here in

¹⁰⁰ 'Hic est corpus paratum, de quo facere poteris, quod volueris. Animam meam spero reddere Creatori.' 'Stephani Birchingtoni', p. 39.

¹⁰¹ Scott L. Waugh, 'Warrenne, John de, seventh earl of Surrey (1286–1347)', *Oxford DNB*, online at <<http://www.oxforddnb.com/view/article/28735>>.

¹⁰² C. Given-Wilson, 'Fitzalan, Edmund, second earl of Arundel (1285–1326)', *Oxford DNB*, online at <<http://www.oxforddnb.com/view/article/9529>>; C. Given-Wilson, 'Fitzalan, Richard (II), third earl of Arundel and eighth earl of Surrey (c.1313–1376)', *Oxford DNB*, online at <<http://www.oxforddnb.com/view/article/9534>>.

¹⁰³ 'Stephani Birchingtoni', p. 40.

parliament. Sir king, only the peers of the realm can assist in this regard. Sir king, you must think about this.¹⁰⁴

This apparently led to the withdrawal of the undesirables – Robert Parving, Ralph Stafford, William Kilsby and John Darcy – and allowed Arundel to make his reasonable proposition: ‘Sir, allow the archbishop to come before you, and if he is able to answer these points satisfactorily, all very well; if not, we can more easily decide what to do’.¹⁰⁵ Neither Surrey nor Arundel were explicitly supporters of Stratford or in favour of what he stood for. Instead, they were demonstrating the increasingly mature understanding of parliament that had developed over the previous forty-four years. In 1297, the demands for proper assent to taxation had made little reference to parliament and certainly not tried to define the assembly. By 1341, the earls had a much clearer idea of what parliament ought to be, at least in their opinion. There was no need for Surrey and Arundel to be sympathetic to the archbishop of Canterbury for them to believe that he had a right to be present in parliament and be listened to. This is the essence of Arundel’s intervention: Stratford was entitled to come into the assembly and make his case, regardless of whether it ultimately proved to be an acceptable one.

Surrey’s speech presents an exclusivist approach to parliamentary membership (or at least that of the lords) that had only gradually developed over time. Parliament at the end of the thirteenth century had been a large body, with a significant number of clerks, judges and other officials of the king’s council present alongside the earls, barons, bishops and a sizeable number of abbots (or, more typically, their proctors).¹⁰⁶ By the middle of the fourteenth century, Surrey clearly regarded it as unacceptable that the king’s henchmen should be allowed to sit in parliament with those whose birth or ecclesiastical title gave them a seat by right, especially when no less a figure than the realm’s leading prelate was excluded. Since the reign of Edward I, the concept of a parliamentary peerage had

¹⁰⁴ ‘Sire roy, coment va çeo parlement? Jadis ne soleit mye ensy estre; il est tut besturnée en autre manere: car ceuz qe deivent estre principals sount forclos, et autres gentz de mester seent icy en parlement qe ne deivent estre à tiel conseil, mès soulement les peres de la tere qe vous, sire roy, puissent eyder et meintener à nostre graunt bosoigne. Et, sire roy, de çeo devez penser.’ *Croniques de London, depuis l’An 44 Hen. III jusau’à l’An 17 Edw. III*, ed. G.J.Aungier, Camden Society, 1st Series 28 (London, 1844), p. 90.

¹⁰⁵ ‘Sire, lessez l’erchevesque entrer devant vous, et s’il se puet excuser de sertienz pointz qe lui sont mis sure, bien soit; et si noun, nous ordeineroms de çeo qe mieutz soit à faire.’ *Croniques de London*, p. 90.

¹⁰⁶ See above, pp. 65-69.

developed, even if it was not yet a fully formed ideal.¹⁰⁷ There was a deafening silence from the nobility when Edward I removed the clergy from his protection and refused to summon them to parliament in 1297, which suggests that the earls did not hold a view of parliament which regarded the clerical element as an integral part of the assembly. The 1341 crisis demonstrated that the earls had a much more nuanced view of parliament, shaped by the experiences of 1311 and 1322, in which a duly summoned prelate had a right to participate in an assembly and have his case heard, even if it was not ultimately found agreeable.

The end result was the agreement that lords should be tried by their peers in parliament. The composition of the commission appointed to investigate this matter is interesting, containing a significant number of Stratford's supporters and relatives.¹⁰⁸ Their verdict was unambiguous.

The peers of the land should not be arrested or brought to judgment except in parliament and by their peers ... all the peers of the land, ministers or others, should not, by reason of their office in matters concerning their office or for any other reason, be brought to judgment or lose their temporalities, lands, tenements, goods or chattels, or be arrested or imprisoned, outlawed or condemned, or should answer or be judged except in full parliament before the peers where the king takes part; saving to our lord the king the laws rightfully observed by due process, and saving the suit of the party. And if by chance any of the peers will willingly answer and be judged elsewhere, his shall not turn in prejudice to other peers or to himself in other cases.¹⁰⁹

According to the parliament roll, this allowed the king and Stratford to be reconciled and normal business to resume. Edward must have expected this outcome, given the way he had begun his personal rule in 1330. But he still demonstrated a certain political skill, for this ruling applied to future cases, and not retrospectively to the quarrel with the archbishop. As a result, he could come

¹⁰⁷ Chris Given-Wilson, *The English Nobility in the Late Middle Ages: The Fourteenth-Century Political Community* (London, 1987), pp. 29-68; J.S. Bothwell, 'Edward III and the "New Nobility": Largesse and Limitation in Fourteenth-Century England', *EHR* 112 (1997), 1111-40; J.S. Bothwell, 'Edward III, the English Peerage and the 1337 Earls: Estate Redistribution in Fourteenth-Century England', in Bothwell (ed.), *Age of Edward III*, pp. 35-52; J.S. Bothwell, *Edward III and the English Peerage: Royal Patronage, Social Mobility and Political Control in 14th-Century England* (Woodbridge, 2004).

¹⁰⁸ The bishops of Bath and Wells (Ralph of Shrewsbury), Chichester (Robert Stratford), Exeter (John Grandisson), and London (Ralph Stratford); the earls of Arundel (Richard Fitzalan), Huntingdon (William Clinton), Salisbury (William Montagu), and Suffolk (Robert Ufford); Lords Percy and Wake; and Sir Ralph Neville and Sir Ralph Basset of Drayton. TNA C65/9, printed in W.M. Ormrod, 'Edward III: Parliament of 1341, Text and Translation', in *PROME*.

¹⁰⁹ TNA C 65/9, printed in Ormrod, 'Parliament of 1341'.

to terms with Stratford without conceding the potentially embarrassing public trial that the archbishop sought. And although the king had suffered a setback with this and with the common petitions presented in the same assembly, he remained in control of parliament and was able to revoke the resulting statutes within months. This would create problems in 1346-48, when parliament referred back to this legislation when arguing for the illegitimacy of Edward's attempts to raise a feudal levy. The king had perhaps overreached himself. In his eagerness to ensure that the unacceptable clauses of the 1341 statute were expunged, he repealed the legislation wholesale, irrespective of the fact that parts of it were acceptable and potentially useful to him. Edward seemed to tacitly accept this point, although he had successfully demonstrated his strength and reminded the parliament of his pre-eminence. Thereafter, Edward III was to work harmoniously with parliament for the next thirty-five years, until the Good Parliament challenged a government over which an old, dying king had little control.

Conclusion: Parliament and Political Crisis

The above account has necessarily been episodic and chronological. Only in times of crisis were certain questions asked about parliament, and it was the solutions found which helped to make parliament in 1341 a different institution from 1297. But the very fact that the story of parliament and political crisis can be told so episodically is itself important. Crisis was not the natural state of affairs, nor was parliament an occasion or place of conflict where a reluctant king was opposed by his political community. Ordinarily (as the next chapter will show) parliament was a means for the king and that community to work together, and for the king to gain the legitimacy of consent. However, for that reason, parliament was also the obvious place in which crises could be played out. If it was the forum where the king sought the support of the realm, then it could also become the arena in which a discontented political community could express its grievances and hope to have them dealt with. Edward I had encouraged people to bring lawsuits and complaints about officials to him in parliament; it was a short step from this to using parliament to express dissatisfaction with the government as a whole and even the king himself. It is not especially surprising that attempts

to restrain the king, at least through means other than armed rebellion, largely took place in parliament.

It is important to stress that the crises of these years underline the fact that the lords, in particular the earls, were the major element in parliament beside the king. For all the differences in the status of the representatives of 1297 and those of 1341, both crises were essentially the work of a baronial opposition challenging the king. It is true that the representatives took the initiative in the period 1322-30, but this was something of an aberration, the result of overmighty barons (Despenser and Mortimer) acting as kings against a cowed political community. In 1330, Edward III visibly reasserted the primacy of the lords as his natural counsellors in parliament, seeking their approval for the judgement against Mortimer. The nobility remained more important than the representatives in parliament, and in times of crisis, parliament provided the obvious forum for the lords to oppose the king in a legitimate fashion. To take arms against the king was exceptionally difficult to explain away as anything other than treason, whereas it was equally hard for the king to ignore the unanimous advice of his earls in parliament. When Edward I and Edward III clashed with their lords in parliament, the status of the assembly as the 'king's parliament' was never in question. What was at issue in the crises of 1297 and 1341 was a form of 'demarcation dispute' more than anything, a disagreement between the king and the lords on the proper boundaries of parliamentary counsel. On neither occasion was the challenge to the king himself, as much as an attack against a particular issue (the procedure for consent to taxation in 1297, the right of a prelate to defend himself in 1341). The fundamental principle of parliament was certainly not at stake, with everyone accepting the necessity and importance of parliaments, and no one questioning the king's right to determine the membership and purpose of the assembly, as long as certain major concerns (taxation and petitions) were addressed.

This makes the crises of 1307-30 stand out even more clearly. In these years, there was an obvious attempt to use parliament as a means to restrain the king, and employ sessions to minutely govern aspects previously seen as an unquestionably within the royal prerogative. This is most obviously the case in the Ordinances, but was also tacitly conceded by Edward II himself in the Statute of York. There was even a challenge to the notion of parliament as uniquely the king's, with

Lancaster's actions in the north in 1321.¹¹⁰ However, parliament came to the fore not in its own right, but because the king had already forfeited the trust of the political community in general, and the lords in particular. In both 1297 and 1341, that community was prepared to work within the established mechanisms of parliament to voice their opposition of the king, because neither Edward I nor Edward III had violated the accepted political rules. Furthermore, both were militarily successful monarchs within the British Isles, who could show some return for the taxation granted to them for their campaigns (although both lost trust over this issue with their campaigns in France). Edward II's military record – encompassing Bannockburn and Byland as the two worst humiliations of a series – was a complete disaster. Taken with the hatred for Gaveston and the Despensers, it is not hard to see why there was no trust in the king, nor why the lords felt the need to restrain him through parliament. The normal state of affairs was for parliament to be beneficial to all parties and to cooperate in the attainment of particular goals, in other words a trade-off between taxation and justice. Crisis only occurred when this balance was upset, when the king failed to convince his subjects that they would receive justice (Edward II), or made extortionate financial demands without satisfying judicial questions (Edward I and Edward III). Parliament then became the obvious – and legitimate – means of voicing opposition and alerting the king to the views of the political community. It was, after all, the 'king's parliament', an issue we now need to address.

¹¹⁰ Above, p. 182.

CHAPTER 5

THE KING IN PARLIAMENT

Writing in 1979, Natalie Fryde argued that 'Edward II, like all English kings down to 1688, considered his parliaments as a highly regrettable necessity'.¹ In many ways, this was a throwback to the days of Stubbs and Tout, and to the view of parliament as a progressive institution developed when far-sighted barons or determined representatives wrested concessions from a reluctant king.² This approach has had a significant effect upon the historiography of the medieval parliament. Studies of the Commons, especially after 1377, are relatively abundant,³ as political historians have focused upon the role of parliament in particular struggles, or how changes in its functions or membership reflected changing circumstances or ideologies at particular times. Yet there has been very little attention paid to the king in parliament in his role as monarch, rather than a specific individual with particular interests. Richardson and Sayles did stress the importance of the king in parliament (most clearly in the title of Sayles's 1975 book), but it was a secondary consideration to their relentless focus on justice as the 'core and essence' of parliament.⁴ Given that all acknowledged parliament to be the 'king's parliament', it is strange that so little attention has been given to what this actually meant. When the author of the *Modus Tenendi Parliamentum* wrote in the 1320s that 'the king is the head, the beginning, and the end of parliament',⁵ it was hardly a controversial statement. In spite of this clear contemporary belief and the recent efforts of some historians to reassert the fundamentally royal nature of parliament,⁶ the question of the crown (as opposed to the king) in parliament has been somewhat neglected.

The *Modus* is a good starting-point, as it is the only contemporary tract to directly address the question of parliamentary procedure and theory. As noted previously, the

¹ Natalie Fryde, *The Tyranny and Fall of Edward II* (Cambridge, 1979), p. 66.

² See above, pp. 8-13.

³ For studies of the Commons, see above, pp. 25-27.

⁴ G.O. Sayles, *The King's Parliament of England* (London, 1975).

⁵ *Parliamentary Texts of the Later Middle Ages*, ed. Nicholas Pronay and John Taylor (Oxford, 1980), p. 91.

⁶ Gwilym Dodd, 'Crown, Magnates and Gentry: The English Parliament, 1369-1421', unpublished University of York D.Phil. thesis (1998), pp. 53-66.

text is a fundamentally 'royalist' one, firmly advocating the notion of the king as the essential and central element of parliament.⁷ The magnitude of the king's role permeates the *Modus*. Everyone is summoned by him (even if the author makes clear those whom he thinks ought to be summoned), he presides over the assembly in state, and his business is of the greatest significance. Most importantly, the author of the *Modus* was of the opinion that a parliament without the king present was incomplete. Firstly, he asserts that 'the king is in every way bound to be present in parliament unless he is detained by physical illness', and even then he must stay very close to parliament's meeting place.⁸ The author goes on to argue that 'if any of the said grades below the king be absent, provided they have all been forewarned by due and correct summons of parliament, none the less it shall be considered to be complete'.⁹ The implication is clear: even though all those summoned by the king (or elected in response to his summons) can be absent and not invalidate the legitimacy of parliament, the king's presence is a *sine qua non*. Because parliament is the 'king's parliament', because he decides the agenda and controls the membership, his personal presence is the only way in which parliament can be considered a fully legitimate assembly.

It is true that some sixty years before the *Modus* was composed, the king's role in parliament was much less clear. In 1260, Henry III wrote to Hugh Bigod from France to prohibit the holding of a parliament in his absence.¹⁰ As far as the king was concerned, a parliament meeting without his presence was an illegitimate assembly; to be the 'king's parliament' (or even just 'parliament') meant that the king was physically at the session. Henry made his point clear: if he were not present, 'this would not be fitting, and we do not believe that it would enhance our honour'.¹¹ Whilst this theory held good for the rest of Henry III's reign and much of his son's, it worked only when the king was in England for most of the time. Since John had lost Normandy in 1204 and English possessions in France had been reduced to Gascony,

⁷ For a more extended discussion of the *Modus*, see above, pp. 187-200.

⁸ *Parliamentary Texts*, ed. Pronay and Taylor, p. 85.

⁹ *Parliamentary Texts*, ed. Pronay and Taylor, p. 91.

¹⁰ *Documents of the Baronial Movement of Reform and Rebellion, 1258-1267*, ed. R.F. Treharne and I.J. Sanders (Oxford, 1973), p. 168. See also J.R. Maddicott, *Simon de Montfort* (Cambridge, 1994), pp. 192-94.

¹¹ *Documents of the Baronial Movement*, ed. Treharne and Sanders, p. 172.

John's successors had no real need for the extended absences from England that had been essential for Henry II to maintain his empire.¹² Even in years when two or three parliaments were held, the king had ample opportunity to cross the Channel for negotiations or to swear homage for Gascony. Problems only arose in the late 1280s, when Edward I was campaigning in Gascony for several years.¹³ The king was unwilling to leave France before he had made more tangible progress, but he also needed parliament to deal with issues that had arisen at home and (more crucially) to grant him more money. To resolve this, Edward had little option but to accept that the king's presence was not a *sine qua non* of a valid parliament, and that he could commission others – in this case his brother Edmund – to stand in for him. The circumstances in 1289 were very different from 1260, as there was no question (as there had been on the earlier occasion) of a parliament being summoned in the king's absence without his explicit command. It was also recognised that the king's absence in some way limited parliament and the actions of its members. However, it did set an important precedent. The king, in sanctioning the parliament, and the political community, in attending and accepting its actions, conceded that the royal presence was not essential to parliament. The king's parliament could take place without the king being physically at parliament.

Indeed, kings rapidly accepted the idea of parliament without their own presence. The ability to be absent from parliament – whilst still relying upon the assembly back home to finance him – allowed Edward III to undertake a prolonged campaign in France in the later 1330s. But there was a limit to the community's tolerance of royal absence, and it is interesting to note that it was parliament that felt the royal presence

¹² F.M. Powicke, *The Loss of Normandy, 1189-1204: Studies in the History of the Angevin Empire* (2nd edition, 1961); W.L. Warren, *King John* (revised edition: New Haven and London, 1997); Ralph V. Turner, *King John* (Harlow, 1994); Nick Barratt, 'Lackland: The Loss of Normandy in 1204', *History Today* 54.3 (2004), 32-37.

¹³ Pierre Chaplais, 'Règlement des conflits internationaux franco-anglais au 14^e siècle, 1293-1377', *Moyen Age* 57 (1951), 269-302; Jean-Paul Trabut-Cussac, *L'administration anglaise en Gascogne sous Henry III et Edouard I de 1254 à 1307* (Paris, 1972); Pierre Chaplais, 'Les appels gascons au roi d'Angleterre sous le règne d'Edouard 1^{er} (1272-1307)', in *Économies et Sociétés au Moyen Âge: Mélanges offerts à E. Perroy* (Paris, 1973), pp. 382-99; Margaret Wade Labarge, *Gascony: England's First Colony, 1204-1453* (London, 1980); R.A. Griffiths, 'The English Realm and Dominions and the King's Subjects in the Later Middle Ages', in J.G. Rowe (ed.), *Aspects of Late Medieval Government and Society* (Toronto, 1986), pp. 83-105; Michael Prestwich, *Armies and Warfare in the Middle Ages: The English Experience* (New Haven and London, 1996).

necessary. It was deemed acceptable for a king to hold parliament by proxy if he was dealing with an emergency, such as a campaign abroad that prevented him from returning to deal with pressing domestic affairs, but attempts by a king to evade his duty in other circumstances, especially for reasons viewed as spurious or invented, resulted in protests. The most obvious example of this was Edward II's attempts, in the early 1310s, to avoid attending parliament as a result of illness, which contemporaries judged to be feigned.¹⁴ Their views are echoed in the *Modus*, which lays a strict requirement on the king to attend parliament, and outlines a procedure for establishing the true state of the king's health if he absented himself on grounds of illness.¹⁵ This represented a significant shift in approach from the time of Edward's grandfather. Henry III's barons had attempted to hold parliament as something apart from the king, a check upon his sovereignty which would be hindered by his actual presence. In essence, parliament was also being dominated by Edward II's barons at this stage, but they saw the physical presence of the king as essential nevertheless. There was no question that, because this was the 'king's parliament', it required an actual king to give it legitimacy. It was precisely Edward's weakness that made his presence so important. The major actions in the parliaments of the early 1310s, most notably the appointment of the Ordainers, were the work of the barons, not the king. Whilst using parliament against the king gave an element of community legitimacy to the opposition, it required Edward's presence – and consequently his tacit acceptance – to avoid later charges of factionalism and rebellion. This explains the reluctance of the barons to allow Edward to miss parliamentary sessions, when in practical terms their work would have been more straightforward without the king, and also Edward's reluctance to attend and effectively legitimise a programme of opposition to himself. A decade later, with his principal opponents dead or in exile, Edward II proved much more amenable to personal attendance at parliament.

¹⁴ *Vita Edwardi Secundi Monachi Cuiusdam Malmesberiensis: The Life of Edward II by the So-called Monk of Malmesbury*, ed. and trans. N. Denholm-Young (London, 1957), p. 38; *Vita Edwardi Secundi: The Life of Edward II*, ed. and trans. Wendy R. Childs (Oxford, 2005), pp. 66-67.

¹⁵ *Parliamentary Texts*, ed. Pronay and Taylor, pp. 85, 94-95. See also *Vita*, ed. Denholm-Young, p. 38; *Vita*, ed. Childs, pp. 66-67.

Forcing the presence of a weak king was much more important than having a strong king in attendance. Edward I's absences in the 1280s, and his grandson's in the 1330s, were accepted because there was a reasonable degree of political harmony in England, and both kings were largely supported in their endeavours by the leading nobles. Yet ironically enough, both Edward I and Edward III faced awkward parliaments after they returned from France. It does seem that parliament was hampered by an absent monarch, especially since the king would return to a political situation which he had known only second-hand for a number of years. Evidence for what happened at parliament during Edward I's absence is scant, although the continual financial demands, combined with fewer opportunities to present petitions, led to the serious problems of the 1290s. In the case of Edward III, there are subtle hints in the parliament rolls that the king's continued absence was creating real difficulties for the administration left to govern the realm. Edward hardly helped the situation by assuming the title 'king of France' without consulting anyone back in England, which led to concerns surrounding the king's plans for a dual monarchy.¹⁶ But there were other reasons for discontent. Whereas Henry III's parliament wanted to meet without him, Edward III's felt unable to function properly without the king. Measures were taken to try and compensate for an absent king, with provision (in the petitions preserved in the Winchester Cartulary) in 1340 for a committee of peers to dispense justice and oversee matters.¹⁷ But this was a temporary solution, and failed to address the hindrances created by a long-term royal absence from the realm.

¹⁶ W.M. Ormrod, 'A Problem of Precedence: Edward III, the Double Monarchy, and the Royal Style', in J.S. Bothwell (ed.), *The Age of Edward III* (York, 2001), pp. 133-53; Craig Taylor, 'Edward III and the Plantagenet Claim to the French Throne', in Bothwell (ed.), *Age of Edward III*, pp. 155-69.

¹⁷ G.L. Harriss, *King, Parliament and Public Finance in Medieval England to 1369*, pp. 518-22; Sayles, *Functions*, pp. 432-34.

Why was the personal presence of the king so important? On a theoretical level, northern European society could not envisage a system without a monarchy. For contemporary political theorists, most famously represented by John of Salisbury, the king was the head of the body politic.¹⁸ St Paul may have argued that ‘the eye cannot say to the hand, “I have no need of you”, nor again the head to the feet, “I have no need of you” and that ‘the members of the body that seem to be weaker are indispensable’.¹⁹ But medieval theorists contended that whilst removing the feet or hands might maim the body and reduce its usefulness, the removal of the head would render the entire body lifeless.²⁰ Without its king, the English government simply could not be. Parliament was the representative assembly of the realm, and this risked making parliament a nonsense if the king was not present in his role as head of the community.

For that very reason, there were also practical objections to any long-term absences from parliament by the king. On one level, there was an issue of hypocrisy. In some of his parliaments, Edward III went so far as to have a list compiled of all those who had failed to answer a personal summons to attend parliament.²¹ Whilst he ultimately took no action (or at least, none of which we are aware), he was laying stress upon the importance of individual attendance. Yet if the king himself could legitimately excuse himself, were there not equally grounds on which his nobility and clergy could miss sessions? If the king felt that parliament – the ‘king’s parliament’ – could be held and act in his absence, then he was hardly sending out a positive message about its importance to the wider political community. In particular, there were problems with the link between petitioning and taxation if the king was not present at a meeting of parliament. Both private petitions and common petitions were addressed to the

¹⁸ John of Salisbury, *Policraticus*, trans. Cary J. Nederman (Cambridge, 1990), pp. 27-64. See also Amnon Linder, ‘John of Salisbury’s *Policraticus* in Thirteenth-Century England: The Evidence of MS Cambridge, Corpus Christi College, 469’, *Journal of the Warburg and Courtauld Institutes* 40 (1977), 276-82; Cary J. Nederman, ‘The Physiological Significance of the Organic Metaphor in John of Salisbury’s *Policraticus*’, *History of Political Thought* 8 (1987), 211-23.

¹⁹ I Corinthians 12: 21-22.

²⁰ See the following articles in J.H. Burns (ed.), *The Cambridge History of Medieval Political Thought, c.350-c.1450* (Cambridge, 1988): J.P. Canning, ‘Introduction: Politics, Institutions and Ideas’, pp. 341-66; J.A. Watt, ‘Spiritual and Temporal Powers’, pp. 367-423; K. Pennington, ‘Law, Legislative Authority and Theories of Government, 1150-1300’, pp. 424-453; J.P. Canning, ‘Law, Sovereignty and Corporation Theory, 1300-1450’, pp. 454-76.

²¹ *RP*, II, 147.

king, and it was fully expected that he would strive to see justice done. Whilst certain matters might be delegated to relevant committees or courts, there always remained the option of recourse to the king if a case was especially difficult or touched the royal prerogative.²² If the king was absent, then questions could be raised about the justice of the verdict. It left open the option of the petition being presented again – or the injured party presenting a counter-petition – in the next parliament at which the king was present, thereby leading to unmanageable amounts of business. More seriously, if the king was not in parliament to dispense justice, then questions could be raised about the granting of taxes. There was an important *quid pro quo*, whereby taxes were conceded by the communities on the condition that the king dealt with the complaints and problems presented by the representatives of those communities. If grants of taxation were made to an absent king, and questions could be asked about the value of justice dispensed on his behalf by the custodians of the realm, then there was a potential for conflict. As in 1340–41, the king could return to face a parliament which was not in an especially co-operative mood. It was important for the king to avoid giving the impression that he viewed parliament as little more than somewhere to obtain money for his adventures abroad, something in which Edward III was not entirely successful in the later 1330s. Edward I had worked closely with parliament prior to his extended absence, and the fact that this absence was atypical at this stage meant that there were fewer concerns at what could be seen as an emergency measure.

By the 1340s, the Commons were developing as a more independent force that wanted to ensure that the king gave to parliament (in the form of answering petitions) as well as taking from it (in the form of taxation). J.R. Maddicott has demonstrated that re-election rates among MPs tended to be lower after parliaments that had conceded direct taxes.²³ In the circumstances of the later 1330s, with taxation being granted to an absent king, the number of men re-elected after a taxation parliament fell even lower than usual. Of the MPs who acceded to three fifteenths and tenths in September 1337, only nine (about 12%) are known to have been returned to the next

²² On justice, see above, Chapter 2.

²³ J.R. Maddicott, 'Parliament and the Constituencies, 1277-1377', in R.G. Davies and J.H. Denton (eds.), *The English Parliament in the Middle Ages* (Manchester, 1981), pp. 61-87.

session of parliament in February 1338, including both of the Huntingdonshire members. At this stage, Edward was still in England, as his ambitious claim to the French throne required significant financial planning.²⁴ After the tax on wool was conceded in the July 1338 parliament, fourteen men (almost a fifth, including both Devon representatives) were re-elected to serve the following February. The unusual tax grant of April 1340 saw re-election figures to the subsequent July parliament slump, with only seven men (fractionally under 10%, including both Dorset MPs) definitely elected to both parliaments, although it should be noted that the returns for the July assembly are far from complete. It is worth remembering that re-election rates also tended to be low when a number of parliaments were held within a short period of time, which could also have had an impact upon these figures.²⁵ Nevertheless, it seems likely that there was discontent in the communities that the king was not dispensing justice in return for the hefty sums he was demanding, which led the 'electorate' to vent their fury on their representatives who had conceded the grant in the first place. When a request for a subsidy was made to the parliament of October 1339, nominally in the name of the nine-year-old Black Prince (overseeing the session in his father's absence), the Commons took the unusual step of provisionally refusing.²⁶ They were unwilling to concede anything until they had had an opportunity to consult with their communities, perhaps afraid of the reaction in the localities should they accede to yet another demand for money without petitions being satisfactorily resolved. Tied in with this was the request that no serving sheriffs or ministers be eligible for selection as MPs. In a subtle form, this may well have been a bid for independence, with the Commons realising that the presence of an increasingly large number of royal officials as representatives was leading to taxes being granted without the necessary consideration of petitions.

There is an obvious question here, and it is one that most historians have tended to gloss over. What did the king actually do in parliament? After all, if his presence was deemed so important, it might justifiably be reckoned that he had a significant

²⁴ Ephraim Russell, 'The Societies of the Bardi and the Peruzzi and their Dealings with Edward III', in G. Unwin (ed.), *Finance and Trade Under Edward III* (Manchester, 1918), pp. 93-135; E.S. Hunt, 'A New Look at the Dealings of the Bardi and Peruzzi with Edward III', *JECH* 50 (1990), 149-62.

²⁵ See above, pp. 100-15.

²⁶ Sayles, *Functions*, p. 428.

role to play. Intriguingly enough, the evidence seems to suggest that the contrary was actually the case, at least superficially. At this stage, it is worth examining a rare example of a direct royal address to parliament, in the form of the speech purportedly given by Edward II to the parliament of October 1324, which will be quoted in full.

Lords, I have shown you certain things which concern the crown which have come under debate, as one who is your chief and who has the sovereign keeping of it, and as one who is ready to maintain the crown in all its rights, with your counsel and aid, and to defend it as far as a man can, by the power of all your might, on which matter I have always asked for your counsel, and have done nothing in the said business without counsel, in which I believe that I have done my part; whereupon I have demanded your counsel, aid and might on this, which you should do, give, and show to me at your peril, exactly as you would wish to acknowledge it, now and in the future, and that each of you, individually and independently, should give me his counsel and his advice on what I ought to do; which given, I wish it to be entered for perpetuity in the roll of parliament: because of which I again ask you, on your faith and your allegiance, to give it to me again orally, each of you individually and independently. For although you have shown me in a bill all your advice and arguments in general, this could be drawn up and put in a bill on the advice and counsel of one or two of you, who know best how to lead and win you over to their opinion, so I nevertheless wish to have your answers individually and from each one independently, and for each one to tell me orally what he thinks, so that I may be fully advised on the said business and on all the circumstances in detail: and I wish to be answered in such a manner, both by clerks and by laymen, that in future each one can answer in his own words without a general cover, and that your answers should be put down in writing: both what I have shown you and what you answer. For I do not want any concealment or sly evasion between us on such an important matter but to be answered orally, clearly and distinctly, just as the matters are distinctly and openly shown to you.²⁷

²⁷ TNA E 30/1582, printed in J.R.S. Phillips, 'Edward II: Parliament of October 1324, Text and Translation', in *PROME*. The document has previously been edited and printed (without translation) in *Rotuli Parliamentorum Hactenus Inediti, MCCLXXIX-MCCCLXXIII*, ed. H.G. Richardson and G.O. Sayles, Camden Society, 3rd Series, 51 (London, 1935), pp. 94-98; and in *The War of Saint-Sardos (1323-1325): Gascon Correspondence and Diplomatic Documents*, ed. Pierre Chaplais, Camden Society, 3rd Series, 87 (London, 1954), pp. 95-97. A translated version of Edward's speech (without the response) is in G.O. Sayles, *The Functions of the Medieval Parliament of England* (London, 1988), pp. 372-73.

The dating of the document has aroused some controversy, and the nature of the assembly in question is slightly problematic, but that is not the major issue here.²⁸ What is important is that this is an extraordinary parliamentary record for this period, casting light upon proceedings in parliament beyond the sanitised record of the parliament roll. It is interesting to note the king directly requesting that information be written onto the (unfortunately lost) parliament roll as delivered, rather than in summarised form. However, it is the very fact of the speech itself that is most intriguing. In the records of the medieval parliament, there are few other instances of a speech purporting to be a verbatim account of the king addressing parliament in person. Chroniclers occasionally put elaborate (and generally implausible) orations into the mouths of kings when composing their works,²⁹ and there are third-person summaries in the parliament rolls which outline the king's wishes or thoughts without making clear whether he delivered them in person. Most often, an official – a prelate or the chancellor – is noted to have spoken on the king's behalf. This text appears to have Edward II speaking to his magnates himself, and moreover doing so in a personal way. Whereas royal letters and documents tended to use the first person plural to denote the king ('we do ordain'), Edward here addresses his lords in the first person singular. In this, and in what he says, the king appears to have tacitly accepted the distinction drawn between the crown and the individual king, outlined in the Boulogne Declaration in the first year of his reign.³⁰ This is broadly consistent with the agenda pursued by Edward two years earlier in the Statue of York, an assertion by the king of the rights of the crown and his duty to maintain those rights.³¹ But having acknowledged the importance he attaches to counsel (and stressing how he has always relied upon it), the king's approach in this speech is almost threatening, as he reminds the lords that he wants their individual opinions without prevarication, and

²⁸ Richardson and Sayles, the document's first editors, dated it to the next parliament, held in June 1325. Pierre Chaplais made the case for the October 1324 date, and although Sayles very briefly restated his argument for 1325 (*Functions*, p. 373), the earlier date was accepted by J.R.S. Phillips in his introduction to the *PROME* text. Although there is no reference to a 'parliament' in the writs of summons (*PW*, II.ii, 317-25), and no burgesses or lower clergy were present, the king's speech makes clear that he regarded the assembly as such.

²⁹ On the chronicles, see above, pp. 200-20.

³⁰ The Boulogne Declaration is printed in J.R.S. Phillips, *Aymer de Valance, Earl of Pembroke 1307-1324: Baronial Politics in the Reign of Edward II* (Oxford, 1972), pp. 316-17.

³¹ *SR*, I, 189.

that these will be set down for perpetuity on the parliament roll. Was this a sly attempt to ensure that the magnates gave the advice he wanted to hear, or did the king hope to obtain material he could later use against his already cowed nobility? Oddly enough, in spite of this demand, the response as presented by this document is a collective one by the magnates, giving a series of answers to certain issues. This would indicate that the text we have is truncated and in the wrong order. It would make far more sense if the magnates' response was the bill containing 'all your advice and arguments in general' to which the king refers in his speech and expressly states he does not want. Logically, the order would be the presentation of the points to which the magnates respond (now lost), the replies of the lords (the second element in the extant text), and then the king's demand that he receive the advice individually (switched in the text to first). Otherwise, it seems incredible that the lords would so brazenly disobey Edward's request and make no reference to it in their reply. The magnates' words are obviously a prepared set of answers to points raised by the king, worked out in discussion over a period of time and then presented to him. Equally, there seems little to suggest that Edward's speech was spontaneous, given its rhetorical flourishes and tedious legalism. If both parts of the document were prepared and read out, it could explain the mix-up. The clerk could have made copies of the texts to use in the composition of the parliament roll at a later date, which would account for why the order has been switched and there are no introductions or polished explanations. Whether this was common practice is impossible to tell, although it seems likely that clerks would make notes (or keep copies of documents read out) to help with the production of an approved record, in much the same way as minutes of meetings are produced today. Where normally the roll survived and the notes were lost (or destroyed), it seems that here the notes survived and the roll disappeared.

This fascinating (and frustrating) document raises important questions about both parliamentary procedure and the king in parliament. Was this speech delivered personally by the king? It is clearly intended to represent the king's voice, but we have nothing to indicate that Edward II himself spoke the words to his lords. If this was the case, then it may be significant that Edward was addressing the lords rather

than a full parliament. This could conceivably have been an occasion on which the king was less constrained by ceremony, and was able to speak out in this manner. However, for the reasons discussed below, it is plausible that although these words were the king's own (or intended to be seen as such), they were delivered by another man on his behalf. The critical question is whether this was a regular occurrence, or whether there was an unwritten ideal that the king in parliament was not necessarily an active member of his own assembly.

The real problem with accepting that Edward II gave his own speech is that it runs counter to what we know about parliament at this stage. For us, parliament is still officially the Queen's to command, but no one expects Elizabeth II's presence in parliament beyond an annual appearance to read out a speech written for her to inform the country what her government is going to do over the next year. Tudor and Stuart historians take the presence and active participation of the sovereign in parliament for granted: it was a royal assembly in which the monarch directed in person.³² But to some degree, medieval kings seem to have been omnipotent mutes in their own parliaments. Parliament was summoned by the king and dismissed on his command. On the other hand, he was constrained by precedent and contemporary expectations in this regard. Whilst there were occasions when a king could decline to summon a particular lord or bishop (Thomas of Lancaster in 1322 and Bishop Orleton of Winchester in the 1330s are prime examples), there was a general expectation that, in ordinary circumstances, all leading prelates and nobles would be summoned.³³ This was a period in which the definition of 'leading prelates and nobles' was unclear and being frequently redefined, resulting in a much smaller and more exclusive group in 1348 than was the case in the 1290s, leaving the king with little room to manoeuvre. He could decide whether or not to include representatives (at least before this became a prerequisite for calling an assembly a 'parliament' rather than a 'great

³² Jennifer Loach, *Parliament and the Crown in the Reign of Mary Tudor* (Oxford, 1986); David M. Dean, *Law-Making and Society in Late Elizabethan England: The Parliament of England, 1584-1601* (Cambridge, 1996); Richard Cust, *Charles I: A Political Life* (Harlow, 2005); Richard Cust, 'Was there an Alternative to Personal Rule? Charles I, the Privy Council and the Parliament of 1629', *History* 90 (2005), 330-52; Alastair J. Mann, "'James VII, King of the Articles": Political Management and Parliamentary Failure', in Keith M. Brown and Roland Tanner (eds.), *The History of the Scottish Parliament Volume 2: Parliament and Politics in Scotland, 1567-1707* (Edinburgh, 2005), pp. 184-207; Paul Cavill, 'Debate and Dissent in Henry VII's Parliaments', *PH* 25 (2006), 160-75.

³³ See above, pp. 71-80.

council'), but at this stage the Commons lacked sufficient power for the king to worry too much about influencing their composition. It is true that when the king was present in parliament, as was ordinarily the case, petitions were addressed to him and he set the agenda. In spite of this, there is almost no evidence of the first three Edwards being directly vocal in a session of parliament. Instead, the king seems to have observed benignly from the throne, his office being represented through his words spoken by others. It would be possible to claim that the inadequacies of the parliamentary sources account for the picture of the silent king, but that seems too convenient an explanation, and it is perfectly plausible that kings in this period did not directly speak to full sessions of their parliaments.

In the earliest chronological account we have of a parliament, that for January 1316, the non-interventionist role of the king is already apparent. On the 28th, Edward II entered the chamber in the dean of Lincoln's lodgings where members of parliament were gathered, but the reason for the summons was read out by William Inge, a justice of Common Pleas.³⁴ The record clearly states that Edward 'had it pronounced in public'³⁵ by Inge, the implication being that although the decision and the wording were the king's, it was not considered seemly for him to pronounce them himself. Three days later, 'in the presence of the lord king, the prelates then present there were told on his behalf by Humphrey de Bohun, the earl of Hereford' how their petitions would be dealt with. Again, we see the situation in which the king is present, but his verdicts are delivered by others whilst he remains silent. On the 12th February, when Lancaster had deigned to appear in Lincoln, the king sat in full parliament whilst his reasons for summoning the assembly were again rehearsed by an official. On later occasions in the parliament, the bishop of Norwich spoke on the king's behalf – regarding obedience of the Ordinances and the reasons for the summons – in Edward's presence. On occasions when there was a royal order, such as the summoning of the host to meet at Newcastle, there is no mention of how this was made known. From the surviving evidence, it seems that this pattern was standard in medieval parliaments. Typically, the opening speech would be delivered

³⁴ TNA SC 9/20, printed in J.R.S. Phillips, 'Edward II: Parliament of January 1316, Text and Translation', in *PROME*.

³⁵ 'Proponi fecit in publico.'

by the chancellor (under the Yorkist kings, the parliament rolls often note how this was done ‘memorably’ or ‘uncommonly well’, indicating that it had become something of an exercise in oratory), or in his absence another prominent official, usually a bishop. From Richard II’s reign, the official record usually states that this was done whilst the king was sitting on his throne in the presence of all the members of parliament. The *Modus* specifically states that the opening declaration was the responsibility of someone other than the king.³⁶ Although the author does raise the possibility of a king’s speech following the declaration, there is no evidence that this was based on practice.³⁷ Answers to petitions, although they were the king’s, would be given on his behalf. Always remembering that the majority of our evidence comes from the official parliament rolls, which represent what the government wanted recorded rather than a verbatim account of proceedings, it appears that the personal voice of the king was rarely heard in parliament. As late as 1478, the Crowland Chronicler could scarcely conceal his outrage at Edward IV personally conducting the trial of his brother Clarence, although that may have had more to do with the highly irregular nature of what was manifestly a show trial.³⁸ True, there are less controversial examples of a king speaking to parliament. Looking at the available evidence, Gwilym Dodd discovered three occasions on which Richard II directly addressed parliament during his reign, with Henry IV intervening personally eleven times.³⁹ But such interventions were clearly identified on the parliament roll, with the speech being noted as coming from the king’s ‘own mouth’. For the Wonderful Parliament of October 1386, the final act noted on the parliament roll is as follows.

³⁶ *Parliamentary Texts*, ed. Pronay and Taylor, p. 84.

³⁷ *Ibid*, pp. 84-85. This is not explained as a speech in the sense we would understand the term, but rather as an opportunity for the king to check that all present will actively participate in parliament.

³⁸ ‘The mind recoils from describing what followed in the next Parliament – so sad was the dispute between the two brothers of such noble character. No-one argued against the duke except the king; no-one answered the king except the duke ... After this deed many people deserted King Edward who was persuaded that he could rule as he pleased throughout the whole kingdom.’ *The Crowland Chronicle Continuations, 1459-1486*, ed. and trans. Nicholas Pronay and John Cox (London, 1986), pp. 146-49. See also Charles Ross, *Edward IV* (revised edition: New Haven and London, 1997), pp. 241-43; Michael Hicks, *False, Fleeting, Perjur’d Clarence: George, Duke of Clarence, 1449-78* (2nd edition: Bangor, 1992), pp. 127-54; Jonathan Hughes, *Arthurian Myths and Alchemy: The Kingship of Edward IV* (Stroud, 2002), pp. 291-92; Michael Hicks, *Edward IV* (London, 2004), pp. 191-200.

³⁹ Dodd, ‘Crown, Magnates and Gentry’, p. 66, n. 258. Compare the comments of Pronay and Taylor in *Parliamentary Texts*, pp. 94-95, where they provide only two examples of kings addressing parliament in the middle ages.

Be it remembered that the king in full parliament, before the end of the same, made open protest by his own mouth that he willed that nothing done in the said parliament should harm him or his crown; and that his prerogative and the liberties of his said crown should be saved and kept.⁴⁰

It is noticeable that such instances are infrequent. This, and the scarcity of occasions on which this happened, suggests that it was the exception rather than the rule. The king, head of the body politic, the man whose presence was adjudged so essential to parliament, seems not to have made much use of his own vocal chords in the assembly.

Why not? The lack of personal contributions certainly cannot be seen in terms of limited sovereignty or parliamentary control on the king, as such concepts would have been unrecognisable at this stage. Nor can it be reasonably assumed that the king stayed aloof from the fundamentals of the parliamentary agenda or the matters discussed, apart from those times when exceptional circumstances gave that control to others, such as in the early 1310s. There is more than enough evidence elsewhere that, in normal circumstances, kings were frequently involved in the minutiae of administration and decision-making. Enrolled writs record orders given 'by the king himself', and whilst this is by no means a guarantee that the king issued a verbal command in person, it is an indication that he involved himself in the daily work of government.⁴¹ The king of England was no silent quasi-deity, required to refrain from speech to preserve an aura of mystery. He was the heart and essence of the English political system. Chronicles and government sources alike attest to the fact that medieval kings engaged all the time with their clergy, nobility and other subjects.

The key may lie in the nature of a particular parliament and the official record kept of it. It has already been noted that parliament rolls were a highly selective version of events, containing a summary form of the information which the government wished (or felt it prudent) to preserve for posterity.⁴² For the most part, that would be a highly stylised account of the major decisions of a parliament: grants of taxation, support for royal policies such as war, and answers to common petitions. These may

⁴⁰ TNA C 65/45, printed in Chris Given-Wilson, 'Richard II: Parliament of 1386, Text and Translation', in *PROME*.

⁴¹ On this topic, see A.L. Brown, *The Governance of Late Medieval England, 1272-1461* (London, 1989), pp. 17-23.

⁴² Above, pp. 41-42.

well have been announced in a full session of parliament in which lords, representatives and officials were present, but the actual work must have been done through discussions and negotiations in smaller groups. Responding to common petitions – especially when there was a long list – cannot have been a straightforward matter, and may in many cases have required the king to talk at length with his council and legal officials. By the late 1330s, when there was an increasingly clear distinction between the lords and the Commons (even if we cannot yet justifiably talk of two ‘houses of parliament’), there must have been a difference in kind between separate meetings of these elements and those attended by all. The king meeting with his lords could discuss matters of high politics and business in a more informal setting, that of the monarch with his natural counsellors. Likewise, the Commons meeting apart did so in a less rigid atmosphere, perhaps able to discuss with more freedom their concerns, as they attempted to thrash out the wording of common petitions. The combination of the king, his officials, the prelates, the lords, and the representatives changed the fundamental nature of the occasion from an informal – perhaps even ‘full and frank’ – meeting to a formal one. If Edward II was speaking personally in the text examined above, it is significant that his audience was apparently restricted to the lords. Without delving too deeply into specific instances, it can be noted in passing that the same is true of a later example. Adjudicating in a dispute between the bishop of Norwich and Sir Thomas Erpingham, the king’s sub-chamberlain, in January 1401, Henry IV is presented as an active and vocal participant in proceedings, but it is specifically noted that it was an assembly containing only the lords and officials.⁴³

The evidence for the early part of this period is too fragmentary for us to judge with any confidence the format of parliament, but it is clear enough in the later years that lords and Commons met separately, apart from ceremonial occasions such as the opening and closing, and on other extraordinary occasions. Otherwise – as the practice of intercommoning shows – the two groups met separately, coming together through selected representatives only to clarify certain issues. As parliament evolved,

⁴³ TNA C 65/64, printed in Chris Given-Wilson, ‘Henry IV: Parliament of 1401, Text and Translation’, in *PROME*.

the Commons thrashed out the details of their petitions in distinct meetings, presenting them to the king for consideration. In this sense, the idea in *Fleta* that the king has his council in parliament was a perfectly valid one, for it was in the restricted company of select counsellors and officials that these requests would be considered. Here was the opportunity for the king to be vocal, for him to express his own opinions. In one sense, as already noted, this was because in such circumstances the king was with his natural counsellors, in a position to consider affairs more openly. But perhaps it is necessary to step back at this point, and consider placing the emphasis on justice rather than counsel.

Ultimately, one of the king's key responsibilities in parliament was to dispense justice and address the grievances of his subjects. He was, after all, the 'fount of justice', and the royal verdict in cases was theoretically the final word on the matter, even if in practice these were subject to review and even reversal. The system of justice thus depended to a significant extent upon the personal choice and persuasion of the king alone. In delivering judgement in parliament, the highest of his courts, the king had a particular responsibility not only to deliver justice, but to do so in a manner befitting the royal dignity and the gravity of his role. For this reason, there could be no unseemly arguments about matters in the context of a full meeting of parliament, for it would demean the king's role as arbiter. There was a distinction, in short, between the king and the crown, even if this was something only imperfectly set out at this stage. The king had to take the decisions about certain petitions and difficult cases as an individual, and for this reason he had to debate and talk in closed session with the relevant people. Once he had made a decision, however, he had to deliver it as the considered verdict of the crown, not as the capricious ruling of a particular king. The ceremonial conventions of monarchy dictated – as with the opening speech and other important proclamations – that the responses to petitions, and especially to common petitions, be given on the king's behalf to parliament fully assembled. The royal speech was a powerful instrument when used to hand down justice, as the king spoke not only for himself but for the dignity of his office as the realm's supreme judge. For that very reason, that speech had to be restrained, invoked only when absolutely necessary. The king in his munificence reached a

verdict, but it was unseemly for him to personally announce it. The judge looked on as his justice was dispensed.

Here lies the key to the absence of personal speeches by kings in parliament. As judge he was required to retain an aura of impartiality and restraint, but something of the mystique of kingship necessitated his silence in his own parliament. To be king in the king's parliament involved rising above the fray, to dispense justice and to seek counsel without demeaning either himself or his office. In that sense, the king's management of parliament was a microcosm of his management of the political community and the realm more generally. In national government, he necessarily had to delegate his responsibilities to trusted understudies in the shires, from the nobility on one level, down through the sheriffs and local gentry who held the major offices and were in charge of justice in the counties.⁴⁴ A king who could do this well was considered a success, because he had maintained his oath to uphold law and order and see justice done.⁴⁵ Likewise in parliament, a king who was a successful 'manager' of the assembly was not necessarily an interventionist. The key to success lay in the acceptance of the royal nature of parliament, without the king himself needing to play a significant role in proceedings. This allowed him to be the final arbiter, maintaining a sufficient distance from the assembly he wanted money and support from. It was more powerful for others to argue on his behalf, and support his claims to necessity and the urgency of particular situations. To speak to a full parliament was perhaps a sign of weakness in a king, an indication that he had lost the ability to control things through his delegates from behind the scene. Parliament could not exist without the king; none would have argued with this in the early fourteenth century. But it was rare indeed for the king to make himself anything more than the ceremonial centrepiece of a meeting.

⁴⁴ Anthony Musson and W.M. Ormrod, *The Evolution of English Justice: Law, Politics and Society in the Fourteenth Century* (Basingstoke, 1999).

⁴⁵ G.L. Harriss (ed.), *Henry V: The Practice of Kingship* (Oxford 1985); Edward Powell, *Kingship, Law and Society: Criminal Justice in the Reign of Henry V* (Oxford, 1989).

CONCLUSION

The early fourteenth century was a period of significant change and development for the English parliament. Whilst historians of any period and subject are apt to claim their area of specialisation as an important or ground-breaking one, the evidence examined above demonstrates that parliament in 1348 was a very different institution to parliament in 1290. Set in the wider perspective of medieval parliamentary history as a whole, the pace and degree of change in these years is even more notable. The final question to address, then, is what importance these years had in parliamentary history.

Generalisations (especially in textbooks) about the later medieval parliament tend to be skewed towards the situation in the fifteenth century. An assembly with a much more stable membership, and more readily definable functions, makes an easier model for the purposes of teaching. Even books such as A.L. Brown's *The Governance of Late Medieval England*, which is sensitive to parliament as a developing institution, default to a fifteenth-century perspective when discussing matters such as the council, which in the early fourteenth-century is harder to distinguish from parliament.¹ At this stage, we have to be aware that there are few neat formulas we can use when discussing parliament, an institution still in its first century of existence.

Looking at the developments in law and the legal system in fourteenth-century England, Anthony Musson and W.M. Ormrod entitled their study *The Evolution of English Justice*.² The system that developed in England in these years was not the result of detailed planning or coherent schemes, but more a process of trial and error which responded to the legal needs of the government and society. There are equally strong grounds for seeing the development of parliament in this period – and in later eras – as an evolutionary process. However tidy the Whig ideas of an institution that developed along carefully planned lines with the guidance of far-sighted medieval statesmen, the development of the medieval parliament has to be seen as a path of pragmatic and irregular change. The word 'evolution' has

¹ A.L. Brown, *The Governance of Late Medieval England, 1272-1485* (London, 1989). See also the review of this book by W.M. Ormrod in *History* 76 (1991), 113-14.

² Anthony Musson and W.M. Ormrod, *The Evolution of English Justice: Law, Politics and Society in the Fourteenth Century* (Basingstoke, 1999).

to be used with caution, as certain popular understandings of it risk – in history – a return to a form of Victorian teleology. Many people understand evolution as a gradual, continuous process (and in more extreme versions, see evolution as a line of continuous progression towards higher and therefore ‘better’ states), an approach that fits with Stubbs’s description of parliamentary history as a relentless and inevitable advance to the perfected state of Victorian democracy. Given what has been discussed in this thesis, it would be erroneous to see the fourteenth-century parliament as developing in any such regular and logical pattern. However, there is a model from evolutionary biology that could be helpful for historians in using the term ‘evolution’. In 1972, the American palaeontologists Niles Eldredge and Stephen Jay Gould, drawing on the work of Ernst Mayr, outlined their theory of punctuated equilibria.³ They sought to challenge the idea of phyletic gradualism as a mechanism for explaining evolution, a theory which assumed that evolution proceeds at a slow but constant rate, with no clear lines of demarcation between old and new species as a result of adaptation. Instead, Eldredge and Gould suggested that:

The history of life is more adequately represented by a picture of ‘punctuated equilibria’ than by the notion of phyletic gradualism. The history of evolution is not one of stately unfolding, but a story of homeostatic equilibria, disturbed only ‘rarely’ (i.e. rather often in the fullness of time) by rapid and episodic events of speciation.⁴

In other words, there are long periods with stable, unchanging species, punctuated at irregular intervals by events (such as rapid climatic change) that result in relatively sudden extinctions and the emergence of new species.

The meaning Eldredge and Gould put on the term ‘evolution’ is a productive one for the historian of the medieval parliament. Across the course of the late middle ages, parliament did enjoy periods of stability, which at times were extended ones, where little changed. At other times, there were swift and important changes in the assembly’s membership or functions, caused principally

³ Niles Eldredge and Stephen Jay Gould, ‘Punctuated Equilibria: An Alternative to Phyletic Gradualism’, in T.J.M. Schopf (ed.), *Models in Paleobiology* (San Francisco, 1972), pp. 82-115.

⁴ Eldredge and Gould, ‘Punctuated Equilibria’, p. 84. See also Stephen Jay Gould, ‘Evolution’s Erratic Pace’, *Natural History* 86.5 (1977), 12-16; Stephen Jay Gould, ‘Punctuated Equilibria in Fact and Theory’, in Albert Somit and Steven Peterson, *The Dynamics of Evolution* (New York, 1992), pp. 54-84; Stephen Jay Gould and Niles Eldredge, ‘Punctuated Equilibria comes of Age’, *Nature* 366 (1993), 223-27; Stephen Jay Gould, *The Structure of Evolutionary Theory* (Cambridge, Mass., 2002).

by responses to circumstances or events. Although dates are arbitrary, and ones based on changes in dynasty even more so, the concept of parliament inherited by the Tudors was one that had evolved from the largely baronial assemblies of Henry III's middle years, but there was no certainty in the form this process took. It is all too easy to read history backwards, and see parliament changing in a smooth and carefully planned manner, making the eventual form it took seem inevitable. Parliament developed in something of an *ad hoc* manner, as kings and the political community responded to particular issues, crises or events. There were fewer substantive changes in parliament's second century, for example, than in its first, although important developments still occurred, such as the introduction of a speaker in the Commons. This was perhaps because the various trials, dead ends and approaches of the late thirteenth and early fourteenth centuries had produced an institution that was not subjected to any critical challenges, at least in terms of its existence, during the late fourteenth and fifteenth centuries.

It was the period 1295-1348 that saw the most dramatic transformation, although we have to note the paucity of available evidence for the earliest years of parliament's history, from around 1255 to 1295. On the whole, the years after 1295 served to establish the concept and meaning of parliament in the minds of the political community, and to make it a readily identifiable body. For the historian at least, it is not an easy matter to define the term 'parliament' in 1290, let alone specify what distinguished it from other assemblies such as councils. Representatives may or may not have been present, and even if they were it was possible for only the shires, but not the towns and boroughs, to be summoned. A vast – and seemingly random – selection of abbots and priors were invited to attend, whilst there may also have been a summons for proctors of the lower clergy. There was no concept of a 'parliamentary peerage', and although the presence of the earls was a *sine qua non*, there were wild fluctuations in the number of barons receiving personal summons. Forty-eight years later, it is much simpler to define 'parliament' with precision. Knights of the shire, citizens and burgesses all had to be present (even if there was no standardised list of parliamentary boroughs) for an assembly to qualify as a parliament rather than a great council. Increasingly, the peerage was coming to mean those who received a personal summons to parliament, which was a much more coherent group than

in 1290. The unwieldy collection of abbots, who rarely bothered with personal attendance in any case, had been reduced to the heads of the wealthiest and most important houses. And the king had ceased demanding the presence of the clerical proctors, as the parallel development of convocation gave the Church another representative body. Officials and judges still attended, but in reduced numbers. Only in the twenty-one members of the episcopate and in the titled nobility was there any continuity across time. A few minor alterations aside, parliament by 1348 had assumed the membership it would keep for the remainder of the medieval period. This was not a result of any form of planning, and we need to be aware that the composition of parliament, which fifteenth-century historians can take for granted, only emerged as a result of various battles and experiments.

However, we can see some logic in the development of the role of the lords, even if it was a far from certain path. The bishops were relatively assiduous attendees and important figures who could not be overlooked, and the earls were obviously an essential inclusion on the lists of summons. There is much more ambiguity and uncertainty in the growth of the Commons, with nothing necessary or preordained about their emergence as a political force. It is true that – following Edward I's failed attempts in 1298 – the presence of the representatives was a *sine qua non* for the concession of taxation. Ordinarily, there was a trade-off involved here. In return for the willingness of the representatives to grant these subsidies, the king dispensed justice to his subjects in the form of answering private petitions, be it in person or through nominated officials. This made parliament a mutually beneficial occasion, at least in times of political harmony.

Things differed if political or economic circumstances were less fortuitous. When the king required finance more urgently, as was the case with Edward III in the later 1330s, it was still possible to use a great council (with representatives present) to obtain taxation without having to answer petitions. Moreover, until the very end of this period, the crown maintained its right to collect customary taxation (most notably scutage and tallage) requiring no authorisation from parliament. Taxation of wool and exports was not necessarily viewed as the concern of parliament by Edward III, who preferred to negotiate directly with the merchant community. Although the concept of consent by representatives was clearly accepted for the majority of the period under consideration, that consent did not have to be that of the parliamentary Commons. Increasingly that was the

case, but it did not become an invariable rule until much later, when kings such as Edward IV were required to resort to the dubious measure of forced loans to supplement parliamentary finance. It is important to note that this was not *per se* a cause of conflict. Resistance arose only when the king abused his tacit understanding with the community. It took exceptional political factors to increase the importance, and fundamentally change, the role of the representatives. The situation of the early and mid-1320s, where a rump of the nobility were too intimidated to challenge the increasingly rapacious Despenser regime, forced the representatives to become the voice of the political community. However, they were also empowered by Edward II, who adopted the language of community in the Statute of York in order to weaken the influence of the nobility in parliament and prevent them using it as a means to restrain him. By encouraging the common petition as an instrument for the nascent Commons to express their universal grievances and seek redress, Edward sought to remove the legitimacy from the barons who had claimed to speak in the name of the community in order to oppose the king. Although private petitions did not disappear, the fact that they were no longer entered onto the parliament roll after the 1330s is indicative of the decline in their status relative to common petitions. This gave the representatives a much greater bargaining power with the king, because taxes could become conditional upon communal concerns being answered. The extent to which these were actually community concerns, formulated during sessions of parliament, is debatable at this stage, but it laid down an important precedent. Even with a stronger nobility after the fall of Isabella and Mortimer in 1330, and especially after Edward III's new creations in 1337, the representatives continued to have a more coherent voice. Although it is still too early to talk of a 'house of Commons' in 1348, given that there continued to be disparate interests among the membership, the foundations had been laid.

However, it is crucial to stress that the lords remained the key element in parliament. For all the development in the role and significance of the representatives, it was those emerging as the parliamentary peerage who were the by far the most important constituent of the membership. Aside from the ceremonial occasions (and from the early 1340s, intercommuning between Commons and lords), it was the lay and spiritual lords who sat with the king and discussed matters of policy. Even by the end of this period, the lords or council

could continue in session after the representatives had been sent home. Within texts such as the Ordinances of 1311, parliament is still conceived as a baronial institution and, in practical terms, this remained the case for the majority of the middle ages. For most of his time in opposition to Edward II, Thomas of Lancaster saw parliament in these terms. It was only towards the end of his life, when he was isolated from the rest of the nobility, that he began to make desperate overtures towards the representatives. It is true that others took a different view. The author of the *Modus Tenendi Parliamentum*, writing in the first half of the 1320s, had a much greater role for the representatives in his view of parliament. Whilst this ties in with the political developments of the post-Boroughbridge years, it cannot be taken too literally. As attested to by the frequent delays in the opening of parliament, caused by the absence of large numbers of the nobility, these were the men the king really wanted and needed to be present. In 1330, Edward III pointedly reasserted the importance of the lords when he tried Mortimer in parliament, in front of his peers. Eleven years later, Archbishop Stratford staked his claim to a fair hearing on his right to trial by his peers in parliament, an argument which the king could only evade by a reconciliation with the primate and subsequently annulling the offending statutes.

Parliament was, in a very real sense, the 'king's parliament'. It met at a time and place of his choosing and followed his agenda. That is not to ignore those times when the king's central role was challenged. Edward I was unable to secure grants of direct taxation in the final years of his reign because parliament attached conditions that were unacceptable to him, forcing him to fall back on feudal and prerogative taxes. During the 1310s, the barons attempted to use parliament to legitimise their opposition to the king, with Edward II reacting by attempting to avoid sessions. Ultimately, parliament would also be used to give authority to the show trial that was Edward's deposition. Edward III faced parliamentary hostility in the later 1330s for his continued absences from the realm at a time when his financial demands – to fund the French war – were becoming insatiable. Yet these examples were the exception to the rule. For the most part, parliament was an occasion for cooperation between the king and the political community. Edward I, Edward II and Edward III all appreciated the potential benefits of working harmoniously with parliament. In normal circumstances, parliament was open to the financial requests of the king, especially in cases where he could

demonstrate the necessity of the grant for the purposes of defence. It was exceptional, at this stage, for parliament to refuse a request for taxation outright, with 1325 being the only occasion that this happened. If the king adhered to the tacit agreement that existed with the representatives, whereby taxation was accepted (within reasonable limits) in return for the administration of justice, the parliament was a mutually beneficial institution. It was only when the king ignored this equation that problems arose.

Although parliament was the king's, historians have tended to ignore the fact that, in the early fourteenth century, the king's direct role in parliament was minimal. The ceremonial functions, the speeches, the responses, and even the majority of work on petitions, were all undertaken by nominated deputies appointed from the ranks of the lords or the officials. The extent of the king's participation in an assembly was a reflection of his success with the political community as a whole. A king who had the need to intervene frequently, or was forced to play a dramatic role in parliament, had effectively failed in his management of the realm. A successful king could rise above the minutiae of intimate involvement in parliament, allowing others to speak on his behalf and consequently preserving the aura surrounding the royal person and speech. Parliament was the king's, but the measure of his success was his ability to achieve his aims without direct intervention.

The changes charted in this thesis were significant, and occasionally dramatic. Ultimately, however, the importance of parliament in this period can be overstressed. It changed rapidly between 1290 and 1348, but even by the latter date the king retained other means of seeking consent for his actions, such as great councils, convocation and merchant assemblies. This fact is reflected in chronicle accounts, which may provide valuable information on the local reception to parliament or specific crisis parliaments, but are meagre when compared with the detailed accounts provided for assemblies of the later fourteenth century and beyond. This is a useful reminder that, although the position of parliament in the political community had enhanced considerably between the 1290s and 1348, and it had a fixed place within the political community, it remained an instrument of the king in which the nobility had the loudest voice. For all that parliament evolved during the course of the early fourteenth century, historians can easily give it a significance it did not necessarily possess in the mind of contemporaries.

This period was simply one, albeit one with a rapid pace of change, in the long story of the English parliament.

APPENDICES

APPENDIX 1 PROCTORS OF THE HIGHER CLERGY, 1295-1348

This appendix lists clergy appointing proxies to parliament in the period 1295-1348, along with the names of the proctors. The majority of names are taken from the files of proxy letters in the National Archives (TNA SC 10), with a handful also found in the collection of Ancient Correspondence (TNA SC 1), supplemented where necessary by bishops' registers and Parliamentary Writs. Although as many sources as possible have been consulted, it was not feasible to undertake an exhaustive search of all documents (especially unpublished texts), so a small number of proxies may have escaped detection.

The list is in chronological order, by parliament. The left hand-column contains the name of the person appointing proxies. Bishops are listed first, alphabetically by name of their diocese, followed by abbots and non-cathedral priors according to the name of their house, then archdeacons, cathedral deans and priors sending proctors on their own behalf, cathedral chapters (either alone or with their dean, prior or subprior), and finally diocesan clergy. Proxy letters rarely give the names of the sender in full, so these have been extended. Names of bishops are taken from the Handbook of British Chronology, those of abbots from the lists in the relevant Victoria County History. Personal names for others are only given where supplied in full in the original letter. The middle column lists the names of the proctors, whilst the final column notes the source(s) of the information. Names have been standardised wherever possible.

The following abbreviations are used in addition to the list on pp. 6-7.

Denton and Dooley Reg. Drokenesford	J.H. Denton and J.P. Dooley, <i>Representatives of the Lower Clergy in Parliament, 1295-1340</i> (Woodbridge, 1987). <i>Calendar of the Register of John of Drokenesford, Bishop of Bath and Wells (A.D. 1309-1329)</i> , ed. Rt. Rev. Bishop Hobhouse, Somerset Record Society vol. 1 (London, 1887).
Reg. Dunelm	<i>Registrum Palatinum Dunelmense: The Register of Richard of Kellawe, Lord Palatine and Bishop of Durham 1311-1316</i> , ed. Sir Thomas Duffus Hardy, 4 vols., RS 62 (London, 1873-78).
Reg. Greenfield	<i>The Register of William Greenfield, Lord Archbishop of York 1306-1315</i> , 5 vols., Surtees Society vols. 145, 149, 151-53.
Reg. Halton	<i>The Register of John of Halton, Bishop of Carlisle 1294-1324</i> , ed. W.N. Thompson, 2 vols., CYS 12-13 (London, 1913).
Reg. Kirkby	<i>The Register of John Kirkby, Bishop of Carlisle 1332-1352, and the Register of John Ross, Bishop of Carlisle 1325-1332</i> , ed. R.L. Storey and Phyllis E. Pobst, 2 vols., CYS vols. 79 and 90 (Woodbridge, 1993-2000).
Reg. London	<i>Registrum Radulphi Baldock, Gilberti Segrave, Ricardi Newport, et Stephani Gravesend, Episcoporum Londoniensium, AD MCCCIV-MCCCXXXVIII</i> , ed. R.C. Fowler, CYS vol. 7 (London, 1911).
Reg. Martival	<i>The Registers of Roger Martival, Bishop of Salisbury 1315-1330</i> , ed. C.R. Elrington, Kathleen Edwards, Dorothy M. Owen and Susan Reynolds, 4 vols. in 5 parts, CYS vols. 55, 57-59, and 68 (Oxford and Torquay, 1959-75).
Reg. Trillek	<i>Registrum Johannis de Trillek, Episcopi Herefordensis A.D. MCCCXLIV-MCCCLXI</i> , ed. Joseph Henry Parry, CYS vol. 8 (London, 1912).
Reg. Woodlock	<i>Registrum Henrici Woodlock, Diocesis Wintoniensis, A.D. 1305-1316</i> , ed. A.W. Goodman, 2 vols., CYS vols. 43 and 44 (Oxford, 1940-41).
WCL	Worcester Cathedral Library

<i>November 1295, Westminster</i>				<i>PW, I, 31, 34</i> Denton and Dooley, p. 103
Prior and Chapter of Bath	William of Hampton			
Prior and Chapter of Canterbury	G. of Chileham R. of Clyve			<i>PW, I, 34</i> Denton and Dooley, p. 103
<i>November 1296, Bury St Edmunds</i>				
Prior and Chapter of Canterbury	J. of Hardres J. of Thanet			<i>PW, I, 49</i> Denton and Dooley, p. 103
Prior and Chapter of Durham	<i>Not Known</i>			Denton and Dooley, p. 103
<i>March 1300, London</i>				
Prior and Chapter of Bath	William of Hampton			Denton and Dooley, p. 103
<i>January 1301, Lincoln</i>				
Thomas Corbridge, archbishop of York	Gilbert of Segrave Henry of Sutton, rector of Leek			SCI/16/64
<i>July 1302, Westminster</i>				
Thomas Corbridge, archbishop of York	William of Pickering, archdeacon of Nottingham			SC 10/1/11B

October 1302, Westminster

Gilbert of St Leofard, bishop of Chichester	Henry of Garland, bishop's official	SC 10/1/13
Thomas Corbridge, archbishop of York	William of Pickering, archdeacon of Nottingham	SC 10/1/12
Godfrey of Crowland, abbot of Peterborough	William Saleman, sacristan of Peterborough Geoffrey of Makeseye	SC 10/1/14A
William of Aslaghby, abbot of Selby	Robert of Alkebani	SC 10/1/14

February 1305, Westminster

Prior and Chapter of Canterbury	John of Thanet, precentor	<i>PW</i> , I, 140 Denton and Dooley, p. 104
Chapter of Worcester	N O	<i>WCL</i> , WC/A5, f. 23r Denton and Dooley, p. 104
Clergy of Lincoln diocese	Henry of Stok, rector of Ravensthorpe John of Fletburg, rector of Hougham	Denton and Dooley, p. 104

May 1306, Westminster

John Dalderby, bishop of Lincoln	Hugh of Normanton, canon of Lincoln Simon of Asewarby	SC 10/1/15
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January 1307, Carlisle

[This is from the *Vetus Codex* (TNA C153/1, ff. 130v-132r). The list is printed in *PW*, I, 185-86; and in *PROME*. The lower clergy names and proctors are also printed in Denton and Dooley, pp. 104-105. Additional sources are noted as appropriate.]

William Haselshaw, bishop of Bath and Wells	William of Charlton, canon of Wells
Robert Orford, bishop of Ely	Geoffrey of Pakenham Richard of Denford
Thomas Bitton, bishop of Exeter	Henry of Pinkeny, rector of Honiton
Richard Swinfield, bishop of Hereford	Adam of Harvington, rector of Awre Walter of Lugwardine, rector of Munsley
John Dalderby, bishop of Lincoln	Hugh of Normanton, canon of Lincoln Robert of Asby, rector of Hale
Thomas of Wouldham, bishop of Rochester	John Bush, rector of Beckenham Peter of Fangfoss, vicar of Yalding
Llewellyn of Bromfield, bishop of St Asaph	Matthew Ruffim Howel ap Ithel
David Martin, bishop of St Davids	John Bush, canon of St Davids Sir Warin Martyn
Simon of Ghent, bishop of Salisbury	Thomas Chaumpeneys, rector of West Ilsley
Henry Woodlock, bishop of Winchester	Philip of Barton, archdeacon of Surrey Gilbert of Middelton John of Bloyho Richard Woodlock

Reg. Woodlock, vol. 1, pp. 158-59

Richard of Clive, abbot of Abingdon	Robert of Uffington
Abbot of Alnwick	John of Coldingham, canon of Alnwick
Richard of Sutton, abbot of Barlings	John of Formle
William, abbot of Bindon	Robert of Stoke John of Bridport
Thomas of Tottington, abbot of Bury St Edmunds	John of Eversdon Ralph of Torny
William, abbot of Byland	Peter of Willoughby
Bartholomew of Winton, abbot of Chertsey	John of Bray
William, abbot of Coombe	<i>No proctor appointed</i>
Simon of Luffenham, abbot of Crowland	Robert of Sculthorpe
William of Over, abbot of Croxden	William of Shepshed
John of Brokehampton, abbot of Evesham	Simon of Saltford
John of Cockerham, abbot of Furness	John, subprior of Furness
Geoffrey of Fromond, abbot of Glastonbury	Roger of Staplebridge
Geoffrey of Ferringes, abbot of Hyde near Winchester	William Fynamur
Simon of Miggelle, abbot of Jervaulx	John of Dunsforth
William of Badminton, abbot of Malmesbury	John of Bray William Cotspore

Roger of Driffield, abbot of Meaux	John of Wandeford Gilbert of Kelshall
Walter of Cheseldene, abbot of Netley	James of Bichely
Thomas of Hedon, abbot of Newhouse	Alan of Middleton
Adam of Arundel, abbot of Quarr	Geoffrey of Worth
John of Sawtry, abbot of Ramsey	William of Grafham
Nicholas of Quappelade, abbot of Reading	John of Sutton Jordan of Sutton
Richard of Berynyngam, abbot of St Agatha	Alan of Middleton
John of Maryns, abbot of St Albans	Adam of Redbourn Ralph of Dalton
Thomas of Fyndone, abbot of St Augustine's, Canterbury	William Airmyrn
John of Gilling, abbot of St Mary's, York	William of Tanfield
John of Gamages, abbot of St Peter's, Gloucester	Roger of Ashridge Ralph of Eyton
William, abbot of St Radegund	<i>No proctor appointed</i>
Nicholas, abbot of Stanley in Wiltshire	<i>Robert of Withiel</i> William of Raseney

¹ The clerk notes that Robert was the abbot's original appointment, but as both he and the abbot were ill, William was appointed in their place.

Lambert, abbot of Swineshead	Robert
Ralph, abbot of Topholme	Alan, canon of Newhouse
Abbot of Vaudey	Richard of Hatherley
Ralph of Harrold, abbot of Warden	Henry Tilly
Philip of Bedwinde, abbot of Waverley	Subprior of Waverley
Walter of Wenlac, abbot of Westminster	William of Chalk
Walter of Wickwane, abbot of Winchcombe	Walter of Apperley
William of Berges, archdeacon of Berkshire	William of Buckstone
Gervase de Sééz, archdeacon of Chichester	Nicholas of Dinsley, vicar of Bosham
Ralph of Fodringhay, archdeacon of Ely	Geoffrey of Pakenham Richard of Conyngton Adam Elyot
Walter of Burdon, archdeacon of Gloucester	John of Wakerley (<i>Sent John of Bray as his substitute</i>)
Henry of Shorne, archdeacon of Hereford	Walter of Lugwardine
Archdeacon of Norfolk	Hugh of Swaffham Alan of Swaffham
William of Knapton, archdeacon of Norwich	Hugh of Swaffham
Roger of Wesenham, archdeacon of Rochester	John Bush John of Colon

Llywellyn ap Hwfa, archdeacon of St Asaph ²	Madoc Goch, canon of St Asaph Howel, rector of Llanarmon
John, archdeacon of St Davids	John Bush, canon of St Davids Henry of Ludgarshall Warin Martyn
Thomas Wychempton, archdeacon of Salisbury	John of Tarrant
Philip Talbot, archdeacon of Shropshire	Walter of Lugwardine
Henry of Bradenham, archdeacon of Sudbury	John Hardy, rector of Thurlow
Philip Barton, archdeacon of Surrey ³	John of Brantingham
Thomas Charlton, archdeacon of Wells	Henry of Pinkeny, rector of Honiton
Francis Neapoleonis, archdeacon of Worcester	John of St Briavels Ingelard of Warley
Chapter of Chichester	Clement of Peccham, canon of Chichester
Subprior and Chapter of Durham	Hugh of Monte Alto Thomas of Killington
Chapter of Ely	Richard of Dene
Chapter of Exeter	Hugh of Pynkeneie, rector of Honiton

² Joint letter of proxy with the dean of St Asaph.

³ Philip of Barton, archdeacon of Surrey, was appointed one of the proctors of the bishop of Winchester for this parliament.

Chapter of Hereford	Walter of Lugwardyn John Craft
Chapter of Lincoln	Robert of Pickering, canon of Lincoln Hugh of Normanton, canon of Lincoln
Chapter of Norwich	Hugh of Swafham Thomas of Fuldon William of Tutington
Subprior and Chapter of Rochester	Robert, rector of Hoo Robert of Brok
Chapter of St Asaph	Madoc Goch, canon of St Asaph Howell, rector of Llanarmon
Dean and Chapter of St Paul's, London	John of Bedford
Chapter of Salisbury	John of Tarenta William of Buckstanes
Dean and Chapter of Wells	Thomas of Luggore, canon of Wells William of Cherleton, canon of Wells
Prior and Chapter of Winchester	Ralph of Canne John of Burn
Chapter of Worcester	John of St Brevello William of Thorntoft
Dean and Chapter of York	Adam of Osgodby, canon of York
Clergy of Bath and Wells diocese	Hugh of Walmesford Henry of Moneketon

Clergy of Exeter diocese	Thomas Crabbe Ralph of Stok		
Clergy of Lincoln diocese	Peter of Medeburn, rector of Ingoldsby John of Horkestow, rector of Harrington		
Clergy of Rochester diocese	Robert, rector of Hoo Peter, vicar of Yarding		
Clergy of Worcester archdeaconry	Reginald Porter, rector of Bourton-on-the-Water		
<i>October 1307, Northampton</i>			
William Haselshaw, bishop of Bath and Wells	<i>No proctor appointed</i>		SC 10/1/36
John Langton, bishop of Chichester	<i>No proctor appointed</i>		SC 10/1/41
Robert Orford, bishop of Ely	Richard of Deneford, bishop's clerk		SC 10/1/31
Richard Swinfield, bishop of Hereford	William of Mortimer, canon of Hereford Adam of Osgodby, parson of Dureford		SC 10/1/19
Thomas of Wouldham, bishop of Rochester	John Buss, canon of York John of Colonia		SC 10/1/21 and SC 10/1/40
Richard of Clive, abbot of Abingdon	Robert of Upton		SC 10/1/23
William, abbot of Byland	Peter of Wyluby		SC 10/1/22
Robert Bishopton, abbot of Fountains	William of Ayrton		SC 10/1/34
John Thoky, abbot of St Peter's, Gloucester	Laurence of [<i>document is damaged</i>]		SC 10/1/25

John of Badburgham, abbot of Waltham	Gilbert of Cokham Robert of Jarpenvill	SC 10/1/32
Prior and Chapter of Canterbury	Guy of Smeredenn Gilbert of Bisshoppestone	<i>PW</i> , II.ii, 3 Denton and Dooley, p. 106
Prior and Chapter of Ely	Robert of Swafham	SC 10/1/27 Denton and Dooley, p. 106
Chapter of Hereford	Walter of Logwardyn	SC 10/1/35 Denton and Dooley, p. 106
Chapter of St Paul's, London	John of Dutone, canon of London	SC 10/1/39 Denton and Dooley, p. 106
Chapter of Wells	William of Bourn, canon of Wells	SC 10/1/42 Denton and Dooley, p. 106
Chapter of York	Adam of Osgodby, canon of York John of Merkenfeld, canon of York Robert of Bardelby, canon of York	SC 10/1/42 SC 10/4/168 Denton and Dooley, p. 106
Clergy of Bath and Wells diocese	Hugh of Pencryz Robert Fayrmay	SC 10/1/20 C 49/4/1 Denton and Dooley, p. 106
Clergy of Carlisle diocese	William of Brampton Adam of Appelby Hugh of Burgo	SC 10/1/29 C 49/4/1 Denton and Dooley, p. 106
Clergy of Durham diocese	Roger Bertram, rector of Bothal Reginald of Stepilton, rector of Wolsingham	SC 10/1/38 C 49/4/1 Denton and Dooley, p. 106

Clergy of Ely diocese	Richard of Otryngham Robert of Abynton, rector of Graveley	SC 10/1/33 C 49/4/1 Denton and Dooley, p. 106
Clergy of Shropshire archdeaconry	Walter, vicar of Cleobury Mortimer John of Brunsoppe, rector of Oldbury	SC 10/1/28 Denton and Dooley, p. 106
Clergy of York diocese	John of Snaynton, rector of Rudston William of Pickering, rector of Hawksworth	SC 10/1/30 Denton and Dooley, p. 106
<i>April 1308, Westminster</i>		
Gruffudd ab Iorwerth, bishop of Bangor	Adam Goch	SC 10/1/45A
Llewellyn of Bromfield, bishop of St Asaph	Henry of Oswestry	SC 10/1/43
<i>October 1308, Westminster</i>		
Richard Swinfield, bishop of Hereford	William of Mortimer, canon of Hereford Adam of Herwynton, rector of Aure	SC 10/1/44
John of Gilling, abbot of St Mary's, York	John of Hueynton	SC 10/1/45
<i>April 1309, Westminster</i>		
Richard Swinfield, bishop of Hereford	William of Mortimer, canon of Hereford Adam of Herwynton, rector of Aure	SC 10/2/60A
Llewellyn of Bromfield, bishop of St Asaph	Howel ap Iohel Richard of Oswestry	SC 10/1/46A

Thomas of Tottington, abbot of Bury St Edmunds	John of Eversdon Ralph Thorny	SC 10/1/47
John of Brokehampton, abbot of Evesham	Thomas of Geruehull	SC 10/1/50
John of Cockerham, abbot of Furness	Michael, prior of Furness	SC 10/2/63
John, abbot of Jervaulx	Thomas of Gristwayt	SC 10/1/49
Nicholas of Quappelade, abbot of Reading	Henry of Lynton	SC 10/2/53
Thomas of Fyndone, abbot of St Augustine's, Canterbury	Richard of Canterbury William of Airmyn	SC210/2/58 and SC 10/2/59
John of Gilling, abbot of St Mary's, York	John of Snaynton	SC 10/2/64
John Thoky, abbot of St Peter's, Gloucester	William Irebi	SC 10/2/65
Prior and Chapter of Canterbury	Nicholas of Burn Thomas of Wynchelese	<i>PW</i> , II.ii, 26 Denton and Dooley, p. 107
Chapter of Hereford	William of Mortimer [<i>Illegible</i>] of Orleton	SC/10/2/57 Denton and Dooley, p. 107
Chapter of Lincoln	Hugh of Normanton Thomas of Langetoft	SC 10/2/54 Denton and Dooley, p. 107
Chapter of Rochester	Geoffrey of Mepham Hamo Hethe	SC 10/1/48 Denton and Dooley, p. 107
Clergy of Bangor diocese	M.A., archdeacon of Anglesey M. Lewelmus	SC 10/2/69A Denton and Dooley, p. 107

Clergy of Carlisle diocese	Adam of Appelby Robert of Meburn, canon of Lanercost	<i>Reg. Halton</i> , I, p. 314 Denton and Dooley, p. 107
Clergy of Hereford archdeaconry	Thomas of Orleton Simon of Radnor	SC 10/2/62 Denton and Dooley, p. 107
Clergy of Lewes archdeaconry (Chichester diocese)	William of Loppedel, vicar of Preston	SC 10/2/55 Denton and Dooley, p. 107
Clergy of St Asaph diocese	Howel ap Ithal Richard of Albo Monasterio	SC 10/2/51 Denton and Dooley, p. 107
Clergy of Salop archdeaconry	Geoffrey of Blasten, canon of Lichfield Robert, rector of Wolfhampcote	C270/35/17 Denton and Dooley, p. 107 [P]
Clergy of Stafford archdeaconry	Geoffrey of Blasten, canon of Lichfield Robert, rector of Wolfhampcote	SC 10/2/61 Denton and Dooley, p. 107
Clergy of Winchester archdeaconry	John of Malmesbury, rector of St Mary of the Valleys	SC 10/1/49A Denton and Dooley, p. 107
Clergy of York diocese	John of Fraunceys, rector of Wheldrake	SC 10/2/56 Denton and Dooley, p. 107
<i>July 1309, Westminster</i>		
Robert Orford, bishop of Ely	Richard of Deneford	SC 10/2/67
Richard Swinfield, bishop of Hereford	James of Henlee, rector of Ross	SC 10/2/66
David Martin, bishop of St Davids	Philip le Lung, canon of St Davids	SC 10/2/69

Simon of Ghent, bishop of Salisbury	Gilbert Louel, canon of Salisbury Thomas Chaumpeneys	SC 10/2/68
<i>February 1310, Westminster</i>		
Richard Swinfield, bishop of Hereford	Adam of Herwynton, rector of Aure Hugh of Leominster, canon of Hereford	SC 10/2/70
Llewellyn of Bromfield, bishop of St Asaph	Richard of Albo Monasterio	SC 10/2/71
<i>August 1311, Westminster</i>		
Richard Kellaw, bishop of Durham	John Fraunceys Richard of Eryum John of Sneynton	<i>Reg. Dunelm</i> , vol. 1, pp. 86-87
Richard of Sutton, abbot of Barlings	John of Hornley	SC 10/2/74
John of Brokehampton, abbot of Evesham	William of Cheriton, cellarer of Evesham	SC 10/2/73
William of Badminton, abbot of Malmesbury	Philip of Dauteseye Guychard of Pardinis	SC 10/2/75
Subprior and Chapter of Bath	William of Hampton	Denton and Dooley, p. 108
Prior and Chapter of Norwich	A of Sandwich	<i>PW</i> , II.ii, 67 Denton and Dooley, p. 108
Chapter of Norwich	[<i>Blank spaces have been left for names on the document</i>]	Denton and Dooley, p. 108
Chapter of Worcester	Robert of Clifton	WCL, <i>Liber Albus</i> , f. 51r. Denton and Dooley, p. 108

August 1312, Westminster

William Greenfield, archbishop of York	Adam of Osgodby J of Mar J Fraunceys	<i>Reg. Greenfield</i> , vol. 5, p. 7
William of Badminton, abbot of Malmesbury	John of Bray Hugh of Faryndone	SC 10/2/76
William of Aslaghby, abbot of Selby	William of Goldale	SC 10/3/150B

March 1313, Westminster

Richard Kellaw, bishop of Durham	<i>No proxy letters survive</i>	<i>Reg. Dunelm</i> , vol. 2, p. 912
Ralph Baldock, bishop of London	William of Melford, archdeacon of Colchester William of Bray	<i>Reg. London</i> , p. 158
William Greenfield, archbishop of York	Robert of Pickering, dean of York Stephen of Malolacu, archdeacon of Cleveland Adam of Osgodby, canon of York Robert of Bardelby, canon of York John Fraunceys, canon of York	<i>Reg. Greenfield</i> , vol. 5, p. 22
Simon of Luffenham, abbot of Crowland	Robert Russeal	SC 10/2/79
Abbot of Hailes	Roger of Newcastle Thomas of Evesham	SC 10/2/78

John of Sawtry, abbot of Ramsey	Simon of Peterborough William of Corton, clerk	SC 10/2/77
Subprior and Convent of Rochester	Hamo Hethe	SC 10/2/100 Denton and Dooley, p. 108
Dean and Chapter of Bangor	David of Buelli	SC 10/2/93 Denton and Dooley, p. 108
Chapter of St Asaph	Richard of Oswestry	SC 10/3/101 Denton and Dooley, p. 108
Chapter of St Davids	Gilbert of Mosselwyk, archdeacon of Carmarthen Walter of Hyll	SC 10/3/107 Denton and Dooley, p. 108
<i>July 1313, Westminster</i>		
Richard Kellaw, bishop of Durham	William of Rasen William of Ayremynne John of Snaynton Geoffrey of Edenham	<i>Reg. Dunelm</i> , vol. 1, pp. 384-85
John Ketton, bishop of Ely	John of Rodes	SC 10/3/110
Richard Swinfield, bishop of Hereford	Adam of Osgodby John of Gergue	SC 10/3/117 and 118
John Dalderby, bishop of Lincoln	Hugh of Normanton, canon of Lincoln Walter of Thorp, canon of Lincoln John of Buckden	SC 10/3/109
John Salmon, bishop of Norwich	Radulph of PAGRANE	SC 10/3/114

Thomas of Wouldham, bishop of Rochester	John of Dytton, rector of Kemesing	SC 10/3/113
Simon of Ghent, bishop of Salisbury	Hugh of Spineto, canon of Salisbury John of Blebury, rector of Schalyngford	SC 10/3/111
Henry Woodlock, bishop of Winchester	Prior of St Mary's, Suthwerk Richard Wodeloe	SC 10/3/112 and 115
Chapter of Durham	John of Snaynton Geoffrey of Edenham	Denton and Dooley, p. 108
Chapter of York	Adam of Osgodby Robert of Bardelby	SC 10/3/126 Denton and Dooley, p. 108
<i>September 1313, Westminster</i>		
Richard Kellaw, bishop of Durham	William of Rasen William of Ayremynne John of Snaynton	<i>Reg. Dunelm</i> , vol. 1, p. 435
William Greenfield, archbishop of York	Adam of Osgodby Walter of Bedewynd Robert of Bardelby	<i>Reg. Greenfield</i> , vol. 5, p. 28
Chapter of Durham	Geoffrey of Edenham Robert of Derlington	Denton and Dooley, p. 109
Chapter of Worcester	Robert of Clyfton	WCL, <i>Liber Albus</i> , f. 61r. Denton and Dooley, p. 109

September 1314, York

Einion Sais, bishop of Bangor	David of Buelli	SC 10/3/130
Richard Swinfield, bishop of Hereford	John of Gergue, prebendary in church of Bureford Robert of Ikelesham, canon of Hereford	SC 10/3/120
John of Monmouth, bishop of Llandaff	David of Clitu	SC 10/3/129
Gilbert Segrave, bishop of London Thomas of Wouldham, bishop of Rochester	Stephen of St Germain Henry of Plukkele, rector of Henlegh Peter of Fangfoss, rector of Ealdyngg	SC 10/3/128 SC 10/3/127
David Martin, bishop of St Davids	Matthew of Shyreford, rector of Upton Helyoun	SC 10/3/122
Simon of Ghent, bishop of Salisbury	Hugh of Spineto, canon of Salisbury John of Blebury, rector of Neuwenham	SC 10/3/131
Abbot of Beaulieu	Thomas of E[<i>Letter is damaged</i>]	SC 10/3/121
John of Brokehampton, abbot of Evesham	William of Cheriton, cellarer of Evesham Thomas of Evesham	SC 10/3/125
Godfrey of Crowland, abbot of Peterborough	Robert of Thornton Robert of Thornton (<i>sic.</i>)	SC 10/3/124
Ralph of Burne, abbot of St Augustine's, Canterbury	Richard of Canterbury Richard Dyerling	SC 10/3/132
Prior and Chapter of Canterbury	W. de Norwyco, cellarer of Canterbury	<i>PW</i> , II. ii, 128 Denton and Dooley, p. 109
Chapter of Worcester	Thomas of Evesham Richard of Haukeslowe	<i>WCL, Liber Albus</i> , f. 65r. Denton and Dooley, p. 109

January 1315, Westminster

John Halton, bishop of Carlisle	William of Ayrmin Hugh of Burgh, rector of Burgo ob Mora Thomas of Caldebek, rector of Clifton	SC 10/4/156
Richard Kellaw, bishop of Durham	John of Snaynton Roger of Saxton Geoffrey of Pakenham Gilbert of Grecton	SC 10/4/173 <i>Reg. Dunelm</i> , vol. 2, pp. 1036-37 SC 10/4/172
John Ketton, bishop of Ely		
Richard Swinfield, bishop of Hereford	Robert of Ikelesham, canon of Hereford John of Gergue	SC 10/3/138
John Dalderby, bishop of Lincoln	Hugh of Normanton Elias of Muskham, canon of Lincoln Thomas of Langetoft, rector of Suthikam	SC 10/4/158
Thomas of Wouldham, bishop of Rochester	Robert, rector of St Mary in Hoo Peter of Fangfoss, vicar of Ealding	SC 10/3/148 <i>and</i> SC 10/4/153
Simon of Ghent, bishop of Salisbury	Richard of Battle Hugh of Spineto, canon of Salisbury	SC 10/4/163
William Greenfield, archbishop of York	William of Rothewell, rector of Normonton John of Snaynton, rector of Rudstan	SC 10/3/143 <i>Reg. Greenfield</i> , vol. 5, p. 42
Richard of Clive, abbot of Abingdon	John of Blebury	SC 10/4/154
Richard of Sutton, abbot of Barlings	Robert Serll, rector of West Rosen Elias of Wetheley	SC 10/4/155
Abbot of Beaulieu	Henry of Grundewell	SC 10/3/133

Adam Brokenborough, abbot of Cirencester	John Adam le Mareschal Robert of Aston	SC 10/3/139
John of Brokehampton, abbot of Evesham	William of Cheriton, cellarer of Evesham Thomas of Evesham	SC 10/4/174
Abbot of Hailes	Thomas of Evesham Richard of Foxcote	SC 10/3/142
Geoffrey of Ferringes, abbot of Hyde near Winchester	Michael of Aulton Hugh of Ashridge	SC 10/4/165
William of Badminton, abbot of Malmesbury	John of Bray	SC 10/4/170
William of Herwynton, abbot of Pershore	Robert of la Felde Robert of Alureston	SC 10/4/169
Godfrey of Crowland, abbot of Peterborough	Thomas of Langtoft Stephen of ? [<i>document is damaged</i>]	SC 10/3/140
John of Sawtry, abbot of Ramsey	Simon of Eye William of Corton	SC 10/3/137
Henry, abbot of Rievaulx	Thomas Kileber	SC 10/4/164
Ralph of Burne, abbot of St Augustine's, Canterbury	Richard of Canterbury	SC 10/4/166
Walter of Huntingfeld, abbot of St John's, Colchester	Matthew of Alneto	SC 10/4/167
Henry of Broke, abbot of St Benet of Holme	Robert of Smaleberghe	SC 10/3/141
Alan of Nesse, abbot of St Mary's, York	John of Snaynton John of Airmyn	SC 10/4/175

John Thoky, abbot of St Peter's, Gloucester	Thomas of Portington John of Staunton	SC 10/3/150A
Simon of Scarborough, abbot of Selby	Robert of Alkeburgh Thomas of Nona Haya	SC 10/4/160
Thomas of Sherborne, abbot of Winchcombe	Hugh of Bristol William of Gloucester, cellarer of Winchcombe William of Bosto	SC 10/3/135 SC 10/3/136
Prior of St John of Jerusalem	Richard of Leicester	SC 10/4/152
Philip of Burton, Master of Sempringham	Gilbert of Thedelthorp	SC 10/3/144
Dean and Chapter of York	Adam of Osgodby Robert of Bardelby John of Merkyngfeld	SC 10/4/171
Prior and Chapter of Canterbury	H of St Margaret's G of Bisoppestone	<i>PW</i> , II.ii, 139 Denton and Dooley, p. 109
Subprior and Chapter of Bath	Thomas of Malmesbury	SC 10/4/176 Denton and Dooley, p. 109
Chapter of Carlisle	John of Crosseby Robert of Santford	SC 10/3/146 Denton and Dooley, p. 109
Chapter of St Asaph	Richard of Oswestry	SC 10/4/162 Denton and Dooley, p. 109
Chapter of St Davids	Gilbert of Mosselwik Walter of la Hulle	SC 10/3/145 Denton and Dooley, p. 109

Archdeacon and Clergy of Carlisle diocese	Hugh of Burgo, rector of Brough Robert of Appelby	SC 10/4/157 Denton and Dooley, p. 109
Clergy of Rochester diocese	Robert, rector of Blessed Mary Hoo Peter of Fangefoss, vicar of Yalding	SC 10/3/149 Denton and Dooley, p. 109
Clergy of York diocese	William of Rothewell, rector of Normanton John of Snaynton, rector of Rudston	SC 10/4/161 Denton and Dooley, p. 109
<i>January 1316, Lincoln</i>		
Walter Langton, bishop of Coventry and Lichfield	Robert of Weston	SC 10/5/222
John Ketton, bishop of Ely	Geoffrey of Pakenham Thomas of Foxton Gilbert of Grectone	SC 10/4/189 <i>and</i> SC 10/4/190
Richard Swinfield, bishop of Hereford	Robert of Ikelesham, canon of Hereford	SC 10/4/177
John Dalderby, bishop of Lincoln	Henry of Benyngworth Thomas of Bray Hugh of [<i>hole in document</i>] Thomas of Langetoft	SC 10/4/196
John of Monmouth, bishop of Llandaff	Richard of Melton, canon of Llandaff	SC 10/4/200 <i>and</i> SC 10/5/221
Gilbert Segrave, bishop of London	Stephen of Segrave, archdeacon of Essex	SC 10/4/182 <i>and</i> SC 10/5/225
Thomas of Wouldham, bishop of Rochester	Peter of Fangfoss William of Burton	SC 10/5/224 <i>and</i> SC 10/5/226

Walter Maidstone, bishop of Worcester	William of Birston, archdeacon of Gloucester Robert of Pirrtone	SC 10/5/201
John of Sutton, abbot of Abingdon	John of Blebury	SC 10/5/204
Richard of Sutton, abbot of Barlings	John of Hornley	SC 10/5/220
Abbot of Beaulieu	Henry, abbot of Revesby	SC 10/5/205
Richard of Draughton, abbot of Bury St Edmunds	William Stow William of Clif	SC 10/5/218
Adam Brokenborough, abbot of Cirencester	William Savage	SC 10/5/215
John of Brokehampton, abbot of Evesham	William of Chyrinton, cellarer of Evesham Thomas of Evesham	SC 10/4/185
Geoffrey of Fromond, abbot of Glastonbury	William of Selton Richard of Birlaunde William of Stapelton	SC 10/5/209
Abbot of Hailes	Thomas of Englham, rector of Rishanger Roger of Newcastle	SC 10/4/188
Geoffrey of Ferringes, abbot of Hyde near Winchester	Richard of ?Taitoite?	SC 10/4/199
William of Badminton, abbot of Malmesbury	John of Braye	SC 10/5/216
William of Herwynton, abbot of Pershore	Clement of Paston	SC 10/5/211
Godfrey of Crowland, abbot of Peterborough	Robert of Thornton Thomas Sorel of Colingham	SC 10/4/178

John of Sawtry, abbot of Ramsey	Simon of Eye	SC 10/5/212
Nicholas of Quappelade, abbot of Reading	William of Oterhampton	SC 10/5/217
Thomas, abbot of Rievaulx	William	SC 10/4/194
Hugh of Eversden, abbot of St Albans	William of Kirkby, prior of cell of Beauner John of la Haie	SC 10/4/187
Ralph of Burne, abbot of St Augustine's, Canterbury	Richard of Airmy Thomas of Brayton	SC 10/5/202
Henry of Broke, abbot of St Benet of Holme	Reginald of Bliclingg	SC 10/4/179
Walter of Huntingfield, abbot of St John's, Colchester	Roger of Ribbesthorp	SC 10/5/206
Alan of Nesse, abbot of St Mary's, York	Adam of Thwens William of Bampton	SC 10/5/207
John Thoky, abbot of St Peter's, Gloucester	Robert of Pirton Thomas of Portington	SC 10/5/214
Simon of Scarbrough, abbot of Selby	John of Alkebarow Thomas of Brayton	SC 10/5/208
John of Southbury, abbot of Stanley	John of Bray	SC 10/5/227
William Clopton, abbot of Thorney	William Harel	SC 10/4/184
Thomas of Glanford Bridge, abbot of Thornton	Richard of Carleton	SC 10/5/210
Abbot of Waltham	Roger of Sutton, rector of Bulseen Walter of St Albans	SC 10/4/186

Richard of Idbury, abbot of Winchcombe	John of Cirencester Thomas of Evesham	SC 10/5/219
Robert of Helpston, prior of Carlisle	<i>No Proctor appointed</i>	SC 10/4/180
Prior and Chapter of Durham	John of Outrewyk Robert of Tymporon	SC 10/4/191 <i>and</i> SC 10/4/192
John of Monte Martini, prior of Lewes	John of Tarring	SC 10/5/223
Hamo de Hethe, prior of Rochester	William of Dene John Bernard	SC 10/4/197
Subprior and Chapter of Rochester	William of Dene John Bernard	SC 10/4/183 Denton and Dooley, p. 110
Roger of Wesenham, archdeacon of Rochester	Peter of Fangfoss, vicar of Yelding	SC 10/4/198
Chapter of Ely	Geoffrey of Pakenham Gilbert of Grittone, rector of Bluntisham	Denton and Dooley, p. 110
Chapter of Lincoln	Thomas of Langetoft, canon of Lincoln	SC 10/5/203 Denton and Dooley, p. 110
Chapter of St Asaph	Richard of Oswestry	SC 10/4/195 Denton and Dooley, p. 110
Chapter of St Davids	Matthew of Shireford, canon of Abergwili	SC 10/5/213 Denton and Dooley, p. 110
Chapter of York	John of Hustwatt, canon of York Robert of Cotingham, canon of York Nicholas of Ros, canon of York	SC 10/4/193 Denton and Dooley, p. 110

Clergy of Rochester diocese	Peter of Fangfoss, vicar of Yalding William of Burton, vicar of Cobham	SC 10/4/181 Denton and Dooley, p. 110
 <i>October 1318, York</i>		
Einion Sais, bishop of Bangor	Howel ap Ithel, canon of St Asaph Richard of Melton, canon of Bangor	SC 10/5/250
Adam Orleton, bishop of Hereford	Richard of Burton	SC 10/6/260
John Dalderby, bishop of Lincoln	Thomas of Langtoft, canon of Lincoln	SC 10/5/249
John of Sutton, abbot of Abingdon	John of Blebury	SC 10/5/238
Abbot of Burton-upon-Trent	William of Mosebert	SC 10/5/235
Richard of Draughton, abbot of Bury St Edmunds	Roger of Tostok Richard Gode	SC 10/5/230
William of Huntingdon, abbot of Croxton	William of Brackleye	SC 10/5/244
Simon of Luffenham, abbot of Crowland	John of Crosseby John of St Paul's	SC 10/5/229
William of Cheriton, abbot of Evesham	Thomas of Evesham Walter of Blythe	SC 10/5/231
John of Cockerham, abbot of Furness	Thomas of Homeby Roger le Messenger	SC 10/6/262
William of Odiham, abbot of Hyde near Winchester	William Fynamour	SC 10/6/261

William of Badminton, abbot of Malmesbury	John of Bray Richard of Wellington	SC 10/5/236
William of Herwynton, abbot of Pershore	Hugh of Martle Richard of Norton near Bromsgrove	SC 10/5/237
Godfrey of Crowland, abbot of Peterborough	Robert of Thornton, sacristan of Peterborough Thomas Sorel	SC 10/5/240
Simon of Eye, abbot of Ramsey	John of Grendon John of Chevingdon	SC 10/5/239
Richard, abbot of Rievaulx	John of Marton William of Bardelby	SC 10/6/262A
Ralph of Burne, abbot of St Augustine's, Canterbury	William of Herlaston Thomas of Brayton	SC 10/5/5/233 SC 10/5/5/234
Henry of Broke, abbot of St Benet of Holme	John of Norton John le Claver	SC 10/6/259
John Thoky, abbot of St Peter's, Gloucester	Thomas of Evesham Thomas of Portynten	SC 10/5/253 SC 10/6/256B
Simon of Scarborough, abbot of Selby	William of Doncaster	SC 10/5/243
Thomas of Glanford Bridge, abbot of Thornton	Nicholas of Lyndewod	SC 10/5/242
William of Curtlington, abbot of Westminster	John of Braysen John of Ildes	SC 10/5/241
Philip of Barton, archdeacon of Surrey	John of Malmesbury John of Micheldeuie	SC 10/6/251

Dean and Chapter of Bangor	Howel ap Ithel, canon of St Asaph Richard of Melton, canon of Bangor	SC 10/6/252 Denton and Dooley, p. 110
Prior and Chapter of Canterbury	G. of Bramton	Denton and Dooley, p. 110
Chapter of Durham	Emericus of Lumley	SC 10/6/258 Denton and Dooley, p. 110
Prior and Chapter of Ely	Ralph Olyver, rector of Malton Henry Thrippelawe	SC 10/5/245 Denton and Dooley, p. 110
Chapter of Winchester	John of Malmesbury	SC 10/6/256 Denton and Dooley, p. 110
Clergy of Durham archdeaconry	Elias of Colsull, rector of Seaham	SC 10/6/256A Denton and Dooley, p. 110
Clergy of Ely	Ralph Oliver, rector of Malton Henry Thrippelawe	SC 10/6/257 Denton and Dooley, p. 110
Clergy of Surrey archdeaconry (Winchester diocese)	John of Malmesbury	SC 10/5/247 Denton and Dooley, p. 110
Clergy of Winchester archdeaconry	John of Mucheldenere, rector of Chilcombe	SC 10/5/248 Denton and Dooley, p. 110
Clergy of York	John of Skyrne, rector of Marton John of Lutton, rector of half of Rillington	SC 10/6/255 Denton and Dooley, p. 110

May 1319, York

Einion Sais, bishop of Bangor	Howel of Hengylffylde, canon of St Asaph	SC 10/7/302
John Drokensford, bishop of Bath and Wells	William of Whetelay	SC 10/6/279
Walter Reynolds, archbishop of Canterbury	John Hotham, bishop of Ely John Sandale, bishop of Winchester	SC 10/6/282
Louis de Beaumont, bishop of Durham	Michael of Harclay Philip of Nassington	SC 10/6/295
John Dalderby, bishop of Lincoln	John Stratford Simon le Chamberleyn Thomas of Langetoft, canon of Lincoln	SC 10/6/297
John of Monmouth, bishop of Llandaff	<i>No proctor appointed</i>	SC 10/6/287
Dafydd ap Bleddyn, bishop of St Asaph	Hugh ap Iohel, canon of St Asaph	SC 10/6/286
David Martin, bishop of St Davids	Philip, archdeacon of St Davids	SC 10/6/283
Roger Martival, bishop of Salisbury	Robert of Ayleston, rector of Borlonde	SC 10/6/278
Thomas Cobham, bishop of Worcester	Thomas of Evesham, rector of Baddeby John of Stratford	SC 10/6/300 SC 10/7/301
Abbot of Barlings	William of Houdene	SC 10/6/268
Abbot of Burton-on-Trent	William of Herlaston William of Museberd	SC 10/6/271

Richard of Draughton, abbot of Bury St Edmunds	Thomas of Wilborgham Nicholas le Gode	SC 10/6/269
Adam Brokenborough, abbot of Cirencester	Thomas of Evesham John of Evesham	SC 10/6/270
Walter of Cokewold, abbot of Fountains	John of Howyngham	SC 10/6/285
Geoffrey of Fromond, abbot of Glastonbury	John of Bray John of Kingsbury William of Selton	SC 10/6/298
Abbot of Hailes	Richard of Norton	SC 10/6/267
Abbot of Hyde near Winchester	Henry of Clif	SC 10/6/291
William of Herwynton, abbot of Pershore	John le Botlyer of Lutetone John le Bruny of Belbroughton	SC 10/6/288
Godfrey of Crowland, abbot of Peterborough	Thomas Sorel of Coingham	SC 10/6/274
William, abbot of Rievaulx	John of Marton	SC 10/6/273
Ralph of Burne, abbot of St Augustine's, Canterbury	Richard of Canterbury William of Cotes	SC 10/6/275
Henry of Broke, abbot of St Benet of Holme	John of Norton William of Bestone	SC 10/6/292
Walter of Huntingfeld, abbot of St John's, Colchester	Elias of Whateleye Robert of Ryliston	SC 10/6/294
John Thoky, abbot of St Peter's, Gloucester	Adam of Egisfeld Thomas of Portynton	SC 10/6/272

Thomas of Glanford Bridge, abbot of Thornton	Nicholas of Lindewoddd	SC 10/6/284
William of Curtlington, abbot of Westminster	John of Bray Henry of Seleby	SC 10/6/277
Richard of Idbury, abbot of Winchcombe	Thomas of Evesham John of Evesham John Paynel	SC 10/6/266
Hugh of Statherne, archdeacon of Gloucester	John of Statherne	SC 10/6/298A
Prior and Chapter of Canterbury	Adam Murimuth G. de Bramton	<i>PW</i> , II.ii, 199 Denton and Dooley, p. 111
Chapter of Durham	Richard of Eryum Emericus of Lummely Robert of Tymparoun	SC 10/6/299 Denton and Dooley, p. 111
Chapter of St Davids	Philip, archdeacon of St Davids	SC 10/6/296 Denton and Dooley, p. 111
Richard of Enford, prior of Winchester	Geoffrey of Wileford	SC 10/5/232
Chapter of Worcester	John of Sancto Briavello Thomas of Evesham	SC 10/6/290 Denton and Dooley, p. 111
Chapter of York	John of Brotherton, chamberlain	SC 10/6/293 Denton and Dooley, p. 111
Clergy of Carlisle	Robert of Southayk Henry of Rillington	SC 10/6/264 Denton and Dooley, p. 111
Clergy of Durham	Elias of Colsull, rector of Seaham Richard of Meburn	SC 10/6/289 Denton and Dooley, p. 111

Clergy of Gloucester archdeaconry	John of <i>[partially illegible]</i> cothem	SC 10/6/263 Denton and Dooley, p. 111
Clergy of St Davids	Philip, archdeacon of St Davids William of la Roche	SC 10/6/265 Denton and Dooley, p. 111
Clergy of York	Thomas of Cane William of Twyforde	SC 10/6/276 Denton and Dooley, p. 111
<i>January 1320, York</i>		
Stephen Gravesend, bishop of London	Robert of Baudak, archdeacon of Middlesex	<i>Reg. London</i> , p. 216
Roger Martival, bishop of Salisbury	Robert of Ayleston, bishop's steward	<i>Reg. Martival</i> , vol. 2, pp. 254-55
<i>July 1321, Westminster</i>		
Einion Sais, bishop of Bangor	Richard of Oswestry David of Buelli	SC 10/7/313
John Halton, bishop of Carlisle	Hugh, rector of Burgo sub Mora Robert of Sandforth	SC 10/7/324
Abbot of Barlings	Thomas of Tynton John of Enderby	SC 10/7/323
Abbot of Burton-upon-Trent	William of Herlaston John of Herlaston	SC 10/7/333
Richard of Draughton, abbot of Bury St Edmunds	William of Gemingham Nicholas le Gode	SC 10/7/315

Richard of Charlton, abbot of Cirencester	Philip of Westone Thomas of Evesham	SC 10/320
Simon of Luffenham, abbot of Crowland	John of Crosseby Nicholas of Spalding	SC 10/7/314
William of Cheriton, abbot of Evesham	Thomas of Evesham William of Bosco John of Stow	SC 10/7/309 SC 10/7/327
John of Cockerham, abbot of Furness	William Bartel [Roger] le Messenger	SC 10/7/307
Geoffrey of Fromond, abbot of Glastonbury	William of Selton	SC 10/7/330
Abbot of Hailes	Thomas of Evesham	SC 10/7/332
Walter of Fifield, abbot of Hyde near Winchester	Richard Genet	SC 10/7/316
Adam of Boothby, abbot of Peterborough	William of Ayschby William of Catteworth	SC 10/7/306
Simon of Eye, abbot of Ramsey	John of Grendon William of Corton John of Chetingdon	SC 10/7/305
Ralph of Burne, abbot of St Augustine's, Canterbury	Richard of Canterbury William of Cotes	SC 10/7/310
Henry of Broke, abbot of St Benet of Holme	Thomas of Tudenham Adam of Fincham	SC 10/7/331
Alan of Nesse, abbot of St Mary's, York	William of Brampton Richard of Pickering	SC 10/7/321

John Thoky, abbot of St Peter's, Gloucester	Thomas of Bradwell Thomas of Escrik	SC 10/7/329
Simon of Scarborough, abbot of Selby	Thomas of Drayton	SC 10/7/328
Thomas of Glanford Bridge, abbot of Thornton	Peter of Ludyington William of Brocklousby	SC 10/7/334
Richard of Idbury, abbot of Winchcombe	John of Renham John of Bradewas William of Bosco	SC 10/7/311
Philip of Burton, Master of Sempringham	Gilbert of Thetelthorp	SC 10/7/312
Robert of Torveston, prior of St Frideswide, Oxford	Hugh of Compton	SC 10/7/319
Prior and Chapter of Canterbury	William of Ledeb	<i>PW</i> , II.ii, 237 Denton and Dooley, p. 112
Prior and Chapter of Ely	John of Conington Henry of Thrippelowe	SC 10/7/325
Subprior and Chapter of Bath	John of Shoreditch	SC 10/7/335 Denton and Dooley, p. 112
Dean and Chapter of Wells	John of Bruton, canon of Wells Richard of Plumstock, canon of Wells	Denton and Dooley, p. 112
Chapter of Norwich	Ralph of Moueslee J. of Clipesby	Denton and Dooley, p. 112
Chapter of St Asaph	Hugh ap Ithel	SC 10/7/308 Denton and Dooley, p. 112

Chapter of Worcester	John Geraud	SC 10/7/318 WCL, <i>Liber Albus</i> , f. 101r Denton and Dooley, p. 112
Clergy of Winchester archdeaconry	Nicholas of Middelstone	Denton and Dooley, p. 112
Clergy of York	John of Nassington, rector of Kirkton William of Wyntringham, rector of St George's	SC 10/7/336 Denton and Dooley, p. 112
<i>May 1322, York</i>		
Roger of Northburgh, bishop of Coventry and Lichfield	Robert of Baldock, archdeacon of Middlesex William of Airmyn, canon of Lichfield	SC 10/8/369
John of Monmouth, bishop of Llandaff	<i>No proctors appointed</i>	SC 10/8/374
David Martin, bishop of St Davids	David Fraunceys, rector of Villa Johannis in Ros	SC 10/8/358 SC 10/8/377
Roger Martival, bishop of Salisbury	Robert of Ayleston John of Blebury	SC 10/8/389
John of Sutton, abbot of Abingdon	Robert of Ayliston, canon of Salisbury	SC 10/8/385
Thomas of Edenham, Abbot of Barlings	Thomas of Tynton Richard of Enderby	SC 10/8/352
Abbot of Buckland	Richard of Chissebech John of Weth	SC 10/8/351
Richard of Draughton, abbot of Bury St Edmunds	Stephen of Holecote	SC 10/7/337

Richard of Charlton, abbot of Cirencester	Philip of Weston Richard of Airmyn	SC 10/7/349
Simon of Luffenham, abbot of Crowland	John of Conyngton John Crosseby Robert of Granchester	SC 10/8/354 SC 10/8/355
William of Brackleye, abbot of Croxton	William of Luttheburgh	SC 10/8/360
William of Cheriton, abbot of Evesham	John of Stow Thomas of Evesham	SC 10/7/346
John le Orefreiser, abbot of Faversham	William of Bordenne, rector of Stokebury	SC 10/8/393
Geoffrey of Fromond, abbot of Glastonbury	Richard of Rodeneye	SC 10/8/386
Abbot of Hailes	Peter of Eggeswurth	SC 10/7/338
Walter of Fifield, abbot of Hyde near Winchester	Richard of Bartone	SC 10/8/391
Walter, abbot of Kirkstall	Simon	SC 10/7/345
Roger of Derteford, abbot of Lesnes	Thomas of Hethe William of Dene	SC 10/8/396 SC 10/8/398
William of Badminton, abbot of Malmesbury	John of Bray William le Messenger	SC 10/7/340
Abbot of St James's, Northampton William of Herwynton, abbot of Pershore	Henry of Blithesworth Clement of Hampton Hugh of Hull	SC 10/8/372 SC 10/7/339
Adam of Boothby, abbot of Peterborough	Gilbert of Aslokby William of Aysheby	SC 10/7/342

Simon of Eye, abbot of Ramsey	John of Grendon Robert of Nassington William of Leicester John of Chetingdon	SC 10/7/347
Nicholas of Quappelade, abbot of Reading	Adam of Gatesheud William of Coleshulle	SC 10/8/353
Edmund Knowle, abbot of St Augustine's, Bristol	John of Bray	SC 10/8/394
Ralph of Burne, abbot of St Augustine's, Canterbury	Solomon of Rypple William of Cotes	SC 10/8/379
Henry of Broke, abbot of St Benet of Holme	John of Erpingham William of Tutincton	SC 10/8/378
Abbot of Sherbourne	Thomas of Staunton	SC 10/8/375
John of Southbury, abbot of Stanley	John of Bray Thomas of Staunton	SC 10/8/362 SC 10/8/399
Walter Clopton, abbot of Thorney	William Harel John of Luffewyk	SC 10/7/348
Thomas of Glanford Bridge, abbot of Thornton	Peter of Ludington William of Braculousby	SC 10/8/356
Abbot of Waltham	Richard of Hertford Edmund of Grimsby	SC 10/8/368
John of Nottingham, abbot of Welbeck	Henry of Edenstowe	SC 10/8/365
Richard of Idbury, abbot of Winchcombe	William of Albenhale William of Bradewell	SC 10/7/343

Robert of Clopcote, prior of Bath	John of Shoreditch John of Bath	SC 10/8/364
Robert of Scarborough, prior of Bridlington	Geoffrey of Boulton, cellarer of Bridlington	SC 10/7/344
Prior and Chapter of Canterbury	M.A. de Brugg Richard of Brenchesle	<i>PW</i> , II.ii, 247 Denton and Dooley, p. 113
Geoffrey of Burdon, prior of Durham	John of Outrewyk John	SC 10/8/366
Prior and Chapter of Ely	John of Conigtone John of Spaneby Nicholas of Stokton	SC 10/8/359 SC 10/8/392 Denton and Dooley, p. 113
John of Speldherst, prior of Rochester	William of Dene	SC 10/8/370
Wulstan of Bransford, prior of Worcester	Thomas of Evesham John of Evesham	SC 10/8/390
Subprior and Chapter of Bath	Philip of Bath	SC 10/8/361 Denton and Dooley, p. 113
Subprior and Chapter of Rochester	Thomas of Hethe John of Faversham	SC 10/8/380 Denton and Dooley, p. 113
John of Sancto Leopardo, dean of Chichester	Ralph Pany	SC 10/8/395
Philip Howel, archdeacon of Brecon	David Fraunceys	SC 10/8/387
Archdeacon of Carmarthen	David Fraunceys, rector of Villa Johannis in Ros	SC 10/8/373
Philip, archdeacon of Cardigan	David Fraunceys	SC 10/8/397

Thomas of Goldesburg, archdeacon of Durham	Robert of Kyele John of Polhowe, dean of collegiate church of Chester and Lancaster	SC 10/8/382
Philip of Lung, archdeacon of St Davids	David Fraunceys	SC 10/8/376
Chapter of Durham	John of Outrewyk John of A	SC 10/8/388 Denton and Dooley, p. 113
Chapter of St Davids	David Fraunceys, rector of Johnstown	SC 10/8/358 Denton and Dooley, p. 113
Chapter of Salsbury	John of Everdone, canon of Salisbury Robert of Worthe, canon of Salisbury William of Salton	SC 10/8/384 Denton and Dooley, p. 113
Chapter of Winchester	Geoffrey of Wyleford John of Sycom	SC 10/7/341 Denton and Dooley, p. 113
Chapter of Worcester	Richard of Haukeslowe Henry of Ouleye	SC 10/8/371 <i>WCL, Liber Albus, f. 105r.</i> Denton and Dooley, p. 113
Chapter of York	John of Tinwell, vicar choral of York	SC 10/8/381 Denton and Dooley, p. 113
Clergy of Carlisle diocese	Robert of Suthayk Adam of Appelby	SC 10/8/357 Denton and Dooley, p. 113
Clergy of St Davids diocese	David Fraunceys, rector of Johnstown Philip of Lawhadeyn, rector of Penboyr	SC 10/8/367 Denton and Dooley, p. 113
Clergy of York diocese	John of Skyrne, rector of Marton Simon of Scanes, rector of half of Hutton Buscel	SC 10/7/349 Denton and Dooley, p. 113

November 1322, York

John Halton, bishop of Carlisle	Michael of Harclay Hugh of Burgo William of Kyrkeby	SC 10/9/415
Louis de Beaumont, bishop of Durham	Richard of Erymy, canon of York Michael of Harclay	SC 10/9/420
John of Monmouth, bishop of Llandaff	<i>No proctors appointed</i>	SC 10/9/408
Dafydd ap Bleddyn, bishop of St Asaph	Robert Vaghan, canon of St Asaph Howel ap Houa	SC 10/9/405
Roger Martival, bishop of Salisbury	Robert of Ayleston, canon of Salisbury John of Blebury	SC 10/9/404 <i>Reg. Martival, vol. 3, pp. 101-102</i>
Thomas of Cobham, bishop of Worcester	<i>No proctors appointed</i>	SC 10/9/411
John of Cannynge, abbot of Abingdon	Robert of Ailleston John of Blebury	SC 10/9/401
Richard of Draughton, abbot of Bury St Edmunds	Richard of Foxton John of Hunteton	SC 10/9/421
Richard of Charlton, abbot of Cirencester	William of Airmyrn Thomas of Evesham Walter of Cirencester	SC 10/8/400
Simon of Luffenham, abbot of Crowland	Hugh of Walmisford John of Crosseby Geoffrey Pampilon	SC 10/9/402

William of Cheriton, abbot of Evesham	Ralph of Wylecote Thomas of Evesham	SC 10/9/407
Walter of Taunton, abbot of Glastonbury	William of Selton W de Seles	SC 10/9/417
Abbot of Hyde near Winchester	Robert Tonyld	SC 10/9/406
Adam of Boothby, abbot of Peterborough	Gilbert of Aslokby Stephen of Aylington	SC 10/9/418
Simon of Eye, abbot of Ramsey	Robert of Nassington William of Leicester Roger Hillary	SC 10/9/403
Nicholas of Quappelade, abbot of Reading	Adam of Gatesheued	SC 10/9/413
Hugh of Eversden, abbot of St Albans	William of Leicester Ralph of Dalton	SC 10/9/412
Ralph of Burne, abbot of St Augustine's, Canterbury	Thomas of Faversham William of Reculver	SC 10/9/409
Henry of Broke, abbot of St Benet of Holme	Adam of Fincham William of Tutincton	SC 10/9/419
Walter of Huntingfeld, abbot of St John's, Colchester	John of Crosseby	SC 10/9/414
Reynold of Water Newton, abbot of Thorney	John of Stanford John of Luffewyk	SC 10/9/410
William of Curtlington, abbot of Westminster	Robert of Beby	SC 10/9/416

February 1324, Westminster

Einion Sais, bishop of Bangor	Stephen of Kettleburyyy David of Buelli, canon of Bangor	SC 10/9/441
John Halton, bishop of Carlisle	William of Kendale, rector of Salkeld Robert of Tymparon, rector of Lenington	SC 10/9/438
Dafydd ap Bleddyn, bishop of St Asaph	Henry of Clif Richard of Oswestry	SC 10/9/444
Roger Martival, bishop of Salisbury	<i>No proctors appointed</i>	<i>Reg. Martival, vol. 2, pp. 436-37</i>
Thomas of Edenham, abbot of Barlings	Thomas of Tynton Richard of Bolyngbrok	SC 10/9/440
Richard of Charlton, abbot of Cirencester	William Hereward Adam of Aymynne	SC 10/9/436
Simon of Luffenham, abbot of Crowland	Robert of Peterborough Robert of Grancestr, abbot's seneschal	SC 10/9/426
Adam of Sudbury, abbot of Glastonbury	William of Selton	SC 10/9/430
Walter of Fifield, abbot of Hyde near Winchester	Richard Benet	SC 10/9/428
William of Badminton, abbot of Malmesbury	Philip of Bath Henry of Lamelegh	SC 10/9/429
Adam of Boothby, abbot of Peterborough	Stephen of [<i>part of document is torn away</i>]	SC 10/9/427
Ralph of Burne, abbot of St Augustine's, Canterbury	William of Tilmanstone William of Cotes	SC 10/9/446

Henry of Broke, abbot of St Benet of Holme	Reginald of Blulingg Robert of Spaunton	SC 10/9/442
Alan of Nesse, abbot of St Mary's, York	Hugh of Burgo Richard of Pickering	SC 10/9/449
John Thoky, abbot of St Peter's, Gloucester	Hugh of Harsfeld	SC 10/9/445
Walter of Huntingfeld, abbot of St John's, Colchester	John of Sculthorp	SC 10/9/424
John of Wystow, abbot of Selby	Richard of Athelingflet Peter of Ludington	SC 10/9/431
Reynold of Water Newton, abbot of Thorney	Walter of Wermington Thomas, rector of St Gildlasi of Estdeping John of Islep	SC 10/9/425
William Grasby, abbot of Thornton	William of Broclonsby Edmund of Grimsby	SC 10/9/448
Prior of Carlisle	Robert of Sandford	SC 10/9/433
Henry of Leicester, prior of Coventry	Richard of Kyngton Roger Hillary	SC 10/10/451
William of Couton, prior of Durham	Thomas of Hepscofs John of Halnatheby	SC 10/9/422
Wulstan of Bransford, prior of Worcester	Robert of Hemeltone Simon of Evesham	SC 10/9/434
Dean and Chapter of Bangor	Madoc de Engelfeld David of Buelli	SC 10/9/443 <i>PW</i> , II.ii, 293 Denton and Dooley, p. 114

Prior and Chapter of Canterbury	William of Ledeburi, cellarer of Canterbury	<i>PW</i> , II.ii, 294 Denton and Dooley, p. 114
Dean and Chapter of York	Henry of Cliff Gilbert of Bruerio	SC 10/9/437 <i>PW</i> , II.ii, 294-95 Denton and Dooley, p. 114
Chapter of Carlisle	John of Capella of Carlisle	SC 10/9/435 <i>Reg. Halton</i> , vol. 2, p. 234 <i>PW</i> , II.ii, 295 Denton and Dooley, p. 114
Chapter of Durham	Thomas of Hepscot John of Halmatheby	<i>PW</i> , II.ii, 294 Denton and Dooley, p. 114
Chapter of Lichfield	Philip of Turwill, canon of Lichfield Gilbert of Bruera, canon of Lichfield Geoffrey of Eyton, canon of Lichfield Thomas of Astel, canon of Lichfield	Denton and Dooley, p. 114
Chapter of Lincoln	John of Harington, canon of Lincoln Geoffrey of Eyton, canon of Lincoln William of Weston, canon of Lincoln Robert of Luda Adam of Bisocampo	Denton and Dooley, p. 114
Chapter of Norwich	John of Clipsby John of Berton Adam of Flicham	<i>PW</i> , II.ii, 295 Denton and Dooley, p. 114
Chapter of St Asaph	Richard [<i>Illegible</i>] [<i>Illegible</i>]	SC 10/9/439 <i>PW</i> , II.ii, 293 Denton and Dooley, p. 114

Chapter of Worcester	Robert of Clifton	SC 10/9/447 <i>PW</i> , II.ii, p. 295 Denton and Dooley, p. 114
Clergy of Carlisle diocese	W of Kendale, rector of Salkeld John of Mereborn, rector of Long Marton	SC 10/9/450 <i>Reg. Halton</i> , vol. 2, p. 235 <i>PW</i> , II.ii, 299 Denton and Dooley, p. 114
Clergy of Berkshire archdeaconry	John of Legh, rector of Uffington	<i>Reg. Martival</i> , vol. 2, p. 436 Denton and Dooley, p. 114
Clergy of Dorset, Salisbury and Wiltshire archdeaconries	John of Tarente, rector of Berwick St John Walter of Houghton, rector of Sherston	<i>Reg. Martival</i> , vol. 2, p. 436 Denton and Dooley, p. 114
<i>October 1324, Westminster</i>		
Adam of Boothby, abbot of Peterborough	Stephen of Aylington	SC 10/10/453
Ralph of Burne, abbot of St Augustine's, Canterbury	Robert of Fekenham William of Cotes	SC 10/10/452
<i>June 1325, Westminster</i>		
Einion Sais, bishop of Bangor	Matthew of Englefield David of Buelli	SC 10/10/458
Dafydd ap Bleddyn, bishop of St Asaph	Matthew of Englefield John of Horneby	SC 10/10/471
Richard of Draughton, abbot of Bury St Edmunds	John of Cavenham	SC 10/10/463

Richard of Charlton, abbot of Cirencester	Ralph of Escote Robert [<i>document is stained</i>]	SC 10/10/457
Henry of Casewick, abbot of Crowland	John of Crosseby Hasculphus of Whitewell	SC 10/10/459
William of Cheriton, abbot of Evesham	Peter of Wyk, cellarer of Evesham Thomas of Evesham	SC 10/10/462
Adam of Sudbury, abbot of Glastonbury	William of Seltone John of Griggewat	SC 10/10/455
Walter of Fifield, abbot of Hyde near Winchester	Richard Benet	SC 10/10/464
Adam of Boothby, abbot of Peterborough	Thomas of Sibthorp Stephen of Aylington	SC 10/10/460
Simon of Eye, abbot of Ramsey	John of Burgh William of Corton William of Leicester John of Clayton	SC 10/10/456
Ralph of Burne, abbot of St Augustine's, Canterbury	Robert of Fekenham William of Cotes	SC 10/10/466
Walter of Huntinfield, abbot of St John's, Colchester	John Parles of Colchester	SC 10/10/461
Alan of Nesse, abbot of St Mary's, York	Richard of Pickering Adam of Bonay	SC 10/10/469
John Thoky, abbot of St Peter's, Gloucester	Hugh of Harsfeld	SC 10/10/467

John of Wystow, abbot of Selby	Thomas of Brayton Jocm de Billingburgh Richard of Ayremynne	SC 10/10/470 SC 10/10/472
Reynold of Water Newton, abbot of Thorney	Thomas, rector of Estdepping John of Islep John of Luffewyk	SC 10/10/468
William Grasby, abbot of Thornton	Peter of Ludyngton Edmund of Grimsby	SC 10/10/465
Henry of Leicester, prior of Coventry	Richard Hillary Roger	SC 10/10/454
<i>November 1325, Westminster</i>		
Einion Sais, bishop of Bangor	Madoc de Englyfeld David of Buelli	SC 10/10/490
Louis de Beaumont, bishop of Durham	Roger of Waltham, canon of St Paul's, London Mausam Marmyon, rector of Stanhop	SC 10/10/498
Dafydd ap Bleddyn, bishop of St Asaph	Matthew of Englefield John of Horneby	SC 10/10/495
David Martin, bishop of St Davids	Stephen Nest, canon of Aberwellen	SC 10/11/502
Roger Martival, bishop of Salisbury	William of Lubbenham	SC 10/10/484
Richard of Draughton, abbot of Bury St Edmunds	Robert of Foxton John of Cavenham	SC 10/10/496

Richard of Charlton, abbot of Cirencester	Ralph of Escote John Swayn	SC 10/10/474
Henry of Casewick, abbot of Crowland	John of Crosseby Hasculphus de Whitewell	SC 10/10/485
William of Cheriton, abbot of Evesham	Peter of Wayk Thomas of Evesham	SC 10/10/492
Adam of Sudbury, abbot of Glastonbury	William of Selten John of Bridgwater	SC 10/11/507
Abbot of Hyde near Winchester	Richard Benet	SC 10/10/497
Adam of la Hoke, abbot of Malmesbury	John of Tintern Hugh of Lameleghe	SC 10/10/482 SC 10/11/512
Abbot of Peterborough	Thomas of Sibthorp Stephen of Aylington	SC 10/11/504
Ralph of Burne, abbot of St Augustine's, Canterbury	Robert of Fekenham William of Cotes William of Raculare	SC 10/10/473
Henry of Broke, abbot of St Benet of Holme	Thomas of Tudenham William of Tutington	SC 10/10/494
Walter of Huntingfeld, Abbot of St John's, Colchester	John Parles	SC 10/10/481
Alan of Nesse, abbot of St Mary's, York	John of Thornton Richard of Pickering	SC 10/10/499
John Thoky, abbot of St Peter's, Gloucester	Hugh of Harsfeld	SC 10/10/483

John of Wystow, abbot of Selby	Thomas of Brayton Hugh of Bordelby John of Bilingburgh	SC 10/11/503
Reynold of Water Newton, abbot of Thorney	Reginald of Leyton John of Luffewyk	SC 10/10/480
Dean of St Asaph	Matthew of Englyfeld, canon of Bangor	SC 10/10/489
Robert of Clopcote, prior of Bath	John of Sevenhampton	SC 10/11/505
Prior and Chapter of Canterbury	J de Maldone S de Sancto Petro	<i>PW</i> , II.ii, 335 Denton and Dooley, p. 115
William of Couton, prior of Durham	Thomas Surtays John of Halnatheby	SC 10/11/501
Prior and Chapter of Ely	Richard of Capmanford William of Burton, rector of Neuton Richard of Copmanford	SC 10/10/475 SC 10/10/500
Wulstan of Bransford, prior of Worcester	Reginald of Evesham	SC 10/10/493
Dean and Chapter of Bangor	David of Buelli, canon of Bangor	SC 10/10/478 Denton and Dooley, p. 115
Subprior and Chapter of Bath	John of Settenhampton	SC 10/11/506 Denton and Dooley, p. 115
Chapter of Durham	Thomas Surtays John of Halnatheby	SC 10/10/476 Denton and Dooley, p. 115
Chapter of Lincoln	John of Hagh, rector of Langton John of Notingham	Denton and Dooley, p. 115

Chapter of St Asaph	Matthew of Englefeld	SC 10/10/491 Denton and Dooley, p. 115
Chapter of St Davids	Stephen Nest, canon of Abergwili	SC 10/10/477 Denton and Dooley, p. 115
Subprior and Chapter of Winchester	Nicholas of Eneford	SC 10/10/487 Denton and Dooley, p. 115
Chapter of Worcester	Thomas of Evesham	SC 10/11/510 Denton and Dooley, p. 115
Chapter of York	Richard of Erime, canon of York Richard of Baldock, canon of York	SC 10/10/488 Denton and Dooley, p. 115
William de la Dene, archdeacon of Rochester	John, rector of Horton	SC 10/10/486
Llywellen ap Hwfa, archdeacon of St Asaph	Matthew of Englefeld	SC 10/10/479
Clergy of Durham diocese	Thomas of Bamburgh, rector of Ovingham John of Pollowe, dean of Lanchester	SC 10/11/511 Denton and Dooley, p. 115
Clergy of London archdeaconry	Hugh of Mortone, rector of Garsington and official of the archdeacon of London Andrew de Offord, commissary general of the official of the archdeacon of London	SC 10/11/508 Denton and Dooley, p. 115
Clergy of Rochester diocese	John Tilbon, vicar of Horton Kirby John of Brampton, vicar of East Greenwich	SC 10/11/509 Denton and Dooley, p. 115

January 1327, Westminster

Prior and Chapter of Canterbury	Geoffrey Poterel Hugh of Bishopstone, archbishop's clerk	Denton and Dooley, p. 115
Prior and Chapter of Ely	Nicholas of Copmanford William of Birton	Denton and Dooley, p. 115

September 1327, Lincoln

Einion Sais, bishop of Bangor	Matthew, archdeacon of Anglesey	SC 10/11/530
John Drokensford, bishop of Bath and Wells	Walter of Hull	SC 10/11/529 <i>Reg. Drokensford</i> , p. 273
Stephen Gravesend, bishop of London	Richard of Brencheslee, canon of London	SC 10/11/535
Hamo Hethe, bishop of Rochester	Thomas of Alkham, rector of Suthflet Thomas of Hethe	SC 10/11/519 SC 10/11/527
Roger Martival, bishop of Salisbury	William of Lubbenham	SC 10/11/526 <i>Reg. Martival</i> , vol. 3, p. 198
Alan of Retlyng, abbot of Battle	John of Battle Thomas Aubrei	SC 10/11/532
Adam of Sudbury, abbot of Glastonbury	Henry of Clif John of Bridgwater	SC 10/11/525
Walter of Fifield, abbot of Hyde near Winchester	Richard Benet	SC 10/11/515

Ralph of Burne, abbot of St Augustine's, Canterbury	Walter of Stourene William of Cotes	SC 10/11/524
Alan of Nesse, abbot of St Mary's, York	Thomas of Dalton Richard of Pickering	SC 10/11/520
John of Wystow, abbot of Selby	Richard of Athelingflet Hugh of Bardelby	SC 10/11/528
Henry of Leicester, prior of Coventry	John of Thoresby Richard of Kyngton	SC 10/11/536
Prior and Chapter of Canterbury	W. of Maydestan Thomas of Stow	Denton and Dooley, p. 116
Chapter of Carlisle	Richard Pyioun	SC 10/11/523 Denton and Dooley, p. 116
Subprior and Chapter of Coventry	John of Thoresby Richard of Kyngton	SC 10/11/522 Denton and Dooley, p. 116
William of Couton, prior of Durham	John of Butrewyk	SC 10/11/533
Chapter of Durham	John of Outrewyk	SC 10/11/518 Denton and Dooley, p. 116
Chapter of Lincoln	Thomas of Luda, treasurer of Lincoln	SC 10/11/521 Denton and Dooley, p. 116
Edmund London, archdeacon of Bedford	John of Martone John	SC 10/11/534

February 1328, York

John Drokensford, bishop of Bath and Wells	Canon Brebanzeon, canon of Wells Canon Bedewynd, canon of Wells H de Fulham	<i>Reg. Drokensford, p. 279</i>
David Martin, bishop of St Davids	Thomas of Cotingham, rector of Angula John of Wittenhulle	SC 10/11/543
Roger Martival, bishop of Salisbury	William of Lubbenham	SC 10/11/542
Richard of Draughton, abbot of Bury St Edmunds	Richard of Herbrigge	SC 10/11/540
Richard of Charlton, abbot of Cirencester	[<i>Names are illegible</i>]	SC 10/11/541
Adam of Sudbury, abbot of Glastonbury	Henry of Clif John of Bridgwater	SC 10/11/537
Edmund Knowle, abbot of St Augustine's, Bristol	Hugh of le Hunt Thomas of Gloucester	SC 10/11/538
Dean and Chapter of Bangor	Madoc, archdeacon of Anglesey Madoc of Eglyfylde	SC 10/11/513 Denton and Dooley, p. 116
Chapter of Durham	John of Outrewyk John of Halnatheby	SC 10/11/539
April 1328, Northampton		
Louis de Beaumont, bishop of Durham	Richard of Wytewerth William	SC 10/11/545

Subprior and Chapter of Rochester	William of Middleton, vicar of Haddenham	SC 10/12/600A Denton and Dooley, p. 116
Dean and Chapter of York	Henry of Clif, canon of York John Giffard, canon of York Nicholas of Hugate, canon of York	SC 10/11/544 Denton and Dooley, p. 116
<i>July 1328, York</i>		
John Drokensford, bishop of Bath and Wells	[<i>No first name given</i>] Brabazon, canon of Wells [<i>No first name given</i>] Bedwynde, canon of Wells	<i>Reg. Drokensford</i> , p. 290
Stephen Gravesend, bishop of London	William of Munden	SC 10/12/551
Dafydd ap Bleddyn, bishop of St Asaph	Henry of Clif Anias of Leicester	SC 10/12/552
Henry Gower, bishop of St Davids	William of Harleston	SC 10/12/555
Roger Martival, bishop of Salisbury	William of Lubbenham	SC 10/12/553 <i>Reg. Martival</i> , vol. 3, p. 208
Richard of Draughton, abbot of Bury St Edmunds	Richard of Herling	SC 10/11/546
Richard of Charlton, abbot of Cirencester	Thomas of Evesham Walter of Anneford	SC 10/11/547
Simon of Eye, abbot of Ramsey	Thomas of [?Evesham] John of Feribi Richard of Styneclo	SC 10/11/550
Richard of Wallingford, abbot of St Albans	Richard of Hedesete Ralph of Dalton	SC 10/12/556

William of Curtlington, abbot of Westminster	William of Harlaston	SC 10/12/554
Prior and Chapter of Ely	William of Barton William of Ayrton Richard of Barton	SC 10/12/558 SC 10/12/559 Denton and Dooley, p. 116
Chapter of York	Richard of Chester, canon of York Richard of Erime, canon of York John Giffard, canon of York	SC 10/12/544
Thomas of Goldesburgh, archdeacon of Durham	William of Hunmanby Richard of Hyde	SC 10/11/549
<i>October 1328, Salisbury</i>		
Matthew of Englefield, bishop of Bangor	Thomas of Capenhurst	SC 10/12/576
John Langton, bishop of Chichester	John of Mitford of Burgh	SC 10/12/567
Louis de Beaumont, bishop of Durham	Richard of Eryom	SC 10/12/579
John Grandisson, bishop of Exeter	John Gloyou William of Nassington, canon of Osmunderlee	SC 10/12/588
John of Ecclescliff, bishop of Llandaff	William of Herlaston, canon of Llandaff	SC 10/12/589
Hamo Hethe, bishop of Rochester	John of Secheford, rector of Faukeham	SC 10/12/571
Dafydd ap Bleddyn, bishop of St Asaph	Henry of Clif Richard of Oswestry	SC 10/12/581

William Melton, archbishop of York	Richard of Airmyn, canon of Lincoln, rector of Elveley Henry of Edenstowe, canon of Southwell Michael of Wath, rector of Wath	SC 10/12/574
Richard of Charlton, abbot of Cirencester	Thomas of Evesham Walter of Anneford	SC 10/12/564
William of Cheriton, abbot of Evesham	Peter of Wyke Thomas of Evesham	SC 10/12/566
Walter of Fifield, abbot of Hyde near Winchester	Richard of la More, rector of Kyngeston Sayntmour	SC 10/12/573
Adam of la Hoke, abbot of Malmesbury	John of Tintem Nicholas Pruet	SC 10/12/570
Adam of Boothby, abbot of Peterborough	Henry of Edenstowe William of Lund	SC 10/12/575
Simon of Eye, abbot of Ramsey	William of Leicestere Thomas of Escrik Nicholas of Stynecle	SC 10/12/563
John of Appleford, abbot of Reading	Adam of Gatesheued	SC 10/12/578
Richard of Wallingford, abbot of St Albans	Richard of Hedersete Simon	SC 10/12/569
John of Aylsham, abbot of St Benet of Holme	Thomas of Egefeld John Claver	SC 10/12/593
Alan of Nesse, abbot of St Mary's, York	John of Thornton	SC 10/12/587
John Wygmore, abbot of St Peter's, Gloucester	Thomas of Evesham	SC 10/12/562

John of Wystow, abbot of Selby	Geoffrey of Gadesby Thomas of Brayton	SC 10/12/595
William of Curtlington, abbot of Westminster	John of Thoth	SC 10/12/565
Dean and Chapter of Bangor	Gernagius, rector of Llangian	SC 10/12/583 Denton and Dooley, p. 116
Prior and Chapter of Ely	Richard of Stocton Richard of Barton	SC 10/12/582 SC 10/12/584
Chapter of Norwich	Roger of Breus William of Airmyn	SC 10/12/586 Denton and Dooley, p. 116
Prior of Norwich	Roger of Breus William of Airmyn	SC 10/12/594
Chapter of St Asaph	Richard of Oswestry, canon of St Asaph	SC 10/12/577 Denton and Dooley, p. 116
Prior of Worcester	John of Stok, rector of Seggesberwe	SC 10/12/591
Dean and Chapter of York	Richard of Hardyng, canon of York Richard of Eryum, canon of York John Giffard, canon of York	SC 10/12/590 Denton and Dooley, p. 116
Adam of Ayremynne, archdeacon of Norfolk	Thomas of Evesham William of Emeldon, rector of Badby	SC 10/12/580
Robert of Wodhous, archdeacon of Richmond	Henry of Edenstowe, canon of Llandaff and Southwell	SC 10/12/592
Adam of Sandwich, archdeacon of Worcester	Thomas of Evesham	SC 10/12/585

Clergy of Worcester archdeaconry	Thomas of Evesham	SC 10/12/572 Denton and Dooley, p. 116
<i>February 1329, Westminster</i>		
Louis de Beaumont, bishop of Durham	Richard of Epium, canon of York Richard of Bynteworth, canon of Oukeland	SC 10/12/597
Dafydd ap Bleddyn, bishop of St Asaph	Aniamus Loyt Thomas of Capenhurst	SC 10/13/602
Henry Gower, bishop of St Davids	Griffin of Cawritton William of Holyntes	SC 10/12/598
Prior of St John of Jerusalem	Thomas of Colt	SC 10/12/596
Chapter of St Asaph	Anian Loyt	SC 10/12/599 Denton and Dooley, p. 116
Dean and Chapter of York	Henry of Clif John Giffard	SC 10/12/600
<i>March 1330, Winchester</i>		
Matthew of Englefield, bishop of Bangor	Thomas of Capenhurst Griffin ap Tudor	SC 10/13/629
Simon Mepham, archbishop of Canterbury	John of Radeswell Laurence Fastolf	SC 10/13/640

John of Ros, bishop of Carlisle	Adam of Staynreise, rector of Wyggeton Thomas of Goldyngton, rector of Musgrave	SC 10/13/638
John Langton, bishop of Chichester	John of Brabazon, canon of Chichester	SC 10/13/625
Thomas Charlton, bishop of Hereford	John of Lancestone John of Bartone	SC 10/13/624
Hamo Hethe, bishop of Rochester	John of Secheford, rector of Faukeham	SC 10/13/619
Dafydd ap Bleddyn, bishop of St Asaph	Kenewrecus Loyt, rector of Lanvey	SC 10/13/634
Roger Martival, bishop of Salisbury	William of Lubbenham	SC 10/13/627
William Melton, archbishop of York	John of Thoresby John of Aton Radulph de Yarwell	SC 10/13/614
Robert of Garford, abbot of Abingdon	Richard of Hildesleye	SC 10/13/626
Alan of Retlyng, abbot of Battle	Elias of Grimsby	SC 10/13/622
Richard of Charlton, abbot of Cirencester	Thomas of Evesham Richard Benet	SC 10/13/613
Adam of Sudbury, abbot of Glastonbury	Henry of Cliff John of Bridgwater	SC 10/13/612
Adam of la Hoke, abbot of Malmesbury	John of Tintem Thomas of Evesham	SC 10/13/609
Adam of Boothby, abbot of Peterborough	Henry of Edenstowe	SC 10/13/618

Simon of Eye, abbot of Ramsey	John of Gretford John of Chetingdon	SC 10/13/604
John of Appleford, abbot of Reading	Adam of Gatesheued	SC 10/13/620
Richard of Wallingford, abbot of St Albans	Adam of Newerk Thomas of Escrik	SC 10/13/615
Ralph of Burne, abbot of St Augustine's, Canterbury	Henry of Edenstowe	SC 10/13/617
John of Aylsham, abbot of St Benet of Holme	John of Norton, rector of Brade le Magna Roger of Merkesdale	SC 10/13/636
Alan of Nesse, abbot of St Mary's, York	Roger of Aselakby Hugh of Amrgh	SC 10/13/611
John Wygmore, abbot of St Peter's, Gloucester	Thomas of Evesham	SC 10/13/621
John of Wystow, abbot of Selby	Thomas of Brayton Hugh of Bardelby	SC 10/13/623
William Grasby, abbot of Thornton	Edmund of Grimsby Thomas of Ulseby	SC 10/13/607
William of Curtlington, abbot of Westminster	John of Tothale John of Michedevre	SC 10/13/606
Prior of St John of Jerusalem	John of Bymbrok Thomas of Collum	SC 10/13/632
Prior of Worcester	Walter of Bradeweeye Adam of Braunfeld	SC 10/13/631
Archdeacon of Brecon		SC 10/13/616

Philip, archdeacon of Cardigan	Griffin de Camton, canon of St Davids	SC 10/13/637
Dean and Chapter of Bangor	William of Werdale, rector of Aberffraw Robert of Biwell, rector of Aber	SC 10/13/628 Denton and Dooley, p. 117
Chapter of St Davids	Gruffinus Cantyton, canon of St Davids	SC 10/13/633 Denton and Dooley, p. 117
Chapter of Worcester	Thomas of Evesham	SC 10/13/608 Denton and Dooley, p. 117
Dean and Chapter of York	Henry of Clyff, canon of York Gilbert of la Bruere, canon of York Nicholas of Ludlowe, canon of York	SC 10/13/630 Denton and Dooley, p. 117
<i>October 1330, Nottingham</i>		
Matthew of Englefield, bishop of Bangor	Thomas of Capenhurst Griffin ap Tudor	SC 10/14/654
Simon Mepham, archbishop of Canterbury	Laurence Fastolf	SC 10/13/649
Louis de Beaumont, bishop of Durham	Richard of Bynteworth	SC 10/13/647
Robert of Garford, abbot of Abingdon	Thomas of Evesham Benedict de Normanton	SC 10/13/650
Richard of Draughton, abbot of Bury St Edmunds	Walter of Pinchebek	SC 10/14/659
Richard of Charlton, abbot of Cirencester	Thomas of Evesham Richard of Tetebur'	SC 10/14/658

William of Cheriton, abbot of Evesham	Peter of Wyke Thomas of Evesham	SC 10/14/657
Adam of Sudbury, abbot of Glastonbury	Henry of Clif Henry of Bridgwater	SC 10/13/645
Walter of Fifield, abbot of Hyde near Winchester	Robert of Hukyngeham	SC 10/13/646
Adam of la Hoke, abbot of Malmesbury	Thomas of Evesham	SC 10/14/652
Adam of Boothby, abbot of Peterborough	Richard of Whitewell John Coleman John Tryuet	SC 10/14/660
Simon of Eye, abbot of Ramsey	John of Gretford Thomas of Escrik	SC 10/14/656
John of Appleford, abbot of Reading	Adam Gatteshued	SC 10/14/661
Richard of Wallingford, abbot of St Albans	Robert Broun Thomas of Escrik	SC 10/13/648
John of Aylsham, abbot of St Benet of Holme	Roger of Merkyshal	SC 10/13/644
Alan of Nesse, abbot of St Mary's, York	Roger of Thorp Roger Sturdy	SC 10/14/653
John Wygmore, abbot of St Peter's, Gloucester	Thomas of Evesham	SC 10/14/651
John of Wystow, abbot of Selby	Geoffrey of Gaddesby Thomas of Brayton	SC 10/14/662
William of Curtlington, abbot of Westminster	Henry of Edenstowe William	SC 10/14/655

November 1330, Westminster

John of Ros, bishop of Carlisle	John Bigg, rector of Fekewell Richard of Enderby, rector of Riseangle Thomas of Eynnton, rector of Midekyngton	SC 10/14/664
John Langton, bishop of Chichester	John Brabazon John of [<i>illegible</i>]ford, canon of Chichester	SC 10/14/683
Louis de Beaumont, bishop of Durham	Thomas Surteyse Richard of Bynteworth	SC 10/13/647
John of Ecclescliff, bishop of Llandaff	Thomas Sampson, canon of Llandaff Henry of Edenstowe, canon of Llandaff	SC 10/14/670
Robert of Garford, abbot of Abingdon	Thomas of Evesham Richard of Hildesly,	SC 10/14/678
Richard of Draughton, abbot of Bury St Edmunds	Walter of Pincebeck	SC 10/14/684
Richard of Charlton, abbot of Cirencester	Thomas of Evesham	SC 10/14/691
Walter of Fifield, abbot of Hyde near Winchester	[<i>Lacking</i>] le Botiler	SC 10/14/663
Adam of la Hoke, abbot of Malmesbury	John of Tintern Thomas of Evesham	SC 10/14/680
Adam of Boothby, abbot of Peterborough	Henry of Edenstowe John of Kilkenni Robert of Lufvyk	SC 10/14/669

Simon of Eye, abbot of Ramsey	John of Gretford John of Chetington Thomas of Escrik Simon of Glynton	SC 10/14/679
John of Appleford, abbot of Reading	Adam Gatesheued	SC 10/14/682
John of Aylsham, abbot of St Benet of Holme	John of Norton John Claver	SC 10/14/675
Richard of Wallingford, abbot of St Albans	Richard Broun Richard of Hederset Thomas of Escrik	SC 10/14/685
Ralph of Burne, abbot of St Augustine's, Canterbury	Thomas of Lincoln Saloman de Ripple Thomas of Natuidone	SC 10/14/697
Alan of Nesse, abbot of St Mary's, York	Roger of Thorp Richard of Pickering	SC 10/14/665
John Wygmore, abbot of St Peter's, Gloucester	Thomas of Evesham	SC 10/13/692
John of Wystow, abbot of Selby	Geoffrey of Gaddesby Thomas of Brayton	SC 10/14/677
Reynold of Water Newton, abbot of Thorney	John, rector of Gidding John of Luffewyk Richard of Islep	SC 10/14/689
William Grasby, abbot of Thornton	Alan of Clee	SC 10/14/673
Richard of Idbury, abbot of Winchcombe	Robert of Ippewelle, prior of Winchcombe	SC 10/14/676

Henry of Leicester, prior of Coventry	John of Leicester, canon of Lichfield John of Sutham	SC 10/14/668
Prior and Chapter of Durham	John of Hirlow/Hirlaw John of Berkyngham/Bekyngham	SC 10/14/666 SC 10/14/681 Denton and Dooley, p. 117
Wulstan of Bransford, prior of Worcester	Robert of [<i>hole in document</i>]tone, sacristan of Worcester	SC 10/14/686
Archdeacon of Gloucester	Adam of Aylinton Thomas of Bradewelle	SC 10/14/671
Dean and Chapter of Bangor	David of Buelli, canon of Bangor	SC 10/14/667 Denton and Dooley, p. 117
Subprior and Chapter of Coventry	John of Thoresby John of Sutham Henry of Shulton	SC 10/14/695 Denton and Dooley, p. 117
Chapter of St Asaph	Richard of Oswestry, canon of St Asaph	SC 10/14/674 Denton and Dooley, p. 117
Chapter of Worcester	Reginald of Evesham, rector of Kisingbury John of Stoke, rector of Sedgeberrow	SC 10/14/693 Denton and Dooley, p. 117
Clergy of Durham Archdeaconry	John of Bekyngham	SC 10/14/694 Denton and Dooley, p. 117
Clergy of Northumberland Archdeaconry	John of Hyrlawe	SC 10/14/696 Denton and Dooley, p. 117
Clergy of Worcester Archdeaconry	John of Lude	SC 10/14/688 Denton and Dooley, p. 117

September 1331, Westminster

Matthew of Englefield, bishop of Bangor	Matthew, archdeacon of Anglesey David of Buelli, canon of Bangor	SC 10/15/703
Ralph of Shrewsbury, bishop of Bath and Wells	Henry of Clyf Simon of Brystoll	SC 10/15/709
Louis de Beaumont, bishop of Durham	Richard of Bynteworth	SC 10/15/710
John of Ecclescliff, bishop of Llandaff	Henry of Edenstowe, canon of Llandaff John of Carleton	SC 10/15/715
Dafydd ap Bleddyn, bishop of St Asaph	Lodowion, archdeacon of St Asaph	SC 10/15/717
William Melton, archbishop of York	Richard of Havering, canon of York John of Thoresby, canon of Southwell John of Barneby, canon of Southwell	SC 10/15/719
Abbot of Abingdon	Robert Dayleston Thomas of Evesham	SC 10/15/712
Richard of Draughton, abbot of Bury St Edmunds	John of Cavenham	SC 10/15/707
Richard of Charlton, abbot of Cirencester	Thomas of Evesham Richard of la Hale	SC 10/15/716
Adam of Sudbury, abbot of Glastonbury	Henry of Clyf John of Bridgwater	SC 10/15/708

Abbot of Hyde near Winchester	Henry of Clyf, canon of Salisbury Richard Beneyt	SC 10/14/699
Adam of la Hoke, abbot of Malmesbury	John of Tintern Thomas of Evesham	SC 10/15/713
Richard of Wallingford, abbot of St Albans	Richard of Hedersete Thomas of Eststrik	SC 10/15/704
Ralph of Burne, abbot of St Augustine's, Canterbury	Robert of Wigornia Thomas of Lincoln	SC 10/14/700
John of Aylsham, abbot of St Benet of Holme	Michael of Wath Robert of Spaimton	SC 10/15/706
John Wygmore, abbot of St Peter's, Gloucester	Thomas of Evesham	SC 10/15/714
Thomas of Multon, abbot of St Mary's, York	Roger of Aselakby Richard of Pickering	SC 10/15/718
John of Wystow, abbot of Selby	Geoffrey of Gaddesby Thomas of Brayton	SC 10/15/711
Walter of Halton, prior of Spalding	John of Hawe	SC 10/14/698
Wulstan of Bransford, prior of Worcester	John of Westbury	SC 10/15/702
Dean and Chapter of Bangor	David of Buelli, canon of Bangor	SC 10/15/720 Denton and Dooley, p. 117
Chapter of St Asaph	Louis, archdeacon and canon of St Asaph	SC 10/15/721 Denton and Dooley, p. 117

Chapter of Worcester Cathedral	Reginald of Evesham, rector of Kisingbury	SC 10/15/705 Denton and Dooley, p. 117
Clergy of Carlisle Diocese	Adam of Appelby, rector of Caldbeck Robert of Tympanrow, rector of Kirklington	SC 10/15/701 Denton and Dooley, p. 117
<i>January 1332, Westminster</i>		
Matthew of Englefield, bishop of Bangor	David of Buelli, canon of Bangor Thomas of Capenhurst	SC 10/15/737
John Langton, bishop of Chichester	John of Mitford, canon of Chichester	SC 10/15/731
John of Ecclescliff, bishop of Llandaff	Henry of Edenstowe, canon of Llandaff John of Carleton	SC 10/15/740
Dafydd ap Bleddyn, bishop of St Asaph	Llewellyn Ardan	SC 10/15/738
Robert of Garford, abbot of Abingdon	Robert Dayleston Thomas of Evesham	SC 10/15/729
Richard of Draughton, abbot of Bury St Edmunds	John of Cavenham	SC 10/15/732
William of Cheriton, abbot of Evesham	Peter of Wyke Thomas of Evesham	SC 10/15/726
Adam of la Hoke, abbot of Malmesbury	Thomas of Evesham John of Badmynstone	SC 10/15/733
Adam of Boothby, abbot of Peterborough	Henry of Edenstowe Peter fil' Warin Robin de Lufwyk	SC 10/15/736

Richard of Wallingford, abbot of St Albans	Richard of Hederset Thomas of Escrik	SC 10/15/735
Ralph of Burne, abbot of St Augustine's, Canterbury	Thomas of Lincoln Thomas of Natyndone	SC 10/15/727
Thomas of Multon, abbot of St Mary's, York	Richard of Pickering John of Pickering	SC 10/15/728
John Wygmore, abbot of St Peter's, Gloucester	Thomas of Evesham	SC 10/15/730
William Grasby, abbot of Thornton	William of Broclonsby Edmund of Grimsby John of Rasen	SC 10/15/739
Prior of St John of Jerusalem	Henry of Edenstowe Simon of Faucon	SC 10/15/734
<i>March 1332, Westminster</i>		
John Langton, bishop of Chichester	John of Brabazon, canon of Chichester John of Mitford	SC 10/16/779
Dafydd ap Bleddyn, bishop of St Asaph	Matthew of Trefvaur	SC 10/16/787
Alan of Retlyng, abbot of Battle	John of Bello Elias of Grimsby	SC 10/15/747
Abbot of Beaulieu	William of Lynkenholte	SC 10/16/772
William of Berkhamsted, abbot of Bordesley	William of Wenden	SC 10/16/759

Robert of Longdon, abbot of Burton-on-Trent	Michael of Wath	SC 10/15/744
Richard of Charlton, abbot of Cirencester	Richard of Chaddesle Thomas of Evesham	SC 10/16/761
Walter of Cokewold, abbot of Fountains	Adam of Stayn greve William of Kettelby	SC 10/16/775
Abbot of Hailes	Reginald of Evesham, rector of Kiselingsbury Laurence Bruton of Chipping Norton	SC 10/16/752
Richard of Tours, abbot of Leicester	William Geryn William of Exham	SC 10/16/768
Adam of la Hoke, abbot of Malmesbury	John of Tintern John of Bray	SC 10/15/745
Adam of Skyrne, abbot of Meaux	Michael of Wath Robert of Gayton	SC 10/16/762
Adam of Boothby, abbot of Peterborough	Henry of Edenstowe Robert of Lufwyk William of Stanern	SC 10/16/777
William, abbot of Rievaulx	John of Marton Richard of Marton	SC 10/16/770
Richard of Wallingford, abbot of St Albans	Richard of Hedersete Thomas of Escrik	SC 10/16/760
John Snowe, abbot of St Augustine's, Bristol	John of Cleobury John of Schaston	SC 10/15/748

Ralph of Burne, abbot of St Augustine's, Canterbury	Thomas of Lincoln Stephen of Hakynstone Thomas of Natyndone	SC 10/16/755
John of Aylsham, abbot of St Benet of Holme	Michael of Wath John Clauer	SC 10/16/758
Abbot of St German's, Cornwall	John Bylloun	SC 10/15/750
Thomas of Multon, abbot of St Mary's, York	Roger of Aslakby Richard of Pickering	SC 10/16/773
John Wygmore, abbot of St Peter's, Gloucester	Thomas of Evesham	SC 10/16/757
Abbot of St Stephen's, Launceston	John of Altestowe	SC 10/15/749
John of Wystow, abbot of Selby	Geoffrey of Gaddesby Thomas of Brayton	SC 10/16/785
William of Muckley, abbot of Shrewsbury	Thomas of Acton Roger of Aston	SC 10/16/781
John Coles, abbot of Tewkesbury	John le Smale William of Keneueriton	SC 10/16/753
Reynold of Water Newton, abbot of Thorney	John, rector of Stibbington John rector of Parva Giddingge John of Luffewyk	SC 10/16/776
William Grasby, abbot of Thornton	Edmund of Grimsby, rector of Graynesby Thomas of Ulseby	SC 10/16/786
Prior of Bodmin	John Byllon	SC 10/16/764

Robert of Scarborough, prior of Bridlington	Michael of Wath Robert of Sprottele	SC 10/16/782
Prior and Chapter of Ely	Richard of Coppinamford Richard of Stocton	SC 10/15/742 SC 10/15/743 Denton and Dooley, p. 118
Ralph Courait, prior of Lancaster	Henry of Haydock John of Muncleton	SC 10/16/763
Ralph, prior of Repton	Thomas of Evesham	SC 10/16/783
Prior of St Michael's Mount		SC 10/16/769
John of Dewsbury, prior of St Oswald's, Nostell	Michael of Wath	SC 10/16/765
Walter of Halton, prior of Spalding	John of Hatfeld John of Hagh	SC 10/16/778
John of St Aubyn, prior of Tutbury	Nicholas of Acton William Curteys	SC 10/16/767
William of Waplode, prior of Westacre	Richard of Swafham	SC 10/16/774
Philip of Burton, Master of Sempringham	William of Nesse	SC 10/15/746
Chapter of Lincoln	Simon of Islep, archdeacon of Stow William Bachele, canon of Lincoln Richard of Whitewelle, canon of Lincoln	SC 10/16/788 Denton and Dooley, p. 118
Chapter of St Asaph	Matthew of Trefvaur	SC 10/16/574 Denton and Dooley, p. 118

Dean and Chapter of York	Henry of Clif John Giffard, canon of York Robert of Valoignes, canon of York	SC 10/16/766 Denton and Dooley, p. 118
Clergy of Carlisle Diocese	Adam of Dalton, prior of Wetheral Robert of Tymperon, rector of Kirklington	SC 10/16/771 Denton and Dooley, p. 118
<i>September 1332, Westminster</i>		
Matthew of Englefield, bishop of Bangor	David of Buelli, canon of Bangor Thomas of Capenhurst	SC 10/16/789
Dafydd ap Bleddyn, bishop of St Asaph	Thomas of Capunhurst	SC 10/16/794
Richard of Draughton, abbot of Bury St Edmunds	Reginald of Ufford John Clement	SC 10/16/790
William of Cheriton, abbot of Evesham	Peter of Wyke Thomas of Evesham	SC 10/16/792
Ralph of Burne, abbot of St Augustine's, Canterbury	Richard of Canterbury Thomas of Lincoln Stephen	SC 10/16/791
John of Aylsham, abbot of St Benet of Holme	Michael of Bath John of Norton	SC 10/16/793
Thomas of Multon, abbot of St Mary's, York	Roger of Aselakby	SC 10/795

December 1332, York

This parliament was prorogued on 11 December and resumed in January. The reference is followed by a letter indicating the month in which the letter was sent (D = December 1332, J = January 1333). Where a cleric appointed proctors twice, the names are also followed by a letter.

Matthew of Englefield, bishop of Bangor	Thomas of Capenhurst (D) (J) William of Werdal (D) David of Buelli, canon of Bangor (J)	SC 10/17/806 (D) SC 10/17/825 (J)
Ralph of Shrewsbury, bishop of Bath and Wells	Henry of Clyf Thomas of Evesham	SC 10/17/807 (D)
Simon Mepham, archbishop of Canterbury	Stephen Gravesend, bishop of London John Hotham, bishop of Ely Henry Burghersh, bishop of Lincoln Thomas Charlton, bishop of Hereford	SC 10/17/830 (J)
John Langton, bishop of Chichester	John of Mitford, canon of Chichester	SC 10/15/731 (J)
Louis de Beaumont, bishop of Durham	Radulph de Holbech, canon of Lichfield (D) (J) William of Emeldon, rector of Staunfordham (D) John of Bekyngham, rector of Glyburgh (J)	SC 10/16/796 (D) SC 10/17/826 (J)
John Hotham, bishop of Ely	Robert of Tauton Henry of Edenstowe William of Birton Nicholas of Canterbury	SC 10/17/812 (D)
John Grandisson, bishop of Exeter	Robert of Nassington Thomas of Evesham, canon of Crediton Philip of Nassington, rector of Asshcombe	SC 10/15/723 (J)
Stephen Gravesend, bishop of London	Walter of London, canon of London Adam atte Water	SC 10/15/722 (J)

Hamo Hethe, bishop of Rochester	Thomas of Stowe Thomas of Whattone	SC 10/17/837 (J)
Dafydd ap Bleddyn, bishop of St Asaph	Thomas of Capinhurst, canon of St Asaph (D) (J) Loddaicum, archdeacon of St Asaph (J)	SC 10/16/799 (D) SC 10/17/827 (J)
Henry Gower, bishop of St Davids	Thomas of Cotingham Henry of Edenstowe	SC 10/17/823 (J) SC 10/17/831 (J)
John Stratford, bishop of Winchester	Robert of Stratford, canon of Lincoln Richard of Chaddesleye	SC 10/17/812 (D)
William of Cumnor, abbot of Abingdon	Thomas of Evesham William of Tuwe	SC 10/17/816 (D)
Richard of Gainsborough, abbot of Bardney	Thomas of Sibthorp Thomas of Tynton William of Morton	SC 10/16/800 (D)
Richard of Draughton, abbot of Bury St Edmunds	John of Cavenham (D) (J)	SC 10/17/818 (D) SC 10/17/832 (J)
Richard of Charlton, abbot of Cirencester	Thomas of Evesham (D) (J) Richard of Cheddesleye (J)	SC 10/17/801 (D) SC 10/17/838 (J)
Henry of Casewick, abbot of Crowland	Alan of St Botulph Nicholas of Staunford	SC 10/17/809 (D)
William of Cheriton, abbot of Evesham	Thomas of Evesham (D) (J) John of Stoke (D) Ralph of Wilcote (J)	SC 10/17/817 (D) SC 10/17/822 (J)

Adam of Sudbury, abbot of Glastonbury	Henry of Clif John of Bridgwater	SC 10/17/803 (D)
Walter of Fifield, abbot of Hyde near Winchester	Henry of Clif Richard Cheney	SC 10/17/833 (J)
Richard of Tours, abbot of Leicester	Richard of Chadwest Thomas of Morton	SC 10/15/724 (J)
Adam of la Hoke, abbot of Malmesbury	John of Tintern Thomas of Evesham	SC 10/17/821 (D)
Adam of Boothby, abbot of Peterborough	Henry of Edenstowe (D) (J) Robert of Rasen (D) (J)	SC 10/16/797 (D) SC 10/17/824 (J)
Simon of Eye, abbot of Ramsey	Thomas of Potesbury Thomas of Escrik Richard of Burgo	SC 10/17/814 (D)
John of Appleford, abbot of Reading	Adam of Gatesheued (D) (J) Richard of Beenham (D) (J)	SC 10/17/804 (D) SC 10/17/834 (J)
Richard of Wallingford, abbot of St Albans	Richard of Hedersete (D) (J) Thomas of Escryk (D) (J)	SC 10/17/810 (D) SC 10/15/741 (J)
Ralph of Burne, abbot of St Augustine's, Canterbury	Henry, rector of Elinston William Kaythorp John of Shoreditch	SC 10/17/802 (D) SC 10/17/811 (D)
John of Aylsham, abbot of St Benet of Holme	Michael of Wath (D) (J) Robert of Spaunton (D) (J)	SC 10/17/819 (D) SC 10/17/839 (J)
John of Wymondham, abbot of St John's, Colchester	John of Marton John of Norton	SC 10/18/835 (J)

John Wygmore, abbot of St Peter's, Gloucester	Thomas of Evesham (D) (J)	SC 10/16/798 (D) SC 10/17/836 (J)
Reynold of Water Newton, abbot of Thorney	John of Balne, rector of Stibington (D) John of Staunford, rector of Little Gidding (J) Thomas of Clyf (J)	SC 10/17/808 (D) SC 10/17/929 (J)
William Grasby, abbot of Thornton	Alan of Clee	SC 10/17/815 (D)
William of Curtlington, abbot of Westminster	Henry of Edenstowe (D) (J) William of Muskhams (D) John of Schordich (J) John of Tothale (J)	SC 10/17/805 (D) SC 10/17/829 (J)
Thomas of Nassington, prior of Spalding	John of Hattefeld John of Trehampton, prior's steward	SC 10/17/820 (D)
<i>February 1334, York</i>		
Matthew of Englefield, bishop of Bangor	David [of Buelli?], archdeacon of Bangor Thomas of Capenhurst	SC 10/18/865
Ralph of Shrewsbury, bishop of Bath and Wells	Henry of Carleton John of Westmannecote Robert of Chigwell	SC 10/18/851
John Langton, bishop of Chichester	John of Hyldeleslegh, canon of Chichester William of Langeton	SC 10/17/840
John Hotham, bishop of Ely	Alan of Hothum Thomas of Stowe John of Ellerker	SC 10/18/861

Thomas Charlton, bishop of Hereford	John of Hyleslee, canon of Chichester John of Barton, archdeacon of Hereford Robert of Hemyngtourth	SC 10/18/866
Stephen Gravesend, bishop of London	Walter of London, canon of London Thomas of Stowe	SC 10/18/860
Hamo Hethe, bishop of Rochester	John of Langetone William of Boyleston Thomas of Hethe, rector of Nettleston	SC 10/17/842
Dafydd ap Bleddyn, bishop of St Asaph	Thomas of Capenhurst, canon of St Asaph Lodewycum de Bromfield, canon of St Asaph	SC 10/17/848
Henry Gower, bishop of St Davids	Henry of Edenstowe	SC 10/18/852
William of Cumnor, abbot of Abingdon	Thomas of Evesham William of Tewe	SC 10/18/853
Richard of Gainsborough, abbot of Bardney	Thomas of Sibthorp William of Barton William of Morton	SC 10/17/849B
Richard of Draughton, abbot of Bury St Edmunds	John of Cauenham	SC 10/18/868
Abbot of Hyde near Winchester	Peter of Ijo William of Christchurch	SC 10/18/857
Adam of la Hoke, abbot of Malmesbury	Thomas of Evesham Gilbert	SC 10/17/844
Abbot of Peterborough	Henry of Edenstowe John Trivet	SC 10/17/843

Abbot of Ramsey	John of Gretford Robert of Sadyngton Thomas of Escrik	SC 10/18/872
John of Appleford, abbot of Reading	William of Wyttenham	SC 10/17/841
Richard of Wallingford, abbot of St Albans	Richard of Hedersete Thomas of Escrik	SC 10/18/871
John of Aylsham, abbot of St Benet of Holme	Ralph of Wolvyngham Robert of Spainton	SC 10/17/847
John Wygmore, abbot of St Peter's, Gloucester	Thomas of Evesham	SC 10/18/869
Reynold of Water Newton, abbot of Thorney	Richard of Islep Thomas of Clif William of Luffewyk	SC 10/17/850
Prior of Coventry	Henry of Shulton Simon of Shulton	SC 10/18/855
Prior of Ely	Henry of Edenestouwe, rector of Orford Henry of Teford, rector of Troye	SC 10/18/873
Prior of Rochester	Thomas le Hoy John of Faveresham	SC 10/17/846
Prior of St John of Jerusalem in England	Simon le Fauconer Henry of Edenstowe William of Langeford	SC 10/18/863
Prior of Worcester	John of Stoke, rector of Seggesberewe	SC 10/17/845

Dean and Chapter of Bangor	David [of Buelli?], archdeacon of Bangor Thomas of Capenhurst	SC 10/17/849 Denton and Dooley, p. 118
Chapter of Carlisle	John of Byghton, canon of Carlisle	SC 10/18/856 Denton and Dooley, p. 118
Subprior and Chapter of Coventry	Henry of Shulton William of Cestria	SC 10/18/859 Denton and Dooley, p. 118
Chapter of Rochester	Thomas le Hoy John of Faveresham	SC 10/18/867 Denton and Dooley, p. 118
Chapter of St Asaph	Louis de Bromfeld, canon of St Asaph	SC 10/18/864 Denton and Dooley, p. 118
Chapter of Worcester	Thomas of Evesham Peter of Grete	SC 10/18/854 Denton and Dooley, p. 118
Clergy of Carlisle Diocese	Robert Coyville, rector of Thursby John of Hakthorp	SC 10/18/862 Denton and Dooley, p. 118
Clergy of Durham Archdeaconry	William of Vallibus	SC 10/18/870 Denton and Dooley, p. 118
Clergy of Northumberland Archdeaconry	Ralph of Blaykeston	SC 10/18/858 Denton and Dooley, p. 118
Clergy of York Diocese	Richard of Snoweshull, rector of Huntington William of Neusom, advocate of the court of York	SC 10/17/849A Denton and Dooley, p. 118

September 1334, York

Dean and Chapter of Bangor	David, archdeacon of Bangor Griffin ap Tudor	C 219/5/17/3 Denton and Dooley, p. 119
Prior and Chapter of Carlisle	David of Wolhore, rector of Knarsdale	C 219/5/17/12 Denton and Dooley, p. 119
Chapter of Worcester	Thomas of Evesham	C 219/5/17/25 Denton and Dooley, p. 119
Clergy of Northumberland and archdeaconry	William of Emyldon John Wawayn	C 219/5/17/15 Denton and Dooley, p. 119
Clergy of Worcester diocese	William of Adelynton Thomas of Donynton, vicar of Grafton	C 219/5/17/26 Denton and Dooley, p. 119
Clergy of York diocese	John of Thoresby, canon of Southwell John of Barnby, rector of Barnby Dun	C 219/5/17/7 Denton and Dooley, p. 119

May 1335, York

Matthew of Englefield, bishop of Bangor	David [of Buelli?], archdeacon of Bangor Thomas of Cappenhurst	SC 10/19/907
Ralph of Shrewsbury, bishop of Bath and Wells	Michael Wath Thomas of Evesham	SC 10/19/912
John Langton, bishop of Chichester	Michael of Wath William of Langetone	SC 10/19/928

John Hotham, bishop of Ely	Alan of Hotham Henry of Edenstowe	SC 10/19/943
John Grandisson, bishop of Exeter	William of la Zouche, canon of Exeter Thomas of Astelegh, canon of Exeter	SC 10/19/913
Thomas Charlton, bishop of Hereford	John of Hildesleye John	SC 10/19/924
John of Ecclescliff, bishop of Llandaff	Thomas Sampson Henry of Edenstowe, canon of Llandaff	SC 10/19/911
Hamo Hethe, bishop of Rochester	Nicholas North, rector of Catine? Robert of Langetone, rector of Nettleston	SC 10/19/908
Dafydd ap Bleddyn, bishop of St Asaph	Thomas of Capenhurst, canon of St Asaph	SC 10/19/923
Henry Gower, bishop of St Davids	Henry of Edenstowe William of Kyldesby	SC 10/19/941
Roger Martival, bishop of Salisbury	Thomas of Asteley, canon of Salisbury Robert of Worth, canon of Salisbury Thomas of Evesham	SC 10/19/905
Simon Montacute, bishop of Worcester	John of Hildesleye, canon of Chichester John le Smale, canon of Ripon	SC 10/19/925
Roger of Thame, abbot of Abingdon	John of St Paul's Thomas of Evesham	SC 10/19/927
William Hereward, abbot of Cirencester	Thomas of Evesham Richard of la Hale	SC 10/19/917

William of Cheriton, abbot of Evesham	Thomas of Evesham John of Stoke	SC 10/19/920
John of Breynton, abbot of Glastonbury	John of St Paul's John of Bridgwater	SC 10/19/904
Walter of Fifield, abbot of Hyde near Winchester	William of Bromham Robert of Keleseie	SC 10/19/938
Richard of Tours, abbot of Leicester	Ralph of Thurmill William of Hexham Ralph of Thurleston	SC 10/19/909
Adam of la Hoke, abbot of Malmesbury	Thomas of Evesham Gilbert of Tyndene	SC 10/18/900
Adam of Boothby, abbot of Peterborough	Henry of Edenstowe Robert of Lufwyk	SC 10/19/936
Simon of Eye, abbot of Ramsey	Thomas of Sibthorp Robert of Sadyngton Richard of Burgo	SC 10/19/935
John of Appleford, abbot of Reading	Martin Chaunson	SC 10/19/932
Richard of Wallingford, abbot of St Albans	Adam of Newerk Richard of Kuleshulle	SC 10/19/919
Thomas Poucyn, abbot of St Augustine's, Canterbury	John of Westmancote William of Waure	SC 10/19/918
John of Aylsham, abbot of St Benet of Holme	Thomas of Cotyngnam Ralph of Wolyngnam	SC 10/19/933

John of Wymondham, abbot of St John's, Colchester	John of Marton	SC 10/19/942
John Wygmore, abbot of St Peter's, Gloucester	Thomas of Evesham	SC 10/19/921
Reynold of Water Newton, abbot of Thorney	John of Luffewyk Richard of Islep	SC 10/19/937
William Grasby, abbot of Thornton	Alan of Clee	SC 10/19/939
Thomas of Henley, abbot of Westminster	Henry of Edenstowe John of Tothale	SC 10/19/922
Dean and Chapter of Bangor	David, archdeacon of Bangor Thomas of Capenhurst	SC 10/19/906 Denton and Dooley, p. 119
Chapter of Durham	Robert of Newenham	SC 10/19/929 Denton and Dooley, p. 119
William of Couton, prior of Durham	Robert of Newenham	SC 10/19/931
Prior and Chapter of Ely	Robert of Aylesham Henry of Theff	SC 10/18/914 SC 10/19/915 Denton and Dooley, p. 119
Chapter of St Asaph	Thomas of Capenhurst	SC 10/19/903 Denton and Dooley, p. 119
Chapter of Worcester	John of Dombelton, rector of Sedgeberrow	SC 10/19/910 Denton and Dooley, p. 119
Wulstan of Bransford, prior of Worcester	Thomas of Evesham	SC 10/19/916

Chapter of York	Richard of Haverlyng, canon of York John Giffard, canon of York Nicholas of Hongate, canon of York	SC 10/19/940 Denton and Dooley, p. 119
Hamo Celer, Dean of Collegiate Church of Auckland	William of Alverton, vicar of Akley	SC 10/19/930
John of Pollow, Dean of Collegiate Church of Langchester	William of Alverton, vicar of Akley	SC 10/19/926
Clergy of Carlisle diocese	Thomas of Halghton, rector of Kirkland Richard of Craystok, vicar of Crosthwaite	SC 10/19/901 Denton and Dooley, p. 119
Clergy of Durham archdeaconry	William of Alverton, vicar of Aycliffe	SC 10/19/944 Denton and Dooley, p. 119
Clergy of York diocese	Richard of Wath, advocate of the Court of York Robert of Ruddeby, rector of Goxhill	SC 10/19/934 Denton and Dooley, p. 119
<i>March 1336, Westminster</i>		
Ralph of Shrewsbury, bishop of Bath and Wells	Michael Wath Thomas of Evesham Robert of Chigewelle	SC 10/18/891
John Langton, bishop of Chichester	Peter of Scolacley, treasurer of Chichester Cathedral John of Mitford, canon of Chichester	SC 10/18/893
John Hotham, bishop of Ely	John of Offord, archdeacon of Ely Alan of Hotham, canon of St Paul's, London Richard of Baddewe	SC 10/18/896

John Grandisson, bishop of Exeter	Ralph of Shrewsbury, bishop of Bath and Wells Adam Murimuth, precentor of Exeter Thomas of Nassington, archdeacon of Exeter William of Nassington, canon of Exeter	SC 10/18/882
John of Ecclescliff, bishop of Llandaff	Henry of Edenstowe, canon of Llandaff John of Blebury, canon of Llandaff	SC 10/18/877
Dafydd ap Bleddyn, bishop of St Asaph	Lodowycus, archdeacon of St Asaph Thomas of Capenhurst, canon of St Asaph	SC 10/19/945
Henry Gower, bishop of St Davids	Henry of Edenstowe John [<i>part of document is torn away</i>]	SC 10/20/951
William Melton, archbishop of York	Henry of Edenstowe, canon of Southwell Adam of Hazelbech, archbishop's chancellor John of Thoresby, canon of Southwell John of Barneby, rector of Barneby	SC 10/18/883
Roger of Thame, abbot of Abingdon	John of St Paul's William of Salisbury	SC 10/19/948
Richard of Gainsborough, abbot of Bardney	John of [<i>part of document is torn away</i>] [<i>Lacking</i>] of Saundeby	SC 10/18/881
William Hereward, abbot of Cirencester	[<i>Part of document is torn away</i>]	SC 10/18/887
William of Cheriton, abbot of Evesham	Peter of Wyke, cellarer of Evesham Thomas of Evesham	SC 10/18/885
John of Breynton, abbot of Glastonbury	John of St Paul's John of Bridgwater	SC 10/19/947

Walter of Fifield, abbot of Hyde near Winchester	John of Blancchinal Robert of Keleseye	SC 10/19/949
Richard of Tours, abbot of Leicester	Ralph of Thurlaston William of Lee John of Kynwell	SC 10/18/879
Adam of la Hoke, abbot of Malmesbury	John of Tintern Gilbert of Tynedene	SC 10/18/892
Adam of Boothby, abbot of Peterborough	Henry of Edenstowe Peter fil' Warin	SC 10/18/880
Thomas Poucyn, abbot of St Augustine's, Canterbury	<i>[Part of document is torn away]</i> of Waure	SC 10/18/888
John of Wymondham, abbot of St John's, Colchester	John of Martone John Parles of Colchester	SC 10/18/884
Thomas of Multon, abbot of St Mary's, York	Henry of Edenstowe John of Ty	SC 10/18/889
John Wygmore, abbot of St Peter's, Gloucester	Thomas of Evesham	SC 10/18/897
John of Heslyngton, abbot of Selby	Richard of Athelmaslet Geoffrey of Gaddesby Thomas of Brayton	SC 10/18/890
Wulstan of Bransford, prior of Worcester	Thomas of Evesham	SC 10/18/898
Robert of Wodehouse, archdeacon of Richmond	John of Thoresby Henry of Edenstowe John of Hoicton	SC 10/19/946
Dean of St Asaph	Louis, archdeacon of St Asaph	SC 10/18/899

Chapter of Worcester	Simon Crompe, sacristan of Worcester	SC 10/18/894 Denton and Dooley, p. 120
Dean and Chapter of York	John of Warena, canon of York Robert of Valoygnes, canon of York Thomas [<i>illegible</i>], canon of York	SC 10/18/876 Denton and Dooley, p. 120
Clergy of Durham Archdeaconry	[<i>Illegible</i>] Marmyon, rector of Houghton-le-Spring	SC 10/18/886 Denton and Dooley, p. 120
Clergy of Northumberland Archdeaconry (Durham)	Ralph of Blaykiston	SC 10/18/879 Denton and Dooley, p. 120
Clergy of York Diocese	John of Burton, rector of Stokesley John of Barneby, rector of Barnby Dun	SC 10/18/875 Denton and Dooley, p. 120
<i>September 1336, Nottingham (Great Council)</i>		
Henry Gower, bishop of St Davids	Laurence Fastolf Michael of Wath	SC 10/20/959
Roger Martival, bishop of Salisbury	Edmund de la Beche Thomas of Evesham John of St Paul's	SC 10/20/965
Roger of Thame, abbot of Abingdon	Edmund de la Beche John of St Paul's	SC 10/20/964
William of Bernham, abbot of Bury St Edmunds	William of Cotton	SC 10/20/963
Richard of Tours, abbot of Leicester	Ralph Thurle William of Hextildesham Ralph of Thurleston	SC 10/20/953

John of Breynton, abbot of Glastonbury	John of St Paul's John of Bridgwater	SC 10/20/962
Adam of Boothby, abbot of Peterborough	Henry of Edenstowe Philip of Kilkenny Robert of Lufwyk	SC 10/20/956
Simon of Eye, abbot of Ramsey	Thomas of Sibbethorp Hugh of Bardelby Simon of Clynton	SC 10/20/960
John of Wymondham, abbot of St John's, Colchester	John of Morton	SC 10/20/958
John of Heslyngton, abbot of Selby	Geoffrey of Gaddesby Thomas of Brayton	SC 10/20/955
Reynold of Water Newton, abbot of Thorney	Reginald of Leighthone John of Luffewyk	SC 10/29/954
William Grasby, abbot of Thornton	Adam of Clee	SC 10/20/952
Richard of Idbury, abbot of Winchcombe	Thomas of Evesham William of Pershore	SC 10/20/970
Chapter of St Asaph	Thomas of Capenhurst, canon of St Asaph	SC 10/20/961 Denton and Dooley, p. 120
<i>March 1337, Westminster</i>		
John Kirkby, bishop of Carlisle	John of Sampleoe Philip of Kyme	<i>Reg. Kirkby, vol. 1, p.68</i>

John of Ecclescliff, bishop of Llandaff	Henry of Edenstowe, canon of Llandaff Gilbert of Wygeton, canon of Llandaff John of Carleton, canon of Wells and Llandaff Richard of Haversham, canon of Wells and Llandaff	SC 10/20/967
John of Aylsham, abbot of St Benet of Holme	Ralph of Wolyngham Henry of Ingylby	SC 10/20/968
Walter of Fifield, abbot of Hyde near Winchester	Robert of Keleseye, rector of Exton Richard of Diketon	SC 10/20/971
Adam of Boothby, abbot of Peterborough	Henry of Morcot Philip of Kilkenny	SC 10/21/1001
Thomas of Nassington, prior of Spalding	Roger of Exton	SC 10/20/966
Wulstan of Bransford, prior of Worcester	Henry Terand, rector of Overbury	SC 10/20/972
Prior and Chapter of Ely	W. of Lond' Henry of Thetford	Denton and Dooley, p. 120
Chapter of Worcester	Thomas of Evesham	SC 10/20/957 Denton and Dooley, p. 120
Clergy of Durham archdeaconry	John of Thoresby, rector of Elwick	SC 10/20/969 <i>Denton and Dooley, p. 120</i>
<i>September 1337, Westminster</i>		
Matthew of Englefield, bishop of Bangor	Thomas of Capenhurst, canon of St Asaph	SC 10/20/999

Ralph of Shrewsbury, bishop of Bath and Wells	Richard of Benteworth John of Carleton Robert of Chikewelle	SC 10/20/987
John of Ecclescliff, bishop of Llandaff	John of Blebury John of Carleton Richard of Haversham Geoffrey of Olney	SC 10/20/982
Dafydd ap Bleddyn, bishop of St Asaph	Thomas of Capenhurst, caon of St Asaph	SC 10/20/997
Henry Gower, bishop of St Davids	John of St Paul's Henry of Edenstowe	SC 10/20/985
Thomas of Hemenhale, bishop of Worcester	Andrew of Offord, bishop's chancellor	SC 10/20/986
Roger of Thame, abbot of Abingdon	Edmund de la Beche John of St Paul's	SC 10/20/978
Richard of Gainsborough, abbot of Bardney	Thomas of Sibthorp John of Langetoft	SC 10/20/991
William of Bernham, abbot of Bury St Edmunds	Walter of Mauthorpe	SC 10/20/984
William Hereward, abbot of Cirencester	Thomas of Evesham	SC 10/20/980
William of Cheriton, abbot of Evesham	Thomas of Evesham John of Bray	SC 10/20/979
John of Breynton, abbot of Glastonbury	John of St Paul's John of Blebury	SC 10/20/974
Walter of Fifield, abbot of Hyde near Winchester	Robert of Kellesey	SC 10/20/994

Richard of Tours, abbot of Leicester	Ralph Turnvile William of Heytildesham Ralph of Thurleston	SC 10/20/977
Adam of Ia Hoke, abbot of Malmesbury	Thomas of Evesham Gilbert of Tyndene	SC 10/20/992
John of Appleford, abbot of Reading	William of Wyttenham	SC 10/20/989
John of Aylsham, abbot of St Benet of Holme	Ralph of Welyngham	SC 10/20/975
Thomas Poucyn, abbot of St Augustine's, Canterbury	John of Ripple John of Westmacote William of Ware	SC 10/20/996
Thomas of Multon, abbot of St Mary's, York	John of Wodhous John of Tyverington	SC 10/20/995
Adam of Staunton, abbot of St Peter's, Gloucester	William of Cheltenham	SC 10/20/983
John of Heslyngton, abbot of Selby	Geoffrey of Gadesby Thomas of Brayton	SC 10/20/993
Reynold of Water Newton, abbot of Thomey	Ralph Turfuile John of Luffewyk	SC 10/20/973
William Grasby, abbot of Thornton	Edmund of Grimsby William of Ravendale	SC 10/20/990
Richard of Idbury, abbot of Winchcombe	William of Gloucester, cellarar of Winchcombe William of Adelmyntone	SC 10/20/998

John of Glington, Master of Sempringham	Roger of Stanes, canon of Sempringham John of Lethworhton, canon of Sempringham William of Ravendale	SC 10/20/976
Thomas of Nassington, prior of Spalding	Thomas of Nassington, archdeacon of Exeter Roger of Exton	SC 10/20/1000
Wulstan of Branford, prior of Worcester	Thomas of Evesham Henry Geraud	SC 10/20/988
<i>February 1338, Westminster</i>		
Henry Gower, bishop of St Davids	John of St Paul's Thomas of Bamburg	SC 10/21/1002
William Melton, archbishop of York	John of Aton Thomas of Neuikk William of Poppleton John of Barneby	SC 10/21/1006
William of Herwynton, abbot of Pershore	Henry of Stratford	SC 10/21/1004
Adam of Boothby, abbot of Peterborough	Henry of Edenstowe, canon of Lincoln Henry of Morcot	SC 10/21/1005
John of Heslyngton, abbot of Selby	Geoffrey of Gadesby Thomas of Brayton	SC 10/21/1007
Prior and Chapter of Canterbury	Simon of Cheryngg, rector of Deal	Denton and Dooley, p. 120
Chapter of St Asaph	Thomas of Capenhurst, canon of St Aspah	SC 10/21/1008 Denton and Dooley, p. 120

July 1338, Northampton (Great Council)

Henry Gower, bishop of St Davids	John of Sweynes [Letter is badly damaged – at least one other name has not survived.]	SC 10/21/1010
Adam of Boothby, abbot of Peterborough	Henry of Morcot Philip of Kilkenny Peter son of Warin	SC 10/21/1009

November 1338, Westminster (Great Council)

Robert Stratford, bishop of Chichester	Richard of Chaddesley Henry of Iddesworth, canon of St Paul's Henry Geraud of Screiford, canon of St Davids	SC 10/21/1016 and SC 10/21/1017
Anthony Bek, bishop of Norwich	John of Brynchull Michael of Haynton	SC 10/21/1013
Thomas of Hemehale, bishop of Worcester	Stephen of Ketelbury	SC 10/21/1015
Archbishop of York	<i>No proctors appointed</i>	SC 10/21/1024
Roger of Thame, abbot of Abingdon	John of St Paul's James of Wodestok	SC 10/21/1022
William of Bernham, abbot of Bury St Edmunds	William [? – part of letter is torn away]	SC 10/21/1012
William of Cheriton, abbot of Evesham	Thomas of Evesham John of Stoke	SC 10/21/1019
John of Breynton, abbot of Glastonbury	John of St Paul's William of Tilney	SC 10/21/1021

Walter of Fifield, abbot of Hyde near Winchester	John of Klutone Richard of Chynham	SC 10/21/1021
Henry of Morcot, abbot of Peterborough	[<i>Document is torn – names are missing</i>]	SC 10/21/1014
Simon of Eye, abbot of Ramsey	John of Gretford Simon of Glynton	SC 10/21/1018
Michael of Mentmore, abbot of St Albans	Adam of Wyttenham John of Langeton	SC 10/21/1023
Adam of Staunton, abbot of St Peter's, Gloucester	Thomas of Evesham Thomas of Ewyas	SC 10/21/1011
<i>February 1339, Westminster</i>		
Matthew of Englefield, bishop of Bangor	Stephen of Ketelbur Thomas of Capenhurst, canon of St Asaph	SC 10/21/1026
John Kirkby, bishop of Carlisle	John of Brenkhill John of Stokton	<i>Reg. Kirkby, vol. 1, p. 93</i>
Dafydd ap Bleddyn, bishop of St Asaph	Richard of Oswestry, canon of St Asaph	SC 10/21/1035
Henry Gower, bishop of St Davids	John Goch Thomas of Mar	SC 10/21/1028
Roger of Thame, abbot of Abingdon	Raymond de la Bech John of St Paul's	SC 10/21/1027
William of Bernham, abbot of Bury St Edmunds	William, rector of Corton	SC 10/21/1034

Walter of Fifield, abbot of Hyde near Winchester	Robert of Kelesey John of Langetoft	SC 10/21/1030
John of Aylsham, abbot of St Benet of Holme	Thomas of Cotyngnam Ralph of Wolyngnam	SC 10/21/1031
John of Wymondham, abbot of St John's, Colchester	Gilbert of Meliford Adam of Ayrdale	SC 10/21/1029
Thomas of Henley, abbot of Westminster	John of Shoreditch Richard of Winchester	SC 10/22/1072
Robert of Wodehouse, archdeacon of Richmond	John of Thorp	SC 10/21/1033
Prior and Chapter of Canterbury	Thomas of Canterbury, rector of Great Buckland	Denton and Dooley, p. 121
Chapter of York	Thomas Sampson, canon of York John of St Paul's, canon of York	SC 10/21/1032 Denton and Dooley, p. 121
<i>October 1339, Westminster</i>		
John of Ecclescliff, bishop of Llandaff	John of Carleton Richard of Haisham, canon of Wells and Llandaff	SC 10/21/1037
Anthony Bek, bishop of Norwich	John of Fenton Gilbert of Welton	SC 10/21/1050
William Melton, archbishop of York	Thomas of Thornton William of Wirkesworth of Slayteburu	SC 10/21/1044
Roger of Thame, abbot of Abingdon	John of St Paul's Thomas of Evesham	SC 10/21/1047

Richard of Gainsborough, abbot of Bardney	William of Groklosby John of Langetoft Thomas of Sibthorp	SC 10/21/1049
William of Bernham, abbot of Bury St Edmunds	William, rector of Torton	SC 10/21/1038
William Herward, abbot of Cirencester	Thomas of Evesham William Bromwich	SC 10/21/1046
Henry of Casewick, abbot of Crowland	Adam of Steyngrave Orgerus of Freston	SC 10/21/1041
William of Cheriton, abbot of Evesham	Robert of Bray Thomas of Evesham	SC 10/22/1053
John of Breynton, abbot of Glastonbury	John of St Paul's John of <i>Bridgwater</i>	SC 10/21/1039
Walter of Fifield, abbot of Hyde near Winchester	Robert of Kelleseye William of Christchurch	SC 10/22/1054
Richard of Tours, abbot of Leicester	Ralph Turvile Ralph of Thurleston	SC 10/22/1061
Henry of Morcot, abbot of Peterborough	Gervais of Wylford Gilbert of Aslokby	SC 10/22/1062
Simon of Eye, abbot of Ramsey	John of St Paul's John of Gretford Thomas of Sibthorp	SC 10/22/1052
Michael of Mentmore, abbot of St Albans	Robert of Schyrbourne John of Langetone	SC 10/22/1059

Thomas Poucyn, abbot of St Augustine's, Canterbury	John Stiace	SC 10/22/1060
John of Aylsham, abbot of St Benet at Holme	Thomas of Cotingham Ralph of Welyngham	SC 10/22/1055
John of Wymondham, abbot of St John's, Colchester	John of Merton Gilbert of Meleford	SC 10/21/1043
Thomas of Multon, abbot of St Mary's, York	Thomas of Bamburgh John of Mamigby	SC 10/21/1042
Adam of Staunton, abbot of St Peter's, Gloucester	Thomas of Evesham William of Cheltenham	SC 10/22/1058
John of Heslyngton, abbot of Selby	Geoffrey of Gaddesby Thomas of Brayton	SC 10/21/1048
Reynold of Water Newton, abbot of Thorney	John Rotherham William Bolton Alan of Kyrketon	SC 10/22/1056
Richard of Idbury, abbot of Winchcombe	William of Bosco John of Sponleye	SC 10/22/1051
Simon of Botiler, prior of Worcester	Thomas of Evesham	SC 10/22/1057
Robert of Wodehousee, archdeacon of Richmond	Philip of Houton Thomas of Mallom Philip of Chesterfield	SC 10/21/ 1045
Chapter of Canterbury	Thomas of Canterbury	Denton and Dooley, p. 121
Chapter of Worcester	Simon Crumpe, sacristan	SC 10/22/1063 Denton and Dooley, p. 121

Chapter of York	John Giffard, canon of York John of St Paul's, canon of York John of Wodehous, canon of York	SC 10/21/1040 Denton and Dooley, p. 121
Clergy of York diocese	Thomas of Harpham, advocate of the court of York Robert of Newenham, proctor of the court of York	SC 10/22/1064 Denton and Dooley, p. 121
<i>January 1340, Westminster</i>		
Matthew of Englefield, bishop of Bangor	Stephen of Kettelber' Thomas of Capenhurst, canon of St Asaph	SC 10/22/1076 SC 10/22/1076
John Grandisson, bishop of Exeter	John of St Paul's Benedict of Paston	SC 10/22/1074
Anthony Bek, bishop of Norwich	John of Brynkhull Gilbert of Welton	SC 10/22/1069
Dafydd ap Bleddyn, bishop of St Asaph	Thomas of Capenhurst, canon of St Asaph Stephen of Ketylbri	SC 10/22/1075
Henry Gower, bishop of St Davids	Henry of Stratford, canon of St Davids John of Goch	SC 10/22/1071
Wulstan of Bransford, bishop of Worcester	Robert of Chigwell, canon of London	SC 10/22/1065
Roger of Thame, abbot of Abingdon	John of Hildeslegh John of St Paul's James of Woodstock	SC 10/22/1073
Richard of Gainsborough, abbot of Bardney	William of Garton Thomas of Sibthorp	SC 10/22/1067

John of Breynton, abbot of Glastonbury	John of St Paul's John of Bridgwater	SC 10/22/1078
Richard of Tours, abbot of Leicester	Ralph Tuevule Ralph of Thurleston Adam of [<i>name is torn away</i>]	SC 10/22/1068
Henry of Morcot, abbot of Peterborough	Gervais de Willeforde John of [<i>document is stained</i>] John of [<i>document is stained</i>]	SC 10/22/1070
Simon of Eye, abbot of Ramsey	John of St Paul's John of Gretford	SC 10/22/1082
Michael of Mentmore, abbot of St Albans	Adam of Wyttenham John of Langeton	SC 10/22/1079
John of Aylsham, abbot of St Benet at Holme	Thomas of Cotyngham R[alph] Wolyngham	SC 10/22/1083
Thomas of Multon, abbot of St Mary's, York	Thomas of Bamburgh Robert of Bronnby	SC 10/22/1077
Reynold of Water Newton, abbot of Thorney	Ralph Turvill John of Luffewyk	SC 10/22/1066
Simon Crompe, prior of Worcester	Thomas of Evesham Henry Geraud	SC 10/22/1080
Dean and Chapter of Bangor	Henry of E[<i>document is damaged</i>], rector of Caernarfon Kyffnorth of Grion	SC 10/22/1081 Denton and Dooley, p. 121

Clergy of York Diocese	William of Kendale Robert of Neuwenham	SC 10/21/1025 Denton and Dooley, p. 121
<i>March 1340, Westminster</i>		
Ralph of Shrewsbury, bishop of Bath and Wells	Thomas of Evesham John of Carleton	SC 10/23/1102
John of Ecclescliff, bishop of Llandaff	John of Carleton Richard of Haversham, canon of Wells and Llandaff	SC 10/23/1103
Henry Gower, bishop of St Davids	John of St Paul's Henry of Stratford	SC 10/22/1093
Wulstan of Bransford, bishop of Worcester	Robert of Chigwell, canon of London	SC 10/22/1085
Roger of Thame, abbot of Abingdon	John of St Paul's Edmund de la Beche	SC 10/22/1088
William of Bernham, abbot of Bury St Edmunds	Walter, rector of Coiton	SC 10/22/1092
William of Cheriton, abbot of Evesham	Robert of Bray Thomas of Evesham	SC 10/23/1110
John of Breynton, abbot of Glastonbury	John of St Paul's John of Canterbury	SC 10/22/1087
Walter of Fifield, abbot of Hyde near Winchester	John Blancchmal John of Langetoft	SC 10/22/1084
Richard of Tours, abbot of Leicester	Ralph Turvile Ralph of Thurleston	SC 10/23/1109

Henry of Morcot, abbot of Peterborough	John of Thoresby Gilbert of Aslokby	SC 10/22/1106
John of Ramsey, abbot of Ramsey	John of St Paul's Thomas of Sibthorp John of Gretford John of Stinecto	SC 10/22/1096
John of Appleford, abbot of Reading	John of Freolond John of Cophath	SC 10/22/1095
Michael of Mentmore, abbot of St Albans	Adam of Wyttenham John of Langeton	SC 10/23/1112
Thomas Poucyn, abbot of St Augustine's, Canterbury	John of Ripple John of Polteneeye William Faunt	SC 10/23/1111
John of Aylsham, abbot of St Benet at Holme	Thomas of Cotyngham Ralph of Welyngham	SC 10/22/1089
John of Wymondham, abbot of St John's, Colchester	Gilbert of Melford John of Marton	SC 10/22/1094
Thomas of Multon, abbot of St Mary's, York	Thomas of Bamburgh John of Eyveryngton	SC 10/22/1100
Adam of Staunton, abbot of St Peter's, Gloucester	Thomas of Evesham William of Cheltenham	SC 10/22/1091
John of Heslyngton, abbot of Selby	Geoffrey of Gaddesby Thomas of Brayton	SC 10/23/1107

Reynold of Water Newton, abbot of Thorney	Ralph Turvill Ralph of Brampton John of Luffewyk	SC 10/22/1097
William Grasby, abbot of Thornton	Alan of Clee John of Grimsby	SC 10/23/1105
Thomas of Henley, abbot of Westminster	John of Shoreditch Richard of Winchester	SC 10/23/108
Thomas of Nassington, prior of Spalding	John of Cotyngton, rector of Great Burton John of Hautebarge	SC 10/23/1104
Simon Crompe, prior of Worcester	John Geraud Robert of Weston	SC 10/23/1101
Robert of Wodehouse, archdeacon of Richmond	John of Houton John of Thorp John of Chesterfield	SC 10/22/1099
Chapter of St Asaph	Richard of Oswestry, canon of St Asaph Thomas of Capenhurst, canon of St Asaph	SC 10/21/1036 Denton and Dooley, p. 121
Chapter of Worcester	Thomas of Evesham Henry Geraud	SC 10/21/1090 Denton and Dooley, p. 121
Chapter of York	John Giffard, canon of York Thomas Sampson, canon of York John of St Paul's, canon of York John Wodhouse, canon of York	SC 10/22/1086 Denton and Dooley, p. 121
Clergy of York diocese	Robert of Newenham John of Aslakby	SC 10/22/1098

April 1341, Westminster

Matthew of Englefield, bishop of Bangor	Hywel ap Goronwy, dean of Bangor Thomas of Capenhurst, canon of St Asaph	SC 10/23/1125
John of Ecclescliff, bishop of Llandaff	Gilbert of Wygeton, canon of Llandaff John of Carleton, canon of Wells	SC 10/23/1121
Anthony Bek, bishop of Norwich	Henry [<i>document is torn</i>] William of Culpo	SC 10/23/1120
Dafydd ap Bleddyn, bishop of St Asaph	Thomas of Capenhurst, canon of St Asaph	SC 10/23/1117
Roger of Thame, abbot of Abingdon	William of Salisbury William of Stokes	SC 10/23/1116
William Hereward, abbot of Cirencester	Thomas of Evesham Walter of Cirencester Richard of Deye	SC 10/23/1127
John of Breynton, abbot of Glastonbury	John of Cantia Nicholas of Bath Nicholas of Herleston	SC 10/23/26
Richard of Tours, abbot of Leicester	William of Hexham Ralph of Thurleston	SC 10/23/1123
John of Tintern, abbot of Malmesbury	Thomas of Evesham John of Duffeld	SC 10/23/1118
Henry of Morcot, abbot of Peterborough	Gilbert of Aslakby Thomas of Sibthorp John of Burgh	SC 10/23/1119

John of Aylsham, abbot of St Benet of Holme	Thomas of Cotyngnam Ralph of Welyngnam	SC 10/23/1128
John of Wymondham, abbot of St John's, Colchester	Gilbert of Melford	SC 10/23/1129
Thomas of Multon, abbot of St Mary's, York	John of Eyneryngton John of Pokehugton John of Mansegh	SC 10/23/1122
John of Heslyngton, abbot of Selby	Geoffrey of Gaddesby Thomas of Brayton	SC 10/23/1124
October 1342, Westminster (Great Council)		
Ralph of Shrewsbury, bishop of Bath and Wells	John of [<i>document is stained</i>] John of Carleton	SC 10/23/1133
Anthony Bek, bishop of Norwich	John of Fenton, archdeacon of Suffolk William of Culpho	SC 10/23/1134
Dafydd ap Bleddyn, bishop of St Asaph	Anianus of Monte Alto	SC 10/23/1132
Walter of Fifield, abbot of Hyde near Winchester	John of Aulton	SC 10/23/1131A
John of Aylsham, abbot of St Benet of Holme	Thomas of Cotyngnam Ralph of Wolyngnam	SC 10/23/1131
April 1344, Westminster (Great Council)		
Matthew of Englefield, bishop of Bangor	Thomas of Capenhurst, canon of St Asaph Henry of Eccleshall	SC 10/23/1141

Richard of Bury, bishop of Durham	Thomas of Bradewardyn Richard of Kilnyngton Stephen of Kettelbery William of Emeldon William of Hemyngton	SC 10/23/1136
John of Trillek, bishop of Hereford	W. of Edyndon, canon of Lincoln	<i>Reg. Trillek</i> , p. 6
Dafydd ap Bleddyn, bishop of St Asaph	Thomas of Capenhurst, canon of St Asaph	SC 10/23/1140
Wulstan of Bransford, bishop of Worcester	John of Thoresby John of Seilleye John of Stoke	SC 10/23/1138
William of la Zouche, archbishop of York	John of Chousby, canon of Lincoln Robert of Askeby, rector of Wessyngton	SC 10/23/1135
William of Bernham, abbot of Bury St Edmunds	William of Cotton	SC 10/23/1139
William of Cheriton, abbot of Evesham	William of Boys William of Newcuham	SC 10/23/1143
Robert of Nassington, abbot of Ramsey	[<i>Document is torn and names are lacking</i>]	SC 10/23/1149
Henry of Appleford, abbot of Reading	William Lonnt John Frelond	SC 10/23/1142
William of Thurlegh, abbot of St Augustine's, Canterbury	John of Ripple William Waure	SC 10/23/1144
Richard of Hertford, abbot of Waltham	Richard of Windsor Bartholomew of Langerich	SC 10/23/1137

Chapter of York	John Giffard Thomas Sampson John of Wodehous	SC 10/23/1146 SC 10/23/1147
<i>June 1344, Westminster</i>		
Richard of Bury, bishop of Durham	Thomas of Bradwardyn Richard of Kynnyngton Stephen of Ketelbury [<i>Part of document is torn away, with at least one further name</i>]	SC 10/24/1168
John Grandisson, bishop of Exeter	Robert Hereward John of Northwode Thomas Crosse	SC 10/23/1145
John of Ecclescliff, bishop of Llandaff	John of Carleton Richard of Haversham	SC 10/24/1159
Dafydd ap Bleddyn, bishop of St Asaph	Thomas of Capenhurst	SC 10/24/1166
Henry Gower, bishop of St Davids	[<i>Part of document containing names is torn away</i>]	SC 10/24/1162
Wulstan of Bransford, bishop of Worcester	John of Thoresby John of Senerleye John of Stoke	SC 10/24/1153
William of la Zouche, archbishop of York	John of Thoresby, canon of Lincoln Robert of Askeby	SC 10/24/1173
Roger of Thame, abbot of Abingdon	John of St Paul's William of Stoke	SC 10/24/1158

Roger of Barrow, abbot of Bardney	Thomas of Sibthorp William of Saundeby	SC 10/24/1174
William of Bernham, abbot of Bury St Edmunds	William of Cotton	SC 10/24/1171
William Hereward, abbot of Cirencester	Adam of Astcote Henry of Morton Walter of Cirencester	SC 10/24/1175
William of Cheriton, abbot of Evesham	William of Newenham	SC 10/24/1167
Richard of Tours, abbot of Leicester	Ralph of Thurleston Richard of Kersyngton Adam of Cradley	SC 10/24/1172
John of Tintern, abbot of Malmesbury	Nicholas of Cirencester William of Newenham	SC 10/24/1155
Henry of Morcot, abbot of Peterborough	John of Burgo [<i>Part of document is torn away, with at least one further name</i>]	SC 10/24/1152
Michael of Mentmore, abbot of St Albans	Adam of Wittenham John of Bynham	SC 10/24/1156
John of Wymondham, abbot of St John's, Colchester	John of Morton [<i>Part of document is torn away, with at least one further name</i>]	SC 10/24/1163
Thomas of Multon, abbot of St Mary's, York	William of Seyn David of Wollore John of Manseigh	SC 10/24/1170
Adam of Staunton, abbot of St Peter's, Gloucester	[<i>Name torn away</i>] of Newenham William of Cheltenham	SC 10/24/1151

Geoffrey of Gaddesby, abbot of Selby	Walter of Halsanby Thomas of Brayton	SC 10/23/1148
William of Sherbourne, abbot of Winchcombe	William of Adelmynton	SC 10/24/1177
Prior of Carlisle	Thomas of Pardisow William of Sandefitch	SC 10/24/1157
Dean and Chapter of Bangor	Thomas of Capenhurst, canon of St Asaph Semasus	SC 10/24/1169
Clergy of Carlisle diocese	Roger of Crumwell Thomas of Dalston	SC 10/24/1154
Clergy of Durham archdeaconry	Walter of Langcester	SC 10/24/1160
Clergy of Northumberland archdeaconry	Gilbert of Malington	SC 10/24/1176
<i>February 1346, Westminster (Great Council)</i>		
Matthew of Englefield, bishop of Bangor	Thomas of Capenhurst, canon of St Asaph	SC 10/24/1178
Wulstan of Bransford, bishop of Worcester	John of [document is stained] John of Stoke	SC 10/24/1179
William of la Zouche, archbishop of York	Gilbert of Welton David of Wollen William of Burgh Peter of Richmond	SC 10/24/1180

March 1347, Westminster

Roger of Thame, abbot of Abingdon	John of St Paul's John Starle	SC 10/24/1185
Walter of Fififeld, abbot of Hyde near Winchester	Robert of Kelseye	SC 10/24/1183
John of Wymondham, abbot of St John's, Colchester	John of Merton Richard of Warmyngton	SC 10/24/1182
Adam of Staunton, abbot of St Peter's, Gloucester	William of Newenham	SC 10/24/1184

January 1348, Westminster

Matthew of Englefield, bishop of Bangor	David Goch, canon of Bangor	SC 10/24/1193
Ralph of Shrewsbury, bishop of Bath and Wells	John of St Paul's	SC 10/25/1212
Roger of Northburgh, bishop of Coventry and Lichfield	Henry of Chaddesden, archdeacon of Leicester Thomas of Clopton, canon of Lichfield	SC 10/25/1215
Robert of Wyville, bishop of Salisbury	Edmund of Grimsby William of Herleston	SC 10/24/1197
Wulstan of Bransford, bishop of Worcester	John of Severleye William of Saluwarp	SC 10/25/1214
William of la Zouche, archbishop of York	John of St Paul's Ralph Turvill Gilbert of Welton	SC 10/24/1199
Roger of Thame, abbot of Abingdon	John of St Paul's William of Nolas	SC 10/25/1210

Roger of Barrow, abbot of Bardney	Geoffrey of Spalding William of Saundeby	SC 10/25/1209
William Hereward, abbot of Cirencester	Henry of Morton John of Usk William of Newenham	SC 10/24/1192
William of Boys, abbot of Evesham	William of Newenham John atte Wood	SC 10/24/1195
Walter of Fifield, abbot of Hyde near Winchester	Robert of Keleseye John of Bradelegh	SC 10/25/1205
William of Clowne, abbot of Leicester	Roger of Rependon William of Duffeld	SC 10/24/1188
John of Tintern, abbot of Malmesbury	William of Newenham William ofrsham	SC 10/25/1206
Henry of Morcot, abbot of Peterborough	Robert of Wylesford John of Burgh	SC 10/24/1198
Robert of Nassington, abbot of Ramsey	John of Brampton Edmund of Grimsby Roger of Elyngton	SC 10/24/1194
Henry of Appleford, abbot of Reading	William of Lound Alexander of Chelsea	SC 10/24/1196
Robert of Aylsham, abbot of St Benet at Holme	John of Codyngton John of Berneye William of Wychyngham	SC 10/24/1187

John of Wymondham, abbot of St John's, Colchester	John of Marton Richard of Warmyngton	SC 10/25/1201
Thomas of Multon, abbot of St Mary's, York	William of Seynesbury John of Pekelyngton	SC 10/25/1211
Adam of Staunton, abbot of St Peter's, Gloucester	William of Newenham William of Cheltenham	SC 10/25/1213
Geoffrey of Gaddesby, abbot of Selby	Walter of Haldanby Thomas of Brayton	SC 10/25/1207
William of Haddon, abbot of Thorney	William of Witley, archdeacon of Huntingdon John of Burgh John of Harowede	SC 10/24/1189
Simon of Bircheston, abbot of Westminster	Benedict of Chertsey William of Bampton	SC 10/25/1204
William of Sherbourne, abbot of Winchcombe	Henry of Cokham William of Newenham	SC 10/24/1190
John of Evesham, prior of Worcester	Robert of Weston John of Stoke	SC 10/25/1203
Dean and Chapter of Bangor	David Goch, canon of Bangor	SC 10/24/1191
Chapter of Worcester	Robert of Weston John of Stoke	SC 10/25/1202
Chapter of York	John of St Paul's John of Wodehous John Berenger	SC 10/25/1208

Clergy of Carlisle diocese	John of Fletham Adam of Carleton	SC 10/24/1200
<i>March 1348, Westminster</i>		
Ralph of Shrewsbury, bishop of Bath and Wells	John of St Paul's John of Wynewyk	SC 10/25/1219
John of Trillek, bishop of Hereford	Thomas of Bredewardyn John of Leith John of St Paul's Edmund of Grimsby	SC 10/25/1218
William Hereward, abbot of Cirencester	John of Usk William of Newenham	SC 10/25/1220
William of Boys, abbot of Evesham	William of Newenham John ate Wood	SC 10/25/1221
William of Clowne, abbot of Leicester	John of Horsley Geoffrey of Chaddesden	SC 10/25/1222
Henry of Appleford, abbot of Reading	William of Lound Alexander of Chelsea	SC 10/25/1216
Simon of Bircheston, abbot of Westminster	Benedict of Chertsey William of Bampton	SC 10/25/1217
Chapter of York	John of St Paul's Gilbert of Welton	SC 10/24/1220A

APPENDIX 2.1

BISHOPS RETURNING PROCTORS TO PARLIAMENT, 1301-1348

Parliaments held in the province of York are underlined. Great Councils are in *italics*.

Bangor

Gruffudd ap Iorwerth (1)	April 1308
Einion Sais (7)	<u>September 1314, October 1318, May 1319</u> , July 1321, June 1325, November 1325, September 1327
Matthew de Englefield (16)	October 1328, March 1330, <u>October 1330</u> , September 1331, January 1332, September 1332, <u>December 1332, February 1334, May 1335</u> , September 1337, February 1339, January 1340, April 1341, <i>April 1344, February 1346</i> , January 1348

Bath and Wells

William Haselshaw (2)	January 1307, October 1307
John Drokensford (4)	<u>May 1319, September 1327, February 1328, July 1328</u>
Ralph of Shrewsbury (10)	September 1331, <u>December 1332, February 1334, May 1335</u> , March 1336, September 1337, March 1340, <i>October 1342</i> , January 1348, March 1348

Canterbury

Walter Reynolds (1)	<u>May 1319</u>
Simon Mepham (3)	March 1330, <u>October 1330, January 1333</u>

Carlisle

John Halton (4)	January 1315, July 1321, <u>November 1322</u> , February 1324
John de Ros (2)	March 1330, November 1330

Chichester

Gilbert of St. Leofard (1)	October 1302
John Langton (10)	October 1307, October 1328, March 1330, November 1330, January 1332, March 1332, <u>January 1333, February 1334, May 1335</u> , March 1336
Robert Stratford (1)	<i>November 1338</i>

Coventry and Lichfield

- Walter Langton (1) January 1316
- Roger of Northburgh (2) May 1322, January 1348

Durham

- Richard Kellaw (1) August 1311, March 1313, July 1313, September 1313, January 1315
- Louis de Beaumont (9) May 1319, November 1322, November 1325, April 1328, October 1328, October 1330, November 1330, September 1331, December 1332
- Richard of Bury (2) *April 1344*, June 1344

Ely

- Robert Orford (3) January 1307, October 1307, July 1309
- John Ketton (3) July 1313, January 1315, January 1316
- John Hotham (4) December 1332, February 1334, May 1335, March 1336

Exeter

- Thomas Bitton (1) January 1307
- John Grandisson (6) October 1328, January 1333, May 1335, March 1336, January 1340, June 1344

Hereford

- Richard Swinfield (10) January 1307, October 1307, October 1308, April 1309, July 1309, February 1310, July 1313, September 1314, January 1315, January 1316
- Adam Orleton (1) October 1318
- Thomas Charlton (3) March 1330, February 1334, May 1335
- John of Trillek (2) *April 1344*, March 1348

Lincoln

- John Dalderby (7) May 1306, January 1307, July 1313, January 1315, January 1316, October 1318, May 1319

Llandaff

John of Monmouth (4) September 1314, January 1316, May 1322, November 1322

John de Eclescliff (12) October 1328, November 1330, September 1331, January 1332, May 1335, March 1336, March 1337, September 1337, October 1339, March 1340, April 1341, June 1344

London

Ralph Baldock (1) March 1313

Gilbert Segrave (2) September 1314, January 1316

Stephen Gravesend (5) January 1320, September 1327, July 1328, January 1333, February 1334

Norwich

John Salmon (1) July 1313

Anthony Bek (5) *November 1338, October 1339, January 1340, April 1341, October 1342*

Rochester

Thomas de Wouldham (6) January 1307, October 1307, July 1313, September 1314, January 1315, January 1316

Hamo Hethe (6) September 1327, October 1328, March 1330, January 1333, February 1334, May 1335

St Asaph

Llewellyn de Bromfield (3) January 1307, April 1308, April 1309, February 1310

Dafydd ap Bleddyn (22) May 1319, November 1322, June 1325, November 1325, July 1328, October 1328, March 1330, September 1331, January 1332, March 1332, September 1332, December 1332, February 1334, May 1335, March 1336, September 1337, February 1339, January 1340, April 1341, October 1342, April 1344, June 1344

St Davids

David Martin (7) January 1307, July 1309, September 1314, May 1319, May 1322, November 1325, February 1328

Henry Gower (12) July 1328, February 1334, May 1335, March 1336, September 1336, September 1337, February 1338, July 1338, February 1339, January 1340, March 1340, June 1344

Salisbury

Simon of Ghent (5) January 1307, July 1309, July 1313, September 1314, January 1315

Roger Martival (12) May 1319, January 1320, May 1322, November 1322, February 1324, November 1325, September 1327, February 1328, July 1328, March 1330, May 1335, September 1336

Robert of Wyville (1) January 1348

Winchester

Henry Woodlock (3) January 1307, April 1309, July 1313

John Stratford (1) December 1332

Worcester

Walter Maidstone (1) January 1316

Thomas Cobham (2) May 1319, November 1322

Simon Montacute (1) May 1335

Thomas of Hemenhale (2) September 1337, *November 1338*

Wulstan of Bransford (6) January 1340, March 1340, *April 1344*, June 1344, *February 1346*, January 1348

York

Thomas Corbridge (3) January 1301, July 1302, October 1302

William Greenfield (4) August 1312, March 1313, September 1313, January 1315

William Melton (6) October 1328, March 1330, September 1331, March 1336, February 1338, October 1339

William de la Zouche (4) *April 1344*, June 1344, *February 1346*, January 1348

APPENDIX 2.2

EPISCOPAL ABSENCES FROM PARLIAMENT, 1301-1348

January 1301	York
July 1302	York
October 1302	Chichester, York
<u>January 1307</u>	Bath and Wells, Ely, Exeter, Hereford, Lincoln, Rochester, St Asaph, St Davids, Salisbury, Winchester
October 1307	Chichester, Ely, Hereford, Rochester
April 1308	Bangor, St Asaph
October 1308	Hereford
April 1309	Hereford, St Asaph, St Davids, Winchester
July 1309	Ely, Hereford, St Davids, Salisbury
February 1310	Hereford, St Asaph
August 1311	Durham
August 1312	York
March 1313	Durham, York
July 1313	Durham, Ely, Hereford, Lincoln, Norwich, Rochester, Salisbury, Winchester
September 1313	Durham, York
<u>September 1314</u>	Bangor, Hereford, Llandaff, London, Rochester, St Davids, Salisbury
January 1315	Carlisle, Durham, Ely, Hereford, Lincoln, Rochester, Salisbury, York
January 1316	Coventry and Lichfield, Ely, Hereford, Lincoln, Llandaff, London, Rochester, Worcester
<u>October 1318</u>	Bangor, Hereford, Lincoln
<u>May 1319</u>	Bangor, Bath and Wells, Canterbury, Durham, Lincoln, St Asaph, St Davids, Salisbury, Worcester
<u>January 1320</u>	Salisbury
July 1321	Bangor
<u>May 1322</u>	Coventry and Lichfield, Llandaff, St Davids, Salisbury

<u>November 1322</u>	Carlisle, Durham, Llandaff, St Asaph, Salisbury, Worcester
February 1324	Carlisle, Salisbury
June 1325	Bangor, St Asaph
November 1325	Bangor, Durham, St Asaph, St Davids, Salisbury
September 1327	Bangor, Bath and Wells, London, Rochester, Salisbury
<u>February 1328</u>	Bath and Wells, St Davids, Salisbury
April 1328	Durham
<u>July 1328</u>	Bath and Wells, London, St Asaph, St Davids, Salisbury
October 1328	Chichester, Durham, Exeter, Rochester, St Asaph, York
March 1330	Bangor, Canterbury, Carlisle, Chichester, Hereford, Rochester, St Asaph, Salisbury, York
<u>October 1330</u>	Bangor, Canterbury, Durham
November 1330	Carlisle, Chichester, Durham, Llandaff
September 1331	Bangor, Bath and Wells, Durham, Llandaff, St Asaph, York
January 1332	Bangor, Chichester, Llandaff, St Asaph
March 1332	Chichester, St Asaph
September 1332	Bangor, St Asaph
<u>December 1332</u>	Bangor, Bath and Wells, Chichester, Durham, Ely, St Asaph, Winchester
<u>January 1333</u>	Canterbury, Chichester, Durham, Exeter, London, Rochester, St Asaph, St Davids
<u>February 1334</u>	Bangor, Bath and Wells, Chichester, Hereford, London, Rochester, St Asaph, St Davids
<u>May 1335</u>	Bangor, Bath and Wells, Chichester, Ely, Exeter, Hereford, Llandaff, Rochester, St Asaph, St Davids, Salisbury, Worcester
March 1336	Bath and Wells, Chichester, Ely, Exeter, Llandaff, St Asaph, St Davids, York
<u>September 1336</u>	St Davids, Salisbury
March 1337	Llandaff
September 1337	Bangor, Bath and Wells, Llandaff, St Asaph, St Davids, Worcester
February 1338	St Davids, York
<i>July 1338</i>	St Davids

<i>November 1338</i>	Chichester, Norwich, Worcester
February 1339	Bangor, St Asaph, St Davids
October 1339	Llandaff, Norwich, York
January 1340	Bangor, Exeter, Norwich, St Asaph, St Davids, Worcester
March 1340	Bath and Wells, Llandaff, St Davids, Worcester
April 1341	Bangor, Llandaff, Norwich, St Asaph
<i>October 1342</i>	Bath and Wells, Norwich, St Asaph
<i>April 1344</i>	Bangor, Durham, Hereford, St Asaph, Worcester, York
June 1344	Durham, Exeter, Llandaff, St Asaph, St Davids, Worcester, York
<i>February 1346</i>	Bangor, Worcester, York
January 1348	Bangor, Bath and Wells, Coventry and Lichfield, Salisbury, Worcester, York
March 1348	Bath and Wells, Hereford

APPENDIX 2.3

EPISCOPAL ABSENCES FROM PARLIAMENT BY PROVINCE

Date of Parliament	Province in which Parliament held	Canterbury Province Bishops absent	York Province bishops absent	Total Bishops absent
January 1301	Canterbury	0	1	1
July 1302	Canterbury	0	1	1
October 1302	Canterbury	1	1	2
January 1307	York	10	0	10
October 1307	Canterbury	4	0	4
April 1308	Canterbury	2	0	2
October 1308	Canterbury	1	0	1
April 1309	Canterbury	4	0	4
July 1309	Canterbury	4	0	4
February 1310	Canterbury	2	0	2
August 1311	Canterbury	0	1	1
August 1312	Canterbury	0	1	1
March 1313	Canterbury	0	2	2
July 1313	Canterbury	7	1	8
September 1313	Canterbury	0	2	2
September 1314	York	7	0	7
January 1315	Canterbury	5	3	8
January 1316	Canterbury	8	0	8
October 1318	York	3	0	3
May 1319	York	8	1	9
January 1320	York	1	0	1
May 1322	York	4	0	4
November 1322	York	4	2	6
February 1324	Canterbury	1	1	2
June 1325	Canterbury	2	0	2
November 1325	Canterbury	4	1	5
September 1327	Canterbury	5	0	5
February 1328	York	3	0	3
April 1328	Canterbury	0	1	1
July 1328	York	5	0	5
March 1330	Canterbury	7	2	9
October 1330	York	2	1	3
November 1330	Canterbury	2	2	4
September 1331	Canterbury	4	2	6
January 1332	Canterbury	4	0	4
March 1332	Canterbury	2	0	2
September 1332	Canterbury	2	0	2
December 1332	York	6	1	7
January 1333	York	7	1	8
February 1334	York	8	0	8
May 1335	York	12	0	12
March 1336	Canterbury	7	1	8
<i>September 1336</i>	York	2	0	2
March 1337	Canterbury	1	0	1
September 1337	Canterbury	6	0	6
February 1338	Canterbury	1	1	2
<i>July 1338</i>	Canterbury	1	0	1

<i>November 1338</i>	Canterbury	3	0	3
February 1339	Canterbury	3	0	3
October 1339	Canterbury	2	1	3
January 1340	Canterbury	6	0	1
March 1340	Canterbury	4	0	4
April 1341	Canterbury	4	0	4
<i>October 1342</i>	Canterbury	3	0	3
<i>April 1344</i>	Canterbury	4	2	6
June 1344	Canterbury	5	2	7
<i>February 1346</i>	Canterbury	2	1	3
January 1348	Canterbury	5	1	6
March 1348	Canterbury	2	0	2

APPENDIX 3.1

SERVING SHERIFFS RETURNED TO PARLIAMENT

This list contains the names of all the men who were elected to represent their county in parliament whilst serving as sheriff. The emphasis is on the election of sheriffs, and incumbents have thus been included even if they were subsequently relieved of office before parliament began or whilst it sat. Also included are those who were elected for one county whilst serving as sheriff of another. The list is organised by parliament: the first column contains the name of the sheriff/MP; the second identifies the shrievalty he held; and the third the county for which he sat as MP. In the case of those counties whose sheriffs were either hereditary or magnates for life (Cornwall, Lancashire, Rutland, and Worcestershire) the election of the undersheriff is noted.

October 1302

John of Cambhou	Northumberland	Northumberland
Miles Pichard	Herefordshire	Herefordshire

January 1307

John of Dene	Shropshire and Staffordshire	Shropshire
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August 1311

John of Dene	Warwickshire and Leicestershire	Warwickshire
Thomas of Warblington	Hampshire	Hampshire

November 1311

John of Dene	Warwickshire and Leicestershire	Warwickshire
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August 1312

Andrew Harclay	Cumberland	Cumberland
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March 1313

John Nevill of Stoke	Lincolnshire	Lincolnshire
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September 1314

John of Chidyok	Somerset and Dorset	Dorset
John of Howby	Warwickshire and Leicestershire	Leicestershire

January 1315

Henry of Warthecop	Westmorland	Westmorland
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January 1316

John Beaufoy
Richard of Perers

Nottinghamshire and Derbyshire
Essex and Hertfordshire

Derbyshire
Hertfordshire

October 1318

John of Kingston
Richard of Perers

Somerset and Dorset
Essex and Hertfordshire

Somerset
Hertfordshire

October 1320

Robert Bendyn
John Beaufoy
John of Crek
John Darcy
Roger of Elmerigg
William Nevill

Devon
Lincolnshire
Cambridgeshire and Huntingdonshire
Nottinghamshire and Derbyshire
Herefordshire
Warwickshire and Leicestershire

Devon
Derbyshire
Cambridgeshire
Nottinghamshire
Herefordshire
Leicestershire

July 1321

Philip de la Beche
Roger of Elmerigg

Wiltshire
Herefordshire

Wiltshire
Herefordshire

May 1322

Roger of Chaundos
Thomas of Marlborough
Thomas of Marlborough
John of Scures
Walter of Strickland
John of Swynnerton

Herefordshire
Somerset and Dorset
Somerset and Dorset
Hampshire
Westmorland
Shropshire and Staffordshire

Herefordshire
Dorset
Somerset
Hampshire
Westmorland
Staffordshire

November 1322

Walter of Strickland

Westmorland

Westmorland

February 1324

William Howard
Adam Walraund

Rutland Undersheriff
Wiltshire

Rutland
Wiltshire

October 1324

Adam Walraund

Wiltshire

Wiltshire

November 1325

Adam Walraund

Wiltshire

Wiltshire

January 1327

William of Ercalowe

Shropshire and Staffordshire

Shropshire

September 1327

Thomas of Newmarket

Lincolnshire

Lincolnshire

February 1328

William of Chevereston
 John of Hinckley
 Robert Ingram
 John of Lilleburn
 Simon of Kynardesleye
 Roger Pichard
 Peter of Tilliol

Devon
 Shropshire and Staffordshire
 Nottinghamshire and Derbyshire
 Northumberland
 Lincolnshire
 Herefordshire
 Cumberland

Devon
 Staffordshire
 Nottinghamshire
 Northumberland
 Lincolnshire
 Herefordshire
 Cumberland

April 1328

Matthew of Bassingbourn
 Thomas Blankefront
 John of Hinckley
 Robert Ingram
 Simon of Kynardesleye
 Roger Pichard

Cambridgeshire and Huntingdonshire
 Warwickshire and Leicestershire
 Shropshire and Staffordshire
 Nottinghamshire and Derbyshire
 Lincolnshire
 Herefordshire

Cambridgeshire
 Warwickshire
 Staffordshire
 Nottinghamshire
 Lincolnshire
 Herefordshire

July 1328

Robert Ingram
 Simon of Kynardesleye
 Peter of Tilliol

Nottinghamshire and Derbyshire
 Lincolnshire
 Cumberland

Nottinghamshire
 Lincolnshire
 Cumberland

February 1329

John le Mareschal
 John le Mareschal

Bedfordshire and Buckinghamshire
 Bedfordshire and Buckinghamshire

Buckinghamshire
 Hertfordshire

March 1330

John le Mareschal
 Almaric la Zouche

Bedfordshire and Buckinghamshire
 Cambridgeshire and Huntingdonshire

Buckinghamshire
 Cambridgeshire

November 1330

Peter of Tilliol <i>Thomas of Warthecop</i>	Cumberland <i>Westmorland Undersheriff</i>	Cumberland <i>Westmorland</i>
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March 1332

Warin of Bassingbourn	Cambridgeshire and Huntingdonshire	Cambridgeshire
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September 1331

Hildebrand of London Ralph of St Lawrence <i>Robert of Sandford</i>	Wiltshire Kent <i>Westmorland Undersheriff</i>	Wiltshire Kent <i>Westmorland</i>
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March 1332

Hildebrand of London William of Tyndale	Wiltshire Northumberland	Wiltshire Northumberland
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September 1332

Warin of Bassingbourn ¹ John le Rous <i>Robert of Sandford</i> John of Wroxhale	Cambridgeshire and Huntingdonshire Herefordshire <i>Westmorland Undersheriff</i> Somerset and Dorset	Cambridgeshire Worcestershire <i>Westmorland</i> Dorset
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January 1333

Henry of Bisshebury <i>Robert of Sandford</i>	Shropshire and Staffordshire <i>Westmorland Undersheriff</i>	Shropshire <i>Westmorland</i>
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February 1334

Adam le Bloy William Muchet Richard of Peshale Ralph of Sancto Laudo <i>Robert of Sandford</i> William of Spersholt	Essex and Hertfordshire Cambridgeshire and Huntingdonshire Shropshire and Staffordshire Lincolnshire <i>Westmorland Undersheriff</i> Oxfordshire and Berkshire	Essex Cambridgeshire Shropshire Lincolnshire <i>Westmorland</i> Berkshire
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September 1334

John of Oxford Richard of Peshale	Nottinghamshire and Derbyshire Shropshire and Staffordshire	Nottinghamshire Staffordshire
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¹ Parliament met on 9 September. Bassingbourn was replaced on the 13th by one of the MPs for Huntingdonshire.

May 1335

William of Aumarle
 John of Coggeshall
 Robert Darrays
 John of Hinckley
 John of Hinckley
Robert de Sandford

Devon
 Essex and Hertfordshire
 Northumberland
 Shropshire and Staffordshire
 Shropshire and Staffordshire
Westmorland Undersheriff

Devon
 Essex
 Northumberland
 Shropshire
 Staffordshire
Westmorland

March 1336

Thomas of Bekeryng
 John of Hinckley
 John of Hinckley
 John of Lymbury
 Richard Wawayn

Nottinghamshire and Derbyshire
 Shropshire and Staffordshire
 Shropshire and Staffordshire
 Cambridgeshire and Huntingdonshire
 Herefordshire

Nottinghamshire
 Shropshire
 Staffordshire
 Cambridgeshire
 Herefordshire

September 1336

John of Alveton
 Robert of Causton
 John of Coggeshall
 Thomas Lacy
 John of Oxford
 Walter of Rodeneye
 Simon of Rugeley
 Richard Wawayn

Oxfordshire and Berkshire
 Norfolk and Suffolk
 Essex and Hertfordshire
 Cambridgeshire and Huntingdonshire
 Nottinghamshire and Derbyshire
 Somerset and Dorset
 Shropshire and Staffordshire
 Herefordshire

Oxfordshire
 Norfolk
 Essex
 Cambridgeshire
 Nottinghamshire
 Somerset
 Shropshire
 Herefordshire

March 1337

Robert of Causton
 Richard of Denton
John Golafre
 William Muchet
 Cambridgeshire
 John of Oxford
 Simon of Rugeley
 Richard Wawayn

Norfolk and Suffolk
 Cumberland
Worcestershire Undersheriff
 Cambridgeshire and Huntingdonshire

Norfolk
 Cumberland
Worcestershire

Nottinghamshire and Derbyshire
 Shropshire and Staffordshire
 Herefordshire

Nottinghamshire
 Staffordshire
 Herefordshire

September 1337

John of Alveton
 Robert of Causton²
 Richard of Denton
 Peter Doynel
 William Muchet
 Peter of Veel³
 Roger la Zouche

Oxfordshire and Berkshire
 Norfolk and Suffolk
 Cumberland
 Wiltshire
 Cambridgeshire and Huntingdonshire
 Devon
 Warwickshire and Leicestershire

Oxfordshire
 Norfolk
 Cumberland
 Wiltshire
 Cambridgeshire
 Somerset
 Leicestershire

² Parliament was summoned to meet on 26 September, the same day as Causton was replaced.

³ Veel was replaced on 25 September, the day before parliament met.

February 1338

Peter Doynel	Wiltshire	Wiltshire
<i>John Golafre</i>	<i>Worcestershire Undersheriff</i>	<i>Worcestershire</i>
John of Harsyk	Norfolk and Suffolk	Norfolk
Robert of Radeclif	Kent	Kent
Richard Wawayn	Herefordshire	Herefordshire

July 1338

John of Alveton	Oxfordshire and Berkshire	Oxfordshire
<i>John Golafre</i>	<i>Worcestershire Undersheriff</i>	<i>Worcestershire</i>
John of Harsyk ⁴	Norfolk and Suffolk	Norfolk
Gilbert Ledred	Lincolnshire	Lincolnshire
<i>Reginald de la More</i>	<i>Rutland Undersheriff</i>	<i>Rutland</i>
John of Oxford	Nottinghamshire and Derbyshire	Nottinghamshire
Richard of Peshale	Shropshire and Staffordshire	Staffordshire
Richard Wawayn	Herefordshire	Herefordshire

February 1339

John of Coggeshall	Essex and Hertfordshire	Essex
Richard of Peshale	Shropshire and Staffordshire	Staffordshire

October 1339

Robert of Causton	Norfolk and Suffolk	Norfolk
Giles of Meynill	Nottinghamshire and Derbyshire	Nottinghamshire
Nicholas Passelewe	Bedfordshire and Buckinghamshire	Buckinghamshire
Simon of Rugeley	Shropshire and Staffordshire	Staffordshire
<i>Walter of Shakenhurst</i>	<i>Worcestershire Undersheriff</i>	<i>Worcestershire</i>
Richard Wawayn	Herefordshire	Herefordshire

January 1340

Robert of Causton	Norfolk and Suffolk	Norfolk
Robert of Radeclif	Kent	Kent

March 1340

<i>Thomas of Musgrave</i>	<i>Westmorland Undersheriff</i>	<i>Westmorland</i>
Simon of Rugeley	Shropshire and Staffordshire	Shropshire
Simon of Rugeley	Shropshire and Staffordshire	Staffordshire

⁴ Harsyk was technically replaced on 8 July by John of Ormesby. Parliament met on the 26th. However, Ormesby never acted and Harsyk was reappointed on the 29th.

July 1340

Giles of Meynill	Nottinghamshire and Derbyshire	Nottinghamshire
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April 1341

<i>Thomas of Musgrave</i> Adam of Peshale	<i>Westmorland Undersheriff</i> Shropshire and Staffordshire	<i>Westmorland</i> Staffordshire
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April 1343

<i>Thomas of Musgrave</i> Edward of Stradlyng Thomas of Swynnerton Thomas of Swynnerton	<i>Westmorland Undersheriff</i> Somerset and Dorset Shropshire and Staffordshire Shropshire and Staffordshire	<i>Westmorland</i> Somerset Shropshire Staffordshire
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June 1344

John of Aston <i>Thomas of Musgrave</i> John of Musters William of Radenore <i>Robert atte Wood</i>	Shropshire and Staffordshire <i>Westmorland Undersheriff</i> Nottinghamshire and Derbyshire Herefordshire <i>Worcestershire Undersheriff</i>	Shropshire <i>Westmorland</i> Nottinghamshire Herefordshire <i>Worcestershire</i>
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September 1346

William of Radnor <i>Simon of Rugeley</i>	Herefordshire <i>Staffordshire Undersheriff</i>	Herefordshire <i>Staffordshire</i>
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January 1348

Simon Basset William of Caynton <i>Simon of Rugeley</i> John of Vaus	Gloucestershire Shropshire and Staffordshire <i>Staffordshire Undersheriff</i> Nottinghamshire and Derbyshire	Gloucestershire Shropshire <i>Staffordshire</i> Nottinghamshire
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March 1348

Robert of Reymes John of Trehampton	Northumberland Lincolnshire	Northumberland Lincolnshire
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APPENDIX 3.2

ELECTIONS OF SERVING SHERIFFS BY SHRIEVALTY

Shrievalty	Number of times Serving Sheriff elected
Bedfordshire and Buckinghamshire	3
Cambridgeshire and Huntingdonshire	10
Cornwall	0
Cumberland	6
Devon	3
Essex and Hertfordshire	6
Gloucestershire	1
Hampshire	2
Herefordshire	14
Kent	3
Lancashire	0
Lincolnshire	8
Norfolk and Suffolk	7
Northamptonshire	0
Northumberland	5
Nottinghamshire and Derbyshire	14
Oxfordshire and Berkshire	4
Rutland	2
Shropshire and Staffordshire+	24
Shropshire (1345-48)	0
Somerset and Dorset*	7
Staffordshire (1345-48)	2
Surrey and Sussex	0
Warwickshire and Leicestershire	6
Westmorland	13
Wiltshire	8
Worcestershire	5
Yorkshire	0
TOTAL	153

* Thomas de Marlebergh was elected, as sheriff of Somerset and Dorset, for both counties of his shrievalty in May 1322. This has been counted as two elections.

+ The serving sheriff of Shropshire and Staffordshire was elected by both counties for the parliaments of May 1335, March 1336, March 1340, and April 1343. These have all been counted as two separate elections (eight in total).

APPENDIX 4

RECEIVERS AND AUDITORS OF PETITIONS, 1305-1348

The following is a list of the names of receivers and auditors of private petitions from all the parliaments for which they survive. The names, titles, and job descriptions are those recorded on the parliament roll.

February 1305, Westminster

Source: TNA SC9/12, printed in Paul Brand, 'Edward I: Original Documents Relating to the Parliaments of Edward I, Roll 12', item 1, in *PROME*.

(i) England (and receivers for all petitions)

Receivers and Auditors	Gilbert of Rothbury John de Caen John of Kirkby John Bush
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(ii) Scotland

Auditors	William Inge Richard of Havering Henry of Guildford James of Dalilegh John of Weston
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(iii) Gascony

Auditors	Walter Langton, bishop of Coventry and Lichfield (Chester) Henry Lacy, earl of Lincoln Aymer de Valence John of Brittany John of Havering Arnold de Caupenne Prior of Le Mas Piers Arnaud de Vic Piers Aimery John of Sandall
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(iv) Ireland and the Channel Islands

Auditors	John of Berwick Henry of Stanton William of Dene William de Mortimer Roger de Beaufou
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January 1316, Lincoln

Source: TNA SC9/20, printed in J.R.S. Phillips, 'Edward II: Parliament of 1316, text and translation', item 1, in *PROME*.

(i) England: Receivers and Auditors

Receivers Robert of Askeby, clerk of chancery
Adam of Lymbergh, exchequer remembrancer

Auditors John Salmon, bishop of Norwich
John Langton, bishop of Chichester
Roger Martival, bishop of Salisbury
Edmund Deyncourt
Philip of Kyme
John de Lisle, baron of the exchequer
Henry le Scrope, justice of King's Bench
Robert of Bardelby, clerk of chancery

(ii) Gascony, Wales, Ireland and Scotland: Receivers

Receivers Edmund of London, clerk of chancery
William of Maldon, chamberlain of the exchequer

(iii) Gascony and the Channel Islands: Auditors

Auditors Henry Woodlock, bishop of Winchester
Walter Stapeldon, bishop of Exeter
John Drokensford, bishop of Bath and Wells
William Inge, justice of Common Pleas
Roger of Rothwell, clerk
Richard of Plumpstock, clerk
Thomas of Charlton, clerk
Henry of Canterbury, clerk

(iv) Wales, Ireland and Scotland: Auditors

Auditors Ralph Fitzwilliam
William of Birston, archdeacon of Gloucester
John Walwayn, escheator south of the Trent
John Bush, clerk
Philip of Turville, clerk
John de Lisle, clerk
John of Mutford, justice of assize

October 1320, Westminster

Source: TNA SC9/23, printed in J.R.S. Phillips, 'Edward II: Parliament of 1320, text and translation', item 1, in *PROME*.

(i) England

Receivers Adam of Lymbergh, clerk
William of Herlaston, clerk

Auditors Stephen Gravesend, bishop of London
Walter Langton, bishop of Coventry and Lichfield
John Langton, bishop of Chichester
Abbot of St Albans
John Somery
Richard de Grey
William of Herle
John of Stonor
Robert of Bardelby
Henry of Cliff
Geoffrey le Scrope

(ii) Gascony, Ireland and the Channel Islands

Receivers Edmund of London, clerk
Henry of Canterbury, clerk

Auditors John Drokenford, bishop of Bath and Wells
Thomas Cobham, bishop of Worcester
Adam Orleton, bishop of Hereford
Abbot of Ramsey
Hugh de Courtenay
William Martin
Guy Ferre
Walter of Friskney
Jordan Moraunt
Richard of Burton
Gilbert of Touthby

July 1321, Westminster

Source: TNA SC9/24, printed in J.R.S. Phillips, 'Edward II: Parliament of 1321, text and translation', item 1, in *PROME*.

(i) England and Wales

Receivers Adam of Lymbergh, clerk
William of Herlaston, clerk

Auditors Stephen Gravesend, bishop of London
Walter Langton, bishop of Coventry and Lichfield
John Langton, bishop of Chichester
Abbot of St Albans
John Somery
Richard de Grey
William de Herle
John of Stonor
Robert of Bardelby
Master Henry of Cliff
Geoffrey le Scrope

(ii) Gascony, Ireland and the Channel Islands

Receivers Edmund of London, clerk of chancery
Henry of Canterbury, clerk of chancery

Auditors John Drokensford, bishop of Bath and Wells
Thomas Cobham, bishop of Worcester
Adam Orleton, bishop of Hereford
Abbot of Ramsey
Hugh de Courtenay
William Martin
Guy Ferre
Walter of Friskney
Master Jordan Moraunt
Master Richard of Burton
Gilbert of Touthby

January 1333, York

Source: TNA C65/2, printed in J.R.S. Phillips, 'Edward III: Parliament of 1333, text and translation', item 1, in *PROME*.

(i) England

Receivers Henry of Edwinstowe, clerk of parliament
Thomas of Bamburgh
Thomas of Evesham

Auditors William Melton, archbishop of York
John Hotham, bishop of Ely
Roger Northburgh, bishop of Coventry and Lichfield (Chester)
Hugh de Courtenay, baron
William la Zouche of Ashby, baron
Henry le Scrope, justice
John of Stonor, justice
William of Denum, justice
Richard of Aldborough, justice

(ii) Gascony

Receivers John of Blebury
Thomas of Brayton

Auditors Henry Burghersh, bishop of Lincoln
William Airmyn, bishop of Norwich
John Grandisson, bishop of Exeter
Ralph Basset of Drayton, baron
Richard de Grey, baron
Thomas Bacon, justice
Geoffrey of Edenham, justice

(iii) To be consulted by both sets of auditors if necessary

John Stratford, bishop of Winchester and chancellor
Sir Geoffrey le Scrope, chief justice
Treasurer

April 1341, Westminster

Source: TNA C65/9, printed in W.M. Ormrod, 'Edward III: Parliament of 1341, text and translation', item 1, in *PROME*.

(i) England

Receivers Thomas of Evesham, clerk of chancery
John Woodhouse, clerk of chancery
Edmund Grimsby, clerk of chancery

Auditors Richard of Bury, bishop of Durham
Roger Martival, bishop of Salisbury
William Bohun, earl of Northampton
Richard Fitzalan, earl of Arundel
Lord Wake
Thomas Berkeley
Robert Sadington
William Scot
Thomas Heppescotes

(ii) Gascony, Wales, Ireland, Scotland and the Channel Islands

Receivers John Marton, clerk of chancery
Elias Grimsby, clerk of chancery
Robert Kellesey, clerk of chancery

Auditors Simon Montacute, bishop of Ely
Thomas Charlton, bishop of Hereford
William Clinton, earl of Huntingdon
Hugh Courtenay, earl of Devon
John Charlton
Roger Hillary
Robert Scarborough
Roger Bakewell

(iii) To be consulted by both sets of auditors if necessary

Chancellor
Treasurer

April 1343

Source: TNA C65/10, printed in W.M. Ormrod, 'Edward III: Parliament of 1343, text and translation', item 5, in *PROME*.

(i) England

Receivers	Thomas of Evesham, clerk of chancery Thomas Sibthorpe, clerk of chancery Edmund Grimsby, clerk of chancery
Auditors	Roger Martival, bishop of Salisbury John Kirby, bishop of Carlisle Thomas Beauchamp, earl of Warwick Robert Ufford, earl of Suffolk Lord Percy Thomas Berkeley William Scot John Stonor Robert Sadington William Shareshull To consult with treasurer and chancellor where necessary

(ii) Gascony, Wales, Ireland, Scotland, Flanders and the Channel Islands

Receivers	John Marton, clerk of chancery Elias Grimsby, clerk of chancery Robert Kelsey, clerk of chancery
Auditors	Richard of Bury, bishop of Durham Anthony Bek, bishop of Norwich Ralph Nevill Anthony Lucy Roger Hillary John Shardlow William Basset Roger Bakewell

June 1344, Westminster

Source: TNA C65/11, printed in W.M. Ormrod, 'Edward III: Parliament of 1344, text and translation', item 3, in *PROME*.

(i) England (to meet in the Lesser Hall next to the Painted Chamber, Palace of Westminster)

Receivers John St Pol
Thomas Sibthorpe
Edmund Grimsby

Auditors Robert Stratford, bishop of Chichester
Ralph Stratford, bishop of London
Abbot of St Albans
Prior of Rochester
William Clinton, earl of Huntingdon
Hugh Courtenay, earl of Devon
Lord Wake
Lord Percy
Lord Berkeley
Nicholas Cantilupe
John Stonor
Richard Willoughby
Roger Hillary
Robert Sadington, chancellor (if able to attend)
Treasurer (if able to attend)

(ii) Gascony, Wales, Ireland, Brittany, Scotland and the Channel Islands (to meet in the Marcolf Chamber)

Receivers Thomas Drayton
Elias Grimsby
Thomas Capenhurst

Auditors Robert Northburgh, bishop of Coventry and Lichfield (Chester)
Ralph of Shrewsbury, bishop of Bath and Wells
Simon Montacute, bishop of Ely
Abbot of Westminster
Abbot of St Augustine's, Canterbury
Robert Ufford, earl of Suffolk
John de Vere, earl of Oxford
William Scot
William Shareshull
Roger Bakewell
Robert Sadington, chancellor (if able to attend)
Treasurer (if able to attend)

September 1346, Westminster

Source: TNA C65/12, printed in W.M. Ormrod, 'Edward III: Parliament of 1346, text and translation', item 3, in *PROME*.

(i) England and Ireland

Receiver Thomas Cottingham

Auditors Robert Stratford, bishop of Chichester
Abbot of Westminster
Lord Wake
William Scot
John Stonor
William Sharesull
William Thorp

(ii) Gascony, Wales, Scotland and the Channel Islands

Receiver Robert Kelsey

Auditors William Bateman, bishop of Norwich
Prior of Rochester
Thomas Berkeley
Richard Willoughby
Roger Hillary

January 1348, Westminster

Source: TNA C65/13, printed in W.M. Ormrod, 'Edward III: Parliament of January 1348, text and translation', items 2-3, in *PROME*.

(i) England and Scotland

Receivers	John St Pol Thomas Sibthorpe Edmund Grimsby
Auditors	Ralph Stratford, bishop of London John Gynewell, bishop of Lincoln John Thoresby, bishop of St Davids Abbot of St Albans Abbot of Waltham Prior of Rochester William Bohun, earl of Northampton William Clinton, earl of Huntingdon Lord Wake Lord Percy Lord Berkeley Ralph Nevill William Thorp Robert Sadington John Stonor William Herlaston To consult with king's serjeants as necessary

(ii) Clergy

Auditors	William Edington, bishop of Winchester John Thoresby, bishop of St Davids Chancellor Keeper of the privy seal Henry of Grosmont, earl of Lancaster Richard Fitzalan, earl of Arundel William Clinton, earl of Huntingdon Lord Stafford Richard Talbot William Thorp Robert Sadington John Stowford
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(iii) Gascony, Wales and Ireland

Receivers	Thomas Drayton Elias Grimsby Thomas Capenhurst
Auditors	William Bateman, bishop of Norwich Thomas Lisle, bishop of Ely Henry of Grosmont, earl of Lancaster

John de Vere, earl of Oxford
Robert Ufford, earl of Suffolk
Lord Stafford
Walter Mauny
Roger Hillary
William Sharesull
William Basset
Roger Bakewell
To consult John Wawayn, constable of Bordeaux, as necessary
To consult the justiciar and treasurer of Ireland, as necessary

(iv) *To sit on all commissions, when they are able to attend and as necessary*

Thomas Bradwardine, archbishop of Canterbury
John Offord, chancellor
Treasurer
Chief Justice

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C 54	Chancery, Close Rolls
C 65	Chancery, Parliament Rolls
C 66	Chancery, Patent Rolls
C 74	Chancery, Statute Roll
C 153	Chancery, <i>Vetus Codex</i>
C 219	Chancery, Parliamentary Writs and Returns
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