POLITICAL SOCIETY IN LATER MEDIEVAL ENGLAND

A FESTSCHRIFT FOR CHRISTINE CARPENTER

EDITED BY
BENJAMIN THOMPSON
AND JOHN WATTS

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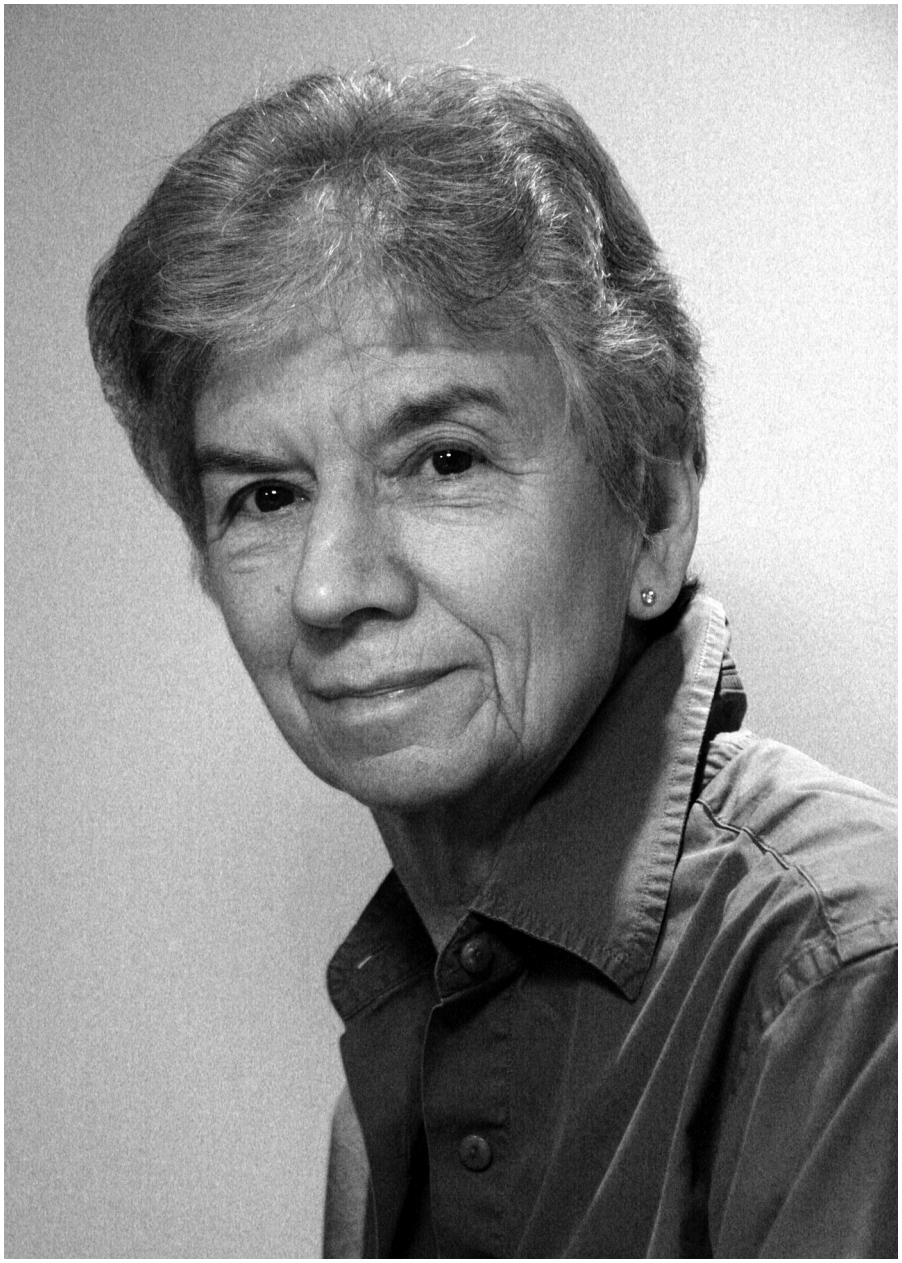

Christine Carpenter (photo: Jamie Carpenter)

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BENJAMIN THOMPSON AND JOHN WATTS

Abbreviations

BIHR	*Bulletin of the Institute of Historical Research*
BL	British Library
Bracton	*Bracton on the Laws and Customs of England*, ed. G. E. Woodbine, trans. S. E. Thorne, 4 vols (Cambridge, Mass., and Selden Society, 1968–77)
CCR	*Calendar of Close Rolls, Henry III to Henry VII* (London, 1892–1963)
CFR	*Calendar of Fine Rolls*, 22 vols (London, 1911–62)
CIPM	*Calendar of Inquisitions Post Mortem*, 26 vols: I–XX (London, 1904–95), XXI–XXVI (Woodbridge, 2002–9)
CPR	*Calendar of Patent Rolls, Henry III to Henry VII* (London, 1891–1916)
CWAAS	Cumberland and Westmorland Antiquarian and Archaeological Society
EHR	*English Historical Review*
Emden, *Cambridge*	A. B. Emden, *A Biographical Register of the University of Cambridge to 1500* (Cambridge, 1963)
Emden, *Oxford*	A. B. Emden, *A Biographical Register of the University of Oxford to 1500* (Oxford, 3 vols, 1957–59)
HC	*History of Parliament: The House of Commons 1386–1421*, ed. J. S. Roskell, Linda Clark and Carole Rawcliffe, 4 vols (Stroud, 1992)
HR	*Historical Research*
KCAR	Cambridge, King's College Archives
L&P	*Letters and Papers, Foreign and Domestic, of the Reign of Henry VIII: Preserved in the Public Record Office, the British Museum, and elsewhere*, ed. J. S. Brewer (2nd edn, Vaduz, 1965)
NH	*Northern History*
ODNB	*Oxford Dictionary of National Biography* (Oxford, 2004), online edn; www.oxforddnb.com

P&P	*Past & Present*
PLD	*Paston Letters and Papers of the Fifteenth Century*, I-II, ed. Norman Davis, 2 vols (Oxford, 1971–76), III, ed. Richard Beadle and Colin Richmond, Early English Text Society, suppl. ser., 22 (Oxford, 2005)
PLG	*The Paston Letters*, ed. James Gairdner, 6 vols (1904; repr. Gloucester, 1983)
PROME	*The Parliament Rolls of Medieval England*, ed. C. Given-Wilson et al. Internet version, at http://www.sd-editions.com/PROME, Scholarly Digital Editions (Leicester, 2005) (print edition: 16 vols (Woodbridge, 2005))
Rot. Parl.	*Rotuli Parliamentorum; ut et Petitiones et Placita in Parliamento*, 6 vols (London, 1767–77)
Rymer, *Foedera*	*Foedera, Conventiones, Literae etc.*, ed. T. Rymer, 4 vols, 7 parts (London, 1816–30)
TCWAAS	Transactions of the Cumberland and Westmorland Antiquarian and Archaeological Society
TNA	The National Archives
TRHS	*Transactions of the Royal Historical Society*

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Introduction

JOHN WATTS

Among the various developments in the study of political and constitutional history in twentieth-century Britain, perhaps the most important has been the adoption of a social approach, a way of thinking about power and political negotiation that acknowledges the implication of these things in social structure and practice.[1] Already perceptible in the work of the great nineteenth-century constitutional historians, and taken onward by the most perceptive of their successors in the early twentieth century (notably Maitland), the notion that politics, together with government and other institutions of power, must be understood as expressions of society gained ground from the 1920s and 1930s, becoming the natural basis for understanding the political element in most periods of British history. To be sure, this partly Marxian approach was challenged in some quarters, and was practised with varying degrees of refinement and emphasis, but its adoption may well explain the long survival of political history as a subject of importance in British universities. Where the French abandoned the history of politics for more than a generation, and the Americans allowed an unreformed whiggish narrative to wither away to nothing, the study of British politics and state-formation has remained lively across all periods and continues to attract historians of ability even in the new millennium.

For scholars of later medieval England (or Scotland, or Wales), the leading author of this development was, of course, K. B. McFarlane: his aim to understand the history of 'the English state' via 'a study of the evolution of its governing class', as he put it in 1940, was developed in his lectures and carried forward in the work of his students, and then their students, in the 1970s and 1980s and beyond.[2] In the mid-1990s, Richard Britnell and Tony Pollard could still say that 'the current state of the art in the history of late medieval English politics is … McFarlane's legacy', and anyone attempting a survey of today's writing on the subject would be likely to take a similar view.[3] But if the major

1 Michael Bentley, *Modernizing England's Past* (Cambridge, 2005), ch. 5.

2 K. B. McFarlane, *The Nobility of Later Medieval England* (Oxford, 1973), p. xx.

3 *The McFarlane Legacy: Studies In Late Medieval Politics and Society*, ed. Richard Britnell and A. J.

breakthrough in the study of our subject was made in the 1940s and 1950s, that is not to say that nothing has happened since. Not only has there been a huge expansion in the size of the academy in general, and in the numbers studying later medieval England in particular, the task of exploring political society has become more difficult, as understandings of 'society' and 'the social' have come to be refined and contested.[4] Perhaps no historian writing today has played a more prominent role in extending and deepening the social approach to later medieval political history, or in defending its importance amid the opportunities and challenges of the 'cultural turn', than Christine Carpenter. This book of essays, written by students and colleagues of hers, is offered as a modest tribute to her intellectual leadership of the field and the remarkable body of work that she has contributed to it.

The outlines of Christine's career will be familiar from her many books and articles. She read History at Newnham College, Cambridge, before going on to study as an external postgraduate student with Gerald Harriss, McFarlane's successor as tutor in medieval history at Magdalen College, Oxford. Her thesis, completed in 1976, was a vast study of 'Political Society in Warwickshire, c.1401–72'. Among its distinctive features – besides the awe-inspiring card-indexes in which the details of well over 800 gentlemen were recorded – were its comprehensive treatment of the gentry as both a class and a status group and its recognition of the interplay of the crown, its agents and agencies, and the nobility and gentry, in shaping the politics of the county. Already, the Carpenter approach to the study of political society involved a full appreciation of both 'locality and polity' – the title she gave to the 1992 book based on her earlier work. It was not enough to explore the networks of power that linked nobles and gentlemen in the shires, nor to study the relations between nobles and kings at the centre: rather, to understand either of these sets of relationships properly, the continuous presence of central authority in the locality and the continuous pressure of local concerns and configurations on the centre needed to be acknowledged; only in this way could the full complexity of later medieval politics, and the forces that shaped political behaviour and drove events, be appreciated. Although 'Political Society in Warwickshire' was not the first county study to be undertaken on the fifteenth century, it broke new ground in its depth of detail and as an interpretation of how later medieval politics actually worked. While McFarlane had pointed the way to the study of landed society as the most promising way of grasping medieval politics, it was left to the generation of the 1970s to work out and demonstrate how it could be done.

Pollard (Stroud, 1995), p. xi. A similar line was taken by Maurice Keen in an overview essay written a decade later: 'English Political History of the Late Middle Ages, 1272–c.1520', in *A Century of British Medieval Studies*, ed. Alan Deyermond (Oxford, 2007), pp. 51–69.

4 For insights on expansion and diversification, see Tim Thornton, 'British Post-graduate Research in Fifteenth-Century History, 1919–99', in *Social Attitudes and Political Structures in the Fifteenth Century*, ed. Tim Thornton, The Fifteenth Century Series, VII (Stroud, 2000).

The late 1970s saw Christine starting a family and building up a wide portfolio of teaching (a now-eminent professor of seventeenth-century history recalls a taxing supervision at the house in Tenison Road, which began with his sitting on a tube of nappy cream). In 1979 Christine was elected to a teaching fellowship at New Hall, Cambridge, and recognition from the university soon followed, when she became University Assistant Lecturer in 1983. Her particular responsibility was to lecture not on politics, but on medieval English economy and society, and thus were laid down the foundations of a teaching career that centred on Cambridge's Part 1 papers, particularly those now numbered 3 and 8 – respectively, British political and constitutional and social and economic history between 1050 and 1509. Christine's teaching, which soon extended to the supervision of research students, played a highly formative role in the development of her research. Above all, it strengthened an existing interest in the wider context of political events: the need to understand and explain the broad movement of the economy, the changing shape of society, and the development of the constitution encouraged Christine to think hard about where her own research fitted in to larger patterns and dynamics. It led her to establish her own views on the course of English history, and to see what was missing from other writing on later medieval politics. The experience of explaining the big picture to Cambridge students, and of arguing with them in supervisions, led to a very fertile series of reviews and articles, running throughout the 1980s and into the 1990s.[5] These were often highly critical of the state of later medieval political history, on two grounds above all. First, it seemed that there was too little integration of the growing volume of detailed research – rather as McFarlane himself had complained in the 1930s, the syntheses were out of date, but no-one seemed to be producing new ones that did full justice to what had been learned since the Victorian era. Second, and related, there was a need for a more nuanced approach to prominent interpretative categories – 'patronage', 'community', 'personality', even 'bastard feudalism' – these were not altogether devoid of meaning as tools for interpreting later medieval political life, but they needed to be re-examined, with reference both to contemporary understandings of political life, and to recognition of the other categories and pressures that helped to structure political behaviour.[6]

It was these insights that lay behind Christine's call for a 'new constitutional history' in the mid-1990s, a project which she partly fulfilled herself in her 1997

5 Among the most important articles are 'The Beauchamp Affinity: A Study of Bastard Feudalism at Work', *EHR*, 95 (1980), pp. 514–32; 'Law, Justice and Landowners in Late-Medieval England', *Law and History Review*, 1 (1983), pp. 205–37; 'Who Ruled the Midlands in the Later Middle Ages?', *Midland History*, 19 (1994), pp. 1–20; 'Gentry and Community in Medieval England', *Journal of British Studies*, 33 (1994), pp. 340–80; 'Political and Constitutional History: Before and After McFarlane', in *McFarlane Legacy*, ed. Britnell and Pollard, pp. 175–206.

6 See, e.g. 'Fifteenth-Century Biographies', *HJ*, 25 (1982), pp. 729–34; 'Fifteenth-Century English Politics', *HJ*, 26 (1983), pp. 963–7; 'Law, Justice and Landowners' and 'Gentry and Community', *passim*.

book on the Wars of the Roses (subtitled *Politics and the Constitution, c.1437–1509*) and on which she continues to work. As she remarked in 1992, 'all societies have a constitution, even if … it consists largely of the unspoken assumptions of the politically aware about what may or may not be done'.[7] The aim of the project was not to cram all political behaviour into some sort of schema, but rather to acknowledge that politics was (and is) invariably conducted with reference to expectations, institutions and mutualities of various kinds, many of them widely shared, many of them grouped or linked, and most of them perceptible by scholars, if we take the trouble to look for them. She has carried these ideas forward in the preparation of a slowly gestating book, but also in lectures, essays and introductions to texts and collections, which have continued to appear since the 1990s. In Christine's recent work, some long-standing themes have continued to receive attention – the re-publication of *Kingsford's Stonor Letters* in 1996, the *Armburgh Papers* of 1998 and the *Calendars of the Inquisitions Post Mortem* for 1422–47 (2003–10) throw more light on gentry society, particularly in relation to the law and to the dynamics of family and friendship, while an essay on religion and the gentry returns to an issue she first explored in the 1980s.[8] But there are also some new concerns. One, discussed at more length below, is 'political culture', the topic of the 2002 Fifteenth-Century Conference, which Christine organised at New Hall, before editing the proceedings with Linda Clark; this led to papers for international conferences on political space in fifteenth-century England and on the murder of English kings.[9] More recently, Christine has turned attention to a different social group from the aristocracy: the staff of the royal central administration, and their role in political and constitutional change.[10] These last are a body of men for whom Christine feels ever-growing respect, a perspective that may be shared by other academics, as our working lives become ever more dominated by bureaucracy and by the still-impossible demands of the state.

Christine's move from the study of aristocratic society towards constitutional history and political culture may appear to reflect wider trends in historiography,

7 *Locality and Polity: A Study of Warwickshire Landed Society* (Cambridge, 1992), p. 5.

8 'Religion', in *Gentry Culture in Late Medieval England*, ed. Raluca Radulescu and Alison Truelove (Manchester, 2005), pp. 134–50; cf. 'The Religion of the Gentry of Fifteenth-Century England', in *England in the Fifteenth Century: Proceedings of the 1986 Harlaxton Symposium*, ed. Daniel Williams, Harlaxton Medieval Studies III, old ser., (Woodbridge, 1987), pp. 53–74.

9 *The Fifteenth Century IV: Political Culture in Late Medieval Britain*, ed. Linda Clark and Christine Carpenter (Woodbridge, 2004); 'Political and Geographical Space: The Geopolitics of Medieval England', in *Political Space in Pre-Industrial Europe*, ed. Beat Kümin (Farnham, 2009), pp. 117–34; 'Resisting and Deposing Kings in England in the Thirteenth, Fourteenth and Fifteenth Centuries', in *Murder and Monarchy: Regicide in European History, 1300–1800*, ed. Robert von Friedeburg (Basingstoke, 2004), pp. 99–121.

10 'War, Government and Governance in England in the Later Middle Ages', in *The Fifteenth Century VII: Conflicts, Consequences and the Crown in the Late Middle Ages*, ed. Linda Clark (Woodbridge, 2007), pp. 1–22; 'Henry VI and the Deskilling of the Royal Bureaucracy', in *The Fifteenth Century IX: English and Continental Perspectives*, ed. Linda Clark (Woodbridge, 2010), pp. 1–37.

such as the 'linguistic (or cultural) turn', but it is important to recognise that, in making this move, she has left nothing behind. For some historians, attention to discourses and representations has seemed to threaten (or encourage) 'the end of social history', either by raising questions about the status of history as a discipline and the plausibility of its connection to the past, or – less drastically – by drawing attention to the role of immaterial over material factors in shaping social and political activity.[11] For Christine, however, as for many others, the study of language, attitudes and cultural codes is and always has been an indispensable part of the study of society: there is no need to oppose words and things; rather, in reaching for 'the totality of experiences that went into the shaping of fifteenth-century political man', we should look at ideas and mentalities alongside, and in relation to, political dynamics, social and institutional structures, and economic imperatives.[12] Done in the right way, 'new constitutional history', the study of 'political culture' and the social history of politics are all the same thing, routes to understanding 'the interaction of people, society and institutions', as Christine put it in 1995, that lay at the heart of politics.[13]

It may be worth pausing here to note some of the features of the study of political society as Christine practises it. First of all, there is a deep concern with enforcement. Christine has argued that historians are vulnerable to 'Glendower's disease': that is, imagining that governmental rhetoric and formal authority might be sufficient in themselves, rather than recognising these as attempts to induce compliance from the actual holders of power. These power-holders were, above all, the aristocracy, and particularly the nobility, not only because of their superior status and resources, but – in the last resort – because of their superior control over tenants and their resulting ability to put sizeable forces in the field. Tellingly, this power is political as much as material: it derives from jurisdiction, rather than simple ownership, and England was ruled by landowners because 'wealth, *and more importantly*, political power, were founded in land'.[14] The point reminds us that society is shaped as much by its political features as by its social structures: indeed, political institutions, social practices and mentalities are treated in structural ways and given equivalent weight; there is no hierarchy of 'base' and 'superstructure', but a synthesis of the two. At the same time, it is important to Christine that the social history of politics deals with 'people' as well as 'society'. She can be critical of biographical treatments that go beyond what the sources authorise or that over-emphasise personal factors, ignoring the framework of institutions and public expectations that also shaped behaviour, but she is equally uneasy about treatments of politics and society that ignore human nature and individuality. This is one reason for Christine's long-standing interest in the gentry correspondences of the fifteenth century: as she says, there

11 Patrick Joyce, 'The End of Social History?', *Social History*, 20 (1995), pp. 73–91.
12 *Locality and Polity*, p. 1.
13 'Political and Constitutional History', p. 190.
14 *Locality and Polity*, p. 1 (emphasis added).

are insights 'that could come only through a letter', but these need to be placed alongside the more impersonal evidence of records and the analysis of social groups and aggregates.[15]

It is on these grounds that Christine, the great exponent of the study of 'political culture' in the later middle ages, has also been a severe critic of certain kinds of 'cultural history'. As she argues in an overview essay of 2004, the history of political culture can be too neglectful of the realities of power, too exclusive in its notion of 'culture', too abstract and shapeless. It should take its cue from older anthropological approaches to culture (which were influenced by sociology and ethnography), not newer ones, and – above all – it should be guided by appropriately sensitive readings of action, in which 'symbol and semiotics' may be allotted a part, but the shaping role of 'political structures', of 'society, economics and politics', of 'power and governance' and of 'the distribution of power', must be acknowledged.[16] There is a reminder here that the ultimate concern of political historians should not lie with the uncovering of meaning – for meaning is infinite – but with the explanation of action, and of patterns of action. In a time when 'cultural history' can sometimes seem to be sweeping everything before it, this is a useful challenge. We may insist that (high) political action is not the only kind of action that merits explanation, but we have to accept that the actions of the powerful have considerable impact. We may argue that it is worth spending time unpacking patterns of language and practice, but Christine would not disagree: she would just insist that the end of the task must be the explanation of the actual behaviour of historically significant people. Interestingly, some of her views are shared by leading cultural historians themselves. In the 2004 founding issue of *Cultural and Social History*, the revealingly retitled journal of the Social History Society, a Cambridge colleague, Peter Mandler, calls on cultural historians to attend to the mechanics of circulation, interpretation and identification; he asks for precision on who received particular cultural forms, what they made of them, and what they were moved to do as a result.[17]

The essays that follow have been designed with Christine's conception of 'political society' in mind. Many of them are oriented towards the study of institutions, concepts and practices, but the aim is always to try to say something about social and political reality, and to remember that ideas are transacted and politics conducted in social settings, whether the society in question is that of a county or a parish, the king's council, or the realm at large. In writing them, we have

15 'The Stonor Circle in the Fifteenth Century', in *Rulers and Ruled in Late Medieval England: Essays Presented to Gerald Harriss*, ed. Rowena E. Archer and Simon Walker (London and Rio Grande, Ohio, 1995), pp. 175–200, quotation from p. 200.

16 'Introduction: Political Culture, Politics and Cultural History', in *Fifteenth Century IV*, ed. Clark and Carpenter, pp. 1–19; quotations from pp. 5–6, 9.

17 Peter Mandler, 'The Problem of Cultural History', *Cultural and Social History*, 1 (2004), pp. 94–117.

all been conscious of one of Christine's most admirable – and perhaps most misunderstood – characteristics. She is a natural teacher, in the Socratic tradition. Confronted with airy concepts, she emphasises harsh realities. Presented with consensus and stability, she draws attention to tension and competition (and vice versa). She has stressed the hard power of noblemen because historians are apt to forget it. She insists on the view from bottom up because it is so easy for English historians (especially) to look from the top down. She gives weight to the informal and private when too much is allowed to rest on the formal and public, and she invokes the personal dimension precisely to the extent that it has been overlooked. Ultimately, and in her own work, it is not the polarity between these things that Christine emphasises, but their interconnections, in the depiction of a society that is shaped at once by a whole range of forces and dynamics – material and institutional, political and intellectual, emotional and spiritual, individual and collective. We hope that the virtues of this search for an *histoire totale* are reflected in the following pages, but we also anticipate bracing questions from our erstwhile supervisor.

Appreciations

When I arrived at university, I knew – with all the unblinking certainty only an eighteen-year-old can muster – that I was a Tudor historian. Yes, I had more than a passing interest in the middle ages, but it was the Tudors who had fired my imagination ever since I was tiny. It didn't matter that I was hardly the first or last person to say that; what mattered was that I would seize every opportunity Cambridge offered to immerse myself in the world of the sixteenth century.

By the end of that year, all historical confidence had deserted me. My supervisors had taken apart everything I thought I knew about Tudor England, and I sat amid the debris, not sure of my next move. Taking a step forward chronologically was not an option, given that modern history, for me, was another country. Perhaps, then, I would look back, to the Wars of the Roses and beyond, even if it meant encountering the formidable supervisor of whom historians from my college spoke in hushed, sometimes quaking tones.

What happened next changed my life. It sounds like an exaggeration, I realise. But what Christine opened up for me was a different historical world. She required forensic thought about the deepest structures of politics, as mercilessly revealed in medieval society by the absence of the institutional apparatus the modern world takes for granted. Why did anyone obey a medieval ruler; how could anyone even know what he (it was almost but not quite always a he) commanded, given the startling absence of a standing army or a police force, let alone modern forms of transport or communication? These were questions – extraordinarily, it now seemed – that I had never been asked before. And it immediately became clear that thinking about power in these rawest and broadest of terms necessitated thinking about people; about principles and pragmatism, about political, theological and literary culture, about the complex intersection between self-interest and perceptions of the common good, about the role of individual human beings within wider forces of social change. It was fascinating, and it made the past vividly real, in three demanding dimensions.

Not only that, but for the first time I began to feel I was being equipped with the tools to construct my own responses. The process could be terrifying: Christine's standards of thought, analysis and expression are unyielding. But that

was precisely why praise, when it came, was exhilarating; and Christine herself – through both her teaching and the developing body of her research and writing, work of extraordinary depth and challenging insight – illuminated a path from which, as things turned out, I couldn't tear myself away. I hadn't intended to become an academic, but when I couldn't bring myself to leave Christine's medieval England behind, she had the ideal subject ready and waiting for a Ph.D. When I lost my way early on, she summoned me for fortnightly supervisions, offering such discipline, commitment and belief that there was no alternative but to find some of my own. Her instructions led me into a teaching job as one of her colleagues in Cambridge – and, though academia wasn't in the end quite my place, the experience was not only hugely enriching in itself, but prompted me to explore a different way of writing history, without (I hope) compromising the commitment to the reality, complexity and humanity of the past that I learned from her.

It's hard to imagine a more remarkable, inspiring and challenging mentor. It's still always Christine's verdict that I await with trepidation. And it's always worth waiting for.

HELEN CASTOR

It is a long way from Warwickshire to Constantinople, and it may be that I am the former Christine student who has strayed furthest from late-medieval England. But although I found my long-term home in Byzantium, my personal and academic debts to Christine are immense. In common with many other undergraduates I approached both the initial prospect and the lived reality of being supervised by Christine with a mixture of shock and awe. Having one's spelling, grammar, prose and conceptual thinking deconstructed with devastating precision on a weekly basis was a bracing experience. 'Legacy' is rather too woolly a word to describe what I owe to Christine but, if nothing else, her relentless demand for clarity, logic and sceptical questioning on the part of her students meant that within a term I had been hauled from the harmless recitation of the received wisdom of others towards the kind of independent forensic thinking that would enable me to study late-medieval English political history more effectively and, as it turned out, to study the political history of many other cultures too. Under Christine's eye one began to realise that apparently simple words such as 'law', 'administration', 'image', 'constitution' and even 'politics' were not simple at all but needed to be explored and defined if they were to have any analytical utility.

Christine's most important insight for my own subsequent work was her insistence that we needed to think more about the expectations that those engaged in politics had of other political actors. Although I do not recall her using the

term at the time, she was essentially talking, long before it was fashionable to do so, about the need to understand the political culture of any given society, to appreciate its codes and modes of behaviour, its values, and its implicit but often only indirectly expressed expectations. I have felt the influence of Christine's approach to political culture not only in the work that I eventually came to do on the tenth-century Byzantine emperor Basil II but also in the interests that I have developed in looking comparatively at political societies in the Byzantine Empire, the medieval West and the Islamic world.

One particular dimension of political culture which has always appealed to me can also be traced back to Christine, and that is my interest in the relationship between centres of power and localities. It was in working with Christine for an undergraduate dissertation on the relationship between the royal court and Norfolk in the 1440s that this interest first took powerful root, but it is a preoccupation which returned when I went on to look at relations between Constantinople and Byzantium's eastern frontier in the tenth and eleventh centuries. Above all, I have always been fascinated by the need to see how centre–locality relations must be studied in terms of dynamic social relationships and not simply through the lens of those institutional structures that are more easily recovered from administrative sources. This, indeed, is something that I want to pursue further in the later medieval Byzantine period when we can begin to see with considerable clarity the nitty-gritty processes of negotiation between those with claims to universal authority, such as the Byzantine emperor or Turkish sultan, and those local hegemons whose practical resources of wealth and manpower the higher powers wished to tap.

But while I am confident that Christine's influence and injunctions will accompany me as I explore new research avenues, my greatest debts to her are personal ones. That is to say, she was a tremendous support when I had to take time away from university because of illness. More enduring still, her encouragement that I base my undergraduate dissertation on evidence from my home county of Norfolk meant that my own locality became so much more rich, vivid and interesting. I doubt that I will live in Norfolk again, but Christine's suggestion has helped to ensure that my own locality remains my home.

CATHERINE HOLMES

Murray Edwards under its former name, New Hall, owes a deep debt of gratitude to Christine Carpenter. Both as a Fellow and as Director of Studies in History, she brought a real sense of intellectual integrity into the daily life of the college. She had high standards of excellence and did everything humanly possible to see that our students met them. Christine always demanded much but gave a great deal in return. We were an excellent team. Her sense of order

and attention to detail saved many of our historians from administrative disaster while her prodigious memory was of the greatest assistance when interviewing candidates. She could be relied on to fill in the details for letters of recommendation long years after our historians had left the college. I could not have functioned without her.

The Fellowship as well as our undergraduates benefited from her wide range of interests. General Historical Questions seminars were enriched by her broad and eclectic reading, which went far beyond medieval history and the classics. A stay in hospital was made endurable by frequent visits from Christine, armed with appropriate mystery stories from her private collection. Christine is one of the most cultured academics I have met at Cambridge. Her knowledge of music and theatre, augmented by frequent visits to London with her husband Roger to the opera and concerts, meant that conversations at lunch were not just confined to academic gossip. A passionate supporter of Spurs, Christine could be counted on to give you a full history of the team.

Christine never followed the crowd, either in her work or as a member of Council. She was always forthright in her opinions and had a strong sense of right and wrong. This was more important to her than being an easy colleague. Her judgements, however unpopular, were often justified by subsequent events. No-one was more convinced than Christine that the most important function of the college was to provide its students with the best education possible. Everything else was secondary. Quite apart from her intellectual gifts and independence of spirit, Christine, as some of her colleagues and students recognised, was caring and compassionate when and where it mattered most. The Fellowship and her students were much enriched by her presence.

ZARA STEINER

CHRISTINE'S GROUP

We both got to know Christine Carpenter in the 1970s and would count ourselves amongst her friends and admirers ever since. John Morrill arrived in Cambridge with strict instructions from his predecessor at Selwyn (Blair Worden) that Christine (still without a Fellowship) was one of two scholars whom at all costs he must use for teaching particular papers, obviously in her case the medieval British papers, both the political and constitutional and the social and economic ones. She remained the first choice as long as he was director of studies (1975–92). John and Christine had another thing in common, which Christine cared about even more than John did – both were academic grandchildren of the peerless K. B. McFarlane, she via her Ph.D. supervisor Gerald Harriss, John through his undergraduate guru and graduate mentor J. P. Cooper. John always felt this

gave him some protection, but at any rate, given the rigours of the McFarlane tradition of scholarship and pedagogy, he believed that they recognised that each of them had, as Oliver Cromwell put it, the 'root of the matter' in them. Rosamond McKitterick and Christine were among the group of research students in English, History and Medieval and Modern Languages in the early 1970s who went on to Chairs in Cambridge and elsewhere and who are still in touch with each other. Christine's corner of the Cambridge University Library Reading Room was famous even then, with her card-index system for the Warwickshire gentry immovably installed at the end of one of the northernmost reading desks where she worked every day.

Back in the late 1980s, we would guess 1987, John Morrill was having lunch with Jonathan Steinberg and each was effervescing furiously about recent research discoveries (one in the early life of Cromwell, the other in why Italian generals would not surrender Balkan Jews to the Nazis). It was such fun and yet so completely fulfilling – this passion, this commitment – despite the troubles then besetting the academic profession, that they wondered if they were the only ones to love their research in the same way. They decided to seek out like-minded colleagues and very quickly a discussion group of five formed – alphabetically Christine Carpenter, Rosamond McKitterick, John Morrill, Alastair Reid, Jonathan Steinberg. Over the next thirteen or fourteen years, this 'Group' (we never gave it more of a name than that) met five times a year, at the beginning and end of the Long Vacation and in the Christmas and Easter vacations, with each meeting's discussion started by one of us in sequence. Moving between New Hall, Newnham, Selwyn, Girton and Trinity Hall with 'brown-bag lunches', the 'Group' put the world to rights for an hour (we seemed to enjoy academic gossip just as much!) and then engaged in vigorous intellectual debate on set reading for the next couple of hours. In the first 'round' each of us in turn explained why she or he was so passionate about particular and very different periods and approaches. This entailed some serious self-examination of the particular course individual intellectual development can take and how much family and early experience can either influence or act as essential opposition. As can be imagined, such honesty and very personal revelation created strong bonds between the five of us. Thereafter, five sessions at a time over the years, the group explored different themes. What was the most influential book that had set us on course as historians? We willingly tackled Spengler, Isaac Asimov's *Foundation* and Helen Waddell's *Peter Abelard*; and Christine's choice was Rosemary Sutcliffe's *Eagle of the Ninth*. What historian had influenced us most as students? What was the most exemplary work in our field? Who was doing the most interesting work at the moment in our fields? Which book were we most ashamed not yet to have read in our field? (This meant that at last we read them!) Which work by one of our students would we most commend?

It was not without its self-indulgence but it was not without rigour either, and no quarter was given. Christine had us reading McFarlane (obviously) and Jim Holt (unsurprisingly); but she also had us reading Ted Powell's work, *Kingship*,

Law, and Society: Criminal Justice in the Reign of Henry V (Oxford, 1989). Our lips are sealed about which of her students' works she most admired; and certainly about the book she had never read. The group was a three-line whip and was a high point for us all as we struggled with growing bureaucracy and the constraints of the Cambridge Tripos, with trying colleagues and demanding students, and we do not doubt that it made life a whole lot more fun and made us realise it was all right to be in love with what we did. What it reinforced was not only Christine's extraordinarily powerful analytical mind but the huge range of her interests and of her enthusiasms (in history, literary genres, music and politics above all). The group was as vibrant in 2000 (when it folded on Jonathan's departure from Cambridge for Pennsylvania) as in the 1980s. It may also have been a small masonic presence in the faculty. It was a thing unknown for any of us to vote against something keenly felt by another. John Morrill even waved a white flag when Christine insisted that the Wars of the Roses and Henry VII could not be understood by sixteenth- and seventeenth-century scholars looking back, but only by dyed-in-the-wool medievalists, and so the terminal dates of the relevant Part 1 papers were changed from 500–1450 and 1450–1750 to 500–1500 and 1500–1750 by decree of the Faculty Board over John Morrill's abstention!

ROSAMOND MCKITTERICK
JOHN MORRILL

1

'If I do you wrong, who will do you right?' Justice and Politics During the Personal Rule of Henry III

TONY MOORE

One of Christine Carpenter's many contributions to medieval historiography has been to encourage the study of law as a social and political force.[1] The law was vital to landholders since it guaranteed their property rights and land was the essential basis of their social standing and political power. Legal sources are equally important for historians, providing 'by far and away the best source for events in the localities'.[2] Although Carpenter cautions against the unsophisticated use of legal records, in *Locality and Polity* she demonstrates how they can be employed to reconstruct local power structures and politics. Her work has also stressed that the increasing importance of royal justice had implications for royal power and the relationship between the king and his landed subjects. The king had become so central to the functioning of the polity that a tyrannous or merely weak ruler posed a danger to all his subjects.[3] This chapter will explore one stage in the pre-history of the later medieval polity, focusing on the expansion of royal justice in the mid-thirteenth century. First, it will demonstrate the increasing business of the royal courts and how this changed the nature of the relationship between local landholders and the crown. Next, it will investigate the interactions of Essex landholders with the royal judicial system in the decade before 1258 to assess whether they had any particular reasons for dissatisfaction with Henry's rule, which may help to explain the support of local landholders for the reform movement and later Simon de Montfort. Finally, it will use one case-study, the dispute between Hugh fitzRichard of Elmstead and Warin de

1 This emphasis is evident from her earliest work; see Christine Carpenter, 'Law, Justice and Landowners in Late Medieval England', *Law and History Review*, 1 (1983), pp. 205–37.

2 Carpenter, *Locality and Polity: A Study of Warwickshire Landed Society* (Cambridge, 1992) p. 705.

3 Christine Carpenter, 'Resisting and Deposing Kings in England in the Thirteenth, Fourteenth and Fifteenth Centuries', in *Murder and Monarchy: Regicide in European History, 1300–1800*, ed. Robert von Friedeburg (Basingstoke, 2004), p. 99.

Munchenesy over the manor of Thorrington, to illustrate some of the practical results of the expansion of justice.

The provision of justice and maintenance of order had always been a key responsibility of government; indeed 'law and order' remains a powerful political theme today. According to the contemporary legal treatise attributed to the royal justice Henry de Bracton, 'to this end is a king made and chosen, that he do justice to all men'.[4] This duty was made explicit in the coronation oath and symbolised on the obverse of the great seal, showing the king seated with sword (later sceptre) and orb.[5] While medieval kingship was inextricably tied up with justice and the maintenance of order, the institutions and structures by which this justice was delivered and order enforced changed dramatically. There was a great diversity of courts in medieval England, most obviously the division between ecclesiastical and secular jurisdictions. Within the latter, as well as the central courts of the bench (later Common Pleas), *coram rege* (later King's Bench) and the royal justices sitting in eyre or commissioned to take individual assizes, there were the communal courts of the county, hundred and borough, and also the private courts of the honour or manor.[6] In theory all secular courts were also royal courts in that they exercised delegated public or feudal authority in the king's name. In the following discussion, however, the term 'royal courts' will be used in a narrower sense to refer to the bench, *coram rege* and itinerant justices. Although these various courts were integrated, in that it was possible to transfer a plea from a seigniorial court to the county court and ultimately to the *curia regis*, this chapter will argue that it was only during Henry III's reign that the gentry and other free tenants began to use the royal courts as a court of first instance rather than of last resort.[7]

The county courts were the oldest element of the English judicial system and legal texts such as *Glanvill* and the form of early writs suggest that they initially played a vital role.[8] They continued to be important during the first half of Henry's reign, at least to judge from nearly 1,500 appointments of attorneys in the county courts that were recorded on the close rolls between 1225 and 1238.

4 *Bracton*, II, p. 305.

5 H. G. Richardson, 'The Coronation in Medieval England: The Evolution of the Ceremony and the Oath', *Traditio*, 16 (1960), pp. 111–202; Carpenter, 'Resisting and Deposing', p. 100. It is an indication of Henry III's desire to be seen as a *rex pacificus* that, when he introduced a new great seal in 1259, the sword was replaced by a doved rod and Henry was buried with a rod not a sword in his hand (D. A. Carpenter, 'The Burial of King Henry III, the *Regalia* and Royal Ideology', in *The Reign of Henry III* (London, 1996), pp. 438–43.

6 John Hudson, *The Oxford History of the Laws of England, II: 871–1216* (Oxford, 2012), pp. 537–73.

7 The following argument is made in greater detail in Tony Moore, 'The Fine Rolls as Evidence for the Expansion of Royal Justice during the Reign of Henry III' in *The Growth of Royal Government under Henry III*, ed. David Crook and Louise Wilkinson (Woodbridge, forthcoming).

8 The best account is Robert C. Palmer, *The County Courts of Medieval England, 1150–1350* (Princeton, 1982).