



Baronial Reform
and Revolution in England
1258–1267

Edited by Adrian Jobson

Baronial Reform and Revolution in England,
1258–1267

Baronial Reform and Revolution in England,
1258–1267

Edited by Adrian Jobson

THE BOYDELL PRESS

© Contributors 2016

All Rights Reserved. Except as permitted under current legislation no part of this work may be photocopied, stored in a retrieval system, published, performed in public, adapted, broadcast, transmitted, recorded or reproduced in any form or by any means, without the prior permission of the copyright owner

First published 2016
The Boydell Press, Woodbridge

ISBN 978 1 84383 467 0

The Boydell Press is an imprint of Boydell & Brewer Ltd
PO Box 9, Woodbridge, Suffolk IP12 3DF, UK
and of Boydell & Brewer Inc.
668 Mt Hope Avenue, Rochester, NY 14620–2731, USA
website: www.boydellandbrewer.com

A catalogue record for this book is available
from the British Library

The publisher has no responsibility for the continued existence or accuracy of URLs for external or third-party internet websites referred to in this book, and does not guarantee that any content on such websites is, or will remain, accurate or appropriate

This publication is printed on acid-free paper

For Michael Clanchy

This book is produced with the assistance of
a grant from Isobel Thornley's Bequest to
the University of London

CONTENTS

<i>List of Illustrations</i>	ix
<i>Acknowledgements</i>	x
<i>List of Abbreviations</i>	xi
Introduction <i>Adrian Jobson</i>	1
Modern Historians and the Period of Reform and Rebellion, 1258–1265 <i>Christopher Tilley</i>	13
The Secret Revolution of 1258 <i>David Carpenter</i>	30
Baronial Reform, the Justiciar's Court and Commercial Legislation: The Case of Grimsby <i>Andrew H. Hershey</i>	43
Crisis Management: Baronial Reform at the Exchequer <i>Nick Barratt</i>	56
Local Administration during the Period of Reform and Rebellion <i>Tony Moore</i>	71
What Happened in 1261? <i>H.W. Ridgeway</i>	89
Writing Reform and Rebellion <i>Lars Kjær</i>	109
Civic Government in Troubled Times: London c.1263–1270 <i>John A. McEwan</i>	125
The Montfortian Bishops <i>Sophie Ambler</i>	139
Reformers and Royalists: Aristocratic Women in Politics, 1258–1267 <i>Louise J. Wilkinson</i>	152

Contents

The Midlands Knights and the Barons' War: The Warwickshire Evidence <i>Mario Fernandes</i>	167
Retinues, Agents and Garrisons during the Barons' Wars <i>Peter Coss</i>	183
The Barons' War in the North of England, 1264–1265 <i>Fergus Oakes</i>	199
The Maritime Theatre, 1258–1267 <i>Adrian Jobson</i>	218
Reasserting Medieval Kingship: King Henry III and the Dictum of Kenilworth <i>Benjamin L. Wild</i>	237
<i>Index</i>	259

ILLUSTRATIONS

Local Administration during the Period of Reform and Rebellion

Figure 1	Chronology of Shrieval Appointments, 1216–1272	73
Figure 2	Shrieval Appointments, 1257–1267	83

The Barons' War in the North of England, 1264–1265

Map 1	Royalist-held Castles in the North before the Battle of Northampton, 1264	203
Map 2	Rebel-held Castles in late 1263 and the Lands of Northumbrian Rebels Seized in August to September 1265	208

Reasserting Medieval Kingship: King Henry III and the Dictum of Kenilworth

Table 1	Subjects Submitting to Royal Judgement, 1266	246
Table 2	Charter Attestations of the Dictum's Authors, 1260–1267	253

ACKNOWLEDGEMENTS

Many debts of gratitude have been incurred in the making of this volume. Several scholars have offered valuable support and advice, namely John Maddicott, Marc Morris, Michael Ray, Susan Stewart and Björn Weiler. I would also like to record my thanks to Boydell's staff, in particular Caroline Palmer and Rob Kinsey, for their help and guidance in seeing this volume through to the press. This book has been published with the help of a generous grant from the late Isobel Thornley's Bequest to the University of London, and special thanks are due to the committee's secretary, Clive Burgess, for facilitating this assistance. I would like to thank my wife, Angela, and parents, Leo and Linda, for their steadfast support and encouragement over the years. An immense debt of gratitude is also owed to Michael Clanchy, whose generous support, encouragement and advice to all the scholars contributing to this volume cannot be expressed nor repaid. It is to him that this collection is dedicated.

Adrian Jobson
Sausalito, April 2016

ABBREVIATIONS

Citations of unpublished records, except where otherwise indicated, relate to materials held in The National Archives: Public Record Office (TNA:PRO).

<i>Abbrev. Plac.</i>	<i>Placitorum in Domo Capitulari Westmonasteriensi Asservatorum Abbreviatio: Temporibus Regum [sic] Ric. I, Johann., Henr. III, Edw. I, Edw. II</i> , ed. W. Illingworth (Rec. Comm., 1811)
<i>Ann. Mon.</i>	<i>Annales Monastici</i> , ed. H.R. Luard, 5 vols (RS, 36, 1864–9)
BL	British Library
<i>Book of Fees</i>	<i>Liber Feodorum. The Book of Fees Commonly Called Testa de Neville</i> , 3 vols (HMSO, 1920–31)
<i>Burton</i>	<i>Annales Monasterii de Burton, 1004–1263</i> , in <i>Ann. Mon.</i> , i. 183–500
<i>CAD</i>	<i>Calendar of Ancient Deeds</i> , 6 vols (PRO Texts and Calendars, 1890–1915)
<i>CChR</i>	<i>Calendar of Charter Rolls</i> , 6 vols (PRO Texts and Calendars, 1903–27)
<i>CCR</i>	<i>Calendar of Close Rolls</i> , 47 vols (PRO Texts and Calendars, 1900–63)
<i>CFR</i>	<i>Calendar of the Fine Rolls of the Reign of Henry III</i> , eds D.A. Carpenter et al., Henry III Fine Rolls Project, http://www.finerollshenry3.org.uk
<i>Chron. Mayor</i>	<i>Chronicles of the Mayors and Sheriffs of London, AD 1188 to AD 1274</i> , ed. H.T. Riley (London, 1863)
<i>CIM</i>	<i>Calendar of Inquisitions Miscelleaneous, I: 1219–1307</i> (PRO Texts and Calendars, 1916)
<i>CIPM</i>	<i>Calendar of Inquisitions Post Mortem, 1236–1300</i> , 3 vols (PRO Texts and Calendars, 1904–12)
<i>CLR</i>	<i>Calendar of Liberate Rolls</i> , 6 vols (PRO Texts and Calendars, 1916–64)
<i>CM</i>	<i>Matthaei Parisiensis, Monachi Sancti Albani, Chronica Majora</i> , ed. H.R. Luard, 7 vols (RS, 57, 1872–83)
<i>CPR</i>	<i>Calendar of Patent Rolls</i> (PRO Texts and Calendars, 1891–)
<i>CR</i>	<i>Close Rolls of the Reign of Henry III</i> , 14 vols (PRO Texts and Calendars, 1902–38)

Abbreviations

- DBM* *Documents of the Baronial Movement of Reform and Rebellion, 1258–1267*, eds R.F. Treharne and I.J. Sanders (Oxford, 1973)
- Dunstable* *Annales Prioratus de Dunstaplia, 1–1297*, in *Ann. Mon.*, iii. 3–408
- EHR* *English Historical Review*
- EYC* *Early Yorkshire Charters*, 12 vols; 1–3, ed. W. Farrer (Edinburgh, 1914–16); 4–12, ed. C.T. Clay (Yorkshire Arch. Soc., 1935–65)
- Flores* *Flores Historiarum*, ed. H.R. Luard, 3 vols (RS, 95, 1890)
- Foedera* *Foedera, Conventiones, Litterae et Acta Publica*, ed. T. Rymer, amended edn by A. Clarke and F. Holbrooke, 4 vols in 7 (Rec. Comm., 1816–69)
- GEC* *The Complete Peerage of England, Scotland, Ireland, Great Britain and the United Kingdom*, eds G.E. Cokayne, V. Gibbs et al., 2nd edn, 12 vols in 13 (London 1912–59)
- Gerv. Cant.* *The Historical Works of Gervase of Canterbury*, ed. W. Stubbs, 2 vols (RS, 73, 1879–80)
- Gloucester* *The Metrical Chronicle of Robert of Gloucester*, ed. W.A. Wright, 2 vols (RS, 6, 1887)
- Guisborough* *The Chronicle of Walter of Guisborough*, ed. H. Rothwell (Camden Soc., 3rd ser., 89, 1957)
- Howell, *Eleanor of Provence* M. Howell, *Eleanor of Provence: Queenship in Thirteenth-Century England* (Oxford, 1998)
- Jacob, *Studies* E.F. Jacob, *Studies in the Period of Baronial Reform and Rebellion* (Oxford, 1925)
- Jobson, *First English Revolution* A. Jobson, *The First English Revolution: Simon de Montfort, Henry III and the Barons' War* (London, 2012)
- Knowles, 'Disinherited' C.H. Knowles, 'The Disinherited, 1265–80: A Political and Social Study of the Supporters of Simon de Montfort and the Resettlement after the Barons' War', 3 vols (unpublished Ph.D. thesis, University of Wales, 1959)
- Liber de Antiquis Legibus* *De Antiquis Legibus Liber. Cronica Maiorum et Vicecomitum Londoniarum*, ed. T. Stapleton (Camden Soc., 34, 1846)
- Maddicott, *Montfort* J.R. Maddicott, *Simon de Montfort* (Cambridge, 1994)
- NS New Series
- ODNB* *Oxford Dictionary of National Biography* (Oxford, 2004–14), available at: <http://www.oxforddnb.com>
- Osney* *Annales de Osneia, 1016–1347*, in *Ann. Mon.* iv. 3–352

Abbreviations

Powicke, <i>Lord Edward</i>	F.M. Powicke, <i>King Henry III and the Lord Edward</i> , 2 vols (Oxford, 1947)
<i>PR</i>	<i>Pipe Rolls</i> , published by the Pipe Roll Society
PRO	The National Archives: Public Record Office
PRS	Pipe Roll Society
Rec. Comm.	Record Commissioners
<i>RCWL</i>	<i>The Royal Charter Witness Lists of Henry III</i> , ed. M. Morris, 2 vols (List and Index Soc., 291–2, 2001)
<i>Rot. Hund.</i>	<i>Rotuli Hundredorum</i> , ed. W. Illingworth, 2 vols (Rec. Comm., 1812–18)
<i>Royal Letters</i>	<i>Royal and Other Historical Letters Illustrative of the Reign of Henry III</i> , ed. W.W. Shirley, 2 vols (RS, 27, 1862–6)
RS	Rolls Series (<i>Rerum Britannicarum Medii Aevi Scriptores</i> , 1858–96)
ser.	series
Soc.	Society [of the]
<i>Song of Lewes</i>	<i>The Song of Lewes</i> , ed. C.L. Kingsford (Oxford, 1890)
<i>TCE I–XV</i>	<i>Thirteenth Century England</i> , 15 vols to date (Woodbridge, 1983–); 1–4, eds P.R. Coss and S.D. Lloyd; 6–10, eds M.C. Prestwich, R.H. Britnell and R.F. Frame; 11–15, eds J. Burton, P. Schofield, K. Stöber and B.K.U. Weiler
<i>Tewkesbury</i>	<i>Annales Monasterii de Theokesberia, 1066–1263</i> , in <i>Ann. Mon.</i> , i.
TNA	The National Archives
Treharne, <i>Baronial Plan</i>	R.F. Treharne, <i>The Baronial Plan of Reform 1258–1263</i> (Manchester, 1932, repr.1971)
<i>TRHS</i>	<i>Transactions of the Royal Historical Society</i>
<i>VCH</i>	<i>The Victoria History of the Counties of England</i> , eds H.A. Doubleday et al. (1900–, in progress)
<i>Waverley</i>	<i>Annales Monasterii de Waverleia, 1–1291</i> , in <i>Ann. Mon.</i> , ii. 129–412
<i>Worcester</i>	<i>Annales Prioratus de Wigornia, 1–1377</i> , in <i>Ann. Mon.</i> , iv. 355–562
<i>Wykes</i>	<i>Chronicon vulgo dictum Chronicon Thomae Wyke, 1066–1289</i> , in <i>Ann. Mon.</i> , iv. 6–354

Introduction

Adrian Jobson

On 30 April 1258, seven leading English magnates confronted King Henry III in Westminster Hall to demand that the 'state of the realm' be reformed.¹ This dramatic moment marked the beginning of a protracted political struggle, lasting almost a decade, between Henry and his baronial opponents, the leadership of which was soon assumed by Simon de Montfort, the king's charismatic brother-in-law and earl of Leicester.² The central point of contention was who, ultimately, should control the government of the realm. Henry accepted the principle that he was subject to the law, but ministerial appointments, he consistently maintained, were a fundamental royal prerogative. For the king's opponents, however, his selection of unsuitable officials, lack of consultation, heavy financial exactions and partiality for his alien relatives necessitated political reform.

Just weeks after Henry's enforced submission at Westminster, the baronial reformers secured effective control over royal government at both a national and local level. Fully exploiting their newly achieved political ascendancy, they soon embarked upon an ambitious programme of legislative and administrative reform that was subsequently codified in two major enactments: the Provisions of Oxford (June 1258) and the Provisions of Westminster (October 1259).³ Authority was now invested in an elected council, which would exercise power on the king's behalf. Sheriffs would be elected locally on an annual basis, while allegations of official malpractice were to be investigated by the newly appointed justiciar. Henry, however, resented the restrictions placed upon his prerogative and secretly worked for their overthrow. In 1261 success attended his efforts: Henry recovered his political independence, and the unity of the baronial leadership was subverted. But a discontented minority, headed by Montfort, refused to accept the reversal in their political fortunes. Two more years of political manoeuvrings followed as the balance of power regularly shifted between each side. June 1263 witnessed a closely orchestrated revolt, originating in the Welsh Marches but quickly spreading across the country, that soon overwhelmed the complacent royalist government. Henry, politically isolated, had little choice but to confirm the reformist ordinances and legislation promulgated in 1258–59. Baronial rule may have been restored, but the myriad challenges facing Montfort's nascent regime ensured that it proved to

¹ *Tewkesbury*, 163–5; Treharne, *Baronial Plan*, 66.

² For what follows, see Jobson, *First English Revolution*, 15–147; Maddicott, *Montfort*, 151–371; Treharne, *Baronial Plan*, 64–342; Powicke, *Lord Edward*, *passim*.

³ *DBM*, 96–113, 136–57.

be of only temporary duration. Political deadlock ensued, causing both parties to seek international arbitration to break the impasse. But at Amiens on 23 January 1264, the French king Louis IX declared unreservedly in Henry's favour.⁴ The verdict was angrily rejected by the baronial faction, who now realised that armed conflict was their only option.

Montfort was initially triumphant: victory at Lewes on 14 May 1264 rendered Henry his prisoner and made him the realm's de facto ruler. Over the next fifteen months some of the most radical reforms in medieval English history were attempted. Governance was invested in a newly established council of nine, which had responsibility for all appointments whether 'great or small'.⁵ Henry, stripped of many of his prerogative powers, was effectively reduced to the status of a figurehead. In January 1265, Montfort summoned representatives from several towns and the Cinque Ports in a move that promoted the commons' role in parliament. Yet Montfort's arrogance and own self-interest undermined his achievements as the crown's supporters renewed the fight. At Evesham, on 4 August 1265, the Lord Edward, Henry's eldest son, won a crushing victory. Montfort was slain, along with many of his closest adherents, in an orgy of bloodletting, the magnitude of which shocked contemporary observers. Henry was immediately restored to unrestricted power, but the fruits of victory were squandered as he favoured vengeance over reconciliation. Rebel estates across the country were seized, forcing their former owners, known collectively as the 'disinherited', into rebellion once more. Kenilworth, Montfort's former stronghold, became the primary focus of their resistance. For six months the garrison remained defiant, the concomitant siege eventually becoming the longest in English history. Henry was forced to compromise. Three months of negotiation resulted in a redemption policy, codified in the Dictum of Kenilworth (31 October 1266), which allowed the 'disinherited' to redeem their forfeited estates from the royalists.⁶ Although representing a significant step towards a peaceful settlement, the Dictum's terms were still overly harsh. Several prominent rebels still refused to submit. In support of these men, the earl of Gloucester occupied London in April 1267. Faced with the prospect of renewed civil war, Henry offered additional concessions that were accepted by Gloucester and the 'disinherited'. The war was finally over.

Constitutionally, the years 1258 to 1267 formed a significant episode in parliament's development. Evolving into a formal consultative assembly that dealt with 'the common business of the realm', the baronial leadership had accorded the wider political community a more active and regularised role in its proceedings.⁷ Innovative theological constructs surrounding the nature of just rule and accountability, which challenged long-standing conventions that had underpinned royal government, were adopted by the baronial reformers. Thus the crown's prerogative was systematically eroded as conciliar governance replaced rule through

⁴ *DBM*, 280–91.

⁵ *DBM*, 296–7.

⁶ *DBM*, 315–37.

⁷ J.R. Maddicott, *The Origins of the English Parliament, 914–1327* (Oxford, 2010), 274.

the king's personal will. This revolutionary development, the first instance in English history where a political movement had seized power and governed in the monarch's name, represented a transfer of authority from the crown to a corporate body far more radical than anything proposed by Magna Carta's authors in 1215.⁸ Governance was likewise transformed through the adoption of numerous new legal and administrative measures, a programme of modernisation unprecedented in medieval England. For many, the oaths taken to uphold the Provisions supplanted the loyalty traditionally owed to the crown in a manifest demonstration of personal conscience over fealty. Altruism often clashed with self-interest: some vigorously resisted plans to place seigneurial officials within the reformist movement's purview, while others embraced reform primarily to pursue their own private grievances.⁹ But only broad-based popular support, the baronial leadership collectively recognised, would ensure the movement's long-term survival. Considerable effort was thus expended in courting diverse constituencies such as the Cinque Ports and the county gentry. This tumultuous decade also saw the concept of reform enthuse even the lowest levels of thirteenth-century society. In this charged atmosphere of political and social turmoil, destructive forces were unleashed in a virulent wave of anti-Semitism and xenophobia that swept through the country as minority groups were subjected to physical violence and intimidation.

Recent historiography has explored many key themes that collectively shaped the course of the baronial reform movement and the subsequent civil war. Some scholars, for instance, have conducted meticulous analysis of the legislation enacted by the baronial opposition, or examined how central government was subjected to root-and-branch reform. Others have emphasised the role played in events by specific individuals such as Henry III and Simon de Montfort, or traced in detail the bitter factional rivalry that shattered the harmony of the king's court.¹⁰ Given that these and other issues have already been discussed in considerable detail elsewhere, this volume instead focuses on exploring a number of themes that have been generally neglected in the existing historiography of the years 1258–67. Consisting of fifteen essays, broadly chronological in arrangement, this collection offers several contributions analysing the involvement of particular societal groups in the political struggle at either a national or local level. Some essays consider how individual elements of the reformist programme were implemented in practice, while others explore specific events that altered the

⁸ Jobson, *First English Revolution*, ix-x; D.A. Carpenter, *Magna Carta* (London, 2015), 430–60, esp. 438–50.

⁹ Jobson, *First English Revolution*, 33–4.

¹⁰ While it is not possible to mention all of these works here, key studies include P.A. Brand, *Kings, Barons and Justices: The Making and Enforcement of Legislation in Thirteenth-Century England* (Cambridge, 2003); *The 1258–9 Special Eyre of Surrey and Kent*, ed. A.H. Hershey (Surrey Rec. Soc., 38, 2004); J.R. Maddicott, *Simon de Montfort* (Cambridge, 1994); M. Howell, *Eleanor of Provence: Queenship in Thirteenth-Century England* (Oxford, 1998); D.A. Carpenter, 'King, Magnates and Society: The Personal Rule of King Henry III of England, 1234–1258', in his *The Reign of Henry III* (London, 1996); D.A. Carpenter, 'What Happened in 1258?', in his *Reign of Henry III*; H.W. Ridgeway, 'The Lord Edward and the Provisions of Oxford (1258): A Study in Faction', in *TCE I*; H.W. Ridgeway, 'King Henry III and the Aliens, 1236–1272', in *TCE II*.

course of either the reform movement itself or the subsequent military conflict. This collection has also concentrated on reform and rebellion within the British Isles: detailed comparative studies with other contemporary demands for reform in neighbouring states such as Portugal and Spain, Sicily would be sufficiently voluminous to warrant their own edited volume.

Ever since the end of hostilities in 1267, the years of baronial reform and rebellion have fascinated successive generations of scholars. William Rishanger, for instance, writing at St Albans in the early fourteenth century, drew upon contemporary chronicles and evidence derived from those close to Montfort to produce his account of the Barons' War.¹¹ The *Vita Edwardi Secundi's* anonymous author alluded to the political turmoil of the 1260s in his discussion of the possible consequences arising if Edward II rejected the Ordinances of 1311.¹² Similarly, Thomas Walsingham, a late fourteenth-century chronicler, used Montfort's revolt as a justifiable precedent for the Lords Appellant in their struggle with Richard II's favourites. But following Henry IV's accession, Walsingham deliberately offered a more negative interpretation of Montfort's rebellion that focused on how it had overthrown the social order.¹³ For the next two centuries interest in the years 1258–67 waned, although during Elizabeth I's reign Raphael Holinshed covered them in some detail as part of a wider narrative history of the British Isles.¹⁴ Since the seventeenth century, however, study of the baronial reform period has benefited immensely from focused scholarly attention, a development which is traced by Christopher Tilley in this volume's first essay. Outlining how each new generation, from Sir Robert Cotton to John Maddicott, has (re)interpreted the events of 1258 to 1267, he discusses the various factors that influenced their cumulative research. Highlighting new intellectual trends, social changes and perceived relevance to contemporary events, Tilley explores how the emergence of history as a professional discipline in the nineteenth century revolutionised academic study of this period and opened up exciting new avenues of study. Similarly, he emphasises the critical importance of accessibility to primary source material, the publication of which has transformed our understanding of this pivotal decade.

Much scholarly attention has inevitably focused on the political rebellion of 1258. Many different contributory factors, both long- and short-term, have been identified by historians. Reginald Trehearne, for instance, emphasised Henry III's misgovernment and personal incompetence in the years before 1258, while

¹¹ J.P. Carley, 'Rishanger, William (b.1249/50, d. after 1312)', *ODNB* (2004) [accessed 25 February 2015].

¹² *Vita Edwardi Secundi*, ed. N. Denholm-Young (London, 1957), 18.

¹³ Thomas Walsingham, *The St Albans Chronicle Volume I, 1376–1394*, eds J. Taylor, W.R. Childs and L. Watkiss (Oxford, 2003), 799–800, 835–7, 879; Thomas Walsingham, *Ypodigma Neustriae*, ed. H.T. Riley (RS, 27, 1876), 142–66; C. Guyol, 'The Altered Perspective of Thomas of Walsingham's Symbol of Normandy', in *Law, Governance and Justice: New Views on Medieval Constitutionalism*, ed. R. Kaeuper (Boston, 2013), 190–6.

¹⁴ R. Holinshed, *Holinshed's Chronicles of England, Scotland and Ireland*, ed. H. Ellis, 6 vols (London, 1807–8), ii. 444–72.

Huw Ridgeway has highlighted bitter factional rivalries at court.¹⁵ Others have analysed in exhaustive detail the legislative and administrative programme, in particular the Provisions of Oxford and Westminster, instituted following the baronial takeover of royal government. Paul Brand's magisterial study of the drafting and enforcement of thirteenth-century legislation, for instance, firmly placed the Westminster Provisions in their political and legal context.¹⁶ Scholars have also noted how knowledge of the reformist programme was disseminated to the wider population through a combination of specific public proclamations (in Latin, French and sometimes English) and an oath taken by 'all faithful men' to 'observe the statutes'.¹⁷ Yet the reforms' full radicalism, David Carpenter argues in his essay, was deliberately concealed by the baronial regime, fearful that if the programme's true character and their coercion of the king became public knowledge, the reformers were sure that they might forfeit the popular support that they so desperately needed. Availing that Henry had, in fact, willingly conceded authority in return for securing taxation in furtherance of the Sicilian business, the regime's letters and proclamations promoted its own interpretation of events. Highlighting the piecemeal and ineffective way the reforms were announced, Carpenter also demonstrates that the barons offered no clear declaration of either the new ruling council's authority or parliament's place in the new constitution. Indeed, so successful was the baronial regime in its efforts at concealment that in contemporary accounts of 1258 the radicalism of what it had accomplished went unnoticed.

Legal reform constituted a central component of the baronial programme. Hugh Bigod was appointed as justiciar, a long-dormant office, with a mandate to deliver judicial redress 'to all persons' and to investigate any abuse allegedly committed by royal or seigniorial office holders.¹⁸ This would be accomplished through a countrywide eyre, the evidence being collated in advance of his arrival in each shire. Local panels, each comprised of 'four prudent and law-worthy knights', were thus tasked with collecting complaints and passing the details to Bigod.¹⁹ Historians have long recognised that these efforts at correcting injustice in the localities benefited the wider political community rather than just the baronial elite, in particular the knights and lesser landholders. But little scholarly attention has been paid to how the new regime's legal reforms impacted upon merchants and townsmen. Andrew Hershey's essay focuses on the experience of Grimsby, an active trading town in Lincolnshire with extensive mercantile links. Its poorer inhabitants enthusiastically embraced the opportunities provided by the new

¹⁵ Treharne, *Baronial Plan*, 47–63; H.W. Ridgeway, 'The Lord Edward and the Provisions of Oxford (1258): A Study in Faction', in *TCE* I, 81–92; idem, 'King Henry III and the Aliens, 1236–1272', in *TCE* II, 89–99.

¹⁶ Brand, *Kings, Barons and Justices*, 1–206.

¹⁷ D.A. Carpenter, 'English Peasants in Politics, 1258–1267', in his *The Reign of Henry III*, 328–9.

¹⁸ *The 1258–9 Special Eyre of Surrey and Kent*, ed. A.H. Hershey (Surrey Rec. Soc., 38, 2004), xxiii–xxiv.

¹⁹ *DBM*, 98–9.

judicial reforms, he notes, as they sought legal redress, via the recently instituted *querela* procedure, against the town's leading citizens for impeding their trading activities. Analysing the interplay between the justiciar's court and the legal actions prosecuted there, Hershey demonstrates how the resulting proceedings helped Grimsby secure important new commercial regulations authorised by the baronial council of fifteen.

Of similar import for the baronial regime was the reformation of the royal finances. Two decades of fiscal mismanagement and expensive foreign entanglements had left the treasury seriously depleted. The king's generous patronage policy, essentially a mixture of cash fees and land grants, further exacerbated the crown's parlous finances. Henry was consequently forced to rely on ever more oppressive revenue-raising measures. Increments imposed over the county farms, burdensome Jewish tallages and heavier judicial fines were just some of the many fiscal expedients he adopted that served to increase his government's unpopularity.²⁰ For the baronial reformers, therefore, the stabilisation of the crown's finances and the implementation of new standards of conduct for royal office holders were absolute priorities. John of Crakehall, a veteran administrator, was appointed treasurer, while a systematic programme was instituted to reduce the crown's overall indebtedness. Official accountability was strictly enforced, both in the way feudal incidents were exploited and also throughout the exchequer's own audit process.²¹ Recent historiography has mainly concentrated upon the intricate machinery of the exchequer, evaluating the impact of regime change on the institution's personnel as well as analysing the reformist government's attempts to overhaul the management of the royal finances. Scholars have similarly focused on the overall revenue levels generated for the crown under baronial rule. Yet, as Nick Barratt argues in his essay, the reformers' collective efforts were illusory, since they failed to address the 'underlying problems associated with thirteenth-century state finance'.²² Barratt considers what he highlights as the three key long-term issues (the reduction of debt/expenditure, revenue generation and structural change) and contends that the baronial exchequer in practice lacked innovation, becoming an even more bureaucratic institution and achieving nothing 'that can be remotely described as reformist'.²³ In tracing the circumstances surrounding the dismissal of Philip Lovel, the royalist treasurer, in October 1258, Barratt also demonstrates how Simon de Montfort exerted his influence to effect regime change at the baronial exchequer for his personal benefit.

Local administration was also subjected to a root-and-branch overhaul as part of the baronial reform programme. A new sheriff was appointed in every county, the chosen postholder being now a local 'vavasour' with a landed interest in the same shire. Serving only for a year, he was to be salaried and had to answer for

²⁰ Jobson, *First English Revolution*, 3–14.

²¹ For the baronial exchequer under Crakehall, see A. Jobson, 'John of Crakehall: The "Forgotten" Baronial Treasurer, 1258–60', in *TCE XIII*, 88–96.

²² See below, 57.

²³ See below, 69.

his actions at the exchequer at the end of his term. New standards of conduct for office holders were similarly instituted, the intention being to reduce corruption and malpractice.²⁴ Examination of these reforms lies at the core of Tony Moore's essay. Outlining how local administration developed during the years of Henry III's personal rule (1234–58), he demonstrates how increasing royal financial pressure led to the replacement of 'curial sheriffs' with lesser figures or professional administrators and how the misconduct and abuses perpetrated by the latter contributed to the pressure for reform. Moore then analyses the measures taken by the baronial reformers to address these provincial grievances, concentrating in particular upon the judicial enquiries into official wrongdoing and the various legislative enactments relating to shrieval office. Moore also considers the interplay between local and national politics, exploring how the reformers and royalists in turn sought to use their control over the royal administration to redistribute local offices to their supporters and so strengthen their position in the localities. This included the creation of *custodes pacis* (keepers of the peace) to project political and military authority, ultimately confirming the sheriff's relegation to a more administrative role.

For three years Henry III's authority was seriously curtailed as the baronial reformers governed the country in his name. Gradually he had reclaimed some degree of control over government policy, but challenging the Provisions directly was counterproductive. In March 1261, therefore, Henry published his 'grievances against the council', his attack focusing on its conduct in office rather than the reformist programme itself.²⁵ This act marked the opening gambit in a political chess game that ended, in December, with the king once again 'master in his own kingdom'.²⁶ Historians have traditionally viewed Henry's recovery of power as a well-planned operation that depended upon duplicity, cunning and the deployment of foreign mercenaries to overawe his baronial opponents. Huw Ridgeway's essay, however, offers a new interpretation of events. Henry's strategy was not, he suggests, a carefully organised policy. The king's coup was sudden and unexpected: recent political developments, notably the Lord Edward's ascendancy, had threatened the interests of his immediate family and the Savoyard faction, forcing him into action. Similarly, relatively few mercenaries had answered Henry's summons, and he made little use of those that did. Other royalist military preparations were also negligible, Ridgeway argues, amounting to barely more than negotiating tactics. Henry's bid for political independence was facilitated further by the opposition's dysfunctional leadership and a divided baronage, the majority of which was probably prepared to support the king. Ridgeway likewise notes that historians have overstated county society's resistance to the king's plans, a crucial factor that enabled him to avoid direct confrontation, pursue moderate policies of appeasement and recover power without bloodshed.

²⁴ *DBM*, 106–9.

²⁵ *DBM*, 210–19.

²⁶ Maddicott, *Montfort*, 209.

Introduction

Contemporary monastic chroniclers afford scholars a unique insight into the events that shaped the years from 1258 to 1267. Often recording in considerable detail what had transpired at a national, local and national and local level, they have allowed modern historians to reconstruct the conflict's course. Amongst the more informative are Matthew Paris's *Chronica Majora*, the *Flores Historiarum* and the Dunstable Annals, each of which was compiled within a few years of the happenings that were described. Almost all were pro-baronial in outlook: Dunstable, for instance, considered Montfort a martyred hero, while the Osney chronicle held a more moderate view.²⁷ Yet historians have until recently displayed little interest in either the chronicles themselves as texts or the narrative strategies that their authors used in writing about the period of reform and rebellion. Lars Kjær's essay thus examines how the chroniclers and annalists made sense of events. Focusing on the role of ritual actions in the authors' narratives, he draws on recent advances in early Continental medieval studies to illustrate how contemporaries struggled to rationalise the sudden shifts in political fortunes. Through their writings, Kjær argues, the chroniclers revealed an alternative interpretation of events that derived its inspiration from biblical precedent and the age-old 'story of sin, pride, piety, persecution and divine retribution'.²⁸

Throughout the years of baronial reform and rebellion both the royalists and their opponents actively courted key communities within thirteenth-century English society. London in particular, the country's commercial and political capital, was a vitally strategic constituency that neither faction could afford to ignore. The city's governance was monopolised by a small civic elite, whose members held various public offices such as sheriff and alderman. For several years tensions within London had been rising. Henry had sought to erode its long-standing liberties and intervene in its governance, while there was growing pressure from the city's lesser citizens for a greater political role.²⁹ In the Provisions of Oxford, therefore, the baronial reformers had offered a vague promise to 'reform the state of the city'.³⁰ London's patrician leadership were initially cautious in their support for the reformist cause, although the *populares* enthusiastically espoused its ideals. Matters reached a climax in the summer of 1263, however, as Henry's regime underwent a rapid collapse. The mayor, Thomas fitzThomas, sided with the populace, as public pressure forced the civic leadership to adopt an overtly pro-baronial stance. In his essay, John McEwan explores the subsequent fortunes of London's aldermanic elite. Undertaking a systematic biographical survey, he demonstrates that relatively few office holders were replaced despite the baronial takeover. Noting the extraordinary pressure on those individuals who formed the civic government, McEwan emphasises their collective resilience and public support for the rebels even though many privately harboured royalist sympathies. Arguing that London, as a corporate entity, did not lose power during the

²⁷ A. Gransden, *Historical Writing in England* (London, 1974), 404–38, 441.

²⁸ See below, 109.

²⁹ G.A. Williams, *Medieval London: From Commune to Capital* (London, 1963), 196–218.

³⁰ *DBM*, 110–11.

rebellion, he also analyses the Londoners' post-Evesham claims that they were not accountable for the city's earlier corporate actions.

Of equal import for the baronial cause was the moral strength that it derived from the Church. Contributing the ethical framework around which the reformist programme was constructed, its teachings guided the legislation's 'general direction', though not the 'precise codification'.³¹ Intellectual ideas, like the concept of just rule, are therefore readily discernible in the Provisions of Oxford. Many ecclesiastics enthusiastically embraced the reformist movement, offering spiritual assistance through their preaching and writings. Montfort himself had long-standing friendships with several senior figures in the Church, whose notable dialectical skills and intellectual distinction would prove a potent weapon for him in the propaganda war against Henry. Such was their impassioned advocacy that five bishops were later suspended from office for having supported Montfort in his rebellion. The motivations and activities of this episcopal quintet form the focus of Sophie Ambler's essay. Analysing the theological arguments they constructed in support of Montfort's regime, she highlights their unconvincing invocation of biblical precedent in defence of the rebel administration. Noting too the dissident bishops' role in conciliar government, Ambler emphasises the more secular aspects of their contribution: financial aid, counsel and the mobilisation of the Church's resources to publicise the reformist cause. Tracing the history of their individual relationships with Montfort, she also demonstrates the potency of his personal charisma and the fervent idealism that inspired them to mount an ecclesiastical rebellion that was unprecedented in its scale.

The role played by women in the dramatic events of 1258–67 has been the subject of relatively little scholarly attention. Yet many women had important roles in English public life both during the period of baronial reform and rebellion and in its immediate aftermath. Queen Eleanor, for instance, had a remarkable aptitude for politics: her energy and commitment ensured that she was a major political figure in her own right, and her determined resistance helped overthrow the Montfortian regime.³² Eleanor de Montfort, Earl Simon's wife and Henry III's youngest sister, was likewise a prominent player in the politics of reform and rebellion. Resolutely wedded to her husband's cause, Eleanor's vigorous defence of Dover Castle in 1265 and the extensive network of family and friendships that she had carefully nurtured were vital to the Montfortian government.³³ Other aristocratic women, as Louise Wilkinson argues in her essay, were equally active in this politically turbulent decade. Utilising various sources, including contemporary correspondence and private accounts, she analyses their varying experiences both as reformers and as royalists. By offering steadfast support to their husbands and sons, Wilkinson demonstrates, many were forced to defend family interests or property as the political landscape shifted radically. Noting the

³¹ Maddicott, *Montfort*, 355.

³² Howell, *Eleanor of Provence*, chaps 2–10.

³³ L.J. Wilkinson, *Eleanor de Montfort: A Rebel Countess in Medieval England* (London, 2012), chaps 6–8.

disruption to familial networks engendered by the Barons' War, she also explores how noble women subsequently coped with fractured kinship loyalties and helped dispel the bitterness and enmity left by the conflict.

Any study of the years 1258 to 1267 bears witness to the pivotal role that the shire knights played in both the politics of baronial reform and the subsequent civil war. In 1258 they had found common cause with the reformist leadership. Several major components of the reformers' programme relied heavily upon knightly participation or redressed local grievances.³⁴ Often it was the county elite who later rallied in defence of the reformist cause: shire knights, for instance, were at the forefront of the eyre protests in 1261–62.³⁵ But gradually a sizeable proportion of local society became alienated from the baronial leadership. In the summer revolt of 1263, some knights wholly unconnected with Henry's government had suffered indiscriminate violence. Others meanwhile found themselves left behind as the reformist movement evolved into armed rebellion. Thus when hostilities formally commenced in April 1264, the shire knights played a leading role in the military campaigns of both factions. Yet only recently have historians begun detailed scholarly research into the underlying motivations for a particular individual's choice of political allegiance. In his essay, Mario Fernandes presents a case study that focuses on a sample group of Warwickshire knights. Analysing the differing experiences of both rebels and royalists, he demonstrates that several competing pressures, like kinship and tenure, could influence a knight's political affiliation and restrict his freedom of choice. Lesser barons, Fernandes argues, often exerted a powerful influence over their knightly neighbours, most notably through personal retinues and the proximity of their estates. But which of these competing factors ultimately predominated, he notes, depended upon personal circumstances, the views of friends, neighbours and local politics.

April 1264 witnessed the formal outbreak of hostilities as Henry III's army quickly captured the Montfortian garrison at Northampton. Several other strategic Midlands strongholds capitulated in rapid succession, leaving only Kenilworth in rebel hands. Montfort therefore lured the royalist army back into England's south-eastern corner with a diversionary attack on Rochester. The short military campaign that followed ended with Montfort's victory at Lewes in May 1264. Over the summer a substantial counter-invasion force assembled in the south-east and East Anglia, but almost a full year would pass before another full-scale military campaign was mounted. The Lord Edward, now free from captivity, assembled a powerful host that included the Marcher lords and the earl of Gloucester. Cornering Montfort's army at Evesham, the prince defeated the rebels on 4 August 1265 and Earl Simon himself was slain.³⁶ Although these two famous campaigns have understandably been the subject of detailed historical study, the localised warfare that occurred during the intervening months has been somewhat overlooked. In his essay, Peter Coss focuses on the rebels' deployment of physical

³⁴ Jobson, *First English Revolution*, 22–9, 38–43.

³⁵ Jobson, *First English Revolution*, 66, 74–5.

³⁶ D.A. Carpenter, *The Battles of Lewes and Evesham, 1264/5* (Keele, 1987), *passim*.

force and intimidation in the period between Lewes and Evesham. Analysing the experiences of a single county, Berkshire, he argues that the violence was both highly organised and carefully targeted. Reconstructing the activities of individual sub-retinues, Coss highlights the role played by *procuratores*, or agents, as instigators of local rebel attacks and as recruiters. Castle garrisons at both Wallingford and Windsor, he notes, were engaged in operations similar to those of the sub-retinues and sometimes acted as their operational base.

Historical scholarship has similarly overlooked the role of northern England and its lords during the Barons' War. But powerful regional magnates like John de Balliol and Robert de Neville were active in the royalist cause. Others, including Robert de Vieuxpont and John de Vescy, were enthusiastic Montfortians. Warfare was localised in nature: no major battles were fought in the region, but castles were besieged in several counties and manors often despoiled. Offering the first dedicated study of the North in 1264–65, Fergus Oakes analyses the struggle for regional control. Examining the political and military strengths of the opposing sides at the outbreak of hostilities, he argues that the Montfortians initially held a powerful position in the border counties of Northumberland, Westmorland and Cumberland, while their opponents were mainly concentrated in Yorkshire and County Durham. Oakes charts the conflict in the North and explores the rebels' attempts to bring the northern royalists to heel after Lewes. Noting that the Montfortians had too few regional magnates amongst their supporters and lacked strong leadership in certain counties, he demonstrates that both overstretch and Vieuxpont's untimely death compounded the problem. Oakes also considers the northern royalists' intransigence after Lewes, emphasising the effect that their resistance had on the war's overall course.

Surprisingly little academic study, again, has been devoted to the maritime theatre. Yet throughout the years 1258–67 the waters surrounding the British Isles, in particular the English Channel, were the scene of constant naval activity. Men and equipment from Continental supporters were transported across the Dover Straits, while emissaries crossed incessantly. There were no set-piece battles, but the war at sea saw several amphibious operations, and vessels from the Cinque Ports actively preyed on merchant shipping. I argue that the maritime theatre during this turbulent decade was far more significant than has been previously recognised. Highlighting several interrelated objectives that influenced both royalist and Montfortian strategic planning, such as the need to protect trans-marine communications, I analyse the diverse resources (materiel and financial) that the two factions consequently devoted to maintaining England's maritime defences. Emphasising the crucial importance of security and control in their calculations, I discuss how naval considerations directly impacted on the land-based campaigns. In charting the war at sea, I also offer a detailed examination of several actions, including the combined operation mounted against the Cinque Ports in 1266.

After the Lord Edward's bloody victory at Evesham in August 1265, Montfortian resistance initially collapsed and many rebel garrisons surrendered. But Henry III's thirst for vengeance triggered a countrywide 'wave of pillage and confiscation'

as the estates of his former enemies were seized.³⁷ The ‘disinherited’, destitute, quickly resumed the fight. New centres of armed resistance emerged in several shires, but Kenilworth represented both the symbolic and physical heart of the struggle. For six months its garrison remained defiant, holding out as conditions within the castle steadily deteriorated. For Henry, who was determined to reassert his royal authority after fifteen humiliating months in captivity, this was a direct challenge to his kingship. The king, though, was torn between the desire to punish those who had opposed him and the need to restore his subjects’ confidence in his ability to govern. Henry therefore adopted a dual approach: daily siege operations were conducted alongside elaborate ceremonial displays demonstrating the majesty of his kingship. Meanwhile peace negotiations continued and, in October 1266, a settlement was reached. The Dictum of Kenilworth, as it became known, instituted a process through which the ‘disinherited’ could redeem their forfeited lands in return for a redemption fine based on a sliding tariff. Historians who have previously studied this document have adopted either a legislative or textual approach, but in this volume’s final essay Ben Wild offers a new, synchronic interpretation. Outlining the circumstances in which the Dictum was conceived, he analyses the motivations and objectives of its authors. Noting the inherent tensions in the document, namely a desire to revive Henry’s authority and the need to restore peace, Wild argues that it can be read as a statement of his personal ideology of kingship composed at a moment of intense and conflicting political pressure. The Dictum, Wild also suggests, provides useful evidence for the consequences of the growth of administrative kingship in England.

The essays in this volume, individually as well as collectively, promise to enhance significantly our understanding of the turbulent years from 1258 to 1267. Offering fresh perspectives on the protracted political and martial struggle between the crown and the baronial opposition, they shine new light on the communal experiences of several sections of thirteenth-century society long neglected in the existing historiography. Pivotal events that shaped the future direction of the conflict are also considered anew, while fundamental strands of the baronial reform programme and contemporary perceptions of kingship have been reassessed. This collection has been inspired by the 750th anniversaries of the battles of Lewes and Evesham and the ending of the Kenilworth siege, the celebration of which has collectively stimulated innovative new research and led to exciting documentary discoveries. It is hoped that this volume will in turn pave the way for future scholarly research into what constituted one of the most important decades in English political history: the years of baronial reform and revolution.

³⁷ Knowles, ‘Disinherited’, pt. iii. 1.

Modern Historians and the Period of Reform and Rebellion, 1258–1265

Christopher Tilley

Over the last four centuries, historians have interpreted and reinterpreted the political crisis of the years 1258 to 1265 many times and in very different ways. Commentators' responses to the period have been shaped over time by political and social circumstances, the availability of primary sources, intellectual trends and the working practices of historians. What follows is a brief discussion of historians' interpretations of this period and the factors that helped to produce these different analyses. The subject is a large one and would repay closer, more detailed research. Recent historians of the years 1258–65 have often been reticent about reflecting on historiography, a point made by Michael Clanchy in his own valuable examination of the historiography of thirteenth-century England as a whole, and particularly of the work of Sir Maurice Powicke and T.F. Tout, in a valuable paper he gave at the fifth Thirteenth Century England Conference in 1993.¹ C.H. Knowles also examined the historiography surrounding Simon de Montfort, earl of Leicester, in a pamphlet produced in 1965 for the 700th anniversary of his death.² I have drawn on the analyses of Clanchy and Knowles where relevant.

Here, I concentrate on the way historians since the seventeenth century have approached the period of reform and rebellion. Space precludes a detailed account of all developments in study of these years. Rather, I attempt to examine the themes that have interested historians and how these themes led them to approach the period. The essay falls into two parts. The first part examines, chronologically, the nature of the approaches to the period taken by historians up to the middle of the twentieth century. The second part looks thematically at the approaches of historians working today and places these in the context of earlier work.

For many commentators before the mid nineteenth century, the period seemed to have direct political relevance to their own times. Unlike the late-nineteenth and early-twentieth-century 'constitutional' historians, seventeenth-century writers disapproved of the baronial movement's revolutionary character. Sir Robert Cotton, Member of Parliament and antiquary, published *A Short View of the Long Raigne of King Henry the Third* two years after the accession of King Charles I.³ With the

¹ M.T. Clanchy, 'Inventing Thirteenth-Century England: Stubbs, Tout, Powicke – Now What?', in *TCE* V, 5.

² C.H. Knowles, *Simon de Montfort, 1265–1965* (London, 1965), 3–30.

³ R. Cotton, *A Short View of the Long Raigne of King Henry the Third* (London, 1627, reprinted 1681), pagination cited here is from the 1681 edition; Knowles, *Simon de Montfort*, 8.

aim of drawing out political lessons from the reign, Cotton described the meeting between the king and barons in parliament at Oxford, where '[the king's] Necessity met so many undutiful demands, that he was forced to render up to their Rebellious Will his Royal Power'.⁴ Cotton went on to relate the way in which Simon de Montfort, Richard de Clare and Hugh le Despenser, having decided that power was too dispersed after the Oxford parliament, created a 'Triumvirate', which 'made speedier way for one of them to become *Dictator perpetuus*... as it fatally did'.⁵ Cotton was concerned to show that Montfort, a dangerous populist leader and agitator, took advantage of Henry III's misgovernment for his own ends.⁶

The civil war fought between Charles I and parliament later in the century drew Edward Chamberlayne to address the wars of Henry III's reign, once again drawing lessons for the politics of his own day. His book, *The Present War Parallel'd, or a Brief Relation of the Five Years' Civil Wars of Henry III, King of England*, was published in 1647 during the middle of the English Civil War.⁷ Chamberlayne was a writer and Oxford academic who left England for the Continent when war broke out, only returning after the Restoration.⁸ Writing before Charles I's trial and execution in 1649, Chamberlayne regarded the civil war of Henry's reign, like that of his own time, as a pointlessly destructive conflict in which baronial 'incendiaries' caused devastation across the kingdom by opposing the king. It was pointless, he believed, because the outcome of five years of 'unnaturall Warre, wherein the Subject having struggled and wrestled with Sovereignty, till they had wasted the Kingdome' was in the end to let the king have his rights, and the subjects theirs.⁹

Both Cotton and Chamberlayne were royalist in their sympathies, and their concern in portraying the events of 1258–65 was to deploy the period as an example of the dangers of political instability. Opponents of the crown in the seventeenth century had little interest in the years 1258–65. For the defenders of England's 'ancient constitution', the wars of the mid thirteenth century were eclipsed by Magna Carta, seen by them at the time as a document central to the history of English liberties, and this only in so far as it recorded the existence of these liberties from time immemorial.¹⁰

⁴ Cotton, *Short View*, 17.

⁵ Cotton, *Short View*, 19. The metaphor clearly evokes Livy's account of Julius Caesar's rise to power. Cotton seems to attribute the arrangements introduced by Earl Simon after the battle of Lewes in 1264, whereby three electors appointed a council of nine, to the period after 1258 and identifies the three with his 'Triumvirate'. For Montfort's constitutional arrangements after Lewes, see Jobson, *First English Revolution*, 121–2.

⁶ Cotton, *Short View*, 23.

⁷ E. Chamberlayne, *The Present War Parallel'd, or a Brief Relation of the Five Years' Civil Wars of Henry III, King of England* (London, 1647).

⁸ G. Gair, 'Chamberlayne, Edward (1616–1703)', *ODNB* (2004) [accessed 15 November 2014].

⁹ Chamberlayne, *Present War Parallel'd*, 30.

¹⁰ Knowles, *Simon de Montfort*, 9; R.V. Turner, *Magna Carta Through the Ages* (Harlow, 2003), 145–71. Much has been written about interpretations of Magna Carta in the seventeenth century and since. For a recent summary, see N. Vincent, *Magna Carta: A Very Short Introduction* (Oxford, 2011), 92–109.

For writers before the end of the seventeenth century, therefore, the baronial reform movement and Earl Simon's takeover of government in 1264–65 had little of the constitutional importance attributed to it by later generations. This was in part due to the assumption that the parliamentary commons, as part of England's 'ancient constitution', had already long been in existence. Such an interpretation deprived Montfort of the significance given to him by later historians, who viewed him as the creator of the House of Commons.¹¹ The royalist historian and physician Robert Brady was the first to seek to demonstrate, after painstaking research using a wide range of documentary sources, that the commons were not summoned before Montfort's Hilary parliament of 1265 and not regularly after that until Edward I's reign.¹² Brady, who sat as Member of Parliament for Cambridge University during the 1680s, undertook his research in a political context, seeking to prove that the commons was the king's creation and not an institution of immemorial right.¹³ This discovery, though accepted by subsequent writers, did not, as Knowles pointed out, make historians any more sympathetic to the baronial movement.

David Hume followed earlier authors in his disapproval of the baronial movement. In his *History of England*, Hume portrayed it as a selfish grab for power. His account of the events of April 1258 emphasised the violent and revolutionary element of the contemporary account written at Tewkesbury: the barons, led by Roger Bigod, entered the king's hall at Westminster clad in armour and with their swords by their side to confront King Henry, who asked them whether he was their prisoner. The king submitted to their demands, Hume wrote, 'partly allured by the hopes of supply and partly intimidated by the union and martial appearance of the barons'.¹⁴ Having presented the reform movement as a *coup d'état*, Hume went on to describe the transfer of power, at the Oxford parliament, to a council of twenty-four with the earl of Leicester at its head. 'All their measures', he stated, 'were taken by [Montfort's] secret influence and direction'.¹⁵ Hume attached far greater agency to Montfort than had either Cotton or Chamberlayne, though he held an equally low opinion of the earl and his motives. He concluded that Montfort's death was 'the most fortunate event which in this conjecture could have happened to the English nation'.¹⁶ Nevertheless, Hume had absorbed the implications of Brady's research and attributed some

¹¹ Knowles, *Simon de Montfort*, 9.

¹² R. Brady, *An Introduction to The Old English History Comprehended in Three Several Tracts* (London, 1684), 92–145; J.G.A. Pocock, *The Ancient Constitution and the Feudal Law: A Study of English Historical Thought in the Seventeenth Century* (Cambridge, 1957), 204–5.

¹³ Knowles, *Simon de Montfort*, 9; P. Wallis, 'Brady, Robert (c.1627–1700)', *ODNB* (2004) [accessed 15 November 2014].

¹⁴ D. Hume, *The History of England from the Invasion of Julius Caesar to the Revolution in 1688*, 6 vols (London, 1822), ii. 173. The first edition of this volume was published in 1761. This reading of events, based on the Tewkesbury annalist's account, has more recently been emphasised by D.A. Carpenter, 'What Happened in 1258?', in his *The Reign of Henry III* (London, 1996), 183–97.

¹⁵ Hume, *History of England*, ii. 173.

¹⁶ Hume, *History of England*, ii. 204.