

THE "DESPOTISM" OF RICHARD II.

THE "DESPOTISM" OF RICHARD II, 1396-1399.

By

KATHLEEN E. MURPHY, B.A.

A Thesis

Submitted to the Faculty of Graduate Studies

in Partial Fulfilment of the Requirements

for the Degree

Master of Arts.

McMaster University

September 1968.

MASTER OF ARTS (1968)  
(History)

McMASTER UNIVERSITY  
Hamilton, Ontario.

TITLE: The "Despotism" of Richard II, 1396-1399.

AUTHOR: Kathleen E. Murphy, B.A. (Hons.).  
(East Anglia University).

SUPERVISOR: John H. Trueman, M.A., Ph.D.

NUMBER OF PAGES: iii, 228.

SCOPE AND CONTENTS: An attempt is made to re-examine the last years of the reign of Richard II, 1396-1399. Although the opinions of modern historians are discussed, the primary concentration is upon the original sources of the period, both the literary and record evidence. The approach taken is to examine in some detail Richard's behaviour in the three main areas of governmental activity-central, local, and foreign affairs. Within these spheres the arrangement is generally chronological. The conclusion is that Richard was deposed by his subjects not, as has so often been suggested, because of any autocratic or "despotic" inclinations but because he was completely lacking in popular support, support which had, by this time, become essential to the conduct of government.

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## INTRODUCTION

1. Richard II and the Historians.

See, see, King Richard doth himself appear,  
As doth the blushing discontented sun  
From out the fiery portal of the east,  
When he perceives the envious clouds are bent  
To dim his glory and to stain the track  
Of his bright passage to the occident. 1

These are the words which Shakespeare imaginatively ascribes to Henry Percy in description of the hard-pressed Richard II who was very shortly to be deposed. The image of the sun is used frequently by Shakespeare in his drama, partly, one supposes, because this was one of Richard's personal emblems, but also in order to convey a fundamentally important idea about the nature of monarchy itself. For Shakespeare, as for all the Elizabethans, the monarchy was an institution to be regarded with awe. Elizabeth herself succeeded, against all the political odds, in winning general acceptance for her own "high" concept of the royal prerogative. She was, perhaps, too astute to make an explicit claim to Divine Right, but the climate of opinion she established was such that there can have been few who were surprised when this doctrine was promulgated by her successor.

Yet Shakespeare, while demonstrating the splendour of the royal office, could not afford, even had he been so inclined, to attempt a defence of the man who held it until 1399, for the Elizabethans were convinced that Richard's ineptitude had been the primary cause of his fall. As a result,

1. William Shakespeare, Richard II, III, iii, 62-67.

Shakespeare's presentation of kingship in Richard II is essentially dualistic.<sup>1</sup> Of Richard's face he wrote that it "like the sun did make beholders wink",<sup>2</sup> but for all its brilliance the audience was never allowed to forget that it was a very human face, and that Richard the king was also a man with all the weakness of human mortality. At the play's denouement it is clear to all that kingship conveys only a "brittle glory"<sup>3</sup> when its holder is weak, and that some remedy must be found when the human "shadow" is no longer sufficient to meet the demands of the "substance" of office.

It is a very subtle and sympathetic portrait but one which was misunderstood in its own day and been subject to misinterpretation ever since.<sup>4</sup> On the appearance of the first quarto of Richard II in 1597 Queen Elizabeth is said to have exclaimed "I am Richard II; know ye not that?"<sup>5</sup> She obviously found any reference to the deposition of a monarch, the episode of the reign which dominates Shakespeare's play, distasteful and conducive to sedition. Her apprehension concerning the play's disruptive nature would seem to have been justified, for a performance of Richard II was

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1. E.H. Kantorowicz, The King's Two Bodies (Princeton, 1957), pp. 24-39.
2. Richard II, IV, i, 284.
3. Ibid. IV, i, 287.
4. For example by R.H. Jones, The Royal Policy of Richard II (Oxford, 1968). He is obviously mistaken in his assertion that to Shakespeare "King and Kingship were one and inseparable", (p. 113).
5. A. Steel, Richard II (Cambridge, 2nd edition, 1962), p. 2. Hereafter cited as Steel.

arranged by the leaders of Essex's rebellion in 1601 with the avowed intention of encouraging as well as entertaining the conspirators.

Shakespeare's play was the first work to prove what was to become ever more apparent as the centuries passed, that it was a task of difficulty bordering upon impossibility to make an assessment of the reign of Richard II, most especially of the crucial last three years, without the writer being influenced by the political considerations of his own day. Works with more polemic and less art than Shakespeare's were not accorded the same degree of toleration by the Elizabethan government, and the publication of Sir John Hayward's Life and Reign of King Henrie the Fourth in 1599 resulted in the imprisonment of both author and printer, as well as the suppression of the work itself.

But it was not until the seventeenth century that the influence of contemporary politics became the primary element in works which purported to be histories. To an era obsessed with defining the true extent of the royal prerogative and subsequently confronted with the dilemma of finding the proper remedy against an unconstitutional monarch, Richard's reign was a treasure-house of precedent, and was ransacked by both sides in the great controversies. Sir Walter Raleigh, at a time when he held an extremely high conception of the monarch's position, wrote a vehement condemnation of the self-seeking aristocrats who dealt so cruelly with King Richard and his

servants.<sup>1</sup> Yet more often it was Richard's "despotic" behaviour in the final years of his reign which won the attention of the propagandists. His alleged excesses were cited as a sober warning against the irregularities of contemporary monarchs. Perhaps the most typical was the Life of Richard the Second written by "a person of Quality" and published in 1681. This work was little more than an uncritical compilation of two contemporary, highly biased Latin chronicles, those of Thomas Walsingham and Henry Knighton, the writer's obvious intention being to convince his readers that Charles II was equally as untrustworthy and subversive as his medieval predecessor had been.

In the ideological turmoil which accompanied the "glorious" revolution of 1688 the precedents afforded by the last years of Richard's reign were again appealed to. The work of an anonymous author and that of the Marquis of Halifax in 1689 combined a study of Richard's fall with that of Edward II, and both works, like that of Sir Robert Howard in 1690, concentrated on the mechanics of the deposition.<sup>2</sup> All three writers were intent on establishing that the events of 1399 afforded ample precedents for the "parliamentary" deposition effected in 1688. Whig partisan writers such as these, ignoring the time lapse between the two fourteenth-century depositions and that of Charles I in the seventeenth century, confidently placed Edward and Richard

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1. Sir Walter Raleigh, The Prerogative of Parliaments in England (1615).

2. These three works are all discussed by Steel, op. cit., p.5.

at the beginning of one "magnificent continuum". They saw, in the events of 1327 and 1399 the operation of the same essential forces which were involved in the struggle of 1688 with all three depositions representing the triumph of the constitutional ruler. This "Whig myth" was to prove almost as durable as an interpretation of the political aspects of Richard's last years as was Shakespeare's presentation of the monarch's character. The double influence of the drama and the myth was to have its effect even upon subsequent "Tory" historians who might have been expected to attempt some exoneration of Richard.

The eighteenth-century Tory Lord Bolingbroke in his Remarks on the History of England<sup>2</sup> was not as enamoured of the strength and virtue of the medieval parliament as his Whig predecessors had been. He ascribed reform, indeed the very structure of the constitution itself, to the will of the people and not to the assembly of a few of their number. Nonetheless Bolingbroke was vehement in his criticism of Richard, seeing in his addiction to favourites and capricious behaviour, a palpable threat to the established order. David Hume, however, although he expressed all the distaste of a gentlemanly product of the "Age of Reason" for the barbarity of the "Dark Ages", gave Richard a more sympathetic treatment in his History of England.<sup>3</sup> As he saw it, in a violent age with an uncultured

1. Steel, p.6.

2. Discussed by Jones, op. cit., p. 116.

3. D. Hume, The History of England (London 1850), II, 287-314.

aristocracy constantly seeking their own advantage regardless of the general welfare, Richard's behaviour was hardly deserving of unequivocal condemnation. Although the king was still characterized as capricious and lacking discernment, the disturbances of the last years were, for Hume, little more than the expression of the endemic aristocratic faction of the Middle Ages.

Perhaps the first treatment of Richard's reign by one to whom the twentieth century would accord the title "historian" came with Hallam's Sketch of Europe in the Middle Ages in 1818. The "first authoritative exponent of Whig historical philosophy"<sup>1</sup> made a genuine attempt at historical objectivity, yet was obsessed, as were all the nineteenth-century Whig authors, with the constitutional significance of Richard's behaviour in the last years and of his deposition. For him Richard's reign was the most important in early English history, representing a decisive turning-point. By 1399 he could see two clear and totally inimical conceptions of government, royalist despotism or constitutional parliamentarianism. As Hallam presented it, parliament was an organ genuinely expressive of the national interest, while from 1397, when he attained supreme power, Richard had no concern whatever for constitutional observances. Confrontation was inevitable, and the victory of the "commons" was of fundamental importance in the inexorable process by which they were to attain national supremacy.

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1. G.P. Gooch, History and Historians in the Nineteenth Century (2nd ed; London, 1952), p. 276.

But for all the attention devoted to Richard's reign and deposition over the centuries, there was no substantial history devoted entirely to him until 1864. In this year Henri Wallon's two-volume study, Richard II, was published in Paris. Wallon's interest, predictably, centres around Anglo-French relations during the twenty-two years of this reign. His admiration for the sole medieval king to attempt to cement a lasting peace between the two nations obviously predisposed him to look favourably upon Richard's domestic policy. His distaste for the Appellant leaders Gloucester, Arundel, Warwick, Derby, and Nottingham is most apparent,<sup>1</sup> and he makes a convincing defence of Richard's conduct towards them in the 1380's. However, in dealing with the crucial final three years, Wallon was forced to abandon his sympathetic treatment of the king. An enlightened foreign policy could not expiate the ruler's unconstitutional and illegal behaviour between 1396 and 1399. Wallon, in the true nineteenth-century tradition, had very fixed ideas about the nature of the medieval English constitution and saw Richard, encouraged by a lamentably subservient parliament, as attempting to subvert it.

Just over a decade after the appearance of Wallon's work, another account of Richard's reign appeared. It formed part of the second volume of the monumental Constitutional History of England,<sup>2</sup> the work of nineteenth-century England's

1. Cf., especially vol. II, chap. 1.

2. William Stubbs, The Constitutional History of England (London, 1876), II. Hereafter cited as C.H.

greatest historian, William Stubbs. He, more than any previous writer, brought out the complexity of the issues involved in the "tyranny" and deposition, and the near impossibility of making a just assessment of the monarch's ambivalent character.<sup>1</sup> Stubbs's account shows his deep awareness of the partiality of the sources dealing with the reign, especially of those concerned with the last years. He realized that the position of contemporary chroniclers would have been severely compromised had they attempted a defence of Richard in the face of a successful deposition. Henry IV was acutely aware of the value of propaganda; it had helped him to the throne of England,<sup>2</sup> and it is unlikely that any history which implied criticism of the new regime would have been tolerated. Indeed, there is evidence that, after Henry's usurpation a chronicle<sup>3</sup> from St. Alban's monastery which contained bitter condemnation of his father, John of Gaunt, was systematically altered. The medieval chronicler had also to be something of a politician if he and his house were to prosper.

Unfortunately, despite all his attempts at objectivity, Stubbs's picture of Richard remains conditioned by the biased sources on which he was forced to rely. He and his contemporaries

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1. C.H., II, 524.
2. For details of the letters which Henry sent to all parts of the country on landing see Chronique de la Traison et Mort de Richard II trans. B. Williams, (English Historical Society, 1846), p. 187.
3. The Chronicon Analiæ or "Scandalous Chronicle".



were aware of the existence of two contemporary French descriptions of the last years, but they regarded both the Traison et Mort de Richard Deux<sup>1</sup> and Creton's Metrical History<sup>2</sup> with deepest suspicion. These works, both written in a highly emotional and rhetorical style, are strongly favourable to Richard, as might be expected from Frenchmen with whose nation the king was so culturally at one. In the absence of any substantiating evidence, and considering that they contain "so much that is at variance with our other authorities", Stubbs had to conclude that "they cannot be relied on at all".<sup>3</sup> Driven back upon the violently anti-Ricardian Latin chronicles, and preconditioned by his Whig notions about the nature of the constitution and the role of the commons in its development, Stubbs assessed Richard's behaviour in the final years of his reign as "a resolute attempt not to evade but to destroy the limitations which for nearly two centuries the nation, first through the baronage alone and latterly through the united parliament, had been labouring to impose upon the king."<sup>4</sup> For all the subtlety of his portrayal, Stubbs's final unfavourable assessment was inevitable, and Richard leaps from his pages as a monarch who had "resolutely and without subterfuge or palliation, challenged the constitution."<sup>5</sup>

The air of authority and obvious erudition of Stubbs's

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1. Hereafter cited as Traison.

2. Trans. J. Webb, Archaeologia XX (London, 1824), 1-292.

3. C.H. II, 534.

4. Ibid., 524.

5. Ibid., 533.

interpretation of Richard immediately gained for it an almost universal acceptance. Following in the path of the master, C.W.C. Oman, while sharing Wallon's sense of disappointment that such a promising reign should have ended so badly, concluded ruefully "that Richard's constitutional rule during the last nine years had been nothing more than a deliberate preparation for a snatch at autocracy in 1397".<sup>1</sup> Thus, despite the new depths which the nineteenth-century "professional" historians had introduced, the picture of Richard which the twentieth century inherited was essentially the one which the Whig partisans of the seventeenth century had promulgated, that of an unbalanced tyrant, intent upon undermining the very foundations of the solidly established English constitution.

The continually unfavourable light in which Richard appeared was in no small part attributable to the continuing use of the same sources, the violently anti-Ricardian Latin chronicles. Until the later nineteenth century the record material was largely inaccessible. Use was made of the parliament roll account of the deposition, especially by Stubbs, but this account is little more than another piece of Lancastrian propaganda. The blackest possible picture is given of Richard's crimes in the thirty three articles of the indictment, the Gravamina.<sup>2</sup> There is also a highly suspicious account of Richard's renunciation of the crown in the Tower, "ac hilari

1. C.W.C. Oman, The Political History of England (London, 1910), IV, 132.
2. Rotuli Parliamentorum (London, 1767), III, 416-419. Hereafter cited as Rot. Parl.

vultu"<sup>1</sup>, the whole being an attempt to normalize an essentially revolutionary coup d'état.<sup>2</sup>

It was inevitable that twentieth-century historians should turn to the unplumbed depths of the public records to add further perspective to the existing monochrome picture of Richard's last years. J.F. Baldwin made an intensive study of the privy council records for his work on the king's council;<sup>3</sup> and the patent, close, and fine rolls were utilized extensively by Tout for his massive study of the medieval administrative system.<sup>4</sup> These two writers represent part of the trend among historians in the early decades of this century to reject the study of purely constitutional history in favour of detailed examination of the day to day machinery of government.

For Baldwin, Richards's actions in the last years were precipitated by magnatial provocation, and he traced the roots of the trouble back over several decades, in many cases seeing Richard's response to be only a reflection of the behaviour of Edward III. While, in true Stubbsian tradition, he saw Richard making a concerted attempt at absolutism, he never became a scathing critic of the 1396-99 regime. The primary cause of Baldwin's toleration of Richard's "anti-parliamentary" behaviour was that his study of the privy council records had revealed that "the council had never before been

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1. Rot. Parl., III, 416.

2. On the veracity of the parliament roll account of the deposition see M. Clarke, V.H. Galbraith, Fourteenth Century Studies (Oxford, 1937), pp. 53-98. Hereafter cited as Clarke and Galbraith.

3. J.F. Baldwin, The King's Council (Oxford, 1913). Hereafter cited as Baldwin.

4. T.F. Tout, Chapters in the Administrative History of Medieval England, 6 vols., (Manchester, 1920-33). Hereafter cited as Chapters.

so clearly outlined as a staff of expert men"<sup>1</sup> as it was in the last years of Richard's reign. Tout, while obviously not finding Richard a sympathetic character, was unbiased enough to raise grave doubts about the value of Whig theories concerning the development of the constitution, and Richard's attempted subversion of it.<sup>2</sup> But the final question is never answered. While his debt to, and admiration for Stubbs is everywhere apparent, Tout was the product of a less confident era, and refused to be drawn into any general assessment of the political events of the last years. He considered himself, as an administrative historian, to be incapable of such generalization.<sup>3</sup>

Of considerable significance for the study of Richard's reign was the publication in the early 1930's of two hitherto unknown contemporary monastic English chronicles, ascribed to the houses of Dieulacres<sup>4</sup> and Kirkstall.<sup>5</sup> These were both minor houses, away from the main centres of population and, one suspects, not subject to the same court influences and pressures as were the scriptoria of the great houses at Westminster and St. Albans. In tone both represent a kind of via media between the antagonistic Latin and the eulogistic French chronicles, although their editors clearly show the independence of the two works, both from each other and from the rest of their

1. Baldwin, p. 142.

2. Chapters, IV, chap. 1.

3. Chapters, IV, 64-65

4. Edited Clarke and Galbraith, B.J.R.L. XIV(1930).

5. Edited J. Taylor, Thoresby Society XLII(1952).

contemporaries.

Both are of real value only for the last two years of Richard's reign. The Dieulacres account of these years is permeated with an unswerving belief in the rightness of the king. Latin authors do not hesitate to imply responsibility for his uncle Gloucester's death to Richard,<sup>1</sup> but the Dieulacres author, while admitting that the whole affair is very mysterious, scornfully dismisses the possibility that Richard could have been implicated.<sup>2</sup> The incidents of the "tyranny" which figure so large in the Latin chronicles and in the parliament roll are here reported as matters of hearsay only;<sup>3</sup> the work implies that any blame should be laid at the doors of the council rather than the king. Arundel and Gloucester, heroes in Thomas Walsingham's account, are given quite different treatment in both the Kirkstall and Dieulacres works, and although the former is much the more cautious in apportioning praise and blame, it does describe one of the Appellant lords, Thomas Mowbray, as "frightful".<sup>4</sup>

Apart from their great interest in themselves, the Dieulacres and Kirkstall chronicles achieve even greater significance when compared with the Traison and the works of Creton and Le Beau.<sup>5</sup> The obvious interdependence of the three French works, their highly-coloured and emotional style, but most of

1. Eulogium Historiarum III, (London, 1863), 373. Hereafter cited as Eulogium.

2. Clarke and Garbraith, p. 61.

3. "Ut quam dixerunt".

4. Kirkstall, p. 75.

5. J. LeBeau, Chronique de Richard II Edited J.A. Buchon, (Paris, 1826), XV.

all their flat contradiction of all the English sources, has been responsible for their almost total neglect by previous historians of Richard's reign. The Dieulacres and Kirkstall works, however, confirm the French accounts on many incidents which had hitherto been ignored or treated as mere Gallic romanticism.<sup>1</sup> These discoveries clearly left the way open for a full scale re-interpretation of Richard's character and behaviour during the last years of his reign.

However, when the inevitable re-interpretation did appear it came from a somewhat unusual direction. It was natural, in view of the recent discoveries, that it should be more sympathetic towards the king than most previous works had been, but that the basis for this sympathy should be found in a detailed, almost clinical, examination of Richard's mental state, could hardly have been expected. In Steel's psychological interpretation Richard becomes a "physical weakling",<sup>2</sup> a hypersensitive child who, in the final years, degenerated into a "pitiful neurotic".<sup>3</sup> He is portrayed as a man with a profoundly conventional mind", but one who was conditioned by his tutors to holding a very high estimation of his own regality.<sup>4</sup> The last years are interpreted by Steel as a time reflecting Richard's increasing schizophrenia.

Deprived of a stabilizing influence by the death of his beloved

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1. The Dieulacres editors comment that the work, although "clearly independent in origin, dovetails into Creton's story at point after point". Clarke and Calbraith, p. 75.

2. Steel, p. 41.

3. Ibid., p. 8.

4. Ibid., p. 417.

Anne in 1394, Richard's "tortured memories" and "pathological suspicions" come increasingly to the fore, only to give way to "an equally unbalanced and unreasonable sense of false security, which was his downfall in the end."<sup>1</sup>

This bold and novel attempt at reassessment by Steel, fully reflecting the Freudian-dominated background from which he wrote, has perhaps been too harshly criticised. A work was badly needed which would integrate the researches contained in the mass of articles and notes which have appeared since Stubbs's time, and this Steel has done admirably. Yet in his reliance upon Richard's psychotic irregularities Steel has found a deus ex machina which enables him to avoid fundamental issues.

Criticism of the mature Richard is blocked if he was the victim of mental incapacity and his "tyrannical" actions cannot be accorded profound constitutional significance, or even discussed in terms of constitutionality, if they were no more than the responses of a hopeless schizophrenic.<sup>2</sup>

V. H. Galbraith, in his brilliant if somewhat savage critique of Steel, rejects both the suggestion of Richard's physical weakness and even more vehemently that of his mental instability.<sup>3</sup> For Galbraith the conflicts of the reign were in no small part the result of the clashing personalities of those concerned with government. He asserts that "personalities are more important than either parties or parliament in the Middle Ages."<sup>4</sup> As he sees it, Richard was faced with two

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1. Ibid., p. 204.

2. Ibid., p. 279.

3. V.H. Galbraith, "A New Life of Richard II", History, XXVI, (1942), pp. 223-239.

4. Ibid., p. 224.

alternatives in the late 1390's; he could continue to live and govern, as he had done since 1389, with the very men who had exiled and murdered his closest friends, or he could attempt a revenging coup, the inevitable outcome of which would be to make himself an autocrat.

Galbraith lays justifiable stress upon the importance of monarchical-magnatial co-operation. Although the king could still, theoretically, rule unaided and unhindered, medieval custom had created what was, in effect, a limited monarchy. Galbraith sees, in Richard's struggle to rule unrestrained, an attempt to close the dangerous gap between theory and practice. And because, in his view, the king's mind was unclouded and rational, Galbraith is unable to support Steel's assertion that Richard was "the last truly medieval king of England".<sup>1</sup> Rather he feels "there is something new here: a conception of royal power which consciously or unconsciously looks forward rather than backward."<sup>2</sup> With admirable caution Galbraith suggests the possibility that Richard gave "a new form to older medieval notions of the royal prerogative", and while he asserts that "the modern notion of Divine Right can be traced back to Richard II and no further", he adds the rider that "even so, it took definite shape only after his death."<sup>3</sup>

Steel then, in his attempt to destroy the prevailing

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1. Steel, p. 8.

2. Galbraith, p. 235.

3. Ibid., p. 239.



impression of Richard the tyrant, substituted a madman. Galbraith, while also disavowing the evil would-be subverter of the constitution, hinted at the possibility of a theoretician, groping towards an idea of monarchy not dissimilar to that which was to find its fullest expression in James I. It is Richard the theoretician who re-emerges as the subject of a full-scale study in R.H. Jones's recently published work The Royal Policy of Richard II.<sup>1</sup> Jones's subtitle indicates the line of his argument, for he regards the last years of Richard's reign as a clear example of "absolutism in the later Middle Ages". He insists throughout that "it was policy, not caprice, which impelled the king along the career which led from the throne to mysterious oblivion in the dungeons of Pontefract".<sup>2</sup> Richard's intimate advisers, and ultimately the king himself, "aimed at nothing less than the establishment of a more unfettered and more powerful monarchy than England had known."<sup>3</sup>

Yet, as Jones presents it, Richard's was an idea of kingship inherent in medieval notions about the monarchy, in theoretical tracts if not in practical observance.<sup>4</sup> Richard's "emphasis was on continuity with the past" and "his intellectual outlook, his concept of status and of regis,<sup>5</sup> and his sense of prerogative were those of his ancestors."

Here, as in Steel's work, Richard is described as "essentially  
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1. R.H. Jones, The Royal Policy of Richard II (Oxford, 1968).

2. Ibid., p. 1.

3. Ibid., p. 5.

4. Ibid., p. 7.

5. Ibid., p. 184.

a medieval king"<sup>1</sup> but the two writers' conceptions of what medieval kingship connotes are worlds apart. Jones is insistent upon the distinction between "prerogative absolutism" and "despotism", and is convinced that while Richard is the prime medieval example of the former, he never envisaged or attempted the establishment of the latter.<sup>2</sup> In this work the French chronicles and those of Dieulacres and Kirkstall figure large, while the Latin accounts are given an almost summary treatment. For Jones, Richard failed not because of his unconstitutional excesses but rather because his "theoretical system" failed to win the support of the most influential members of the community on whom government depended.<sup>3</sup>

This latest foray into the interpretative maze which is the last years of Richard II. has obvious value. Ideological aspects of the time have been too often ignored in favour of repetition of the "stock" list of Richard's "tyrannous" actions. Yet Jones's work is far from providing a satisfactory synthesis; the pendulum has now swung too far in the opposite direction. Richard the Roman-Law-dominated and academic theoretician rings no truer than the megalomaniac tyrant who all but brought England to its knees. While the latter view, as expressed in the works of the great whigs like Stubbs, reflects too great a reliance on the contemporary Latin writers, that expressed by Jones is too remote from the contemporary English scene. Discussion of the period in a European context, as

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1. Ibid., p. 179.

2. Ibid., p. 182.

3. Ibid., p. 177.

Jones advocates,<sup>1</sup> is an admirable approach provided that the essential nature of the English court is not occluded. However, the tone of his study is closer to the Versailles of Louis XIV than to the Westminster of Langland and Chaucer.

A work whose publication antedated that of Jones by only a few months devotes its attention entirely to The Court of Richard II,<sup>2</sup> and while constitutional issues are not strictly germane to the study, the discussion of policy is allowed to impinge somewhat upon the social, literary, and artistic discussions which constitute the body of the book. Mathew sees an overall consistency in Richard's domestic policy for the whole decade from 1389-99, a decade which was shaped by three policies: that of building a strong striking force, that of creating a group of loyal court magnates, and that of increasing royal authority in the localities.<sup>3</sup>

Unlike Jones, Mathew is interested in the tangible events of the final years. He does give some attention to Roman Law concepts and their influence upon Richard and his ministers, but accords such theories a far more lowly and perhaps more suitable place in his discussion than does Jones.<sup>4</sup> It is refreshing, having followed Jones through the morass of literary exempla which serve as the basis for his portrayal of Richard the theoretical absolutist, to read of Mathew's

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1. Ibid., p. 1.

2. G. Mathew, The Court of Richard II (London, 1968).

3. Ibid., pp. 152-3.

4. Ibid., p. 152.

conviction that "Richard's interest in politics is probably usually overestimated and consistency in policies is more likely due to the council than the king."<sup>1</sup> As Mathew presents him, Richard, while unique in the fourteenth century with regard to his cultural refinements and predilections, was in constitutional and political matters essentially conventional. The "irregularities" of his last three years are, for Mathew,"most easily explicable as a series of ingenious and hazardous financial expedients".<sup>2</sup> It was Richard's extravagance and generosity<sup>3</sup> which proved too burdensome for the "cumbersome and corrupt" financial administration which he had inherited and which "ultimately led to his deposition."<sup>4</sup>

Yet Mathew's approach, although very persuasive, gives little more than surface treatment of the political questions of Richard's last years, for these issues are not the writer's main concern. Viewed overall, the works of the twentieth-century historians have brought considerable diversity to the interpretation of Richard's reign. The efficiency of his administration has been proven, his mental capacity impugned and then re-established, and his conception of kingship has been presented in totally different ways by the two most recent studies of the reign. Such depth and variety of treatment is a far cry from the blatantly partisan works which dominated the seventeenth and

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1. Ibid., p. 153.

2. Ibid., p. 154.

3. Ibid., p. 151.

4. Ibid., p. 154.

eighteenth centuries, and the constitutional whiggery of the nineteenth-century works which superseded them. Yet it must be acknowledged that a satisfactory history of Richard's reign, in particular an acceptable explanation of the last years, remains to be written. One feels that Richard's own response to the controversies which his last years have sparked might almost have been in the words which Shakespeare ascribed to him at Pomfret,

"Thus play I in one person many people,  
And none contented." 1

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1. Richard II, V, v, 31-2.

## 2. Thesis Outline

Although, in the foregoing survey, it has only been possible to discuss in very barest outline the most significant treatments of Richard's reign, it will be clear that the years 1377 to 1399 constitute a period with a perennial, almost obsessive interest to historians. Nevertheless, almost all the historical accounts agree that the final years are the most vital and significant ones, and it is upon these years that this thesis will centre.

The years 1396 to 1399 have almost invariably provided the base for the various historical interpretations of Richard's reign and character. It was because Steel saw acute mental disease as the only logical explanation for the excesses of these last years that the king, from his earliest years, is portrayed as acutely sensitive and inclined to neuroticism.<sup>1</sup> It is because Jones interprets these same events as part of Richard's concerted attempt to establish a royal absolutism more extreme than England had ever known,<sup>2</sup> that the rest of the reign falls into relief as evincing a series of "constitutional experiments",<sup>3</sup> with the "royalist faction"<sup>4</sup> being constantly thwarted by the powerful magnatial element.

In addition to their importance as predetermining the nature of the secondary accounts of the reign, there are other considerations influencing the choice of Richard's last three years for intensive study. The year 1396, almost without

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1. Steel, pp. 79, 82.

2. Jones, pp. 180-1.

3. Ibid., p. 179.

4. Ibid., p. 28.

exception in the Latin chronicles, marks the point at which the authors begin to speak in deeply critical terms of Richard's behaviour implying, if not actually asserting, the establishment of a tyranny.<sup>1</sup>

Writers who had been detached or even pro-Ricardian in their descriptions of events in the 1380's become increasingly alienated from the time of Richard's marriage to the French princess Isabella in 1396, more hostile as they recount the proceedings of the 1397 Westminster and 1398 Shrewsbury parliaments, and violently antipathetic by 1399.<sup>2</sup> Walsingham, although his attacks upon Richard begin earlier, found in the marriage and especially the Anglo-French treaty which accompanied it, yet further grounds for suspicion,<sup>3</sup> and in his account of the following year unequivocally asserts that the king has established a tyranny.<sup>4</sup>

The unique attraction of these three years is enhanced by their remarkable accessibility to the historian, through the abundance of the source materials. Apart from the monastic Latin chronicles, the Eulogium, the Annales of Thomas Walsingham, the chronicle of Adam of Usk, and the work of the monk of Evesham, all of which deal in some detail with this period, these years are the exclusive focus of attention

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1. This is not to imply, of course, that the chronicle accounts were written contemporaneously with the events which they describe.

2. Eg., Eulogium, on the marriage p.371, on the Appellant trials pp. 373-5, and final condemnation of Richard, p.384.

3. Walsingham, pp. 188-193.

4. Ibid., p. 199.

for the French works of Le Beau and Creton, and for the author of the Traison et Mort. In addition, the more recently discovered Dieulacres and Kirkstall chronicles are of real, indeed vital interest, only for these final years. The record sources for Richard's last years are full and detailed, as they are for most of the fourteenth century. The volumes of the close and patent rolls dealing with the 1396-99 period are extremely informative, containing as they do a wealth of detail on the day to day running of the machinery of government, far removed from the partisan invective of the chronicle accounts.

Given ample sources and the presence of important constitutional questions, it is hardly surprising that Richard's last years should have received so much attention. Yet it must be emphasised that here, as in the great majority of historiographical controversies, it is not with the events themselves, but rather with the interpretation of them that historians have been concerned. The main events of the 1396-99 period may be quickly summarized, beginning with French marriage and truce in 1396.

The most spectacular occurrence of the following year was the parliamentary appeal of three of England's greatest magnates, the duke of Gloucester and the earls of Arundel and Warwick, and the death, execution, and exile which followed their arrest. The same Westminster parliament which condemned the three as traitors also agreed to a new and much wider definition of treason and to the promulgation of a general pardon.



The pardon, however, had certain notable exceptions, and seventeen counties of England were forced to sue individually for forgiveness.

The parliament lasted into 1398, adjourning to Shrewsbury for its January re-opening. Between the two sessions a bitter quarrel developed between Hereford and Norfolk, resulting in the exile of both men, Norfolk for life and Hereford for ten years. The Shrewsbury parliament agreed to delegate its powers to a parliamentary committee which was to settle its outstanding business. It was with the authority of this committee that Richard revoked his permission for the exiled lords to have proctors to deal with their affairs, and made Hereford's banishment also of a lifetime duration. Hereford's father John of Gaunt died in February 1399, and his estates were promptly declared confiscate by the king.

Richard's financial demands and his insistence upon oaths of allegiance seem to have grown throughout this period as he hurriedly prepared a second Irish expedition, made necessary by the murder of his lieutenant in that land in July 1398. By the spring of 1399 preparations were complete and Richard departed for Ireland, leaving the duke of York as his regent to be assisted by such men as the earl of Wiltshire, John Bushy, William Bagot, and Henry Green. In July, Hereford returned from his French exile and invaded England. He found the country totally unprepared for resistance, and Richard, upon his return, was captured with comparative ease. In less

than three months Richard was deposed and a new royal dynasty established.

Such, in baldest outline, is the chronology of the main events around which this study will centre. One feels, however, that there is little to be gained from pursuing the examination of Richard's "despotism" within a strictly chronological framework; detailed narrations have formed the substance of the works of many historians. Rather this study will consider Richard's behaviour during these last years of his reign in the three main areas of government, areas which may be defined as central affairs, local government, and foreign affairs. In all three spheres Richard's actions and intentions have been severely maligned, in both contemporary and secondary accounts.

The aim of this examination will be to discover, if such a discovery should prove possible, whether Richard's activities in any or all of these three areas, warrant the application of the adjective "despotic". An attempt will be made, primarily by means of a re-examination of the relevant chronicle and record sources, to assess not such intangibles as the king's mental state, ideological preoccupations, or constitutional theories, but rather the legitimacy of the activities in which Richard and his chief ministers were engaged during the years 1396 to 1399.

CENTRAL AFFAIRS

The term "central affairs" connotes in the Middle Ages an extremely diverse and far-reaching area of governmental activity. It is employed here to include Richard's relations with his closest friends and advisers, his magnates and his parliaments, and covers the king's use of his powers of dispensation, condemnation, and proclamation. It is this sphere of central administration which has, perhaps, been most maligned in the Latin chronicle and parliament roll accounts of Richard's tyranny. To say that many of those closest to him were unpopular is a gross understatement. Several of the royal ministers appear to have been detested,<sup>1</sup> his Cheshire army was accused of the most heinous misdeeds,<sup>2</sup> the integrity of his parliaments was openly questioned,<sup>3</sup> and Richard's treatment of his magnates is, in several of the chronicles, selected as the primary and quite justifiable reason for his deposition.<sup>4</sup>

In this study Richard's relations with the most substantial magnates of the realm will be the first area for examination, followed by an assessment of his treatment of the main governmental offices, his choice of intimates and administrators, his use of his private army, and his relations with his parliament during the 1396-99 period.

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1. Eg., Scrope, Bushy, and Green. See The Chronicle of Adam of Usk (London, 1904), p. 174, Hereafter cited as Usk, and T. Walsingham, Annales Ricardi Secundi (London, 1866), p. 209. Hereafter cited as Annales.
2. Historia Vitae et Regni Ricardi Secundi (Oxford, 1729), p. 133. Hereafter cited as Evesham.
3. Annales, p. 215.
4. The Brut, (E.E.T.S., 1908), II, 351; also Usk, p. 180.

i) The Magnates in Medieval Government

It is impossible to discuss the relation of the crown with the main magnatial families of this period without first giving some attention to the traditional role of the magnates in the conduct of English government.

The essence of medieval administration was co-operation. Co-operation was as necessary to the smooth running of the bureaucratic machine with which Richard was surrounded, as it had been to the working of the less formalized administration of Edward I. Since the days of the Anglo-Saxon witan when the chief had called together the wisest and most substantial men of the community for consultation, the idea of government by advice and consent had been accepted. In the years after the Norman invasion this concept became refined, and qualification for access to the king's ear began increasingly to be founded upon "nobility", a term which can at this time be equated almost exactly with the possession of sizeable and remunerative estates.

The members of the nobility constituted the "natural advisers" of the king and formed the major part of the Great Council, that large and unwieldy advisory body which gradually diminished in significance throughout the Middle Ages. Yet apart from these qualifications the magnates had very little in common, and it is misleading to speak of them as if they comprised a homogeneous body. As in all sections of medieval society, there were very precisely defined strata within the noble class, and while the lesser magnates might possess wealth which barely exceeded that of the more substantial knights of

the shire, the greater magnates "were scarcely less important than their kings,"<sup>1</sup> Under Edward II yet further dimensions were added to the stratification, for it was during his reign that the concept of peerage finally established itself, the defining characteristic of a peer of the realm being the right to receive a regular and individual summons to parliament.

Because of this elaborate and rigid stratification within the group, this present discussion of the political significance of the magnates will be concerned only with the upper layers of the aristocracy, the men who dominated their peers and who had most right to the ear of the king.

In Richard's reign this elite was very small in size, ranging from fifteen to twenty men,<sup>2</sup> and of those less than a dozen can be said to have been intimately involved in the politics of the period. An unusual number of minority successions and failures of issue had trimmed this number still further by the last decade of the century. William, earl of Stafford died in 1395, leaving no heir. The Hastings family, earls of Pembroke, was almost continually led by minors until its extinction in 1389. On the death of Edmund, earl of March, in 1382 his son Roger, a seven-year-old boy, succeeded to the inheritance. Shortly after attaining his majority Roger took up his father's post as Lieutenant of Ireland, and like his father died in that

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1. G.A. Holmes, The Estates of the Higher Nobility in Fourteenth-Century England (Cambridge, 1957), p. 1.
2. B. Tuck, The Baronial Opposition to Richard II, 1377-1389. Unpublished Cambridge Ph.D. thesis, 1966.

country, again leaving an infant to succeed him. The earls of Devonshire were traditionally men of very parochial interests and seldom left their lands in the south-west of England, and the same was true of the earls of Salisbury until the very last months of Richard's reign.

Of the surviving sons of Edward III the eldest, John of Gaunt, seems by the 1390's to have lost what little interest he had ever held in English politics. He was intent on gaining recognition for his claims in Castile, and he also had interests in Gascony to pursue. He returned to England in 1395 from what was to be his last overseas expedition, and although he was appointed steward of the realm and was a member of the 1398 committee, he seems to have taken less and less part in government, and in February 1399 he died.

Of the remaining brothers Edmund of Langley, earl of Cambridge and duke of York, seems to have been somewhat indolent and easily led, generally very much in the shadow of his ruthless younger brother, Thomas of Woodstock. While Edmund did not join the Appellant lords in 1386 or 1388, and thus escaped his brother's fate in the royal purge of 1397, he cannot be said to have been a figure of any real political importance. His total ineptitude when faced, as guardian of England, with Henry's invasion in the summer of 1399, is clear evidence of his lack of initiative and political skill. His son, earl of Rutland and later duke of Albermarle, despite Richard's obvious affection for him, seems to have shared his father's lack of acumen.<sup>1</sup>

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1. Creton, "A French Metrical History of Richard II", Archaeologia XX (1824), 22, 45. Hereafter cited as Creton.

Thomas of Woodstock, duke of Gloucester was, however, everything that his brother and nephew were not, fearless to the point of foolhardiness, assertive and determined to play what he felt to be his rightful part in the government of the realm, whatever the wishes of his nephew. If one can speak of an opposition "party"<sup>1</sup> in the reign of Richard II, here was its leader. Gloucester was to find substantial support for his schemes in the persons of Richard Fitzalan, earl of Arundel, and Thomas Beauchamp, earl of Warwick. These earls were both possessed of substantial estates and were of what may be termed "political" dynasties, both having had a forebear among the Ordainers of Edward II's reign. It was these three magnates who focused the potential dissent of their class and who, when support was needed, were able to sway weaker and less purposeful lords to their ranks.

Yet to examine the composition and abilities of the greater magnates of the period is not to explain why there should have been tension and conflict. The mere existence of a powerful magnatial group does not, in itself, constitute a danger. It is only when such a group becomes so dissatisfied as to desert the monarch, of whom they should be the chief support, that they become a threat. The explanation of the magnatial discontent in the late fourteenth century must be sought, one feels, not primarily in terms of personalities, and certainly not in terms of mutually exclusive theoretical concepts, but

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1. This word can be used only in its very loosest sense, cf. V.H. Galbraith, "A New Life of Richard II", op. cit., p. 231.

rather in the realm of the changing social and economic position of the magnatial class.

The full social and economic effect of the Black Death upon English society will probably never be known. Russell's<sup>1</sup> conclusion that it caused the death of approximately one-third of the total population has now been generally accepted by historians, but its wider results remain still in the realms of historiographical controversy. Yet one assertion can be safely made: that the long term effects upon the magnatial class were adverse. A lessening in population inevitably entailed a decline in pressure on the land. It is possible that a section of the landowning classes were temporarily successful in demanding the traditional manorial dues from their serfs, and in preventing, with the aid of comprehensive governmental legislation, both peasant mobility and demands for higher wages. However, in the long run the landowners were bound to succumb to the economic pressures.

Inevitably the landlords became rentiers. They formed part of a society where agricultural prices were low and the natural trend for wages was ever upward, where "the commodities growing in the realm are now of smaller price than they used to be, and the merchandises which come from abroad are of greater price than they used to be".<sup>2</sup> In short, it was a society in which all the economic dice were loaded against them. Given such circumstances, the attraction of a lease, which could at

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1. J.C. Russell, British Medieval Population (London, 1895), pp.260-270.  
 2. Rot. Parl. III, 102. (1381)



least guarantee a fixed income for a fixed number of years, is obvious. Yet even the virtues of a fixed income could be severely compromised during a period of acute inflation. The lower echelons of the magnatial class could do little but suffer the situation and attempt to somehow prevent the decline of their families into the ranks of the country gentry. For the upper levels however, the situation was a little different.

That conditions were bad, even for the most substantial lords in the kingdom, is quite clear. A significant example is yielded by the records of the most extensive of the English estates in the fourteenth century, those of the duchy of Lancaster. It became the custom of the duke's auditors, towards the end of Richard's reign, to accompany their annual valuations with detailed statements to account for the decline in their lord's<sup>1</sup> income.

From such records as those of Lancaster it is apparent that the abandonment of many marginal areas of settlement, in addition to lessening his agricultural returns, also meant a severe cut in the profits of justice on which even the most wealthy magnate had come to rely. Thus, lacking the lucrative French wars, the profits of which had alleviated the situation of many of their fathers, the greater magnates of Richard's reign were forced to focus their attention upon obtaining the favours of the king.

Medieval historians have, it seems, been reluctant to

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1. Holmes, p. 117.

apply Namierite techniques to their own studies. There is no reason why such terms as "interest" and "patronage" should be limited to the eighteenth century. Richard II, quite as much as George III, was possessed of vast resources. In addition to the vast royal demesne over which the king had total discretionary rights, there was a plethora of administrative and judicial offices to be filled, there were profits of wardship and marriages, farms of lands and of royal monopolies; and even high ecclesiastical appointments, although still requiring formal ratification from Rome, were for all practical purposes in the king's gift.

Yet the royal dispensing power, although theoretically untrammelled, had come to be limited by custom. Where good government depended so much upon co-operation between monarch and magnates the royal bounty and its equitable distribution became a matter of grave political import. Self-interest was at the heart of all medieval political activity and exclusion from the spoils of favour was possibly the greatest spur to anti-monarchical activity in the magnatial ranks. One of the primary reasons for the general stability of Edward III's government was that, until the last years, he had maintained a policy of balanced patronage distribution, with awards being dictated not by personal inclination or caprice, but by the requirements of good government.

One of the most frequently repeated accusations against Richard was that he dismissed from his counsel and favour those men who had a traditional right to share in it.

As the Kirkstall writer put it: "the chief and principal reason for the wretched plight of king Richard and of the English nobility, in the opinion of learned men, was that spurning the counsel of the greater lords and the wiser heads in England, he relied too much upon the wishes and advice of the young lords and of others of less power and influence, who were completely inexperienced<sup>1</sup> in weighty decisions". The ability of the men with whom Richard surrounded himself will be discussed at a later point; here the topic for examination is how far the men who considered themselves the king's natural advisers were excluded from the rewards which their position might have led them to expect.

Tuck, in his admirable study of The Baronial Opposition to Richard II. covering the years 1377 to 1389, clearly shows that Warwick and Arundel, during the early 1380's, were systematically excluded from patronage. It was, Tuck posits, hardly coincidental that Arundel, the magnate who suffered most from royal neglect, was the only one never to be reconciled to the king after Richard's assertion of ability to rule in 1389.<sup>2</sup>

The roots of the magnatial alienation are to be found, as Tuck's study clearly shows, in the follies of the youthful monarch of the early 1380's and not in any attempt at the establishment of a tyranny or autocracy in the later 1390's.

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1. Kirkstall Chronicle (ed. J. Taylor), Thoresby Society XLII(1952), p. 83.
2. Op. Cit., Section II, "The system of patronage".

Steel is quite correct in describing the years 1389-96 as a period of "appeasement". Having shaken off the shackles of magnatial domination, Richard proceeded warily. The lavishness of the grants to favourites, so much a feature of the 1380's<sup>1</sup> was not repeated. No one figure was to dominate the court of the 1390's as De Vere had that of the previous decade. The "merciless" proceedings of the 1388 parliament cannot have failed to affect Richard. He was given a brutal but salutary warning; he must henceforth rule by co-operation or risk the loss of his throne.

Until 1397 co-operation seems to have been the keynote, with Gloucester and Warwick much in evidence at council meetings, and even Arundel giving grudging attendance to those court occasions<sup>2</sup> which required his presence. While they can hardly have been the most congenial of advisers to the king, there is no evidence whatever that he attempted to exclude them from government. What then was behind the events of 1397 which led to Arundel's execution, Warwick's banishment, Gloucester's mysterious death, and the condemnation of all three as traitors?

#### ii) The Appellant "Plot" and Fall.

The contemporary chroniclers, especially the hostile ones, saw the events of the summer and autumn of 1397 as having major importance. Writers such as Usk<sup>3</sup> and Walsingham<sup>4</sup> saw the trial and punishment of the magnates as providing a prime example

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1. The grants to De Vere are a prime example. See Calendar of Patent Rolls, hereafter cited as C.P.R., 1381-5, p. 542, Ibid., 1385-9 pp. 14, 115, Calendar of Close Rolls, Hereafter cited as C.C.R., 1385-9, p. 70, Rot. Parl. III 209-10
  2. Eg., the funeral of Queen Anne in 1394.
  3. Usk, pp. 156-161.
  4. Annales, pp. 203-207.

of Richard's vengeful nature and tyrannical leanings. The real problem for historians, however, is to understand why Richard would have chosen to act when he did, or indeed why he felt it necessary to act at all. The whole affair is shrouded in mystery, rumour, and conjecture. The French Traison and the chronicle purporting to be by one Jean le Beau,<sup>1</sup> canon of Liege, both<sup>2</sup> contain a very detailed account of the breakdown in relations between the king and Gloucester and of the subsequent baronial plot against Richard.

According to the Traison account Gloucester, Arundel<sup>3</sup> "and many other lords" were alienated by Richard's pacific French policy. The king's surrender of Brest to the duke of Brittany, although pledged once the required sum had been paid, was sharply criticised by Gloucester who is reported to have told his hephew that "you ought first to hazard your life in capturing a city from your enemies, by feat of arms or by force, before you think of giving up or selling any city which your ancestors, the kings of England, have gained or conquered."<sup>4</sup> According to the Traison writer, "Thus began the quarrel between the king and the duke of Gloucester. It is true that they parted politely and with civil word, as they were bound to do; but their distrust was by no means less because they separated with civil words before the people."<sup>5</sup>

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1. Chronique de Richard II ed. J.A. Buchon (Paris, 1826).

2. Le Beau has obviously borrowed extensively from the Traison account.

3. Traison, p. 117.

4. Ibid., p. 119.

5. Ibid., p. 121.

The account then gives details of a plot against Richard, initially involving Gloucester, his godfather the abbot of St. Albans, and John Wortyng, the prior of Westminster.<sup>1</sup> The plotters are said to have concluded, after discussing the restoration of Cherbourg and Brest, that the kingdom was about to be lost by Richard's foolishness.<sup>2</sup> Letters were sent to Arundel, Warwick, Derby, and Nottingham, and a secret meeting of the conspirators took place at Arundel in July 1397. Here it was decided to "seize the noble king Richard, the duke of Lancaster and the duke of York, and that they should be put in prison for ever, and that all the other lords of the council of king Richard should be drawn and hung."<sup>3</sup> But before their plans could come to fruition Nottingham had a change of heart, informed the king of their plans and the arrests were made.

There are many objections to an unqualified acceptance of the Traison story. It could be argued that the French writer's natural feelings of sympathy for Richard caused him to invent a justification for one of the most specific facets of the "tyranny".<sup>4</sup> The fact that the Westminster<sup>5</sup> and St. Albans chronicles contain no hint of a plot may possibly be explained by the personal involvement of important members of these houses in the affair. However, there is no ostensible reason for the silence of the Dieulacres and Kirkstall works, which bear out so many

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1. Ibid., p. 122.

2. Ibid., p. 123.

3. Ibid., p. 126.

4. Polychronicon, IX (R.S., 1886).

5. Walsingham, Annales.

other details of the French works. The Kirkstall writer, justifying the magnatials arrests, has it that "King Richard recollecting and newly recalling to mind the injuries which had been inflicted upon both himself and his kingdom by certain lords<sup>1</sup> resolved to avenge those injuries and bring the kingdom of England under his control."<sup>2</sup> This silence upon the matter of the plot is continued in the parliament roll account of the magnates' trials; at no point were any of the three accused of a recent plot against the king.<sup>3</sup>

Yet the Traison account is not completely unsubstantiated. On July 15, 1397 there is a close roll entry containing instructions from Richard to the sheriffs of London. The city authorities were ordered "under pain of forfeiture of life and limb, to arrest all men and servants of Thomas, duke of Gloucester, Richard, earl of Arundel, and Thomas, earl of Warwick and all of their retinue and livery who shall be found armed within the bailiwick"<sup>4</sup>. Like instructions were sent to sheriffs all over the south and midlands of England, obviously the areas where the three were strongest.<sup>5</sup>

A patent roll entry of the same date asserts that supporters of the three arrested lords were travelling around

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1. An obvious reference to the events of 1386-88.
2. Kirkstall, p. 73.
3. This silence in the rolls is Tout's reason for rejecting the whole story, Chapters, IV, 21.
4. C.C.R., VI, 1396-99 (London, 1927), p. 137.
5. The areas included Gloucestershire, Warwickshire, Leicestershire, Surrey, Essex, Sussex, Worcestershire and Kent.

"saying evil words and inciting the people against the king".<sup>1</sup>

Such entries clearly indicate the strength that the lords could muster and also suggest that their retainers were men not afraid to employ their weapons on behalf of their masters.

Under the same date, July 15, there is a very interesting entry in Foedera. It concerns an order by Richard to all the sheriffs of England, requiring that they proclaim that the arrest of Gloucester, Arundel, and Warwick "was on account of their extortions and oppressions and not on account of certain assemblies held by them for which no one will be molested".<sup>2</sup> The charge of illegal "extortions and oppressions" was a standard medieval form;<sup>3</sup> the interest of this entry lies in the reference to "certain assemblies". Could these be the conspiratorial gatherings to which the Traison alludes? Yet if this is indeed the case, Richard's refusal to prosecute the lords on this count<sup>4</sup> seems almost inexplicable.

It is possible, of course, that with the country, especially the southern counties, in a state of turmoil over the arrests, references to crimes of ten years before and vague indictments were considered safer than charges of recent plots which could involve men of all degrees throughout the southeastern territories. Warwick's old age and pusillanimity count

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1. C.P.R., VI, 1396-99 (London, 1909), p. 241.

2. Syllabus of Rymer's Foedera ed. T. Duffus Hardy (London 1873), II, p. 132.

3. It was used against Richard himself, Rot. Parl., III, 416.

4. Walsingham seems to have completely misunderstood this proclamation. He reports that Richard announced that the arrests "non fuit facta pro quibusquam offensionibus commissis antiquitus, sed pro novis transgressionibus, facta contra Regem", Annales, p. 206.



against the credibility of his abject "confession", but it is perhaps significant that such an anti-Ricardian work as the chronicle of Adam of Usk should report that the earl "like a wretched old woman" admitted that he had been lured into a conspiracy by Gloucester, the abbot of St. Albans, and by a monk recluse of Westminster;<sup>1</sup> the same trio to whom the Traison<sup>2</sup> account ascribes the genesis of the plot. Yet such references and cross references do nothing conclusively to prove or disprove the existence of an anti-Ricardian plot.

Perhaps Richard did have justification, apart from his bitter memories of the fate of his closest friends in 1388, for nipping the power of these mighty lords, but what of the punishments meted out? The timorous Warwick, having made a full confession, was exiled no further than the Isle of Man. With Arundel, however, the situation was far different. Relations between the magnate and the king, never very good, had suffered marked deterioration during the 1390's and here, if anywhere, there might seem to be some basis for the allegation that Richard was playing the tyrant and wreaking the personal vengeance he had so long desired. Was the earl's whole trial, modelled so obviously on the appeal of 1388, under the direction<sup>3</sup> of a "not entirely sane man"?

Arundel certainly proved no easy victim. As Brembre had done the decade before, he offered to prove his innocence in battle and when this was refused he demanded that the pardon

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1. Usk., p. 161, Cf. also the Evesham account, p. 140.

2. Traison, pp. 122-3.

3. Steel, p. 232.

which Richard "being of full age and of unfettered will, did<sup>1</sup> of your own motion grant to me" be honoured. Richard insisted that pardon had only been granted provided that it was not to the king's prejudice. No protests could avail; the king was determined and, if speaker Bushy's remarks are to be believed,<sup>2</sup> the commons were united.

Yet feeling in the country at large was certainly not in accord with that at Westminster. Arundel had earned an exemplary reputation as a military leader and later, as a result of the great victories in 1387 and 1388, came to be considered one of the best sea captains of his day. Richard's grandfather had nurtured the native English spirit of belligerence; Richard inherited a nation whose heroes were not men of culture of learning but men of warlike deeds. The vast majority of Englishmen, including the literate class, seem to have found Arundel<sup>3</sup> an infinitely more admirable figure than their own monarch.

Usk waxed almost lyrical in his account of Arundel's beheading, and wished that his own soul might follow that of the earl "for, assuredly, I doubt not that he is gathered to the company of the saints".<sup>4</sup> Walsingham reported that the public grief at the arrest of the nobles was as great as if the king had attempted the destruction of the whole realm.<sup>5</sup> Yet of the

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1. Usk, p. 158.

2. Ibid., pp. 158-9.

3. It was, perhaps, his awareness of this which contributed to the severity of Richard's sentence.

4. Usk., p. 159.

5. Annales, p. 206.

three it was Arundel who commanded the greatest affection, particularly in London, where the citizens are said to have wept publicly as the earl was taken to the tower for execution.<sup>1</sup>

According to Walsingham the earl was worshipped as a martyr after his death,<sup>2</sup> and Richard's conscience was so disturbed by the deed that he spent sleepless nights and was even visited by Arundel's ghost.<sup>3</sup>

### iii) The Fate of Gloucester.

In the cases of Arundel and Warwick Richard's method of punishment, if not the reason for it, is clear. The case of Gloucester, however, was quite different. Norfolk, to whom the duke had been entrusted, when asked to produce his prisoner announced that he had died while in custody at Calais. Norfolk then produced a signed confession said to have been obtained in Calais by justice William Rickhill.

The vast majority of historians, including the most recent writers on Richard's reign,<sup>4</sup> have assumed that Gloucester was murdered on Richard's orders, although a lively controversy has developed concerning the king's actual procedure and the agent of agents employed. Professor Tait has developed what is perhaps the most ingenious hypothesis, suggesting that Gloucester was alive very shortly before his "posthumous" condemnation and that Richard had first spread rumours of his death,

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1. Ibid., p. 217.

2. Ibid., p. 219.

3. Ibid., p. 218.

4. Steel, pp. 238-9, Jones, pp. 82-3.

then exacted a confession and only then, much later than is generally supposed,<sup>1</sup> had the duke murdered. Stamp<sup>2</sup>, however, has argued convincingly against such an intricate and devious plot and has re-established the death at the official date of September 15.<sup>2</sup>

Stamp is almost alone in his insistence that Richard's detractors have failed to prove anything other than a natural death. He has rejected both the "traditional" agents of the deed, Serle, a man executed for treason under Henry IV, and Halle, who made a solemn confession of the deed to Henry in his first parliament.<sup>3</sup> Usk and Walsingham ascribed the murder to Nottingham himself, the latter insisting that Nottingham was threatened with execution if he failed to obey the royal command.<sup>4</sup> R. L. Atkinson<sup>5</sup> has suggested the complicity of the earl of Rutland in the affair, but there is precious little evidence to support any of these conjectures, and the details of the controversy are not strictly germane to this present study.

Steel concluded, from his survey of the most recent works on the subject, that "the whole question is really one of method and the degree of premeditation rather than of guilt or innocence on Richard's part".<sup>6</sup> He considered it "most probable"

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1. J. Tait, Manchester University Historical Essays (Manchester, 1907), pp. 193-216.
2. A. Stamp, English Historical Review (Hereafter cited as E.H.R.), XXXVIII(1923), 49-51.
3. Usk, p. 160.
4. Annales, p. 221.
5. R.L. Atkinson, E.H.R. XXXVIII(1923), 563-4.
6. Steel, p. 239.

that Gloucester was murdered by some person or persons acting under Richard's orders.<sup>1</sup> Yet are we justified in even ascribing the probability of guilt to the king when the evidence is so insufficient? Admittedly Gloucester, alone of the three lords, was of royal blood, and this fact could have led to some embarrassment at his trial, especially with his elder brother, John of Gaunt, playing so prominent a part in the prosecution. But family ties, where matters of high politics were concerned, seem to have counted for little in the Middle Ages.<sup>2</sup> Richard had a compliant, almost subservient parliament which would undoubtedly have assented to trial proceedings in Gloucester's presence. There may have been some popular outcry, but Richard seems to have successfully dealt with this in Arundel's case, and Gloucester, while undoubtedly a man with many supporters and admirers,<sup>3</sup> was not the national hero figure that Arundel had become. Gloucester was not a young man, and although it seems almost too fortunate a coincidence, there is no real reason why his death should not have been a natural one.

It is all too easy to be "conditioned" by the emotionalism which distinguishes the Lancastrian accounts of Richard's dealings with the former appellant lords.<sup>4</sup> There is an ever-present danger

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1. Steel, p. 239.

2. Arundel's son-in-law and nephew are reported to have led him to the scaffold. Annales, p. 216.

3. Cf. Walsingham's eulogy, Annales, p. 221.

4. It must be noted, however, that even the Kirkstall writer remarked that the punishment of Gloucester and Arundel was "against the wish of the whole of the community of England", p. 83.

of condemning the medieval Richard because he failed to observe the tenets of Victorian constitutionalism or of modern governmental practice. Perhaps we should bear in mind the barbarity of the 1388 proceedings. In this case, despite vague references to "the law of parliament", the Appellant lords acted in a totally unprecedented and revolutionary manner.<sup>1</sup> It does not exonerate Richard to argue on grounds of a lesser evil, but it may be argued that the seizure of power by a magnatial clique and the irregular and uncompromising sentences meted out to Burley, Brembre, Trésilian, De Vere, and Archbishop Neville very much overshadow Richard's own treatment of three notoriously dissident lords.<sup>2</sup> Despite the bitter recriminations of the Lancastrian chroniclers, Richard, a mature monarch who may sincerely have felt his throne, indeed his very life, to be threatened, can hardly be dubbed a tyrant for one execution, one exile, and one "not proven" murder.

#### iv) The Norfolk-Hereford Dispute.

Of perhaps even greater significance in the sphere of monarchical-magnatial relations was Richard's treatment of Norfolk and Hereford, treatment which almost all the Latin chronicles condemn as arbitrary and unjust.<sup>3</sup> According to the Traison,<sup>4</sup>

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1. Tout's suggestion (Chapters III, 432-3) that the 1388 parliament saw the first clear statement of a parliamentary theory of the constitution has been proved anachronistic. cf. M. Clarke, Medieval Representation and Consent, (London, 1926) Ch. IX.
2. Arundel's brother Thomas, archbishop of Canterbury, was also exiled, according to the Kirkstall because he betrayed the king's council to his brother, p. 74.
3. Annales, p. 226; Eulogium, III, 379.
4. Traison, p. 141ff.

which gives the most detailed account of the whole affair, Norfolk had expressed his conviction to Hereford that they, as former Appellant lords, were bound to suffer punishment in the same way as Gloucester, Arundel, and Warwick had done, and he also voiced his suspicion that the duke of Surrey and the earls of Wiltshire, Salisbury, and Gloucester<sup>1</sup> were plotting to destroy them both.<sup>2</sup> His obvious intention, if the story was true, must have been to persuade Hereford either to join a counter-plot or to flee before the royal forces struck. Hereford, however, narrated the whole affair to the king. Perhaps as a result of this information parliament was hurriedly dissolved on January 31, 1398, and a parliamentary committee was nominated to deal with its unfinished business.

It was the parliamentary committee which decided in March 1398 that unless Hereford could produce concrete evidence to support his accusations against Norfolk, the case was to be decided by judicial combat. Henry's charges at this time also seem to have included attribution of Gloucester's murder to Norfolk, and misuse of monies allotted to the garrison at Calais.<sup>3</sup> The required evidence was not forthcoming and combat was arranged for September 16 at Coventry. At Coventry, according to some reports,<sup>4</sup> the battle was actually in progress when halted by Richard, who proceeded to exile both lords, Hereford for ten years and Norfolk for life. In October 1398 Richard granted letters patent to both the disputants, authorizing them to appoint

1. Sic. Thomas Despenser was accorded this title after the death of the duke.

2. Cf., Rot. Parl. III, 383.

3. Traison, pp. 14-17; Eulogium, III, p. 399.

4. Usk, p. 171.

attorneys to deal with any inheritance which might fall due to them during banishment, but in March 1399 a session of the parliamentary committee, doubtless at Richard's instigation, revoked the permission for proctors and made Hereford's banishment perpetual.<sup>1</sup>

It is difficult to fathom coherent reasons for Richard's behaviour towards Hereford and Norfolk unless the background of chronic insecurity and suspicion, so much a feature of court life in the late 1390's, is considered. Richard's treatment of Norfolk especially might seem vacillating and irrational. He and the king were of much the same age and had been the closest companions in boyhood. Even after 1389, despite his involvement with the Appellants, Norfolk profited to a quite considerable extent from the royal favour.<sup>2</sup> Richard seems to have made a genuine attempt to win back the man who had been his friend for so long but had proved unable to resist the powerful attraction of Gloucester and Arundel. Hereford's story of Norfolk's "evil imaginings", at a time when the country was in a state of agitation as a result of the punishment of the three greater lords, must have decided Richard to be firm instead of conciliatory.

Hereford, although not as close to his royal cousin as Norfolk had been, was also forgiven for his complicity in the events of 1386-88, perhaps partly because of his father's great power and influence. He received a sizeable share of royal

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1. Rot. Parl., III, 372-3. Cf., Steel, pp. 244-51.

2. Steel, p. 111.



patronage in the 1390's, culminating in his dukedom in 1397. Yet unsupported allegations against a powerful fellow magnate could not be condoned. Richard had to find some equitable method of settlement, and judicial combat must have seemed the most obvious solution.

But what can have been Richard's reason for halting the combat at the eleventh hour? Usk's report that the king's whole intention was to secure the death of his greatest enemy Hereford, and that he only stopped the battle when it became apparent that Norfolk was not going to be the victor, is hardly plausible.<sup>1</sup> If Norfolk was still the royal favourite why should he have been given life exile while Hereford received only ten years? Usk suggested that Norfolk's exile was only a sham and that the king was only waiting for the time "when he should find occasion to restore him",<sup>2</sup> but considering the strength of Richard's position in 1397, such devious methods would seem quite unnecessary. The severity of Norfolk's sentence would seem rather to indicate that Hereford's was the story which Richard found most credible. It would not, perhaps, be too naive to suggest that the king stopped the mortal combat because he sincerely wished neither party to suffer death. Exile, for all its rigours, was at least a more humane expedient.<sup>3</sup>

v) The Sequestration of the Lancastrian Inheritance.

It still remains to account for Richard's revocation

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1. Usk, p. 171.

2. Ibid., pp. 171-2.

3. Kirkstall, p. 131.

of the promised proctors and increase of Hereford's sentence to life. Doubtless both these events were precipitated by the death of the duke of Lancaster in February 1399. The Lancastrian inheritance was the most extensive and wealthy of all the private estates in England. Whoever was duke of Lancaster was potentially the most powerful figure in the land, after the king himself. It has already been made apparent, in the cases of Gloucester, Arundel, and Warwick, how much support influential magnates could command. Over these lords Richard had triumphed. The incumbent of the duchy of Lancaster was, however, the holder of what was almost an independent fief in the French manner, and if he were to utilize his powerful forces against the monarch, the danger was palpable.

While they had not always been on the most cordial terms,<sup>1</sup> Richard had managed to preserve generally good relations with John of Gaunt. But despite the king's attempts at conciliation, Henry remained an unknown quantity. There is no real reason why Richard's initial sentence of five years should not have been quite sincere. He may genuinely have believed that an exile of that duration would mature and sober the Lancastrian heir. But Gaunt died too soon; less than six months after his son left the country. The king was in an almost impossible position. The five year respite he had envisaged was abruptly terminated. Morally Richard was obliged to hold Henry's lands until his return, but the temptation to confiscate them and thus

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1. Eg., the incident in 1383 where Richard was convinced by an itinerant Friar that his uncle was plotting against him, and determined to have him killed, Polychronicon IX, 33-4.

eliminate the greatest potential danger to his throne must have proved overwhelming.

In confiscating the Lancastrian lands Richard was gambling for very high stakes. This was not an action born of mental imbalance or of an exalted idea of his own position. Rather it was a calculated political move, dictated by the exigencies of the time, which could possibly have succeeded. Yet it was a move which failed to take account of two important factors, the first the character and ambition of Henry, and the second the attitude of England at large to the question of inheritance.

Richard can perhaps be forgiven for underestimating Henry's character. He had no way of foreseeing that the man who had lived so much in the shadow of his mighty father and had never appeared more than half committed to the magnatial cause, would have the initiative and courage to assemble a continental retinue and return to claim his inheritance, and eventually the throne of England, purely by force of arms. But it was not Henry's revolt which foredoomed Richard's audacious gamble to failure; invasions, even by the most powerful magnates and princes, could be easily overcome by an England united in resistance.

But the England of 1399 was by no means united in resistance, indeed apart from Richard's own personal followers, almost the whole of England flocked with remarkable rapidity to Henry's cause. Undoubtedly a primary reason for this mass

desertion was the strength of the medieval Englishman's belief in the inviolability of inheritance.

"In a turbulent world the idea of inheritance was one which all accepted as part of the natural order....The most telling charge that could be brought against a tyrant was to say that he had thrust men out of their inheritances."<sup>1</sup> In a precedent-ridden society the right of a man to possess the lands of his forefathers, unless he had been found guilty of some heinous crime, was fundamental and unquestioned. In the cases of Gloucester, Arundel, and Warwick, parliamentary process had found them traitors and, following the precedent which the magnates themselves had set in 1388, had declared their lands, those held in tail as well as in fee simple, confiscate.

By including entailed lands in the forfeiture both Richard and the magnates went far beyond Edward III's De Donis and Treason statutes,<sup>2</sup> but in neither case was there a looking forward to absolutism, either magnatial or monarchical. Rather both appear to have been harking back to a basic common law tenet expressed by Bracton thus: the traitor "shall sustain the last punishment with aggravation of bodily pain, the loss of all his goods and the perpetual disinheritance of his heirs, so that they shall be admitted neither to the paternal nor the maternal inheritance. For that crime is so grave that it is scarcely possible for the heirs to live."<sup>3</sup>

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1. T.F.T. Plucknett, The Legislation of Edward I (London, 1941), p. 110.  
2. 1352.

3. Quoted Clarke and Galbraith, p. 144. Cf. also C.D. Ross, "Forfeitures for treason under Richard II", E.H.R. LI(1936), 29.

However, no judicial procedure had convicted Hereford of anything. The average Englishman can be forgiven for considering Richard's confiscation not a bold gamble to safeguard the political stability of England, but rather an arbitrary attempt to undermine the whole constitution and to establish a despotism in which all rights would be subject to the capricious royal will. If the greatest inheritance in the land was being withheld from its rightful owner, how could any man in the realm feel that his rights would be protected?

Steel rightly called Richard's sequestration of the Lancastrian inheritance the "fatal blow to the credit of Richard's government" and considered it the "begining of the final revolution".<sup>1</sup> Yet the whole story of Richard's relations with his chief magnates does not reveal a mentally abnormal would-be tyrant any more than a machievellian absolutist. Rather, from the arrest of Gloucester at Pleshy in July 1397 to the seizure of Hereford's estates two years later, Richard's behaviour represents a concerted attempt to defend and strengthen his monarchy. Richard was astute enough to realize that the later medieval monarchy, both in England and in continental Europe, despite all the splendor of its sophisticated veneer, was but one step from the feudal anarchy which it replaced. Yet Richard failed to realize, and this oversight proved his undoing, that while strengthening the powers of government, he had also to command the sympathy and support of the English nation.

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1. Steel, p. 249.

There was no new theory of government involved in the monarchical-magnatial conflicts of the last years. Rather they were but further variations on the age old theme of a powerful nobility versus a strong central government. The prevailing leitmotif, in Richard's reign as so often before, was self-interest. It was a self-interest which must finally have decided Richard to end the threats which Gloucester, Arundel, Warwick and Nottingham constituted, the same motive which spurred the fifth "victim" to open revolt, and it was again self-interest<sup>1</sup> which moved the people of England to support the aggrieved Henry and thus secured the success of this most audacious of all the magnatial revolutionaries.

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1. I.e., the fear that their own property could be confiscated as Henry's had been.

## 2) The Administration: Richard's friends and advisers.

"Richard loved to magnify his prerogative, and laid stress on his right to choose his advisers, but, having selected them, his indifference to the details of government gave them a fairly free hand"<sup>1</sup>. Whether or not Richard was "too idle and spasmodic to occupy himself overmuch with administrative routine"<sup>2</sup> it is clear that the men with whom he surrounded himself in the vital last three years of the reign are of considerable significance in estimating the nature of that regime.

This study will first examine the three main components of Richard's administration from 1396-99, the nobility, the ecclesiastics, and the "commoner" council elements. It will attempt to assess how far the conduct of any or all of these groups justified the bitter chronicle indictments of them, and also to estimate to what extent they formed an over-patronized elite through whom Richard was ruling, or attempting to rule, in an autocratic or tyrannous manner.

### i) The Nobility.

From reading the tirades of Richard's detractors it is almost impossible to learn that the court circle of the final years of the reign contained any noble element at all. We are told that "it was of king Richard's nature to abase the noble and exalt the base"<sup>3</sup> and while abuse was showered upon "the upstart courtier crowd to which Richard alone gave his full confidence"<sup>4</sup> the presence of such men as John of Gaunt,

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1. Chapters, III, 464.

2. Ibid., p. 468.

3. Usk, p. 180.

4. Chapters, V, 51.

the Earl of Rutland, the Earl of March, and the Percy brothers in the king's immediate circle is largely ignored by the chroniclers.

Gaunt's death in February 1399 undoubtedly robbed Richard's administration of a valuable and respected supporter, for there was no-one of similar stature to fill the role of elder statesman. With the exception of the king's uncle, York, and the Percies, the court nobility comprised, if not "berdeless boys", at least younger lords of Richard's own generation. Yet this phenomenon seems not to have been the result of any deliberate policy on Richard's part, but rather the result of quite natural circumstances. It was a time during which the older heads of families were dying off, and youthfulness of succession was quite as common a feature outside as it was within the royal circle.<sup>1</sup>

Gaunt's death, then, left only York and the Percies of "suitable" age to advise the king.<sup>2</sup> While York's loyalty to his nephew, at least until the collapse of his cause in the summer of 1399, is unquestioned, his lack of political acumen has already been indicated.<sup>3</sup> The fact that he was the king's uncle gained for him a position to which his talents would never have entitled him. But Richard, who had shown himself so ruthless in his treatment of his youngest uncle, was to show great magnanimity towards his more faithful if less talented brother.

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1. Vide supra, p. 29.

2. Kirkstall, p. 83.

3. Vide supra, p. 30.



York was prominent among the magnates who shared in the bounty to which the forfeitures of September 1397 gave the king access. He seems to have benefited particularly from Gloucester's estates; in October 1397 he received lands and reversions in Norfolk, including possession of Castle Rising, which had formerly been his brother's.<sup>1</sup> In addition some Norfolk lands formerly belonging to Arundel were awarded to him, as was a London inn, also the former property of the earl.<sup>2</sup> Such gifts, however, were neither more nor less than one in his position might expect, and neither York's own personality nor Richard's treatment of him give any suggestion that the duke played, or was intended to play, a role in any royal despotism.

The same assessment must be made of Richard's relations with the Percies. Henry, the earl of Northumberland, was hardly of the most immediate court circle, for his possessions in the north of England and along the Scottish marches demanded much of his attention. But despite the French chronicle reports of his later duplicity and betrayal of the king into Henry's hands,<sup>3</sup> before the revolt he seems to have been unswervingly loyal, taking over royal commissions when the pressure of work on his brother became too great.<sup>4</sup>

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1. Calendar of the Patent Rolls, Richard II, VI, 1396-99 (London, 1909), p. 213. Hereafter cited as C.P.R.
2. Ibid., p. 195.
3. Creton, pp. 135-146.
4. C.P.R. 1396-99, p. 498. March 1398 appointment to buy wheat for Ireland.

But it was Northumberland's brother, Sir Thomas Percy, who achieved the most significant position in the counsels of the king. From his appointment as sub-chamberlain of the royal household in 1390 he became steward of the household in 1393 and seems to have performed his task with loyalty and efficiency until the deposition. It is significant that despite his prominence in the government even the most anti-Ricardian of the chronicles contain no indictment of him. He was very active on Richard's behalf in the Shrewsbury parliament and on the parliamentary committee, and also benefited considerably<sup>1</sup> from the land forfeitures of Arundel, Gloucester, and Warwick. Richard's ducetti creations of September 1397 gained him the title of earl of Worcester, and in January 1399 came his ap-<sup>2</sup>pointment as admiral of the fleet in Ireland, yet neither of these rewards appears to have provoked hostility. Percy appears, at least during Richard's reign, to have been a civil servant rather than a politician, a man of birth, experience, and ability against whom even the arch-critic Walsingham could levy no charge.

Of the younger nobility prominent at Richard's court during the last years, John and Thomas Holland, the king's half-brother and nephew, figure large in the lists of rewards and honours, although they appear to have played no significant part in the government administration. John Holland received

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1. Ibid., p. 250. 13 manors of Arundel, 4 of Gloucester and an inn of Warwick's.

2. Ibid., p. 479.

the earldom of Huntingdon in 1389 with Richard's assertion of independence, and in the 1397 parliament he was created duke of Exeter. Thomas Holland, first became earl of Kent and then, in 1397, duke of Surrey.

In making his ducetti creations in 1397, and enlarging what had hitherto been a very jealously guarded and exclusive title, Richard was taking an unprecedented action, but one which can in no way be described as tyrannous. The ability to make such creations was unquestionably part of the royal prerogative, and it must be noted that the title of duke, to which Walsingham so mockingly referred,<sup>1</sup> was accorded only to five men, all of whom were of noble birth and all but one of whom were closely related to the crown.<sup>2</sup>

Richard seems to have made a concerted attempt to retain the loyalty of the Hollands. Exeter, in October 1397 received a grant of "all the honey, iron, lead, wines, artillery, kitchen utensils and other implements, utensils and necessities in Arundel castle",<sup>3</sup> and in March 1397 the profits of several lordships, also belonging to the earl, were awarded to him.<sup>4</sup> In August of the preceding year he also became possessed of the extensive Mortimer lands in south Wales to be at his own disposal during the heir's minority.<sup>5</sup>

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1. Annales, pp. 218-9.

2. The five were the Hollands, Bolingbroke, Rutland and Nottingham.

3. C.P.R., 1396-99, p. 216.

4. Ibid., p. 461.

5. Ibid., p. 514.

Surrey too, benefited substantially from the fall of the Appellant lords and from the minority succession to the Mortimer inheritance. In January 1398 he succeeded Norfolk as Marshal of England,<sup>1</sup> and in March of the same year was awarded a valuable tapestry, an heirloom of the earls of Warwick.<sup>2</sup> With the murder of Roger Mortimer he was appointed lieutenant in Ireland, and in September 1398 he received a three-year rent free grant of all the Mortimer lordships in Ireland during the minority of the heir.<sup>3</sup> In the following year the county of Ureill, the town of Droghda,<sup>4</sup> and the barony of Narragh were added to his Irish possessions.<sup>5</sup>

The Beauforts were another family who may be termed "courtier nobility" at this time. In January 1396 John of Gaunt had finally legalized his relationship with Catherine Swynford and the first parliament to meet after the ceremony legitimized their Beaufort offspring. John Beaufort became earl of Somerset in that year and in the batch of 1397 creations was awarded the title of Marquis of Dorset.<sup>6</sup> The clerical brother Henry first received the Deanery of Wells and subsequently the bishopric of Lincoln. Even the youngest brother Thomas, was not ignored in the distribution of royal bounty,

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1. C.P.R., 1396-99, p. 339.

2. Ibid., p. 315.

3. Ibid., p. 429.

4. Ibid., p. 483.

5. Ibid., p. 572.

6. Syllabus of...Rymer's Foedera, ed. T. Duffus Hardy, II, 1377-1654, (London, 1873), p. 530. Hereafter cited as Foedera, II.

receiving lands in Norfolk which had belonged first to Arundel and then to Norfolk.<sup>1</sup> One cannot but suspect that by awarding some of Norfolk's lands to a Beaufort Richard was attempting to make the family give at least tacit support to the Coventry judgement and placate them for their half-brother's exile. If this was indeed his aim, it seems to have succeeded, for there is no record of any Beaufort opposition in 1398, indeed the eldest of the brothers remained loyal to Richard throughout the revolution.

In general, however, the Hollands and Beauforts seem to have figured little in the political or administrative affairs of the last years. Even the heir presumptive to the throne, Roger Mortimer, earl of March, played little direct part, being removed from court circles much of the time by his duties as Lieutenant of Ireland. However, he does seem to have been a loyal supporter of his cousin. Perhaps there is some substance to Usk's report that when Mortimer attended the Shrewsbury parliament he was welcomed joyfully by the people, who regarded him as a welcome alternative to the rigours of Ricardian government.<sup>2</sup> Yet it is highly unlikely that the earl himself harboured any revolutionary plans whatever. There<sup>3</sup> seems to have been a genuine affection between the cousins, for Creton reports that it was the king's grief and anger at Mortimer's death which decided him upon his second Irish expedition.<sup>4</sup>

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1. C.P.R., 1396-99, p. 414.

2. Usk, p. 164.

3. We can probably afford to disregard Usk's unsubstantiated assertion that Richard hated March "and thought with his own hands to slay him", p. 165.

4. Creton, p. 17.

But however close Richard may have been to his Mortimer cousin, it was unquestionably Edward, earl of Rutland, who held the highest place in the monarch's affections. As he held no official position it is impossible to be certain how great was his role in Richard's government of the last three years. In the opinion of Creton's editor, "Richard, according to his habitual weakness, was immoderately partial to him, and greatly influenced by his opinion".<sup>1</sup> Such a description seems suggestive of a latter-day De Vere, but there are vital differences in Richard's treatment of the two "favourites" which reflect significantly upon the nature of his government in the 1380's and in the 1390's.

Doubtless Rutland, like De Vere, had the power to influence the king's decisions but, as this study of Richard's friends and advisers will indicate, he did not reign supreme as De Vere once had. Indeed it may be argued that, apart from the duration of the second Irish expedition when the majority of the council were left in England, men like Bushy and Scrope played a far more decisive role in government. That Richard was no longer the immature and impressionable youth who had been so lavish in his beneficence to one man in the 1380's is clearly evinced by the comparative paucity of grants to Rutland during the last three years. There were but two substantial honours, the appointment as constable of

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1. Rev. J. Webb, ibid., p. 22.

England<sup>1</sup> and the award of the dukedom of Albermarle in the 1397 parliament.

As regards monetary and land grants, the records are remarkably silent, the lone reference in the patent roll is to a grant in September 1398 of all the lordships and tenements in Rutland, originally belonging to Warwick, forfeited to Norfolk, and then lost by him after the Coventry judgement.<sup>2</sup> Such restraint is indeed remarkable when compared with the De Vere grants, all the more so when one remembers that the favourite of the 1390's was not one of the insignificant earls of Oxford, but the heir to the mighty dukedom of York and the king's cousin. It would seem that here if anywhere Richard's "despotism" would reveal itself in lavish gifts. That this did not in fact occur surely suggests that the king had learnt from the events of 1388, and that far from playing the tyrant, he was now attempting to rule by conciliation and co-operation.

The "court nobility" were no sinister clique of commoner upstarts. They may have owed their most elevated titles to Richard, but for the most part they would have possessed titles, wealth, and position without his patronage. That most of them profited from the fall of the Appellants has been clearly indicated, but as the most substantial men in the realm it was only to be expected that a large share of this wealth should have gone in their direction. After the tension and suspicion which accompanied the Appellant fall it

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1. C.P.R., 1396-99, p. 171, "to the king's brother Edward, earl of Rutland."
2. Ibid.; p. 415.

was natural that Richard should have wished to establish a group of great magnates through whom he could act securely,<sup>1</sup> and the moderation and wisdom with which he did this defy censure.

## ii) The Courtier Bishops.

While the chronicles are very silent on the nobility at Richard's court, they are full of indictments of the clerics who thronged Westminster. It was the clerical, or more particularly, the episcopal element which constituted a primary target of attack in a bill introduced to the Westminster parliament on February 1, 1397 by one Thomas Haxey.<sup>2</sup> The fourth heading of this petition criticised the excessive cost of maintaining the royal household, particularly because of the large number of bishops and ladies and their retinues who resided there.<sup>3</sup> A glance at the court life of Edward III's later years clearly indicates that the presence of ladies at court was a common, not to say necessary part of life, but the "courtier bishops" were something of a novelty.

Throughout his reign Richard had tended to surround himself with clerics, showing a particular fondness for the friars. Indeed the final Foedera entry for the reign is concerned not with the revolution which was about to deprive him of his throne but with an order to the sheriffs of East Anglia "to issue a proclamation forbidding the promulgation of opinions

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1. Cf. Mathew, p. 153.

2. Vide infra for a more detailed discussion of this petition, pp. 98 - 100.

3. Rot. Parl., III, 339-43.



contrary to holy doctrine and derogatory to the order of friars mendicants".<sup>1</sup> This reliance on monks and clergy seems to have increased after the death of Queen Anne in 1394, so that during the final years Richard's circle of intimates and England's highest offices were dominated by the clerical element.

Undoubtedly the most prominent of Richard's episcopal administrators was Edmund Stafford, chancellor of England from 1396 until the deposition. Chronicle charges against Richard's novi homines<sup>2</sup> are patently inapplicable to the highest official of the "despotism". As far as gentleness of birth is concerned, Stafford's qualifications could hardly have been higher.<sup>3</sup> He was the son of Sir Richard Stafford, the brother of the first earl of Stafford, and a lifelong servant of the Black Prince. Sir Richard had been a regular parliamentarian and a member of the first of the continual councils which had attempted to govern England during the minority. Edmund has been described as a "junior magnate in his own right".<sup>4</sup> He was a man to whom preferment came easily; by 1363 he was a canon of Lichfield, having received his doctorate of laws he became chancellor of Oxford university, and in 1385 he was made dean of York. Civil preferment was not slow to follow Stafford's ecclesiastical offices. In 1389 he became keeper of the privy seal, a position which he retained until 1395, the

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1. Foedera, II, p. 535. September 20, 1399.

2. Usk, p. 180.

3. Much of subsequent biographical detail from Tout, Chapters, III, 462.

4. Steel, p. 183.

only high official to keep his post through the changes of 1390. His obvious talent and loyalty resulted in 1395 in his elevation to the bishopric of Exeter, and soon after he was appointed chancellor.

Critics of Richard's final years are in something of a difficult position when faced with a man of obvious ability and nobility of birth so high in the administration. The Latin chronicles were silent on the chancellor, except when describing his parliamentary sermons,<sup>1</sup> and modern historians too seem in something of a quandary. Jones, somewhat enigmatically describes Stafford as a man whose "ultra royalim was basically official and philosophical," and describes his sermons to the parliaments of 1397 and 1398 as "extreme declarations" which nevertheless managed to be consistent with the courtier principles of the previous decade.<sup>2</sup>

These sermons, the only real indication we have of Stafford's views of government and kingship, delivered at the opening of Richard's last two parliaments, can hardly be described as "extreme". His theme in 1397, "Rex unus erit omnibus" might at first glance seem expressive of an "ultra-royalist" viewpoint, but upon examination it appears almost the reverse. Stafford stated that the king could not alienate his regalities, prerogatives and other rights. He alone was sanctioned by divine ordinance while he ruled according to god's law. Stafford's conclusion was that "potestas Regis esset

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1. Evesham, 131.

2. Jones, p. 167.

sibi unita annexa et solida, et eaum tollentes impediētes  
seu perturbantes poena legis essent merito plēctendi."<sup>1</sup>

While such a conclusion was undoubtedly meant to introduce the punishment of the Appellant lords which was to follow, there is nothing which does not accord with purest Bractonian doctrine.

Stafford seems to have been a traditionalist and a conservative in governmental matters. The very fact that he spent a short period as chancellor under Henry IV surely confirms his complete lack of absolutist leanings. The same man who addressed the "subservient" Shrewsbury parliament also addressed Henry's parliament of 1402, in the latter case advocating obedience to the divinely sanctioned ruler.<sup>2</sup> Tout's judgement that he was "a type of high-born ecclesiastic who...was content to serve the crown without much regard for the direction in which the royal will led him"<sup>3</sup> seems harsh and is not substantiated. It is unlikely that a man of Stafford's obvious ability could have allowed himself to become a mere monarchical pawn and certainly, as Tout remarks elsewhere "there is nothing in the record that suggests either corruption or subservience".<sup>4</sup>

A man whose circumstances of birth were at the furthest possible extreme from Stafford's was Roger Walden.

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1. Rot. Parl., III, 347. .
2. Ibid., pp. 485-7.
3. Tout, Chapters, III, 463.
4. Ibid., V, 51.

He is said to have been born in Saffron Walden, the son of a butcher, who managed to rise first through the priesthood and then in the royal service. From 1393 to 1395 he was secretary of the signet. This was a particularly important time to be holding this office, for although the power of the office had gone into decline since the Appellant assertion of 1388, it was again of significance during Richard's first Irish expedition, when the chancellor remained in England. Then, from 1395 until 1397 Walden held the office of treasurer, a post which he appears to have relinquished in order to accept the archbishopric of Canterbury, vacated when Thomas Arundel was translated to the schismatic see of Saint Andrew's.

Walden, despite his lowly origins, seems to have been particularly close to the king. In March 1397 he was given joint custody with Guy Mone of Beaulieu Abbey "without being bound to account for the issue thereof",<sup>1</sup> and in September of the same year Roger and his brother were appointed joint keepers of the castle and town of Portsmouth,<sup>2</sup> formerly the property of the earl of Arundel. Although no offence is referred to, Foedera records that<sup>3</sup> Walden was granted a general pardon in November 1398.

Chronicle opinion is somewhat divided on Walden.

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1. C.P.R., 1396-99, p. 93. The monks had become unruly and riotous.
2. C.P.R., 1396-99, p. 274, revoked by Henry IV, C.P.R., Henry IV, 1, 1399-1402 (London, 1927), p. 97.
3. Foedera, II, p. 534.

Walsingham, as might be expected, was unmitigatedly hostile. Writing of his appointment as archbishop of Canterbury in Arundel's place, Walden was described by Walsingham as "viro penitus insufficienti et illiterato, sed quia praesumpsit a scendere cubile patris sui, justo valde Dei iudicio, post biennium reprobatus est, et abjectus, immo, dejectus fuit, auctoritate Papae predicti."<sup>1</sup> Usk's assessment however, seems more objective. He wrote, "This Roger was a modest man, pious and courteous, in speech of profitable and well chosen words", but the description has a sting in its tail, for Usk concluded that Walden was "better versed in things of the camp and the world than of the church or the study".<sup>2</sup>

It is unquestionably true that these "courtier bishops" were men of the world, frequently filling their roles as administrators and soldiers with more devotion than their priestly duties.<sup>3</sup> Yet this was a common feature of the episcopacy, not only during Richard's reign but throughout the later Middle Ages. While they may have strayed from the medieval ideal by failing to be resident in their sees, if this is the only criticism which can be made of Richard's "courtier bishops", it is not a very damning one. In Walden's case it is surely significant that although he lost his archbishopric when Arundel was restored by Henry in 1399, he was treated

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1. Annales, p. 213.

2. Usk, p. 193.

3. According to his itinerary in Higeston Randolph's edition of his Register, p. 476, Stafford never visited his diocese during Richard's reign.

very leniently and by 1404 had become bishop of London.

Walden was succeeded at the treasury by Guy Mone, bishop of St. David's. Tout is particularly scathing towards this prelate, regarding him as a typical household minion who earned his promotions purely by his subserviency to Richard. Mone had been keeper of the privy seal for a year before his promotion to the treasury, and upon his resignation from the latter office in 1398 he remained a regular and prominent member of the council until the deposition. That Richard placed great trust in him is clear, for the bishop was designated one of the executors of Richard's will.<sup>1</sup> Yet even this honour did not prevent Mone espousing Henry's cause as soon as his victory became apparent. Such transfer of loyalty would suggest that these bishops, far from bolstering the "tyranny" by their personal devotion to the monarch, in fact comprised mainly senior civil servants, concerned primarily with the smooth running of the daily administration, regardless of the character or even the dynasty of their ruler.

A similar example of loyalty to the government rather than to the king who headed it, is provided by Richard Clifford, keeper of the privy seal from 1397 until the deposition.<sup>2</sup> Clifford was also a long established member of the household who had won Richard's favour in the 1380's as clerk

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1. Foedera, II, p. 535.

2. For subsequent details cf. Tout, Chapters, V, 53.

of the chapel. His closeness to the monarch resulted in his condemnation by the Merciless Parliament in 1388, but he managed to escape punishment and, on Richard's reassertion of power in 1389 was made keeper of the great wardrobe. Yet his possession of the privy seal during Richard's "despotism" does not appear to have compromised him, for in 1401 he was created bishop of Worcester and in 1407 he was promoted to the see of London, holding that office until his death, fourteen years later.

The impression given by all Richard's clerical and episcopal administrators holding high office during the 1396-99 period is of caution and conservatism, hardly qualities to be expected at the apex of a royal tyranny or autocracy. But what of the "unofficial" clerics who thronged Richard's court, those without governmental office but who nevertheless deserted their parishes and sees for Westminster? Such men as Waldby, Rushook, Tydeman, Burghill, Colchester, and Merke are those on whom Jones fixes in his search for the men who might have provided an ideological basis for Richard's autocracy.<sup>1</sup>

Waldby, the archbishop of York from 1396-98, and Rushook were both friars, the former an Augustinian and the latter one of the Dominicans for whom Richard showed such partiality.<sup>2</sup> Yet for the most part the friars were not theoreticians. The English Dominicans, particularly, were

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1. Jones, pp. 168-9.

2. Richard's elder brother was buried at Langley, as was Richard himself until removed by Henry V. C.P.R., 1396-99, p. 263, grant of a chalice by Richard.

more distinguished for their piety than their scholarship, and when they were given to study tended to prefer philosophy and theology to political disputes.

Tydeman, like Waldby, was a former royal physician. He had begun his life as a Cistercian monk and was promoted by Richard to the bishopric of Llandaff. Despite the opposition of the Worcester chapter, Richard then got him promoted to that see, and he was appointed one of Henry's attorneys during his banishment.<sup>1</sup> Both Usk<sup>2</sup> and the Evesham writer<sup>3</sup> were very violently opposed to the ascendancy which this man achieved over the king, although there is little other evidence to support their assertions and we do not know enough about Tydeman to even speculate upon the direction which this influence, if it existed, may have taken.

Jones is more certain of the influence of Merke,<sup>4</sup> bishop of Carlisle, and William of Colchester upon the king. Both men were closely connected with the abbey of Westminster, Colchester was abbot and Merke one of the most prominent and erudite members of that community. Richard undoubtedly<sup>5</sup> had a great affection for "the church of the Blessed Peter" although there is no justification for Jones's description of  
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1. Foedera, VII, p. 49.

2. Usk, p. 64.

3. Evesham, p. 168.

4. Jones, 170.

5. Calendar of Issue Rolls, Henry III-Henry IV, (London, 1837), p. 262 & 20 for a portrait of Queen Anne to the sacrist of the abbey. Hereafter cited as C.I.R.



this affection, which the king shared with his Plantagenet ancestors, as "excessive partiality",<sup>1</sup> nor does this writer give any basis for his selection of Merke as Richard's "closest friend".<sup>2</sup>

Undoubtedly king and bishop must have had much in common to warrant the Evesham chronicler's description of them as "companions in dissipation".<sup>3</sup> The bishop was one of the most cultured men of his time and a not inconsiderable poet.<sup>4</sup> His loyalty is unquestioned,<sup>5</sup> and it is said to have been because of his outspoken insistence upon Richard's right to trial that he lost his bishopric in 1399 and suffered temporary restraint under the supervision of one who could hardly have been the most congenial of goalers, the abbot of St. Albans.<sup>6</sup> He then appears to have held only the most minor of benefices until his death in 1409.

The abbot, William of Colchester, seems almost to have matched Mere's erudition and certainly emulated his loyalty, being one of the instigators of the "ducetti" plot to reinstate Richard in 1399. Jones selects such men as the abbot and Merke for special attention, conjecturing that the men

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1. Jones, p. 170.

2. Ibid., p. 172.

3. Evesham, p. 168.

4. J. Armitage Robinson, "An unrecognised Westminster Chronicler", Procs. Royal Academy, (1907), p. 61, discusses Merke's literary qualifications.

5. He was one of Richard's executors, Foedera, II, p. 535.

6. The houses of Westminster and St. Albans had a long tradition of rivalry.

"who shared Richard's artistic tastes and his love of books, shared as well his avid interest in the "divinity that doth hedge about a king".<sup>1</sup> His assertion that "the emphases of their training and their intellectual environment were conducive to belief in theocracy" is somewhat doubtful and his thesis that William was one of the "intellectual defences of Ricardian absolutism" is hardly proved by his discovery that the abbey library contained a copy of Giles of Rome's De Regimine Principum.<sup>2</sup>

That there was a sizeable episcopal element at Richard's court is indisputable, and it is highly likely that their presence at Westminster meant some neglect of their religious duties. They, together with the court ladies must, as Haxey charged, have proved a considerable burden on the household finances. Yet beyond this there are few charges that can be brought with justice against this body. For the most part they were men of birth, culture, and ability, with those in government performing their tasks well but not so zealously as to prompt criticism of oppressive behaviour or to jeopardize their chances of office under Richard's successor. Conjectures about their views on royal absolutism can, because of a complete lack of evidence, remain no more than conjectures. There is no real indication that any of the group had a conception of kingship which was in any way extreme, nor is there, as this study will attempt to make apparent, any indication

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1. Jones, p. 173.

2. Jones, p. 172, note 29.

that such views would have found any favour with Richard, even during the "absolutist" years of 1396-99.

iii) The Council: Scrope, Bushy, Bagot, and Green.

The group subject to the heaviest onslaught of contemporary criticism was the band of "commoner" administrators who constituted what may be termed Richard's "privy" council. From this group four men in particular acquired a quite odious reputation, William Scrope, John Bushy, Henry Green, and William Bagot. These were the men selected as the scape-goats for Richard's final years and accused of flagrant misuse of the substantial executive power with which the monarch so foolishly entrusted them. They were portrayed as ignoble upstarts who achieved their positions only by indulging the very worst<sup>1</sup> of the royal inclinations. Many subsequent historians have accepted this view of Richard's "agents" and have concluded that it was largely as a result of their efforts that parliamentary and public consent to the king's "tyrannous"<sup>2</sup> behaviour was secured.

To assess the extent and nature of the contribution which these "villanous" figures made to the government of England 1396-99, it is necessary to give some attention to their characters and backgrounds. Scrope was the nearest of the four to noble birth. His father was baron Scrope of Bolton, a minor magnatial figure, and his mother was the sister of

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1. See Walsingham, Annales, p. 210, Usk, p. 174, The Brut, p. 353, and Richard the Redeless, passus ii.
2. Eg., Stubbs, C.H., II, 519.

Michael De La Pole, the earl of Suffolk, and one of Richard's closest associates in the 1380's. His military exploits seem first to have brought him into court circles; he was with Gaunt at Harfleur in 1369 and also accompanied the duke to Guyenne in 1373. In 1368 he was created seneschal of Gascony, an office which he held until 1392, adding to it first the captaincy of Cherbourg and later that of Brest.

On Scrope's return to England in 1393 Richard appointed him vice chamberlain of the household for life, accompanying the office with a grant of the castle and town of Marlborough in Wiltshire. It was also in the year of his return that Scrope purchased the Isle of Man. He seems to have rapidly secured the king's confidence, perhaps because of his relationship to the dead Suffolk, and honours came quickly.

In 1394 he obtained Beaumaris castle, became a knight of the garter and was then appointed constable of Dublin castle. In the following year, having accompanied Richard on his Irish expedition, Scrope was promoted to chamberlain of the household and was also made chamberlain of Ireland. He shared with Rutland and Nottingham the delicate task of negotiating Richard's French marriage in 1396, and, having been prominent in the prosecutions of 1397, he was entrusted with custody of Warwick during his Isle of Man exile. As a reward for his faithful services Scrope received the earldom of Wiltshire, this being the sole English county in which he possessed any estates. While the other peerages granted by the 1397

parliament were accorded to the recipient and the heirs male of his body, Scrope's was awarded to him and his heirs male for ever, seemingly as a special mark of royal favour.

Like the other "royalist" Appellants Scrope benefited from the 1397 condemnations, particularly from the lands and offices formerly belonging to Warwick. Barnard and Pains<sup>1</sup> castles, some Welsh marcher lands and two Essex castles<sup>1</sup> all fell to him from this source, in addition to remunerative offices in Wales and in the newly-created principality of Chester.<sup>2</sup> At Richard's instigation Scrope was accepted as proctor for the clergy in the Shrewsbury parliament, and this same year saw him ambassador to Scotland, captain of Calais, and finally treasurer of England. In 1399 he obtained custody of the castles of Pickering and Knaresborough and was nominated one of Richard's executors.<sup>3</sup> In May 1399 it is recorded that, for the support of the earl of Warwick and the maintenance of "diverse Irish hostages," Scrope was awarded the substantial sum of £1074-14-5.<sup>4</sup> On the king's departure for the second Irish expedition Scrope was left to assist the regent York but, with Henry's invasion, found himself among the only three men Henry refused to pardon, and he was summarily executed when captured at Bristol castle.

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1. C.P.R., 1396-99, p. 267.

2. Ibid., pp. 284, 356.

3. Foedera, II, p. 535.

4. C.I.R., p. 276.

No charge was too heinous for Walsingham to levy against Scrope. He asserted that it was through "creatures" such as these that Richard intended to reduce the wealthy to paupers, and exercise his will unrestrained throughout England.<sup>1</sup> There seem to have been two basic reasons for the chroniclers' antipathy to Scrope, the first that he was a "new man", elevated beyond his birth, talent and deserts, and the second that he aided, or perhaps even encouraged Richard's financial exertions.<sup>2</sup> The nature and extent of these exactions will be discussed at a later point,<sup>3</sup> but it can be here suggested that Scrope's brief term as treasurer hardly seems to justify ascribing to him the blame for any mistakes of irregularities in Richard's fiscal policy.

Usk wrote of "Sir William and other low-born fellows" of whom Richard had made great men, but who "afterwards" fell ruined by their irregular leaps to power".<sup>4</sup> Scrope indeed fell at the revolution, but because of his prominence and loyalty in Richard's service, not because of either lowly birth or a meteoric rise to power. Indeed, while not of the upper chelons of nobility, Scrope was of noble blood, and while the proliferation of offices which he received from the king may appear somewhat excessive, they are scarcely more than an able and loyal administrator might expect to obtain.

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1. Annales, p. 240.

2. Evesham, p. 129, remarked that Richard was youthful and easily led.

3. Vide infra, section III, part 2.

4. Usk, p. 180.

The accusation of lowly birth is much more applicable to Bushy, Bagot, and Green, and yet while none of them were noble, all came from substantial shire families, and Bushy and Bagot had long records of both local and parliamentary service. Bushy, the most prominent of the trio, was a Lincolnshire knight with a record of attendance in every parliament from 1386-98,<sup>1</sup> except the 1388 session, and had been sheriff of Lincoln in 1379, 1381 and 1391. Thus it is clear that Bushy did not rise to dizzy heights from nowhere. He first appeared as the king's knight in 1391 and was speaker of the commons in the 1394 parliament and the two sessions of 1397. Earlier in the reign he seems to have had Appellant sympathies but in May 1398 he was granted a formal pardon for his former allegiances.<sup>2</sup>

Bushy has been accused of gaining the favour of the king by grossly flattering his vanity.<sup>3</sup> The chroniclers made frequent reference to the youth of the king and to Bushy's evil and overpowering influence over him.<sup>4</sup> Walsingham, in terms of deepest disgust, alleged that Bushy adulated the king and ascribed to him titles more fitting to the divinity than to a mortal man. The young Richard, instead of checking such excesses, desired honour and encouraged the knight's behaviour.<sup>5</sup>

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1. For some of subsequent detail cf. Steel, p. 222, Tout, Chapters, IV, II-13, D.N.B., III, 492.
2. C.P.R., (1396-99), p. 331.
3. "G.F.R.B." in D.N.B., III, 492.
4. Evesham, p. 129, Annales, p. 210.
5. Annales, p. 210.

But Walsingham's tirade cannot be implicitly trusted, for one must suspect the account of a writer whose abhorrence of the monarch and all his chief ministers is so patent. Modern historians, from Baldwin onwards,<sup>1</sup> have attempted to exonerate the reputations of many of Richard's council. Even Jones, convinced as he is that Richard and his advisers were intent on the establishment of an autocracy, feels that charges of incitement to arbitrary tyranny against such men as Bushy and Scrope "are careless distortions of the truth".<sup>2</sup> Rather he suggests that "they and their fellows were useful primarily because of their skill in manipulating well-established institutions and procedure."<sup>3</sup>

Bagot and Green seem, like Bushy, to have risen primarily because of their administrative and political talents. Bagot was a Worcestershire knight, sheriff of the counties of Worcester and Leicestershire between 1382 and 1384, and a regular member of parliament from 1388-99. As a knight his early associations were with the earl of Nottingham, and in 1388 he was prominent on the Appellant side, both in parliament and in his own county. In August 1397 he became the king's knight and soon established himself on the council, although he never appears to have been as important as Bushy and Green.

Green was less active in local affairs than his two companions, and although he was probably present in the 1390

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1. Baldwin, op. cit. pp. 115-146.

2. Jones, p. 173.

3. Jones, pp. 173-4.



parliament, his attendance there is not certain until 1394. He seems to have entered the royal service through John of Gaunt who retained him for life in 1391. In March 1397 he was retained by the king at 100 marks per annum, a sum which was later substantially increased.

There is little in their backgrounds to warrant the description of Bushy, Bagot, and Green as a "sinister trio".<sup>1</sup> As for their talents, the ability of Richard's administration has been generally accepted since Baldwin's studies led him to conclude that never before had the council been "so clearly outlined as a staff of expert men".<sup>2</sup> Even the Evesham writer, although obviously critical of Richard's last years, could not but praise Bushy's ability.<sup>3</sup>

"Richard seems in fact, irrespective of past records, to have bought the best political agents he could buy".<sup>4</sup> Yet the three can in no sense be described as "bought" minions. They were well paid and were granted lands and wardships in addition, but neither their salaries nor their rewards can be considered excessive.

In September 1397 Bushy was awarded three Suffolk manors, formerly the property of Thomas Mortimer who fell with the Appellant lords, but this was in lieu of, not in addition to, the yearly sum which he received at the exchequer.<sup>5</sup> In

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1. Steel, p. 221.

2. Baldwin, p. 142.

3. Evesham, p. 132.

4. Steel, 221.

5. C.P.R., 1396-99, p. 198.

the same month he and Green were jointly awarded the "stuff and utensils of the hall, chamber, cellar and kitchen" of the London inn which Arundel had formerly owned, and also Warwick's barge and tackle - hardly grants of outstanding value.<sup>1</sup> Bagot likewise received only minor lands and offices; in September 1399 he replaced Arundel as constable of Castellyons,<sup>2</sup> and the following month he received the wardship of the two daughters of a deceased Cheshire noble "in consideration of his recent great expenses, labours and diligences in the king's service."<sup>3</sup>

It is revealing to examine the new king's attitude to the property of Richard's "agents of tyranny". There are several entries on the patent roll redistributing the lands of Bushy<sup>4</sup> and Scrope,<sup>5</sup> but Bagot, captured in Ireland and last heard of in the Tower in April 1400,<sup>6</sup> does not appear to have suffered like loss. Henry's treatment of Green's heirs is perhaps the most surprising. In October 1399, his three sons and two daughters, having "informed the king of their mediocre estate and the great debt of their father" were granted all their father's lands and rents for the Michaelmas term.<sup>7</sup> Then, in September 1400 came an even greater concession from the new monarch with a grant to "the king's esquire Ralph

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1. Ibid., p. 198.

2. Ibid., p. 210.

3. Ibid., p. 215.

4. Ibid., 1399-1402, pp. 15, 42, 99, 201.

5. Ibid., p. 123.

6. Cf., Dictionary of National Biography.

7. C.P.R., 1399-1402, p. 21.

Greene of all issues from the death of Henry Greene his father... notwithstanding any forfeiture of the said Henry or judgement rendered against him." <sup>1</sup> Such magnanimity towards one who Walsingham and the Richard the Redeless author would have us believe to be one of the pillars of the Ricardian tyranny, lead one to suspect that Greene and his fellows were more convenient scapegoats than subversive extortionists.

The council as a whole, and particularly the four "villains" of the final years, when examined independently of the Latin diatribes, appear as remarkably colourless civil servants. Indeed, the abuse showered upon all of Richard's officials seems misplaced. <sup>2</sup> A quite surprising number of these men continued in high office or reached even greater heights under Henry IV and, with the exception of the three who fell at Bristol, no-one, not even Walden who had ousted Arundel from his Canterbury see, was completely ruined by the revolution.

Such continuity speaks not so much for Henry's moderation as for the merit and indispensability of Richard's administration. Far from warranting the chronicle indictments of his promotions, Richard rather deserves credit for the men he selected. One must agree with Steel's conclusion that "if Richard had shown as much judgement in all aspects of his policy during his last three years as he did in choosing personnel it is not too much to say that the revolution might never have occurred." <sup>3</sup>

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1. C.P.R., 1399-1402, p. 335.
2. Cf., Tout, Chapters, IV, 50-1
3. Steel, p. 254.

### 3. The Signet.

Intimately connected with the question of the character and ability of the royal officials of this period is Richard's treatment of the main administrative departments of the realm, the chancery, the privy seal, and the signet. All three departments were, theoretically, dominated by the monarch. They had grown up to enforce his commands. They were his executive agencies, framing his wishes in writs without which no governmental action could be set in motion. Since the twelfth century England had possessed the most effective bureaucracy of any secular kingdom, but its very efficiency caused it to be less and less at the disposal of the monarch, and one by one the departments which had arisen as the king's personal agencies went "out of court". Thus, paradoxically, "the routine devised to restrain the aristocracy grew into a check upon the arbitrary powers of the crown."<sup>1</sup>

Different monarchs made different responses to this administrative development. A weak ruler like Henry III sought to reduce the chancery to direct dependence upon himself in the way that he dominated the household. A stronger king such as Edward I sought rather to mould the various aspects of government into a single strong administrative whole, household and chancery alike working in a way conducive to the greatest efficiency. Alternatively the monarch might seek to bypass the established and institutionalized channels

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1. T.F. Tout, "Some conflicting tendencies in English administrative history during the Fourteenth century", Bulletin of the John Rylands Library, (hereafter cited as B.J.R.L.), VIII(1924), 84..

and develop his own personal executive agency, as did Edward III with his reliance upon the administrative chamber and use of the personal griffin seal.

Undoubtedly influenced by his grandfather's policies, the young Richard chose to assert himself in the 1380's by this latter route. The griffin seal was now defunct, but Richard found a ready replacement in the signet.

It has been said that the attempt to "make the signet the special engine of the prerogative perished with Richard II"<sup>1</sup>, but it must be stressed that this attempt, while it was clearly a resort of the Richard of the 1380's, was not in any way an aspect of the "tyranny". Tout's pioneer work<sup>2</sup> and Tuck's<sup>3</sup> more recent researches have revealed the enormous extension of signet jurisdiction between 1383 and 1386. At Richard's instigation it was promoted from "simply one of the ordinary cogs in the wheel of the administrative machine"<sup>4</sup> to "a powerful instrument for carrying out his personal wishes over the whole range of governmental activity, threatening the privy seal's position as the dominant and controlling instrument of government"<sup>5</sup>. Under John Bacon<sup>6</sup> its scope began to widen, but the most marked extension came after January 1385

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1. Tout, Chapters, V, 226.

2. Ibid., 207-11.

3. Tuck, chapter IV, "Richard's personal government, 1383-6."

4. Tout, Chapters, V, 207.

5. Tuck, p. 95.

6. Appointed 1382.

when secretary Medford was appointed and proceeded to build up an organized and powerful secretariat. Tuck has calculated that by the autumn of 1385 as many grants were warranted by the signet as by all other authorities combined. Richard had indeed discovered a potent personal instrument.

With the Appellant assertion of 1386, the king's signet powers were abruptly curtailed. October of that year saw the appointment of Arundel as chancellor. The archbishop steadfastly refused to allow the great seal to be moved by the signet, insisting from the outset on privy seal authorization. Because of his weakness at the time, Richard was forced into utilizing the traditional channels.<sup>1</sup> The signet gradually relapsed into its former role as a primary moving seal, and as an authority for minor diplomatic correspondence.<sup>2</sup>

The question then arises as to why Richard did not attempt a further signet re-assertion once he regained executive power. The only evidence of its extensive use in the 1390's was during the first Irish expedition when the presence of the other two seals in England made it necessary.<sup>3</sup> It may well be argued, as Tout does, that since Richard had achieved

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1. Tuck suggests that from October 1386 to November 1387 in his wanderings about the country, Richard was using a duplicate of the privy seal while the original was in Appellant hands at Westminster. Cf. chapter V.
2. E. Perroy, Diplomatic Correspondence of Richard II, Camden Society, (3rd Series), XLVII(1933), introduction.
3. Miss Baron's reference, "The tyranny of Richard II", Bulletin of the Institute of Historical Research, (Hereafter cited as B.I.H.R.), XLI(1968), pp. 1-18, to "the secret and furtive use of the signet" (p. 17), is hardly justified by her evidence, and is not supported by other modern historians.

complete dominance over the great and privy seals, via his episcopal nominees, there was no necessity for the signet to again be brought into extensive use.<sup>1</sup> But such an argument surely begs the basic question of why it was that Richard, intent on what Tout has elsewhere called his "bold attempt at despotism",<sup>2</sup> should not have chosen the least circuitous route to absolute power and revived the agency which, in past years, had served him so well.

Perhaps historians, in seeking out motivation for Richard's behaviour have been guilty of neglecting the obvious in favour of the more obscure. Could it not have been that Richard learnt, in matters of government administration as well as in his treatment of favourites, from the Appellant "rule" and "purge" of 1386-88.? The ruthlessness with which this regime presented the royal supporters must have made it quite apparent to the king that his former juvenile behaviour had sparked resentment and revolt. It thus seems highly unlikely that Richard would have risked repeating the very actions which had brought a threat of deposition only a decade before.<sup>3</sup>

But to argue that a signet reassertion was prevented solely by political expediency, again does not seem to fully explain the situation. Richard's punishment of Gloucester and of Arundel was not the most politic move in 1397, and although

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1. Tout, Chapters, V, 208.
2. Tout, B.J.R.L., VIII(1924), 98..
3. Cf. Knighton, Chronicon, II, (London, 1889), 216-220. Eulogium III, 395.

he must have been aware of this Richard was not prevented from acting. Opposition in the latter case had been overcome, and who was to say that opposition to an administrative change, of which very few in the country would have been aware, could not have been stilled even more easily? Perhaps only the most obvious explanation will suffice, and we must conclude that Richard was not in fact attempting either absolutism or des-<sup>1</sup>potism.

Rather Richard may be seen as harking back to the days of England's strength and glory, to Edward I's time when efficiency was the keynote. With loyal and able men in all the offices of government, from the chancery to the once again lowly signet department, Richard was in the process of establishing a unified administration such as England had not seen for nearly a century. And it was perhaps because of its ancient "novelty" that his system failed.

An England grown accustomed through Edward II's weakness and Edward III's single-mindedness, to administrative conflicts and divisions,<sup>2</sup> could not but view united and harmonious government with suspicion, particularly since the country was not engaged in war. The nation which had tolerated excesses in Edward I and Edward III could not indulge the totally unwarlike Richard. With precedent and custom forming such an integral

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1. The two forms are here differentiated primarily because Jones insists that they are radically different (pp. 180-1, 182-3), although other historians and the present writer are not so aware of this distinction.
2. Particularly in the early 1340's.



part of medieval society, what could not be understood was vehemently condemned, and what modern political theorists, viewing Richard's administrative measures with unbiased eyes, might consider praiseworthy, contemporary chroniclers could only view with deepest suspicion and darkest speculation.<sup>1</sup>

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1. The suspicion so manifest in the chronicles was doubtless influenced by the fact that most of the accounts were written after the events of 1399. The successful revolution could not but lend colour to their descriptions.

#### 4. The Cheshire Guard.

While a considerable amount of chronicle spleen was vented on Richard's administration, this was as nothing compared with the intense hatred which almost all the Latin works revealed for the Cheshire archers. A prerequisite of any tyrannous government is armed strength. By definition the tyrannous ruler is one not supported by the body of the people, hence the necessity for him to find an effective agency through which to impose his will. For the chroniclers, Richard's Cheshire archers, reinforced by the groups of local militia wearing the king's personal badge of the white hart,<sup>1</sup> represented such an agency.

The archers were presented as being everything from a rather sinister bodyguard to a band of brigands with total licence to harass and destroy the realm. The Eulogium writer gave a fairly restrained account of these men, describing their vast numbers, their constant presence at the king's side, and their unceasing vigilance, particularly when Richard left the environs of Westminster.<sup>2</sup> The Evesham writer reported that the king had placed complete faith in these men, entrusting his very life to their hands and giving them total liberty throughout the kingdom.<sup>3</sup> The Gravamina accusations<sup>4</sup> reinforce the impression of their disgraceful behaviour.

Both the Evesham chronicle and Usk's account both

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1. The white heart badge seems first to have been assumed at a Smithfield Tournament in 1390; Evesham, p. 122.
2. Eulogium, III, 380.
3. Evesham, p. 133.
4. Rot. Parl., III, 418, article 22.

contain a vivid description of the behaviour of these archers during the Westminster parliament. Usk, who may well have been an eye-witness, described the members sitting in temporary quarters, open on both sides, and ringed by the archers with their bows at the ready. At one point there seems to have been some disorder in the house, and the archers are said to have responded by tightening their bows as if to shoot, to the great terror of the assembly. According to Usk and Evesham they were only prevented from firing by the king's sudden intervention.<sup>1</sup>

Walsingham was perhaps the most vehement in his condemnation of the "malefactores de comitatu Cestriae". As well as tyrannizing parliament he reported that these men ran riot over the country at large where "omnem nequitiam perpetranda...vulnerarent, et occiderunt, nimis crudeliter, et bona populi praedarentur...uxores etiam, aliasque mulieres, rapientes, nemine audente contradicere, violaverunt". Protests to the king, he reported, were of no avail, for Richard would hear no word against them, and as a result these archers put men to the sword without check.<sup>2</sup>

The contemporary picture is uniformly black, for the pro-Ricardian sources contain no attempted exoneration of the archers, indeed they are all silent on this aspect of the reign's last years. Subsequent historians have generally

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1. Evesham appears to have borrowed from Usk for his account of this parliament, for the wording is almost identical, Evesham, p. 134.

2. Walsingham, Annales, p. 208.

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contented themselves with reporting the chronicle condemnations, and while some attempt has been made to examine the composition and origins of the white hart retainers, there has been no attempt to reassess their heinous reputation.

The most damaging charge against the archers is that they, together with the local white hart militia, tyrannized and murdered the people of England.<sup>2</sup> But before making his condemnation, the modern historian must temper his judgement by consideration of the state of later medieval society in general, and the extent of law observance, or rather non-observance. The administration of justice, since Edward I's day, had a primarily local basis, a basis which, if the appeals to the king's chancery court can be taken as any guide, was often far from conducive either to impartiality or to speedy and effective retribution.<sup>3</sup>

There can have been few periods in the entire Middle Ages when a man would willingly have ventured alone upon England's roads, particularly if he had anything of value in his possession. And, during the period with which we are here concerned, the lawless situation was considerably worse than normal, primarily because of the state of the Hundred Years' war. It is almost impossible to overestimate the

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1. Steel, pp. 233-4, Mathew, p. 152, Tout, Chapters, IV, 24.
2. Clarke and Gailbraith, p. 97.
3. Select Cases in Chancery, ed. W.P. Balidon, (Selden Society, 1896); a petition dating from the late 1390's complains of assault, wounding and robbery, and threats of further violence. The petitioner regrets that he must bother the chancellor but "ne deuers eux a la commune ley pursuer pur doute de mort"; p. 48.

effect which Richard's nonage and subsequent pacific French policy must have had upon the English countryside. Edward III, in the "golden" days of Crécy and Poitiers, had moulded England into a fighting machine. Soldiering had become a profession, not only for great leaders like Sir Walter Manny and Nicholas Dagworth, but for vast numbers of illiterate country men.

Although the glories of Poitiers had long since passed, there must have been many in England who felt that such triumphs would be repeated once the Black Prince's son came of age. But the Anglo-French negotiations, begun in 1394 and culminating in Richard's marriage in 1396, must finally have ended such speculation. With the prospect of a twenty-eight year truce the armed companies, if they failed to secure magnatial livery, turned to pillaging the countryside, their numbers swelled by the troops returning from Calais and Cherbourg after the restoration of those garrisons in 1396.

Much of the disorder and violence which the chroniclers ascribe to the Cheshire archers can, one suspects, be laid at the door of the itinerant English "routiers". Armed bands were quite as likely to be a direct legacy of the war as part of the royal entourage, but it is hardly to be expected that the hostile chroniclers would have bothered about such distinctions.<sup>1</sup> But one cannot explain away the king's

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1. Select Cases in Chancery, p. 19. A petitioner (1396-99) complained that his enemy had collected "plusours genz deconuz et de male fame de diuerse partiez coillez et assemblez armez si bien en haberions, palettez, gauntz de fer come plates et diuerse autre armure".

Cheshire archers; a band of probably 4000 strong was assembled in the summer of 1397 and was present at Westminster during the autumn parliament of that year. During this parliament the county of Chester was raised from a duchy to a principality, and in the course of the session several grants were made by the king to men of Cheshire origin.<sup>1</sup>

Yet, it would be wrong to suspect Richard of attempting to manufacture a pocket of support through bribery or persuasion. There was a strong tradition of loyalty in the area long before Richard attained his majority. Its latest manifestation had been in September 1387 when De Vere, in a last desperate attempt to free the king from the trammels which the 1386 parliament had imposed upon him, raised a sizeable force in the county, a force which fought and was annihilated by the Appellant army at Radcot Bridge in December of that year. The loyalty of the county was to outlast Richard himself, for Cheshire rose against Henry in 1400 and the revolt's leaders were exempted from the king's general pardon of that year.<sup>2</sup> Subsequently a large Cheshire contingent joined Hotspur's rebellion in 1403 and were either killed or suffered forfeiture.<sup>3</sup>

Yet if their crimes seem grossly exaggerated and their loyalty can be ascribed to a genuine feeling for the crown rather than to Richard's favours of 1397, the problem of accounting for Richard's need to have such a body constantly with

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1. C.P.R., 1396-99, pp. 204, 205, 215, 412.

2. C.P.R., 1399-1402, p. 286.

3. Clarke and Galbraith, op. cit., p. 97.

him and wearing his livery still remains. It is possible that he felt the need for a show of strength to cow the supporters of Gloucester, Arundel, and Warwick at the 1397 parliament, and that as well as enjoining Lancaster, York, Derby and the "new" Appellants to bring their retinues,<sup>1</sup> he felt it expedient to have one of his own. Usk probably allowed his imagination to run away with him in his account of the bowdrawing; the parliament seems to have been so compliant as to make any physical intimidation quite unnecessary.

But why should Richard have retained the archers once parliament had ended and insisted on their accompanying him upon his lengthy progress around the kingdom? Was the king, as Walsingham<sup>2</sup> and the Evesham<sup>3</sup> writer have intimated, so fearful of his subjects that he needed the constant vigilance of an armed bodyguard? Such is the interpretation which several historians, including one of the latest writers on the period,<sup>4</sup> have made of the archers. But such explanations ignore a very significant aspect of the monarch, his cultural proclivities.

The grandeur of the French court had an obvious attraction for Richard, and the issue rolls testify to his

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1. Steel, p. 234.

2. Annales, pp. 238, 248.

3. Evesham, pp. 146-7.

4. C. Barron, p. 18. She asserts that the building up of the Cheshire guard was one of the "acts of a man who was afraid; of a king frightened into tyranny".

attempts to emulate and even surpass it.<sup>1</sup> Fairholt, describing Richard's tomb, wrote: "His effigy, and that of his queen, Anne of Bohemia, in Westminster Abbey, are remarkable for the costly splendour of their habiliments...embroidered all over with the royal badges...the white hart crowned and chained, the sun emerging from a cloud, and the broom plant".<sup>2</sup> The broom plant was the Plantagenet emblem, the sun was Richard's personal symbol, and the white hart he had inherited from his mother, Joan of Kent. While some attention has been given to Richard's use of the sun device,<sup>3</sup> there has been no investigation of the white hart's symbolic significance. Historians, conditioned by the chronicle tirades, have not considered the possibility that Richard's distribution of this emblem may have had much more to do with cultural than political considerations.

The white hart was, for Richard, a symbol of personal loyalty. The cult of loyalty to the lord was an integral part of later medieval society, and this emblem represented Richard's involvement in that cult. It was a cult with a long tradition, for it was reflected in such chansons de geste as the Song of William and was exemplified in the popular devotion to such

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1. C.I.R., H.III-H.VI, p. 262, 14 December 1395, §20 for portraits of the king and queen. Ibid., p. 263, 1 March 1396, §12-13-4 for work on Westminster Hall. Ibid., p. 265, 22 October 1397, §76-6-8 for gifts of jewels to courtiers.
2. Fairholt, Costume in England, I, 23. . . Cited by P. Reyher, "Le symbole du doileil dans la tragédie de Richard II", Revue de l'Enseignement des Langues Vivantes, XL (1923-4), 254-60.
3. Reyher, op. cit..



figures as Simon de Montfort and Thomas of Lancaster. In the later fourteenth century it was particularly evident in popular romances such as Fulk Fitzwarin.<sup>1</sup>

Can it be supposed that one with Richard's literary sympathies<sup>2</sup> could have failed to be influenced by this vital cultural force? It is more than probable that it was the somewhat romantic desire to involve himself personally in this cult, rather than any desire to have available armed support for a "despotism", which engendered Richard's Cheshire archers and white hart retainers.

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1. Mathew, chap. XV, "The Conflict of Loyalties", pp. 138-145.
2. As evinced by his friendship with Merke and his patronage of Chaucer.

### 5. Parliament.

During the period here under consideration there were two meetings of parliament, the first in January 1397 and the other in September of the same year, reconvening at Shrewsbury in January 1398. The mundane mass of parliamentary business need not here concern us. Rather this study will look only at those events which in some way confirm or counteract the prevailing impression of Richard's despotic administration during these years.

The question of royal interference in the parliamentary elections of the last years will be discussed at a later point as part of the study of local affairs, but it can here be noted that throughout the 1390's Richard had very few problems with his parliaments. His conciliatory government, after his assertion of power, seems to have commanded general support. A succession of good harvests made the 1390's a more prosperous decade than the one which had preceded it, and the country's general economic well-being probably contributed to the popularity of the government and the prevailing amenable atmosphere in the parliamentary sessions.

Richard has been accused of using "agents" like Bagot and Green and especially speaker Bushy, to "manage" his last parliaments into compliance,<sup>1</sup> but feeling seems to have been markedly pro-Ricardian long before this "sinister" trio came into prominence. One example of this feeling is provided by a petition in the 1391 parliament, ostensibly emanating from

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1. Stubbs, C.H., II, 519.

the commons. The fact that Richard himself may have played some part in inspiring it does not in any way detract from its importance as a guide to parliamentary opinion, for it is most unlikely that Richard would have been able to force it upon an unwilling assembly. The petition reads something like a modern vote of confidence, requesting that the king should be "as free in his regality, liberty and royal dignity... as any of his royal progenitors...notwithstanding any former statute to the contrary, notably in the time of king Edward II...and that if any statute was made in the time of the said king Edward, in derogation of the liberty and franchise of the crown, that it be annulled".<sup>1</sup>

Such was the background to the parliaments of the later years, with Richard's popularity doubtless enhanced by the success of his first Irish expedition of 1394-5. But in January 1396 an incident occurred which more than somewhat disturbed the prevailing serenity. It took the form of a petition, sponsored by the commons, but emanating from a non-member, Thomas Haxey. It incorporated savage criticism of four aspects of the Ricardian administration, the retaining of sheriffs for longer than the statutory term of one year, the precarious state of the Scottish marches, the country-wide abuse of laws limiting livery and maintenance, and finally the proliferation of bishops and ladies at court and the consequent strain on the household finances.<sup>2</sup>

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1. Rot. Parl., III, 286.

2. Ibid., 340.

There is something of a schism among modern historians concerning the origin and significance of this document.<sup>1</sup> The most recent and more ingenious view, on which both Jones<sup>2</sup> and Mathew concur, is that Haxey, a clerk of the court of common pleas and a man active in the royal service, was acting in accordance with royal instructions. As Jones suggests, "Richard himself may have inspired the petitions presentation to the commons" in order that he might be able to re-open the treason issue on precisely the old terms.<sup>3</sup> Such an interpretation, one feels, characterizes the king as a Machiavellian autocrat, devious and scheming, using men like pawns in order to serve his own autocratic ends. It is a view not without interest, but lacking in plausibility.

That Haxey was a "man of straw" is quite probable, but rather than a royal "undercover" agent, it seems more likely that he represented a group of northern prelates,<sup>4</sup> discontented either because they were not themselves among the favoured clerics who thronged the court, or who were possibly alienated by the king's recent alliance with the schismatic French.<sup>5</sup>

While he conceded and promised remedy for the complaints  
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1. Jones, p. 72.
2. Mathew, p. 150.
3. Jones, p. 72.
4. Haxey was proctor to the abbot of Selby.
5. M. McKisack, The Fourteenth Century, (Oxford, 1959), p. 467. Hereafter cited as McKisack.

about the marches and livery abuses, and excused his shrieval policy, Richard's anger at the fourth clause, the attack upon his personal household, is quite apparent. The first part of his reply to the household criticism, as reported in the parliament roll, is worth transcription in full: "Item al quart article, touchant le charge de l'Hosteil le Roy, et la demuree d'Evesques et Dames en sa compaignie, le Roy prist grandement a grief et offense, de ce qe les communes qi sont ses lieges deussent mesprendre on presumer sur eux ascune ordenance ou governance de la person de Roy, ou de son Hosteil, ou d'ascuns persones d'Estat q'il plerroit avoir en sa compaignie. Et sembloit a Roy, qe les Communes firent en ce grant offense et encontre sa Regalie, et sa Roiale mageste, et la Liberte de lui et de ses honourables progenitours."

Such language hardly indicates that Richard himself prompted Haxey's attack, but the petition did allow the king the opportunity to make his position on household matters explicit. He was not making a bold and challenging pronouncement of "his theory of the untouchable nature of his office" but rather making precisely the same attempt at which Edward II had failed, that of separating the public and private spheres of government and reserving the household sphere to his own personal jurisdiction. The problem was far older than the imposition of the magnatial commission in 1387 which had prompted Richard's appeal to the judges and their

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1. Rot. Parl., III, 388-9.

2. Jones, p. 72.

decision that those responsible for the coercion "ut Pro-  
ditores merito puniendi."<sup>1</sup>

Haxey was convicted of treason, but the principle of non-intervention in household affairs seems to have been more important to Richard than any personal vengeance, for less than three months later Haxey was awarded a full pardon and was subsequently restored to crown employment. Yet the fact remains that his conviction did go beyond Edward III's 1352 definition of treason.<sup>2</sup> Only after he had been found guilty,

in February 1397, did the lords declare it treasonable for any man to excite the commons in parliament to reform anything affecting the person, government or regality of the king.<sup>3</sup>

But if his retroactive conviction went beyond the "orthodoxy" of 1352, Richard was doing no more than emulate the Appellant convictions of 1388. These were troubled and changing times in which definition seems often to have followed practice, a phenomenon for which Richard alone can hardly be made culpable.

In the parliament of September 1397, Richard took care to make his wider interpretation of treason official by promulgating a new definition of the offence, the four grounds being i) to compass and design to slay the king, ii) to depose him, iii) to withdraw homage from the monarch, iv) to raise

1. Rot. Parl., III, 233.

2. Cf. B. Wilkinson, Constitutional History of Medieval England, 1216-1399, III, (Longmans, 1958), 91-2, 108-9. Hereafter cited as Wilkinson, C.H. Edward did make the act of levying war against the king treasonable, thus opening the way for Richard's subsequent extension.

3. Steel, p. 226.

his subjects and ride against him. The definition was obviously designed to facilitate the speedy conviction of the Appellant lords, and does perhaps reflect Richard's lack of security, but, as we have earlier argued, he possibly had reason to feel his position threatened, and there was certainly nothing irregular in making a new parliamentary definition of an offence.<sup>1</sup>

According to Steel, Richard's actions until the adjournment of the Westminster parliament, actions which included the new treason definition, the Appellant convictions, and the ducetti creations, were "politically defensible", but with the reconvening at Shrewsbury "he really began to overreach himself".<sup>2</sup> Stubbs, disgusted at the subserviency of the Shrewsbury representatives, has called the assembly "suicidal". Some contemporary writers too felt that its members were not all they might have been, for Richard the Redeless gives a most unflattering description of the ignorance, timidity and maleability of the commons representatives.<sup>3</sup>

Certainly things went very much as Richard must have desired at Shrewsbury. The proceedings of the 1388 parliament were repealed, the "royalist" judges' decision on the Appellants' treason in 1387, was reaffirmed by the serjeants-at-law, De La Pole's heirs were restored to the confiscated earldom of Suffolk,

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1. It was perhaps partly this ad hoc definition which prompted the Gravamina accusation that Richard had declared that "leges sue erant in ore suo et aliquociens in pectore suo", Rot. Parl., III, 417, article 33.
2. Steel, p. 241.
3. Richard the Redeless, passus IV.

and substantial parliamentary subsidies were granted, with the  
 unprecedented award of the wool and leather customs<sup>1</sup> for the  
 duration of the king's lifetime.<sup>2</sup>

There are several ways in which this parliamentary complaisance can be construed: It may be argued that Richard removed the assembly to Shrewsbury in order to intimidate its members, although from the tenor of the Westminster gathering such precautions would hardly appear to have been necessary. Perhaps the members were genuinely swayed by the royal appeals for support, particularly with a second Irish expedition imminent. There is no proof of this pro-Ricardian feeling, but there is likewise no evidence that Richard either "packed" or intimidated this gathering.

For Stubbs, the greatest folly of the Shrewsbury assembly was manifest in the agreement of its members to delegate their powers to a parliamentary committee. By this agreement, in Stubbs's view, the members were playing into Richard's hands and bringing about their own destruction.<sup>3</sup> But modern historians have been less emotional in their assessment of the incident.<sup>4</sup> Parliament's actual concession was not remarkable. The members agreed simply that the outstanding Hereford-Norfolk dispute and petitions with which parliament had not found time to deal, should be settled.<sup>5</sup> The committee consisted

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1. Plus 6/8 on every sack of foreign wool.

2. Rot. Parl., III, 368.

3. Stubbs, C.H., II, 523.

4. Cf., McKisack, pp. 286-7; Jones, pp. 90-95; Steel, pp. 246-8.

5. Rot. Parl., III, 368.



of eighteen men of whom eleven were magnates, the seven new Appellants reinforced by Lancaster, York, March, and North-  
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 umberland, and the rest king's knights, including Bushy and Green.

There were plenty of precedents for the establishment of such a body, two of the most recent being from 1371 and the 1388 "Merciless" parliament itself. There was nothing about their first meeting at Bristol in March 1398 to suggest a potential threat to the constitution, for they dealt only with five very minor petitions.<sup>2</sup> In the second meeting they attempted to fill the second part of their brief and settle the magnatial dispute, declaring that the affair should be settled by battle, unless Hereford could bring further proof of his accusations against Norfolk. The next meeting was at Coventry where the members approved Richard's decision to halt the battle and exile both combatants instead.

So far no exception can be taken to the committee's deeds. It was only with its fourth session, in March 1399, that it began to assume a more threatening appearance and prompt the chronicle suggestions that it was to be a tyrannous instrument, a device by which Richard intended to dispense

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1. Usk here allowed his emotion to triumph over accuracy, saying that "In the parliament of Shrewsbury, the king got the whole power of the government to be given over to him and to six others to be received by him for the term of his life, where and when he should please;" Usk, pp. 171-2.
2. J.G. Edwards, "The parliamentary committee of 1398", E.H.R. XL(1925), p. 325.

with parliament and rule unhindered.<sup>1</sup> At the March meeting, the committee lent its authority to Richard's revocation of the proctors previously granted to Hereford and Norfolk, and at its fifth and last meeting in April 1399, the committee declared Henry Bowet to be a traitor, for no greater ostensible reason than that he had acted as clerk for the exiled Hereford.<sup>2</sup>

It cannot be doubted that the committee exceeded the powers of jurisdiction which parliament had granted to it, yet to admit this is by no means to concur with the chroniclers and their Whig proponents that Richard intended to utilize the committee as a means for subverting the constitution. There is no evidence whatever that the king intended to do without parliament permanently, indeed the indications are quite to the contrary. In the January parliament of 1398 Richard had declared that his general pardon was not to apply to anyone who complained in future parliaments about the parliamentary subsidy and the grant of the customs for life. While the making of such an exception may seem a somewhat high-handed gesture on Richard's part, it certainly does not suggest that he viewed parliament as defunct.

Also, more recent researches have proved erroneous Wallon's theory that Richard took a quorum of this committee with him on his second Irish expedition,<sup>3</sup> Bowet's condemnation was its last action, and there is no record of its ever having met for the remainder of Richard's reign. There is no real

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1. Eulogium, III, 377-8.

2. For these and much of subsequent detail see Edwards, pp. 321-33.

3. Edwards, p. 329.

reason to suppose that the committee, having ostensibly settled Richard's most pressing problem of Hereford's fate, was not subsequently intended to fall into disuse.

Yet the affair must not be over-simplified. The eighth charge against Richard in the parliament roll contains more than the accusation that he employed "certas personae ad terminandas dissoluto parlamento, certas petitiones in eodem parlamento porrectas protunc minime expeditas...in derogationem status parlamenti, et in magnum inconodum totius regni, et perniciosum exemplum."<sup>1</sup> Such rhetoric was a common feature of both the parliament roll and the chronicles, but the Gravamina continues with a far more explicit accusation: "et ut super factis eorum hujusmodi aliquem colorem et fecit rotulos parlamenti pro voto suo mutari et deleri, contra effectum concessionis predictae."<sup>2</sup>

Stubbs, while he considered the charge that Richard intended to supplant parliament proven, hesitated to accept the charge of altering the parliament roll.<sup>3</sup> Modern historical opinion has taken precisely the opposite stand. Even Jones doubts that Richard intended to replace parliament,<sup>4</sup> but all contemporary opinions agree that the roll was illegally altered.<sup>5</sup>

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1. Rot. Parl., III, 417, article 25.

2. Ibid.

3. C.H., II, 529.

4. Jones, p. 95.

5. Ibid., Steel, p. 248; McKisack, p. 486.

Richard, in March or April 1399, appears to have added a most significant phrase to the parliament roll description of the parliamentary committee's powers. The original entry read: "Item, mesme le Joefdy, les communes prierent au Roy, qe come ils aient devers eux diverses petitions, si bien pur especials persones come autres, nient luez ne responduz", and went on to explain about the pressure of time and to name the appointed members. However, at some later date, after the passage quoted was introduced the phrase "et auxi pleuseurs autres matiers et choses aient estee moeveez en presence du Roy."<sup>1</sup>

But, as so often when examining medieval affairs, the modern historian must be wary of judging this alteration according to his own preconceived notions of the inviolability and sanctity of the recorded word. It cannot be too often stressed that the Rotuli Parliamentorum was in no sense a medieval Hansard. This was, it must be remembered, an age with no conception of copyright. Chronicles passed between monastic houses with writers incorporating large sections verbatim into their own works without acknowledgement and extending or altering other sections with complete impunity. Such a society could hardly have considered the parliamentary account sacrosanct. Admittedly, one of the charges against William of Wykeham in 1346 was alteration of the records, both his enemies were intent upon securing a conviction, and there is ample evidence that alteration of the chancery records

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1. Rot. Parl., III, 368.

was a common practice both before and after his term of office.<sup>1</sup>

While such observations do not exonerate Richard, they do serve to place his offence in perspective. In addition, the whole affair was conducted in a very amateurish fashion.

There are three surviving copies of the roll, only one of which bears the illegal alteration.<sup>2</sup> Surely, if Richard were seriously intending to provide a documentary basis for a vital element of his tyranny, he would at least have made that basis secure by ensuring that all available copies of the roll told the same story.

The extension of the parliamentary committee's powers, both in practice and in the parliament roll account, were dictated by the needs of the time. The impact of the death of Gaunt in February 1399 can hardly be overestimated. Richard lost a powerful ally and then risked having England's most extensive estates fall to one whom he had just exiled and whom he could not trust. Richard saw, in the revocation of the proctors and the lengthening of Henry's exile, the only solution to his intolerable situation, and he utilized the committee to give force to what he must himself have seen was something of a gamble. It was the course of events, not the working out of an autocratic or tyrannous policy which dictated Richard's behaviour.

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1. V.H. Galbraith, Studies in the Public Records, (Edinburgh, 1958), p. 81.
2. Stubbs appears to have seen only the altered copy, hence his disbelief in the charge; Steel, p. 247.

Thus, in his dealings with parliament, as in his choice of counsellors, his distribution of his white hart emblem and in his general conduct of the central administration, it is quite possible that Richard has been much misunderstood and, even unjustly maligned. The accusations of "mysgouvernaunce"<sup>1</sup> have sprung, it seems, from what was very often a complete incomprehension of what the king was attempting, and it is here, perhaps, that we find the real fault in the Ricardian administration of 1396-99. While, for the most part, his actions were intrinsically conventional, Richard either could not or would not win the nation's confidence for his policies. Although the medieval English state was far from the modern democratic society, its government could not function without a firm base of popular support. Richard's government lacked that base and hence it toppled with almost incredible ease upon Hereford's arrival.

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1. The Brut, II, ed. F.T. Brie, (E.E.T.S., 1908), 359.

LOCAL AFFAIRS

The second main sphere in which Richard has been indicted, both by the chroniclers and by subsequent historians, for exercising an undue and malignant influence conducive to the establishment of a despotism is the sphere of local affairs.

It has hitherto been suggested that Richard's conduct of central affairs, however unexceptionable in principle, could not have succeeded because the monarch lacked the essential base of popular support. This section will attempt a detailed examination of the local scene in an effort to discover why the communities should have become so alienated from the ruler and whether the accusations of extortion and tyranny are justified when applied to this aspect of the Ricardian administration from 1396 to 1399.

Three broad areas of Richard's local policy will be given particular attention, his relationship with local government and popular representation, his financial and documentary demands from the localities, and finally the nature of the king's relationship with the most important community in the realm, the city of London.

# 1. Local Government and Representation.

In the area of local government the charges against Richard's policy during the last years of his reign were most conveniently summarized in the Gravamina accusations on the parliament roll. All the accusations centre upon the king's treatment of the sheriffs. Article 30 alleged that the monarch appointed his own creatures to this office, interfering with the customary right of the communities to provide their own candidate. Article 35 asserted that these same subser-  
vient sheriffs had continued in office for two or even three years, contrary to a statute demanding an annual change in the office. The final charge, contained in article 36, accused the king of using the sheriffs to illegally influence the returns of the knights of the shire to parliament.

Since Stubbs accorded these charges an almost unqual-  
ified acceptance<sup>1</sup> historians have made little effort to re-consider the degree of Richard's guilt. Tout found the first two allegations "most probable" although he avoided firm  
pronouncement on the third because of lack of evidence.<sup>2</sup> The only investigation in depth of the problem in recent years has been by Steel in his study of the sheriffs of Cambridge and  
Huntingdonshire,<sup>3</sup> but depth has meant some sacrifice of per-  
spective and the historian must be wary of "stretching" the evidence for one area to support generalizations about these

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1. C.H., II, 518.

2. Chapters, IV, 43-44.

3. A. Steel; "The sheriffs of Cambridge and Huntingdonshire in the reign of Richard II", Proceedings of the Cambridge Anti-quarian Society, XXXVI(1934), 1-34, hereafter cited as "Sheriffs".



officials over the whole of England.

However, despite the general neglect of the subject of the sheriffs, it remains fundamental to an assessment of the Ricardian "tyranny". Although the nature of his office had changed considerably since the thirteenth century, the sheriff was still a figure of considerable significance. Much of his administrative and judicial work had been assumed by newer officials such as the coroner, and more especially by the justice of the peace, but many responsibilities remained. He was still accountable to the royal exchequer for the shire revenue and he retained his control of the county court where, among other business, the knights of the shire to attend parliament<sup>1</sup> were selected.

The sheriff was a royal nominee, but as so often in medieval society, there were unwritten rules concerning his appointment which the wise ruler did well to observe. The accusation that Richard had his own creatures appointed to this office is difficult to disprove, as indeed it would have been in any reign; the line between the substantial local figure with ability and the ear of the king or those close to him, and a royal "creature" could be very thin indeed.

The charge that sheriffs were royal puppets was laid very frequently in the thirteenth century, and 1399 was not the first time it had been applied to Richard. In the spring of 1387 article 36 of the Appellant charges against the king

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1. Cf. E.C. Lodge and G.E. Thornton, English Constitutional Documents, 1307-1485, (Cambridge, 1935), pp. 342-44. Hereafter cited as Lodge and Thornton.

stated categorically that he had appointed "evilily disposed"<sup>1</sup> persons as sheriffs in order that they might do his bidding.

Among the 1389 entries of the monk of Westminster, usually a reliable authority for this decade, is the allegation that the king and the council had chosen sympathetic sheriffs and made them swear a special oath of allegiance, and this at the very outset of the "period of appeasement".<sup>2</sup>

Tout, without the benefit of a detailed nation-wide survey, concluded that this charge, at least when brought against Richard in 1399, was substantially correct, but what regional study there has been suggests the necessity for caution before accepting a picture of hosts of "new men", medieval "carpet-baggers" imposed upon the localities by a tyrannous ruler. Steel, in his study of the bailiwick of Cambridge and Huntingdonshire,<sup>3</sup> found no evidence to support the accusation of "royalist" sheriffs before 1397, indicating that the earlier recriminations may have been little more than Appellant rhetoric. For the crucial 1397-99 period he has done a Namierite study of the twenty bailiwick sheriffs. Close examination revealed that five of the number formed a very wealthy and landed elite, these men being complemented by an "outer ring" of a further seven members, also substantial figures with considerable wealth and local influence, all of whom were closely connected with each other. The remaining

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1. Polychronicon IX, 138-9, Knighton II, 217-8.

2. Polychronicon IX, 139.

3. A. Steel, "Sheriffs".

eight officers were men of somewhat lesser degree, although five were of good standing in the bailiwick, leaving two somewhat insignificant local landowners and just one man who may be termed a "royalist", a man with no local contacts or lands and of very humble origins.

Steel concludes that the appointment of the bailiwick's one royalist was "very clearly political", and although this assertion is impossible to disprove, Andrew Newport does seem to have been a most innocuous figure having little or no discernable influence upon his fellow officials. Steel's findings do prompt one to question just how sinister this one appointment could have been. While there is no such thing as a "normal" bailiwick, if the Cambridgeshire evidence is in any way typical, the problem of the "royalist" sheriffs seems not to have been a very sizeable one.

The second charge, that of illegal continuance of certain sheriffs in office for longer than the appointed term of one year, was a recurrent medieval grievance. A series of parliamentary complaints "de faire moultz des oppressions au poeple, et de mal servir au Roi et a son poeple", led to Edward III's ruling in 1340 "qe nul viscount demoerge en sa baillie<sup>1</sup> outre un an." In 1377 a further ordinance had declared "qe nully qad este visconte par un an entier, ne soit deinz les trois anz proscheins ensuantz reesluz ou remys en dite office de Viscount; si y soit autre suffisant en dite contee des  
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1. 14 Ed. III, S.I, C.7; Lodge and Thornton, p. 346.

possessions et biens pur respondre a Roi et a poeple".<sup>1</sup> Continuity in office of the sheriffs was obviously felt to be an evil in itself regardless of the character of the monarch, probably on the grounds that this official was capable of employing his considerable powers for his own betterment.

Continuity of the sheriffs for longer than the statutory period formed the first of Haxey's complaints against the administration in 1396 and it was a charge which Richard virtually admitted, for he defended the practice on the grounds of the advantages to be gained, in terms of efficiency, from more than a twelve-month term of service. Richard seems to have been genuinely attempting to invest the sheriff with something of the status of the modern civil servant,<sup>2</sup> but his attempt was premature and obviously open to misinterpretation.

Steel's researches indicated that continuity was something of a rarity before 1397, but, like Tout, he concluded that in October of that year the large number of continuances may be considered "abnormal".<sup>3</sup> Richard, on this count at least, seems to have been found guilty, but neither Tout nor Steel convinces one of the gravity of the charge. The eloquence with which Richard justified continuity on the grounds of increased efficiency may well have been completely genuine, and, with his strength increased after the September

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1. I R. II, S.I, C. II; Lodge and Thornton, p. 347.

2. C.f., Stubbs, C.H., II, 491.

3. Tout, Chapters, IV, 43-4.

measures of the Westminster parliament, the king may well have been grasping the chance to put into effect a long-cherished administrative reform. There is no proof whatever of any subversive intentions behind this continuity, and the mere establishment of Richard's culpability does little to support accusations that he was intent upon the establishment of a "despotism".

The charge which the chronicle and parliament roll accounts seemed to take most seriously and saw as most directly contributing to a tyrannous administration was the third: that Richard used his subservient sheriffs to influence the parliamentary returns. The Gravamina indictment began by asserting the right of all persons in every county "esse liber ad eligendum et deputandum milites pro hujusmodi comitatibus ad interessendum parliamentum" and went on to allege that the king "in parliamentis suis liberius consequi valeat sue temerarie voluntas effectum, direxit mandata sua frequencius vicecomitibus suis ut certas personas per ipsum regem nominatas ut milites comitatum venire faciant ad parliamenti sua" and that, with the aid of these subservient members, he was able to exercise his will and obtain taxes and subsidies from parliament "et populo quamplurimum onerosa."<sup>1</sup>

Walsingham, as was so often the case, supported the roll accusation, charging "Seorsum vero pro militibus parliamenti,  
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1. Rot. Parl., III, 417, article 36.

quia non fuerunt electi per communitatem, prout mos exigit,  
 sed per regiam voluntatem".<sup>1</sup> The accusation of "packing"  
 parliament figured very frequently in Walsingham's work, and  
 it was not always directed at Richard. This writer's Chronicon  
Angliae, violently hostile to John of Gaunt, asserted that the  
 duke had packed Edward III's last parliament with his own  
 knights and squires,<sup>2</sup> and although Tout accepted the charge  
 as true, more specialized works have challenged and all but  
 disproved the legend.<sup>3</sup> It is of interest to historians of re-  
 presentative institutions that the rumour of interference in  
 fourteenth-century parliamentary elections should have war-  
 ranted such high contemporary indignation, but the charge  
 itself, both when applied to Gaunt and to his nephew, seems  
 to have had little substance.

The main reason for the rejection of the "packing"  
 charge levelled against Richard's last parliament, apart from  
 the sheer administrative difficulty of instructing the sheriffs  
 to interfere in customary procedure and the lack of any such  
 surviving instructions, is the simple time factor. There is  
 no evidence whatever which suggests the appointment of "royalist"  
 sheriffs until October 1397, by which time the members of par-  
 liament were well settled at Westminster, and it was substan-

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1. Annales, p. 209.

2. T. Walsingham, Chronicon Angliae, ed. E.M. Thompson (London, 1874), p. 102.

3. J. Wedgewood, "John of Gaunt and the Packing of Parliament", E.H.R., XLV (1930), 623-5. Cf. also S. Armitage Smith, John of Gaunt (London, 1904).

tially the same group who adjourned to Shrewsbury in January of the following year.<sup>1</sup>

Stubbs, in making his assertion that the September 1397 parliament "was elected under the king's undisguised influence"<sup>2</sup> seems to have been swayed not so much by any real evidence as by Arundel's famous accusation. The earl, on being told by Speaker Bushy that his royal pardon had been revoked "per Regem, Domines et nos fideles plebeios",<sup>3</sup> boldly enquired "ubi sunt illi plebei fideles? Bene novi te et comitivam tuam, qualiter congregati estis, non ad fideliter faciendam. Et fideles plebei Regni non sunt hic"<sup>3</sup> But such an accusation seems nothing more than the final cry of a desperate man<sup>4</sup> and in no way adds credence to the "packing" charge against the king.

It seems that the accusation resulted primarily from the behaviour of the Westminster and Shrewsbury delegates; the parliament was so compliant to the king's wishes that the charge of interference was almost inevitable. Admittedly parliament's composition was not quite as usual, but this was not the result of interference in elections. Rather it was the product of Richard's insistence that all qualified areas send representatives and that all those selected attend without

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1. Steel, "Sheriffs", p. 31.

2. C.H., II, 518.

3. Evesham, p. 134.

4. Or perhaps, as Bushy charged, an attempt to stir up discord between the commons in parliament and those remaining at home, Usk, p. 158.

excuse. The Brut account, which was probably of London origin, commented on the novelty of the summons which was directed to "euery lorde, Baron, knizt<sup>1</sup> and squier, in euery schire prouzout Engelonde...to come to hym yn peyne of deth" and described the response which so crowded the capital "that euery strete and lane yn London and yn pe sowthbarbez weren fulle of ham logged, and x or xii myle about London euery were."<sup>2</sup> The Brut author was probably correct in his assertion that such numbers were necessary "in maynteynyng and strengthyng of pe king ayens ham pat were his enymys", but the royal summons did not involve the sheriffs, other than requiring them to be extra<sup>3</sup> vigilant in carrying out their customary duties.

Yet if royal influence was not exercised to illegally influence the parliamentary returns, it remains to discover some plausible raison d'être for the "royalist" sheriffs. Steel suggests a somewhat sinister military motivation on Richard's part, recalling that the sheriffs had almost unanimously failed to respond in 1387 when the king was in urgent need of their support, and as a result De Vere's challenge to the armed might of the Appellants had proved abortive. It is possible, Steel suggests, that the sheriffs were intended to act as "mobilizing officers" for the new local forces Richard was in the process of building up and dressing in his white hart<sup>4</sup> livery.

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1. The letter "z" will here be used to represent the Old English and "p" will substitute for *þ*.
2. Brut, II, 353.
3. Cf. also Evesham, p. 131 on the unusually great numbers.
4. Steel, "Sheriffs", p. 32.



Although Steel's is an interesting hypothesis there is very little supporting evidence. Indeed the events following Henry's landing indicate that mobilizing officers were precisely what Richard lacked. Far from acting as bastions of support for the monarchy, the sheriffs appear to have taken quite the opposite line. Despite Richard's instructions, on "hearing that Henry duke of Lancaster has arrived in England to remedy certain abuses in the kingdom", that "the several sheriffs... apprehend all persons assembled to break the peace",<sup>1</sup> they flocked to the invader.

Henry, on his arrival at Pontefract, is said to have sent out about 150 pairs of letters to the main towns, boroughs, and shires of England, letters which were read by the sheriffs themselves to the populace and which so stirred the citizens against the king "that all cried out unanimously "cursed be Richard, king of England, let him be deposed and imprisoned and long live the good duke Henry of Lancaster, let us have him for our lord and governor".<sup>2</sup> Such mass desertion hardly suggests that the sheriffs were favoured royalists with a responsible task to carry out.

Steel's second and more plausible suggestion is that these "new" sheriffs were intended to secure the payment of the king's substantial financial demands in the last years.<sup>3</sup>

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1. Foedera, II, 535.; August 8, 1397.

2. Traison, p. 182.

3. Steel, "Sheriffs", p. 32.

Richard's impositions upon the localities did reach an extremely high level between 1396 and 1399<sup>1</sup> and collection can have been no easy matter. But again we are in the realm of the purely hypothetical because of a complete lack of corroborating evidence.

Although Richard did unquestionably continue a number of his sheriffs in office for longer than the statutory period, there is little reliable indication that these men were in any way royalist puppets, indeed their actions over the last two years of the reign seem to have been not noticeably different from that of their "normal" fellows. The willingness with which they espoused Henry's cause<sup>2</sup> surely indicates not that Richard had a Machiavellian policy of shrieval manipulation which failed, but rather that the king had no such policy at all.

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1. See below, section II, part 2.

2. Cf. Brut, II, 358: "all pe schyrevez of Engelande reysed up pe schires yn strenyngthing of hym ayens kinge Richard".

## 2. The Royal "Extortions".

To the medieval mind the inviolability of property rights was fundamental. A monarch's purely administrative and legislative malpractices might well escape the eyes of the majority of his citizens for whom Westminster was a far-off place and his politics of little concern, but, in the fourteenth century as in the twentieth, the common man could be brought into direct contact with the government through the demands it made upon his property and income. The medieval mind, nurtured upon Aristotle and Aquinas, inevitably made misuse of the property of the subject a defining characteristic of tyrannous rule.

A total of seventeen of the thirty-three Gravamina articles were concerned with the aspects of Richard's government touching the possessions of his subjects. And although the word "tyranny" is never used directly, the implications of the charges are clear, and article thirty-two all but defined tyranny when it accused Richard of "bona si levata non commodum et utilitatem ostentionem et pompam ac vanam gloriam prodigne dissipando."<sup>1</sup>

Richard's exactions from the communities of England have been called the "essential ingredients both in Richard's tyranny and in Henry's success".<sup>2</sup> To fully appreciate the nature of England's government from 1396 to 1399 it is essential that the various kind of exaction be examined in detail.

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1. Rot. Parli., III, 419.

2. C. Baron, B.I.H.R., XLI(1968), 2.

It is apparent from a close reading of the chronicle sources<sup>1</sup> that three distinct categories of bond were exacted by Richard during the last years, the confessions of treason and petitions for pardon, the "blank charters" sealed by the proctors of the counties, and the proliferation of oaths to maintain the enactments of parliament and the parliamentary committee. To these three main categories must be added the earliest of the royal demands, the loans which the monarch began to request in 1397.

The loans, perhaps the most significant and least controversial part of Richard's financial policy, have been called "forced",<sup>2</sup> but they did not much resemble the forced loans with which students of the Stuart era are familiar. It was not the element of force which concerned the Annales writer. He described Richard sending out troops of commissioners armed with letters under the royal seal, letters which specified the sum to be obtained but which left a blank space for the donor's name. These blanks were to be filled in when the commissioners had investigated the locality and ascertained which men were of sufficient means to meet the royal demand. As McFarlane has remarked, what Walsingham was really complaining about was "the efficiency with which the royal commissioners sought out those who could be persuaded to lend".<sup>3</sup>

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1. Eg., Eulogium, III, 378.

2. Tout, Chapters, IV, 47-8.

3. K. McFarlane, "Loans to the Lancastrian kings", C.H.J., IX(1947-9), 154.

Although no royal letters have survived, it is clear from the commissioners' returns that the amount of force used must have been negligible, for the refusal rate was extremely high. Miss Baron's investigations have revealed that the sergeant allocated to Lincolnshire, Yorkshire, and Durham, John Drax, delivered forty-six letters and collected only eighteen loans or gifts,<sup>1</sup> and the Midlands commissioner obtained only twenty-three promises to lend from thirty-two letters.<sup>2</sup>

The Receipt rolls record the names of 220 lenders who contributed a total sum of over £22,000.<sup>3</sup> Of these, 194 men were guaranteed repayment by Easter 1398.<sup>4</sup> Admittedly the threat of appearance before the council could be held over the heads of those who refused to pay, and probably accounts for some of the donations, but it does appear that this was an extreme resort, only used on those whom the commissioners considered not unable but only unwilling to aid the king in his time of difficulty.<sup>5</sup> These loans fall into the category of "non-profitable obligatory lending to the crown"<sup>6</sup> and as such they did not differ in essentials from those raised periodically by Richard's predecessors.<sup>7</sup>

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1. Some areas pleaded their insufficiency to lend a large sum but instead made a small gift, eg. the men of Doncaster, P.R.O. E34/IB/26.
2. Baron, p. 2.
3. P.R.O., Receipt Rolls, E 401/606, E 401/608.
4. C.P.R., 1396-99, pp. 178-82.
5. Baron, p. 3.
6. Ibid., p. 5.
7. Edward III is a particularly good example; see especially his efforts to raise loans in 1346 and 1347.

The Gravamina does not accuse Richard of using force. Article thirty-one is much more concerned with the fact that the monarch broke his pledged word. It alleged that "non obstante quos idem rex per singulas litteras suas pa tentes promisit bona fide singulis personis a quibus mutuo recepit pecunias illas quod eis limitato termino predicto resolveret hujusmodi pecunias mutuandas, promissionem suam hujusmodi non adimplevit, nec de pecuniis illis est hactenus satisfactum, unde creditores hujusmodi valde gravantur et non tam illi quam plures alii de regno regem reputant infidelem."<sup>1</sup>

McFarlane has called the non-repayment charge "unsubstantiated"<sup>2</sup> but Miss Baron's recent investigations are more conclusive. She finds that, of the 220 donors named on the receipt roll,<sup>3</sup> only eight are named as ever having been repaid, and of these only two were satisfied by the promised date of Easter 1398.<sup>3</sup> On this evidence she rejects the view that Richard had ever had any intention of honouring his pledges, and she further darkens Richard's reputation by noting that both counties and individuals were sometimes persuaded to renounce their claim to repayment, as was the case with the men of Hereford who agreed, in June 1399, to renounce a <sup>4</sup>£100 loan in return for the confirmation of their charter.

This last example, however, does little to bolster Miss Baron's case against the king, for it must be remembered

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1. Rot. Parl., III, 419.

2. Op. cit., p. 54.

3. Baron, p. 5.

4. Ibid., p. 6.

that the late fourteenth century saw a great burgeoning of regional and civic self-consciousness. This urban and local pride is manifest everywhere in the contemporary scene, from the glorious perpendicular architecture to the increasingly elitist craft guilds, and the exchange of the right to be repaid for a loan-always an insubstantial right when the debtor was a medieval monarch-for the security of a royal confirmation of local liberties, must often have seemed most attractive to the royal "financiers" and may indeed have been brought about at their own instigation.

Although it is quite apparent that Richard did not meet his promised time limit for repayment "we cannot be certain that if the revolution had not taken place repayment would not ultimately have been effected".<sup>1</sup> His debts were large, amounting in toto to over £16,000<sup>2</sup> but such a sum was not so enormous that we may presume it could never have been returned.

Circumstances in the last three years of Richard's reign were far from favourable to governmental solvency. Roger Mortimer's appointment as Lieutenant Governor in Ireland had done virtually nothing to end the rebellious conditions there and it must have been obvious to Richard long before Easter 1398, his promised repayment date, that a further expedition might prove necessary. With the murder of March by the "wild" Irish in July 1398 the possibility became a cer-

1. Steel, p. 258.

2. £6,570 owed to London, £5,500 to 71 other towns, £3,180 to 72 individual clerks or religious houses, £1,220 to 36 influential commoners. Ibid., p. 258.

tainty, and all thoughts of meeting outstanding debts must have perished in the struggle to raise and equip his force. That the great majority of the loans were not repaid proves not that Richard's word was worthless, but rather that political exigencies made the honouring of his promise quite impossible.

Yet loans were not the only revenue sources open to a resourceful monarch. Articles twenty-three and twenty-four of the Gravamina<sup>1</sup> complained of the unjust treatment of the families and entourages of the three Appellants, who were required to sue for pardon despite the royal assurance that they should not have to do so, and also that fines and redemptions were exacted from various persons who had already purchased letters patent of pardon.

It has been asserted that Richard was pursuing a policy of "calculated insecurity"<sup>2</sup> and certainly his so-called "general pardon" granted at the opening of the Westminster parliament to all who had ridden with the Appellants, with the vital exception of fifty persons whom the king refused to name even at Bushy's request, can hardly have inspired confidence. The fifty were expected to know and confess their guilt before June 24, 1398, a deadline which was later extended to Michaelmas 1399.<sup>3</sup> Pardon was rarely a gratuitous commodity in the Middle Ages and those of Richard's last years were no

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1. Rot. Parl., III, 418.

2. Baron, p. 7.

3. Proceedings and Ordinances of the Privy Council, I, (London, 1834), 81.



exception. The exempt persons appear to have been made to pay at special sessions of the council, although the actual process is unclear and the number of those pardoned unknown.<sup>1</sup>

Communities as well as individuals seem to have felt bound to number themselves among the unnamed Appellant supporters, for late in 1397 a commission was appointed to assemble the men of the counties of Essex and Hertfordshire so that they might "offer" Richard £2,000. In return for this "gracious aid" they were to be forgiven all treasonable activities before October 1397 and the sheriffs of the area were no longer to be held responsible for bad debts in their localities.<sup>2</sup> In Miss Baron's view Richard's concessions were quite worthless and she has called the affair "a piece of blatant extortion".<sup>3</sup>

In addition, the so-called "crooked pardon", with its ambiguous exclusion of all who "chivacherent et soy leverent forciblement encontre le Roy" in the years of the Appellant ascendancy, was interpreted by Richard in its very widest sense in 1398 to include the city of London and the sixteen counties of central and south-eastern England who had supported the Appellants in 1387, or who had at least failed to rise on Richard's behalf.<sup>5</sup> They were forced to sue individually for

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1. Miss Baron (p. 9.) presupposes a large number of "hearings" and attributes the paucity of evidence to the abnormality of the proceedings, but this is pure speculation.
2. Baron, p. 9.
3. Ibid., p. 10.
4. Clarke and Galbraith, p. 111.
5. Gravamina, article 38.; Rot. Parl., III, 420.

pardon and were charged substantial fines for the restoration of royal favour. As Miss Clarke remarked, more than half the population of England was thus proscribed merely for failure to show "constant good affection" to the king".<sup>1</sup>

But it must be remembered that the money-raising activities of medieval kings very often did not accord with the most refined tenets of honourable dealing. Edward III in the 1340's had milked the Italian banking houses into bankruptcy. Deprived of such resources Richard sought financial support from the country at large, heedless of the risk that he would totally alienate his people.

Having submitted to the king "tanquam proditores"<sup>2</sup> in written confessions and paid the requisite fines, London and the sixteen counties had their letters of submission returned to them, but proctors from each area were requested to sign the infamous "albas cartas". There is some confusion, both among the sources and particularly among contemporary historians, as to what these sealed documents actually comprised.

Miss Baron's analysis of Richard's exactions during the "tyranny", for the most part so valuable, on the matter of the blank charters falls victim to the very looseness of terminology she is attempting to elucidate. In her view these documents were not actually blank, but "contained admission of guilt for treason, misprisons and evil doings against Richard".<sup>3</sup> She contends that while they were not actually

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1. Clarke and Galbraith, p. 105.

2. From 1,000 marks to £1,000 for each shire, cf. Clarke and Galbraith, p. 106.

3. Baron, p. 11.

blank, they did give the king carte blanche and were intended to be kept as a security against the notoriously rebellious areas of the kingdom while the monarch was in Ireland.<sup>1</sup>

Yet the available Latin sources, for all their looseness of terminology, will not bear such an interpretation. They clearly indicate that the sealed documents were indeed quite literally blank, as were a considerable number of the diplomatic documents of the period.<sup>2</sup> Although Walsingham's suggestion that the charters were exacted in order to facilitate the sale of Calais to the French is most improbable, he reported that they were sealed and rendered blank,<sup>3</sup> as did the Eulogium writer. The latter chronicler stated, not that these charters contained<sup>4</sup> the words "because that we have in time past grievously offended your majesty, we give unto you us and all our goods at your will", but that these were the words which Richard intended to write upon them.<sup>5</sup> Thus, having returned all the letters of submission to placate the counties,<sup>6</sup> Richard would once again have them in his power through their proctors. If they were but further signed confessions, as Miss Baron would have us believe, it is impossible to see why Richard should have restored the original signed confessions.

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1. Ibid., p. 12.

2. Cf. J. Dickinson, "Blanks and blank charters in the fourteenth and fifteenth centuries", E.H.R. LXVI(1951), 375-87.

3. Annales, pp. 235-6.

4. Miss Baron seems to have mistranslated the Eulogium writer here, Baron, p. 11.

5. Eulogium, III, 378-9.

6. Annales, p. 235.

The heavy fines known as "Le Pleasance" obtained from London and the sixteen counties were clearly in return for their original admissions of guilt and unconnected with the blank charters. Yet if these documents were not collected with a financial motive, to what should we ascribe them? That they caused great resentment is clear from the fact that the commons requested at the first available opportunity in Henry's first parliament that both the blank charters and the miscellaneous other documents<sup>1</sup> collected from London and the sixteen counties be returned forthwith. As such fiercely unpopular exactions could be of no practical value whatever to his new regime, Henry<sup>2</sup> acceded to the request and ordered their public destruction.

The affair of the blank charters must remain a matter for conjecture. Perhaps the most likely guess would be that Richard himself did not have any firm idea of what was to be written above the proctors' seals. Calais formed such a vital part of the contemporary English economy that Walsingham's suggestion can be ruled out.<sup>3</sup> The Brut's suggestion that they were prompted by the king's "great covetousness"<sup>4</sup> is also unlikely, for they were not collected until the Irish expedition had all but embarked, at a time when Richard, although heavily in debt, had at least achieved his primary

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1. Presumably the sealed oaths.
2. Rot. Parl., III, 426, 15 Oct. 1399.
3. Annales, p. 235.
4. Brut, II, 356.

object of equipping the fleet. The Eulogium's suspicion that they were intended to place everyone's goods at the monarch's disposal as recompense for previous treasonable activity,<sup>1</sup> must have seemed very plausible in the light of the massive fines already exacted for earlier offences, but Richard had wrung so much from the communities' 1386-88 offences that one is inclined<sup>2</sup> to think that this tactic had served its purpose.

In default of a more plausible explanation one must suspect that Richard's blank charters were intended as a form of security. The regions which had supported his enemies in the previous decade and had obviously been further disaffected by his recent fiscal demands might well be inclined to revolt when the monarch, many of his magnatial supporters, and the cream of the nation's soldiery were absent from the realm, even though they travelled no further than Ireland. Richard needed to ensure that his somewhat feeble regent would not be troubled in his absence, and hence he collected the charters as a guarantee of good behaviour. That he was not successful, and that the charters, instead of insuring against rebellion, only added to the animosity which ensured Henry's victory, is now a matter of record.

It was, however, the fourth kind of exaction, the sworn oaths, which constituted "the most striking characteristic of the new regime".<sup>2</sup> These oaths, like the blank charters, have

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1. Eulogium, III, 378-9,

2. Steel, p. 256.

been interpreted as reflecting "the increasing unbalance with which Richard ruled his kingdom".<sup>1</sup> The Gravamina complained of two main kinds, the "new and unaccustomed" oaths demanded of the sheriffs by which they swore to obey all royal writs and to imprison anyone heard speaking ill of the king, and the oaths of much wider scope, extending to members of parliament and beyond, by which men promised to uphold the decisions of parliament. The parliament roll indictment of Richard reported that these pledges were "nimium odiosa" and were only agreed to for fear of death.

The question of the new shrieval oath has not received the attention which the matters of their suitability and tenure of office have been accorded.<sup>2</sup> This is probably because the surviving evidence is not sufficient to support a definite conclusion, for the chancery, the usual agency dealing with the selection and swearing of these officers, has left no trace in its records of any late-Ricardian change of procedure.

Miss Baron, however, has unearthed a piece of evidence which she, at least, considers conclusive proof of Richard's guilt.<sup>3</sup> Her reference is to a single signet letter of January 1398<sup>4</sup> containing orders for the appointment of a royal clerk who was to take the oath of the new sheriff of Shropshire.

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1. Baron, p. 13.
2. Baron, p. 15.
3. Ibid., p. 14.
4. P.R.O. C. 81/1354/27.

Among other instructions to the clerk is the reminder that he take with him "la copie de la nouvelle serement par nous iam tardez ordennez et fait en tiel cas."

Such evidence leads Miss Baron to conclude the Gravamina charge to be "well substantiated",<sup>1</sup> but such is hardly the case. There is no mention of the nature of the oath in this letter, and there are no other documentary references to it. The Gravamina charge that the sheriffs were forced to swear to uphold signet instructions smacks very much of an attempt to capitalize upon an old scare, for, as has already been stated, there is no evidence of a signet re-assertion in this decade. There is likewise no supporting evidence for the charge that the sheriffs were instructed to arrest all whom they heard speaking ill of the king. The instructions sheriffs listed in the rolls only enjoin arrest for the usual statutory offences, the most common of which is "breaking the peace".<sup>2</sup> Thus, while it is impossible to acquit Richard of the charges concerning the sheriffs' new and sinister oath, with such scanty evidence conviction is equally out of the question.

The accusation that Richard demanded oaths from large sectors of the country at large is one which carries much more weight than that concerning the sheriffs. Indeed the number of occasions at which swearing was required is quite remarkable over so short a period. On the first occasion, September 30, 1397, all present at parliament were required to swear to uphold

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1. Baron, p. 14.

2. Cf. Foedera, II, p. 535; C.C.R., 1396-99, pp. 137, 147.

its statutes and judgements, the prelates and lords taking the oath one by one on the shrine of Saint Edward at Westminster, and the knights of the shire indicating their assent by a show of hands.<sup>1</sup> To lend solemnity to the event, solemn excommunication was pronounced against all contrariants.<sup>2</sup> In mid-January, at the Shrewsbury session of parliament, the oath was repeated, this time on the cross of Canterbury, with the commons and knights raising their right hands en masse.<sup>3</sup> After a meeting of the parliamentary committee, in March 1398, the oath was enlarged to include a promise to maintain the statutes and ordinances "made after the parliament by its authority",<sup>4</sup> and a year later further swearing was required after the revocation of the letters of attorney to Hereford and Norfolk.<sup>5</sup>

In addition to these parliamentary ceremonies, writs were issued during Richard's last years demanding special pledges from many of his leading subjects. The Evesham writer wrote of the king's demands of oaths from "omnes praelati, generosi et divites per totam Angliam commorantes, jurati essent, quod firmiter manu teneant, secundum omnem possibilitatem, omnia statuta, facta et ordinata, et omnes articulas in eis contentos, in ultimo parlamento".<sup>6</sup> Miss Clarke printed one such surviving royal writ directed to the Bishop of Norwich, instructing him to assemble all the clergy of his diocese and

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1. Cf. Clarke and Galbraith, p. 103.

2. Rot. Parl., III, 355-6.

3. Ibid., p. 359.

4. Ibid., p. 372.

5. Ibid., p. 373.

6. Evesham, p. 147.



ensure that they swear to maintain the statutes and judgements of the Westminster and Shrewsbury parliaments and the parliamentary committee.<sup>1</sup>

The imposition of these oaths was denounced as "juramenta<sup>2</sup> ...verisimiliter causare possent destructionem finalem populi".

Richard took care to ensure that all his subjects should be aware of the substance of the oaths, for in January 1399 he instructed the sheriffs of all counties, cities and boroughs to proclaim their texts publicly "au fin que chescun nostre lige eut purra avoir...conissance et savoir leffect de les foie et serement quils nous ferront de obeir, tenir, mentenir et sustenir les estatuts, ordinances, establissemments et iugements avaunt ditz."<sup>3</sup>

If such feverish multiplication and proclamation of oaths were not the work of a diseased mind,<sup>4</sup> how else is the historian to account for it? It is unnecessary, one feels, to class this aspect of the reign with the "constitutional experiments" which Jones<sup>5</sup> saw as characterizing the years of Ricardian absolutism, or to espouse Stubbs's sombre portrait of the excesses of a tyrant which "struck at once at the root of the constitution".<sup>6</sup> Once again only the most obvious-seeming explanation will suffice. Richard was seeking security, and with good reason.

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1. Clarke and Galbraith, pp. 111-12.

2. Rot. Parl., III, 421.

3. P.R.O. C.81/1354/31.

4. McKisack, calls the oaths "significant of Richard's strange mentality", p. 188.

5. Jones, p. 179.

6. Stubbs, C.H., II, 525.

Having disposed of their former heroes, the Appellant lords, fined them heavily for their erstwhile allegiance, and exacted substantial loans, Richard must have realized that he was far from popular with the counties of England. It appears to have been the very real fear of rebellion which prompted the oath-taking of the communities and localities, as it had prompted the blank charters. The sceptical modern mind should be wary of underestimating the value of the solemnly sworn oath. It might lack the tangibility of the sealed parchment,<sup>1</sup> but to the conventionally religious medieval man it had equal if not greater binding power.

While Richard's undoubted love of display and ritual must have been partially responsible for the great parliamentary oath-taking sessions, his main aim was obviously the purely practical one of ensuring parliament's unequivocal assent to such vital matters as the punishment of the Appellant leaders and his decision on the Hereford-Norfolk affair.

For both the parliamentary and the local oath-taking there were clear precedents. Knights and burgesses as well as magnates had sworn to uphold the Ordinances of 1311, while the Appellants were careful to impose oaths of loyalty upon many of the towns and counties after their triumph in 1388.<sup>2</sup> The value of popular support for the central government had been recognized at least since De Montfort's time, and with

1. Although some oaths seem to have taken the form of signed and sealed pledges.

2. Cf. Steel, p. 256.

every decade that passed it became more of a reality and a necessity. Richard's regional policy was an attempt to do two things: to raise sufficient funds to finance both the extravagantly ornate milieu which he had established and the vital needs of government such as the Irish expedition, and to bind the nation to himself so firmly as to exclude the possibility of major insurrection or even minor rebellion.

As has been shown these two objectives proved incompatible. Richard's attempt to improve the structure of local government and to win it to himself both through the introduction of a few trusted followers into the shrieval ranks and the continuance of others in office, provoked only bitter hostility and wild accusations. His efforts to raise money met with a reasonably high degree of success, but his gains in this field only doomed his chances of commanding the national loyalty he so badly desired.

There could be no spontaneity in the support of a nation burdened by the imposts of a monarch whom they could not understand and for whom they felt no affinity - a man who appeared intent on dissipating England's wealth the moment he had it in his grasp. The loyalty which should have emanated from spontaneity Richard attempted to supply with the charters and oaths, desperate measures which yet further alienated the very support he strove to command.

Viewed dispassionately, discounting the abuse and wild accusations of the Latin chroniclers, Richard's regional

policy appears more foolish than tyrannous. Richard totally underestimated the pride and independence of the localities with which he was dealing. England found itself with a monarch for whom it had lost all sympathy, and what the nation could not comprehend, it rejected.

### 3. The City of London.

In the sphere of local affairs, while affected by the same general trends which shaped opinion and events in the counties, the position of the city of London was essentially sui generis. Under Edward III and even more markedly under Richard II, London "was rapidly becoming a true capital, the social and literary as well as the political and administrative centre of England"<sup>1</sup>. Its pre-eminence over the rest of England was complete, for Bristol, York, and Lynne were little more than populous villages by comparison. London was the focal point of the realm and the only English town which could in any way compare with the splendour of the great urban European centres.

It would probably not be an exaggeration to say that where London led England followed. Doctrines such as Lollardy found a ready reception in the city and spread from here throughout the kingdom. In London trends were set and fashions dictated in dress, literature, and architecture. However, it is with the political influence of London during the Ricardian era that this study will be primarily concerned. To estimate the importance of the role which London played in the last years of Richard's reign, and how far, if at all, the king's policy towards the capital can be considered tyrannous or despotic, it will be necessary to survey relations between the monarch and the citizens during the decade before the crucial years of "despotism".

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1. McKisack, p. 379.

The whole fourteenth-century history of London is permeated by the struggle among the gilds or "mysteries" for control of the city's immensely powerful government. The contest is often characterized as one between the victualling and non-victualling gilds, but it was in fact a far more complicated conflict. All merchants, both those involved in the sale of food and the craftsmen, were violently opposed to the extensive privileges which the fishmongers enjoyed. The main conflict, however, was between the oligarchical aldermanic government and the commonalty of the gild members.<sup>1</sup> Such strife is of more than academic interest, for the existence of warring factions meant a reservoir of potential support for the conflicting elements of central government.

The establishment, in 1376, of the electoral unit of the common council with its aldermen agreeing to annual re-election did not destroy the oligarchic nucleus of power, and internal conflict intensified considerably during Richard's reign. The Peasants' Revolt did bring a temporary respite, for there seems to have been a truce in party strife in the face of the common enemy. This fear of the peasants probably helps explain the election of the non-victualling reformist, John of Northampton, as mayor in 1381. Northampton's "platform" consisted primarily of curtailing the rights of the fishmongers, an aim with which all in the city, with the ex-

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1. R. Bird, The Turbulent London of Richard II, (London, 1949), pp. 1-16 et passim.

ception of the monopolists themselves, must have concurred. However, it soon became clear that his reforming ideas extended much further than the fishmongers, and that the dominant city oligarchy itself was his ultimate target.

Northampton failed to win election for a third term, and in his failure the influence of the crown is clearly apparent. In 1381 he had Richard's firm support, but by 1383 he had lost it, primarily, one suspects, because what Miss Bird had designated the "capitalist oligarchy", fearing the mayor's reformism, had refused the loans on which the crown had increasingly come to rely.

The new mayor, Brembre, a city capitalist par excellence, involved himself deeply in the support of the crown, an involvement which was ultimately to cost him his life. The three years he held office represented a period of closest financial co-operation between Richard and the city which was never to be repeated. In 1383 the capital loaned the king <sup>1</sup> £2,666-13-4, and probably as a reward for this support was granted a full "In-speximus" charter in November of that year. <sup>2</sup> The renewal of the French war in May 1385 was followed in June by an advance of <sup>1</sup> £5,000 from the city, and by a personal loan from Brembre himself of <sup>1</sup> £66-13-4. In October 1385 the projected relief of Ghent prompted <sup>1</sup> £1,000 loaned from the city and in November 1386, immediately following an attempted French in- <sup>3</sup> vasion, another <sup>1</sup> £4,000 was donated.

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1. C.P.R., 1383-5, p. 307.

2. Bird, p. 90.

3. Bird, pp. 91-2.

The rise of the Appellant opposition was, however, reflected in the city's internal politics and in 1386 the "royalist" Brembre was replaced by the more politically cautious Exton. Brembre, freed from his onerous administrative duties, became still further involved in politics, connecting himself closely with De La Pole and acting as a member of the Nottingham council when the famous judges' decision in favour of the king was pronounced. Yet even this devoted Ricardian could not direct the city where it was not inclined to go.

Despite their recent oath of allegiance to aid the king "against all those who are or shall become rebels to his person or royalty",<sup>1</sup> when the mayor and aldermen were summoned by the king to Windsor late in 1387 Brembre could not win their support for the monarch. Richard was obviously hoping to raise a force in the city and strike against those who had appealed five of his closest friends, including Brembre himself, but he received only the most evasive of answers. The city representatives excused themselves on the grounds that, as craftsmen and merchants, they did not have the requisite skill in war to provide a force.<sup>2</sup>

Only days before this rejection<sup>3</sup> Richard had been given a tumultuous welcome by the city and escorted in procession to Westminster as though he were returning from a glorious success in battle. In Knighton's estimation no

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1. Polychronicon, IX, 104.
2. Polychronicon, IX, 108-9.
3. On November 10, 1387.



English king had ever been received with so much honour in any English city in time of peace.<sup>1</sup> When denied their practical support Richard could only issue the somewhat futile proclamation that no one in the city should sell anything to the earl of Arundel, an undoubtedly unpopular<sup>2</sup> and probably unobserved edict.

The Appellants, after their total rout of De Vere at Radcot Bridge in December 1387, found the gates of the city thrown open for them on their return. But, one feels, this favourable reception was engendered more by fear and self-interest than by positive anti-Ricardian feeling. Indeed Knighton reported that the citizens had been warned in a letter from the Appellants instructing the citizens not to aid the appealed lords "as you wish... the safety of your city".<sup>3</sup>

Parliamentary charges against Brembre did include irregularities in his government of the city, but it was clearly his support of Richard while mayor which prompted his indictment. The committee of peers set up to review the evidence found him guilty of nothing deserving death, but the Appellants were not to be daunted, and, as Richard had done in the previous November, turned to the faction-torn city of London for support. Their initial summoning of the gild re-

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1. Knighton, II, 241.

2. Polychronicon, IX, 105, says he was regarded as one of the most valiant lords in the city.

3. Knighton, II, 246.

representatives must have proved unsatisfactory, for they subsequently questioned a gathering of the mayor, aldermen, and recorder who pronounced that Brembre was more likely to be guilty than not, and abandoned him to his fate.<sup>1</sup>

It is unlikely that Richard ever forgot this double desertion by his capital at times when he was most in need, and it is probably not too fanciful to see some element of revenge in his famous "Taking of the city into the king's hand" in 1392. But the main motivation for Richard's suspension of the city's government and all other privileges appears to have been monetary. In February 1392 the king had attempted to raise money by placing a distraint of knight-hood upon the city,<sup>2</sup> an archaic and defunct device which<sup>3</sup> predictably failed, as did a further attempt to raise a loan from the city in the summer of that year. Higden recorded that Richard's ire was increased by the fact that the Lombard from whom he eventually obtained the necessary loan had received his own funds from the very Londoners who had pleaded<sup>4</sup> insufficiency and poverty to the king. Richard's response<sup>5</sup> was to remove the courts of justice to York and to totally suspend city liberties.

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1. The chroniclers had little sympathy for Brembre. Walsingham (H.A.II,174), reported that he planned to change the name of the city and make himself Duke of it. Knighton(II, 293), says that he planned to kill some 8,500 citizens.
2. Bird, p. 104.
3. It had last been tried 1365-66.
4. Polychronicon, IX, 270.
5. Supplying the courts was a valuable source of revenue for the merchants.

Taking the city "into the king's hand" was a device to which the crown had quite frequently resorted in the thirteenth century. Liberties had been suspended from 1265 to 1270 because of the capital's support of the rebel De Montfort regime, and again, between 1285 and 1298, because of resistance to royal edicts, and also for a brief period in 1321.<sup>1</sup> However, a statute passed by Edward III in 1354 had limited the monarch's powers somewhat. It had declared that if there was misgovernment by the city officials a fine of 1,000 marks should be paid for the first offence, 2,000 marks for the second, and only on the third occurrence should the city be taken into the king's hand. Edward himself twice deposed a mayor but in both cases<sup>2</sup> the citizens had been permitted to elect their own substitute and their liberties had not suffered.

Thus Richard, by deposing the city's mayor and sheriffs and appointing Edward Dalyngrugge as warden or Gardianum,<sup>3</sup> was acting in a manner unheard of for over seventy years and resentment must have been immense. The 1354 statute was almost totally ignored, although Richard did make what Tait has called "a belated and clumsy attempt"<sup>4</sup> to conform to it by charging the officers of two years before with the

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1. Bird, p. 102.

2. Adam de Bury in 1366 and Adam Stable in 1377.

3. C.P.R., 1391-96, p. 100.

4. Tait, introduction to Bird's Turbulent London, p. xxiii.

requisite two "defects of good government" and inflicting the statutory fines. However it is indisputable that money and not the remedying of faulty city government was his prime objective,<sup>1</sup> for the arrest and deposition of the city officials in 1392 took place three days before an investigating commission was set up.<sup>2</sup>

Loans to the crown between the Merciless parliament and 1392 were almost non-existent. It is probable that the fate of Brembre deterred many merchants from emulating his personal involvement with the king, but probably of even greater significance was the conclusion of the truce with France. Of utmost importance to the London merchants was protection of their goods from the piratical attacks of the French in the English channel, and now that this danger appeared to have abated, incentive to support the monarch's fiscal demands substantially lessened.

The commission, having predictably found the city guilty as charged, imposed a fine of 3,000 marks.<sup>3</sup> The price of recovery of liberties was set initially at £100,000, but Richard appears to have relented somewhat by September when this sum was lowered to £10,000 and the 3,000 marks was excused. According to Walsingham only John of Gaunt's counseling prevented Richard from destroying the city altogether,<sup>4</sup>

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1. There are other suggestions about Richard's motives in Knighton, II, 272, Eulogium, III, 367, and Polychronicon, IX, 368.
2. Bird, 104.
3. C.P.R., 1391-96, pp. 130, 166.
4. H.A. II, 210, "meditatus est exercitum congregasse et in civitatem irruisse cum impetu et cives sub coleo delevisse."

but this assertion, like so many of this writer's speculations, seems unlikely. Considering the way in which the capital had treated Gaunt's protégé, John of Northampton, it seems unlikely that he would have exerted himself to defend it, and it is even more unlikely that the king would wish to destroy the gold-laying goose, however fickle it might have proved in its affections.

Clearly Richard's objective in 1392 was to obtain by drastic means what the city had refused to accord through conventional channels, and he did achieve his immediate purpose. Indeed, on the surface the incident was settled and amicable relations restored. Contemporaries waxed eloquent over the magnificent reception accorded the king and queen by the capital and rejoiced that "*sua pristina privilegia*" were restored to the citizens.<sup>1</sup>

It is clear, however, that London would not easily forgive its humiliation at Richard's hands. Perhaps it was an inkling that all was not well in his capital which prompted Richard to call his 1393 parliament to Winchester. An uneasy situation persisted throughout the 1390's, doubtless fed by Richard's "purge" of the Appellants in 1397. As has been indicated,<sup>2</sup> affection for Arundel in particular was very strong in the capital; the great commercial community had made a hero out of this pugilistic magnate and seems to have been genuinely saddened by his public humiliation and death.<sup>3</sup>

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1. *Ibid.*, p. 211.

2. *Vide supra*, p. 28, n. 4.

3. Richard avoided the S.E. of England almost entirely during his 1398 progression, concentrating on the Midlands and West. Tout, *Chapters*, IV, 33-5.

But more than the Londoners' emotions were to be tried during Richard's last years. The ample evidence of their complicity with the Appellants in 1386<sup>2</sup> seems to have provided Richard with a ready justification for his "wholesale proscription" from the 1397 general pardon of London and the sixteen counties. Submission "tanquam proditores" must have been particularly distasteful to the citizens of the greatest community of the realm. Indeed one can conjecture that the substantial fine for restoration of royal favour was less resented than the forceful acknowledgement of the misdeeds and "evil imaginings" of certain of their number, the admission that they have deserved "punissement assez cruel" and the obligatory promise to endure and obey whatever Richard should be pleased to impose upon them.<sup>1</sup>

The legal basis for Richard's coercive treatment of the city during his last years can, it seems, be found in his new treason-definition.<sup>2</sup> This statute declared that concealing knowledge of treasonable intent, as the city can unquestionably be described as having done in 1387, could be construed as treason. But legal or not, Richard's measures brought increasing unrest. During the Westminster parliament the pro-Ricardian mayor, Richard Whitynton "ordeined at euery yate and yn euery warde, strong wacche of men of armez and of archers prinspally at euery yate of London, during this same parlement",<sup>3</sup> and the Traison writer reported that this parliament

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1. Clarke and Galbraith, pp. 106, 112.

2. September 20, 1397, Rot., Parl., III, 351.

3. Brut, II, 354.

was adjourned to Shrewsbury "pour chastier ceulx de Londres".<sup>1</sup>

Richard's treatment of the city in the late 1390's must be seen as foolish in the extreme. Rather than attempting to woo the notoriously inconstant city interests, Brembre's fate seems to have prompted the king to the use of archaic and unsuitable methods to subjugate his capital.<sup>2</sup> Perhaps any attempt to unite court and city would have proved futile, but Richard seems to have accepted defeat too soon, and in attempting to humble the citizens' pride only succeeded in alienating them so completely that the success of Henry's invasion was assured.

The whole background of monarchical-urban relations in Richard's reign serves to illuminate the events of the summer of 1399. It is quite clear that the welcome accorded by the city to Henry of Lancaster was not motivated by the same concerns which had caused London's gates to be opened to the Appellants late in 1387. In the 1380's the citizens, having had little experience of their youthful monarch and having, as a body, little real preference for the causes of crown or opposition, took the line of least resistance and bowed to what was obviously the stronger side.

However, Richard's rash policies of the 1390's had their effect. He gradually alienated the city capitalists until Richard Whittington's is the only London name which figures in the lists of royal financiers. Then, as a final and inexpli-

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1. Traison, p. 140.

2. The editor of the Traison suggests that all London's gold merchants may have had to seal blank charters, introduction, p. xi.

cably foolish gesture, twenty days before he sailed for Ireland Richard restored to the hated fishmongers all their former trading rights and "Halimot" immunities.<sup>1</sup>

Henry seems to have realized what Richard either could not or would not see: that there was a reservoir of resentment and animosity against the king in the nation's capital which could and indeed did contribute materially to that monarch's downfall.

On landing Henry is reported to have sent out a propaganda agent with the message "our lord the Duke of Lancaster is come to take possession of his rightful inheritance"<sup>2</sup>, a statement which cannot have failed to appeal to the Londoners whose own rights had been treated in such a cavalier fashion. Hereford, well aware of the value of propaganda, was astute enough to accord the city special attention. The Traison chronicle contains what appears to be an almost verbatim transcription of a message from Henry to the capital, informing the citizens that Richard had made secret plans, with the aid of many foreign lords to "lord it and domineer more greatly and mightily over the kingdom of England than any of his predecessors, the kings of England, had ever done; and that he would keep the villeins of England in greater subjection and harder bondage than any Christian king had ever done."<sup>3</sup>

The letter concluded with an allegation that, on his

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1. The most resented of these immunities was the right to have all the disputes of their mystery settled in their own court, Bird, p. 112.
2. Traison, p. 181.
3. Ibid., pp. 181-2.



return, Richard planned to make a festival to which all the great burgesses and merchants would be summoned. There he planned to arrest them and before permitting their release would impose such subsidies, tallages, and imposts as he should please. Henry's accusations have all the drama and implausibility one would expect from such a propaganda document, but to the Londoners they must have appeared likely enough in the light of Richard's previous behaviour. Henry's landing seems to have dispelled the last remaining vestige of support for Richard within the city.

The hopelessly ineffective regency council seem dimly to have appreciated the state of feeling in the city and the great danger of losing it to Henry, for in mid-July Edmund, Duke of York issued an order from his camp at Oxford to the mayor and sheriffs of the city of London. It was however, an instruction which only the wildest optimist could have believed would have the slightest effect, for the officials were "to cause proclamation to be made, that no armourer or other person of whatsoever estate or condition shall under pain of forfeiture of life and limb give, hire, sell or deliver armour, artillery or other fencible things to any man save such as he shall know for a surety to be true lieges of the king, who will stand with him against his enemies whatsoever in defence of the realm."<sup>1</sup>

Creton reported that when the Londoners heard of

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1. C.C.R., 1396-99, p. 509.

Richard's capture in Wales, and that he was being brought by Henry to the capital, five or six of the most prominent burges-  
ses went to welcome the conqueror, "and know that I heard it  
related by many knights and squires that, as soon as they were  
arrived in the presence of the duke, they requested of him,  
on the part of the commons of London, that he would cut off the  
head of their rightful lord king Richard, and all of those  
who were taken with him."<sup>1</sup> Henry is said to have placated  
them with the declaration that parliament should try and  
judge Richard's crimes.

Then, when Henry's entourage approached the city  
"the mayor, accompanied by a very great number of the commons,  
marshalled and clad, each trade by itself, in different gar-  
ments, drawn up in rows and armed, came to meet duke Henry  
with a great quantity of instruments and of trumpets,  
showing great joy and great satisfaction."<sup>2</sup>

In Usk's account the citizens seem to have been even  
more eager to express their support, for he described the  
city delegates<sup>3</sup> journeying to Chester where Henry held Richard  
captive, to renounce their allegiance.<sup>4</sup> Also, according to  
this account, while Richard was being brought to London, the  
citizens "gathered in arms to Westminster Abbey to search for  
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1. Creton, p. 176.

2. Ibid., p. 178.

3. Comprising 3 aldermen and 50 citizens.

4. Usk., p. 179.

the king, hearing that he had secretly fled thither, and that, not finding him there, they had ordered to be kept in custody, until parliament, Roger Walden,<sup>1</sup> Nicholas Slake,<sup>2</sup> and Ralph Selby,<sup>3</sup> the king's special councillors whom they could find".<sup>4</sup>

The Brut gave an almost identical account of the riot of the Londoners in Westminster: "And panne was pere a Rumore yn London, and a strong noyse, that king Richede was come to Westminster; and the pepil of London ranne pider, and wolde have done moche harm and scathe for hir wodenesse, ne hadde pe mayre and pe aldermen, and oper worthimen, cecid ham with faire wordes, and turned hem hom ayen unto London."<sup>5</sup>

Such evidence is clear testimony of the city's feelings against the king, and it is surely not insignificant that of the twenty-four members of the court of aldermen in 1399, seventeen had been present at the Nottingham council meeting in 1392 where the city's liberties had been seized.<sup>6</sup> Henry was accorded a triumphant welcome and the captured Richard scorned when they eventually entered the capital,<sup>7</sup> and Henry, in a special speech of thanks to the citizens, showed himself well aware of the value of their support.<sup>8</sup>

As they had done seventy years before, the citizens of London were to play a prominent part in the actual process of

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1. Archbishop of Canterbury.
2. Royal chaplain and prebend of York.
3. Warden of King's Hall, Cambridge.
4. Usk., p. 179.
5. Brut II, 358.
6. Bird, 101.
7. Traison, 215.
8. Ibid., p. 248.

deposition. Although there seems to have been some kind of parliamentary deposition.<sup>1</sup> it now seems clear that the gathering which met at Westminster on 30 September 1399 was not a "parliament" in the strict sense of that word, but rather a gathering "in forma parlamenti" with the three estates supported by the clamour and acclamation of the populus. In 1399, as in 1327, this populus consisted primarily of the citizens of the capital, the tumultuous London mob whose presence, Steel has suggested, "may very well have been a last minute touch by Henry himself with the idea of driving a last nail into the pretence of a parliamentary title."<sup>2</sup>

But although the Londoners served Henry well, it is clear that they were motivated far more by their detestation of Richard than by faith in the conqueror or his new regime. The measures by which Richard had forfeited their loyalty are thrown into sharp relief by the requests made during Henry's first parliament. The memory of 1392 is apparent in the claim that when the law was infringed, individual officers of the city should bear the punishment which their actions merited, and that the city as a whole should not suffer.<sup>3</sup> The same Henrician parliament wisely revoked the privileges of the

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1. Cf. G. Lapsley, "The Parliamentary Title of Henry IV", E.H.R., XLIX(1934), 423-49, 577-606, and B. Wilkinson, "The Deposition of Richard II", E.H.R., LIV(1939), 215-39.
2. Steel, p. 280. S.B. Chrimes, English Constitutional Ideas (Cambridge, 1936) p. 118, describes the punishment of a man who asserted that Henry had not been "elected by the magnates and state of England, but by the London rabble."
3. Rot. Parl., III, 442-3.

hated fishmongers and the "remembraunces appellez Raggemans ou<sup>1</sup>  
 blanches charters, nadgair enseallez en la citee du Londres"<sup>2</sup>  
 were either destroyed or returned to their signatories. Yet  
 even for Henry the need for financial support remained, and  
 the Eulogium writer reported the city's pained surprise that<sup>3</sup>  
 their deliverer should ask for a loan after all his promises  
 but they nevertheless met his requests, particularly once  
 Richard's pacific French policy was finally abandoned.

The situation in England's capital from 1396 to 1399  
 was basically similar to that of all the localities, made more  
 extreme by its unique features of size, wealth, and physical  
 closeness to the crown. The city, like the localities, was  
 fundamentally out of sympathy with its monarch. The capitalists  
 were well aware of the need to support the crown financially  
 in time of war but failed totally to comprehend the necessity  
 for adequate monetary backing in time of peace. The danger from  
 anarchic factions like the armed companies was apparent to  
 all, but there seems to have been no process of reasoning from  
 such immediately obvious evils to the abstraction of the neces-  
 sity for firm government. As Miss Bird remarked, the time  
 had not yet come when "they would regard centralized govern-<sup>4</sup>  
 ment as something worth paying and fighting for".

But the lack of comprehension was far from one-sided.  
 As this study of Richard's local policy has endeavoured to make  
 apparent, he can far more aptly be accused of stupidity and  
 rashness than of despotism or tyranny. Although many of his

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1. Ibid., 432.

2. Bird, 112.

3. Eulogium, III, 387.

4. Bird, 118.

plans for the country appear to have been intrinsically sound, the king was quite unaware of the necessity to involve his subjects in the working out of their own fates. However laudable his peace policy and however apparent his continuing need of finance may appear to the modern mind, contemporaries were not convinced, and instead of attempting to win them Richard resorted to coercion.

However great the precedents and whatever the justification for Richard's actions, they must be condemned as foolish and near-sighted. Later monarchs were to show that a strong central government could ably complement urban and regional self-consciousness and pride. Yet perhaps Richard's failure to realize this possibility cannot be entirely ascribed to his own obtuseness. It may well have been that circumstances would not have favoured his efforts. However one suspects that if Richard had managed to win his people's support, had somehow convinced them of the wisdom of his policies and the justness of his needs, instead of arousing their most bitter hatred and the appellation of "tyrant", events in the summer of 1399 would have taken a very different course.

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FOREIGN AFFAIRS.

Later fourteenth-century England, however great its domestic problems, was far from being an insular society. Foreign affairs were of considerable importance to the conduct of government throughout the Middle Ages, and by the period with which we are here concerned they had come to have an even greater relevance. Irish revolts, the papal schism, the intrigues of the imperial electors, the ambitions of the Visconti and, perhaps most significantly, the character of the French court, all had a marked effect upon the Ricardian government of the last three years of the decade, and all, to some degree, contributed to the accusations of despotic rule levelled at the monarch. The final section of this study will examine England's relations with the most significant of her neighbours, Ireland, the Empire and the Papacy, and France.

# 1. Ireland.

Ireland, despite the efforts of the Norman conquerors was still, in reality, very much alien territory in the fourteenth century. It was a country where, apart from the area of the Pale in the north, the writ of the king of England was of no force whatever. The Irish historian, Curtis, has described the period from 1366 to 1399 as one manifesting the "last efforts of English lordship".<sup>1</sup>

The year 1366 is a most significant one in Ireland's history, for it marks the calling of the famous parliament of Kilkenny by Lionel, duke of Clarence and earl of Ulster through his wife's right.<sup>2</sup> Unrest in the country had led to his appointment as lieutenant and his personal interest in the country prompted his vigorous campaigns to recover England's lost territories from the rebel or "wild" Irish. Despite his utilization of all the forces which could be spared from the French war, Clarence's military efforts were crowned with very little success.

The parliament of Kilkenny represented an acknowledgement on the part of England that Ireland in its entirety could never be the model English colony of which the Angevins had dreamed. The parliament's statutes marked the legal recognition of the existence of two distinct races in the land, and their purpose was to ensure that the two should never blend. The thirty-five acts passed by this assembly limited the English settlers to the area of the Pale and officially designated the native Irish

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1. E. Curtis, Medieval Ireland (Dublin, 1938), ch. VI.

2. Elizabeth de Burgh.



living beyond its borders as the "Irish enemies". Stringent laws were established, not only to ensure total geographical separation but also to prevent any social intercourse whatever. The king's lieges were instructed to have nothing whatever to do with the native population: not to marry them, trade with them,<sup>1</sup> or even to parley with them.

This parliament attempted to solve the very real problem of the Anglo-Irish. These men were the descendants of the Anglo-Norman conquerors, but had, for the most part, been born in Ireland and nurtured on its customs. The English authorities looked with distaste upon the increasing "degeneracy" of these half-Gaelic Englishmen, and the Kilkenny assembly pronounced that all men dwelling inter Anglicos must espouse English speech, surnames, and customs. To prevent further corruption Englishmen were even forbidden to entertain Irish minstrels, story-tellers, and rhymers.

Kilkenny's statutes were to determine English policy in Ireland for nearly three centuries.<sup>2</sup> Richard found himself nominal ruler of less than a third of the country and effective ruler of an even smaller area. The Kilkenny statutes, predictably, failed to arrest the process of "degeneracy" and the Anglo-Irish, particularly those living in the Marches, continued to live in their own independent world, paying only the most peremptory homage to the English crown, and frequently failing to render both homage and dues to their distant monarch.

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1. Cf. McKisack, pp. 228-233.

2. Repealed in 1613.

As for the "mere" Irish themselves, the great majority of them had never been in full possession of English liberty. However, by tacit acceptance the greater families, the "five bloods", had enjoyed privileged recognition under English law, but the Kilkenny parliament removed this right from even the proudest of the Irish kings. Henceforward any Irishman who wished to retain his name and language was barred from legal recognition among the English and was also prevented from inheriting or holding lands or from having any office or living in the area of the Pale.

The acute discontent which Clarence's measures engendered in Ireland was not improved by the lieutenancies of the earls of March.<sup>1</sup> On the death of Edmund Mortimer in 1381 and the succession of a minor to his inheritance, the demands of the Anglo-Irish for a visit from their king in person to hear and remedy their grievances intensified. The increasing insurgencies of the Irish leader, Art MacMurrough, into Callow, Kerry, and Kildare made a royal visit all the more necessary, and Richard finally embarked from Herefordwest towards the end of September 1394.

Richard's motives for this first Irish expedition are quite clear. England's dignity had to be salvaged by the restoration of lordship in the Pale, and there was also the more practical consideration of the falling Irish revenue. Although

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1. McKisack, pp. 470-473.

his figures cannot be trusted, the Annales writer aptly summarized the situation by remarking that whereas in the time of Edward III <sup>p</sup> 30,000 yearly had flowed into the Irish exchequer the revenue was now nil, and the administration of the country now cost England 30,000 marks each year.<sup>1</sup> It was clearly such considerations which prompted Richard to journey where no English king had ventured since John's visit in 1210. And, as Miss McKisack has remarked, Richard was too much the child of his age not to realize the political value of a personal victory where so many other men had failed.<sup>2</sup>

The king's prestige was doubtless enhanced by the success of this expedition, a victory which was achieved with only the minimum of fighting and a maximum of the pomp and ceremony of which Richard was becoming increasingly fond. The only real difficulty experienced was with Art MacMurrough, habitual rebel and self-styled "king" of Leinster, but even he, along with the other Irish chiefs, soon submitted to Richard. In what has been described as "the most general recognition of the English Lordship in Ireland made between the reign of Henry II and 1541",<sup>3</sup> all the native chiefs surrendered their lands within the Pale in return for compensation elsewhere. To complete Richard's policy of conciliation, four of the Irish lords were honoured with knighthoods, with even the fiery MacMurrough being accorded this dignity.

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1. Annales, p. 172.

2. McKisack, p. 471.

3. E. Curtis, Richard II in Ireland (Oxford, 1927), p. vi.

Richard's triumph appeared complete and parliament did not stint its praise in its letter of congratulation. Undoubtedly the expedition must have revealed to Richard "something of his own potential strength"<sup>1</sup> but one cannot agree with Tout's assertion that from this time "autocracy<sup>2</sup> began to clothe itself in military garb". This had been a diplomatic rather than military victory and, if anything, must have taught Richard the value of conciliation and compromise when confronted with dissident elements.

Although parliament, insisting upon Richard's return to deal with the Scottish danger, thought it "probable that you have conquered the greater part of that your land",<sup>3</sup> the king himself seems to have been aware that his task was not yet completed and returned only very reluctantly. If he had intimations of trouble Richard was quite right to do so for the chiefs soon made it clear that they did not intend to honour their bonds and, in July 1398, the earl of March was murdered in an ambush laid by the "wild" Irish. A second Irish expedition was then launched, the royal forces landing at Waterford on June 1, 1399.

The historical interpretations of the second Irish expedition are as various as interpretations of Richard himself. It is possible to view it as a noble deed to avenge a

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1. Rot. Parl., III, 329.

2. Tout, Chapters, III, 487.

3. Rot. Parl., III, 329.

dead friend, an attempt to boost Ireland's dwindling financial returns, or an attempt at self-glorification or despotism, the product of an inflated ego and a total lack of rationality.

For Creton, Richard's motivation for the expedition was provided "on account of the injuries and grievances that his mortal enemies had committed...they had put to death many of his faithful friends wherefore he would take no rest until he had fully avenged himself".<sup>1</sup> The Latin writers were far more gloomy in their speculations about Richard's motivations. Walsingham, while he acknowledged that the death of March gave impetus to Richard's plans, felt the king's ultimate aim in strengthening his hold upon Ireland was to supplant the parliament of England. Ireland was, the writer submitted, intended, along with Wales and Cheshire, to serve as a base for a military government of England, a haven where Richard could be safe from his dissident English subjects. The writer asserted that England would be milked and pillaged by the king, through the agency of his creature the earl of Wiltshire and, as Richard had no intention of calling parliament, the people would have no recourse.<sup>2</sup>

That Walsingham's speculations were conditioned by his hatred of the king and that they cannot be accepted in toto must be clear even to the most anti-Ricardian of his readers. And yet Richard's actions undoubtedly roused suspicions of this type, if not this extremity, in the hearts of

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1. Creton, pp. 14-15.

2. Annales, pp. 238-9.

many of his subjects. The methods used to mount his expedition were, to put it mildly, cavalier. It may have been a necessary even a politically desirable venture, but the English people had never been willing contributors to war, even to the immensely popular French wars of Richard's grandfather. In the case of Ireland, March's death and the flouting of royal authority can have been of little concern to the majority of Englishmen and the "pickings" to be had from this proposed expedition could not in any way compare with those to be had from the rich lands of France. As Froissart described it, "Yrelande n'est pas terre de conquete, ne de proufit. Yrlandais soit povres et meschans gens et out ung<sup>1</sup> tres povre pays et inhabitable".

To equip his second expedition within five years to this "inhospitable" country, Richard revived purveyance, an imposition which the English people had not suffered for over thirty years. As the twenty-second article of the Gravamina described it, the clergy and people of England were compelled to provide horses, wagons, and money, and were generally the victims of extortion.<sup>2</sup> Neither Richard nor his ministers seem to have been much concerned with payment for the requisitioned war necessities, for, according to Otterbourne's account, "equos et quadrigens exigens, et alia necessaria profectione sua rapiens, nihilque resolvens".<sup>3</sup> Ships and barges seem to

1. Froissart, Chroniques, 1397-1400, XVI, (Bruxelles, 1872), 5.

2. Rot. Parl., III, 420.

3. T. Otterbourne, Chronica Regum Angliae (to 1420). Ed. T. Hearne, in Duo Rerum Anglicorum Scriptores Veteres, I, (Oxford, 1732), 197.

have been also pressed into service with equally little consideration for the reimbursement of their owners..<sup>1</sup>

Yet it must be remembered that the use of purvey-  
 ance was a common resort of the medieval monarch when faced  
 with the need to launch a military expedition. However Richard  
 does seem to have been guilty of less traditional behaviour.  
 Suspicion must have been fed in the hearts of the xenophobic  
 Englishmen by the numbers of foreign troops whom Richard en-  
 listed to aid his Irish conquest.<sup>2</sup> Another obvious cause  
 for unease must have been Richard's insistence upon taking  
 the crown jewels and royal treasure with him upon the expedi-  
 tion. One might be tempted to doubt this latter accusation,  
 for it only appeared in the notoriously biased Annales account<sup>3</sup>  
 and in the list of Gravamina<sup>4</sup> on the parliament roll, were  
 it not for the indirect corroboration afforded by the pro-  
 Ricardian Creton account. This latter writer, describing the  
 desertion of Richard's army on his return to England, told  
 of the fleeing soldiers carrying "all that belonged to the  
 king...jewels, fine gold and pure silver...many a rich and  
 sparkling precious stone".<sup>5</sup>

The importance which Richard attributed to Ireland  
 is clear from his appointment of the earl of Surrey as his  
 new lieutenant in that country, with a substantial yearly

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1. Webb, introduction to Creton, p. 22.

2. Eg., Foedera, II, 535. "Grant of an annuity of £1,000 to  
 the duke of Mons, who engages to serve the king with men  
 at arms."

3. Annales, p. 239.

4. Ibid., p. 270.

5. Creton, pp. 99-100.

payment for himself and his retinue. The appointment of the royal relative may have caused resentment in some circles. But a much greater cause for ill-feeling, if our sources are to be believed, lay in the powers accorded the lieutenant. An uncorroborated manuscript in the Cotton collection records a royal concession that Surrey, as lord of Ireland "may have at sundry times out of each parish, or every two parishes in England, a man and his wife at the cost of the king, in the land of Ireland, to inhabit the said land, where it is wasted upon the marches, to the profit of the king."<sup>1</sup>

Compulsory colonization had been demanded by previous Irish lieutenants and would not have been quite as unorthodox as it might appear to the modern mind. Yet there is no reference to this concession of Richard's in any other source, and we are surely not justified in assuming his culpability on such insubstantial grounds.

However, it is clear that popular suspicion was increased by Richard's demands that the magnates accompanying his expedition should bring only the smallest of retinues. Indeed, the nobility were discouraged from joining the force at all. Both the Saint Albans writer<sup>2</sup> and Tout,<sup>3</sup> who is very hostile to Richard at this point, attribute this policy to jealousy on Richard's part, while Steel prefers to ascribe it to considerations of finance.<sup>4</sup> Alternatively, it may well have

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1. Bib. Cotton ms. Titus, B XI, f. 50; noted by Webb, Creton, p. 53.

2. Annales, pp. 238-9.

3. Tout, Chapters, IV, 54.

4. Steel, p. 262.



been that Richard wanted an efficient striking force, rather than the polyglot armies which had previously accompanied him. Yet however wise his motives,<sup>1</sup> Richard made a serious tactical blunder in withdrawing almost the entire royal force from England while leaving all the magnatial retinues intact. It was these magnatial retinues which provided a ready source of support for the Henrician cause.

The departure for Ireland was not, as Tout would have us believe, an almost meaningless act of megalomania on the part of "the fatuous king",<sup>2</sup> but rather a calculated attempt to regain the popularity which seemed to have evaporated since his return from that land in the spring of 1395. Both Tout and Miss McKisack<sup>3</sup> have indicted Richard for his folly in launching an overseas expedition just when the domestic situation was at its most difficult, but the king's action can be understood when the success of his first venture is considered. Prestige was the commodity in which the government of 1399 was most lacking and it was this which Richard was attempting to restore by effecting a more splendid and more permanently beneficial version of his earlier Irish coup. That he failed is now a matter of history, but his failure was by no means as inevitable as many historians would have us believe, for Henry's invasion could surely not have been foreseen, even by the most

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1. Steel writes of Richard's "pathological self confidence", Ibid., p. 262.
2. Tout, Chapters, IV, 53.
3. McKisack, p. 491.

prescient of men. .

In an extremely difficult situation Richard's Irish policy was generally successful, but, like so many other aspects of his government, it failed to win the support of the English nation. The undoubted success of his first expedition was far from ensuring his subject's backing for the second. Purveyance may have been a traditional device, but given the tense state of England in 1399, it was an unwise one for Richard to employ. Disaffection in the realm was so great that any departure from the norm became the foundation for the darkest suspicions. The chronicle accusation that the king intended to tyrannize England from an Irish power base is typical of the wilder speculations which his behaviour must have prompted. In launching his expedition Richard was taking a calculated risk. In the event he sacrificed to this project the affections of the very people it was designed to win, his English subjects.

The final alienation came with the proclamation of the statutes of the Shrewsbury parliament, a proclamation which was made only after the king's departure. Richard appears to have embarked for Ireland on or about May 29<sup>1</sup> and a close roll letter of only four days before instructed all the sheriffs of England to proclaim "all statutes, ordinances and judgements" made during the last parliament "as the king's will is speedily to bring them to the knowledge of all his lieges".<sup>2</sup> The Kirkstall writer described the

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1. Creton, p. 76.  
2. C.C.R., 1396-99, p. 502.

proclamation by the committee in Richard's absence of "certain statutes which had been ordained in the last parliament, together with the banishment of the dukes, and added that "for the greater strengthening of the statutes which were made but not generally known, all men of good birth in the kingdom of England...ecclesiastics and laymen...were compelled to take an oath in person for the protection and defence of the statutes of that parliament".<sup>1</sup>

Richard may sincerely have felt that it would be better if parliament's unpopular decisions were not generally proclaimed until after he had commenced what was to have been a triumphant and all-redeeming conquest. If this was his plan it was a misguided one, for what the people might have accepted from their monarch proved distinctly unpalatable when voiced by the ineffectual regent and his "sinister" aides. In such circumstances Richard's subjects can hardly be blamed if they suspected he had departed to escape their wrath, and if they considered the possibility that once he had brought Ireland to its knees, he might never return to rule his dissident subjects in person. Thus, far from utilizing the Irish situation to remedy the disaffection in England, Richard succeeded only in confirming his subjects' poor opinion of himself, and his absence from the realm only made Henry's task of assuming England's crown all the easier.

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1. Kirkstall, p. 77.

## 2. The Empire.

While Richard's relations with the Holy Roman Empire did not contribute as obviously as his Irish policy to the accusations of tyranny against him, or to his ultimate downfall, they were responsible, in a more subtle way, for increasing the alienation of his subjects.

As was common medieval practice, the question of the king's marriage was mooted almost from the moment of his accession. In March, 1379 De la Pole, one of the young monarch's closest friends, headed an embassy to Milan to negotiate a marriage between Richard and Catherine Visconti.<sup>1</sup> Surprisingly, however, the complicated diplomatic negotiations for an English queen resulted in an imperial alliance.

In 1376 the brilliant and successful Bohemian, Charles IV, had been succeeded as King of the Romans by the weak and incompetant Wenceslas. Yet the imperial office remained a prestigious and impressive one, and the papacy, eager to unite two of the most important of the Urbanist supporters, gave the marriage negotiations active encouragement as soon as the possibility that Wenceslas's sister Anne might be suitable was raised.<sup>2</sup>

Although many of the prominent courtiers, including the veteran Simon Burley, appear to have favoured the Bohemian alliance<sup>3</sup> the idea was far from winning total acceptance in England.<sup>4</sup> To many quarters the riches of the duke of Milan

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1. Steel, p. 96.

2. Jones, p. 79.

3. Ibid., pp. 12-13.

4. The Milanese are said to have offered as dowry for Catherine "an inestimable quantity of gold", cf. Mathew, p. 16.

seemed more attractive than any intangible prestige or diplomatic advantages offered by an imperial alliance, and still others supported Lancaster's proposal for an Iberian marriage.<sup>1</sup> At least one contemporary was violently critical of De la Pole's imperial intrigues,<sup>2</sup> and opinion was slow to change despite the virtues of Anne herself, which became obvious to all when the marriage arrangements were finally completed in January 1382.

It is doubtful that Anne's sizeable Bohemian retinue ever won the affections of the English people. She was accompanied not only by her personal servants but also by an impressive number of confessors and courtiers. It was a group which quite transformed the nature of English court society.

As Mathew has remarked, Anne can hardly be designated a "Bohemian" or a "German"; she was essentially cosmopolitan.<sup>3</sup> The house of Luxembourg had traditional ties with the house of Valois, indeed it was probably the desire to sever this link which made the alliance so attractive to many of the English courtiers. Anne's eldest sister, Margaretha, was the wife of Louis of Anjou, the King of Hungary and of Poland. Her aunt, Bona, had been Queen of France, and Anne's father's first wife had been Blanche of Valois. Her family also had a tradition of literary accomplishment and literary patronage which put the meagre Plantagenet efforts to shame.<sup>4</sup>

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1. Jones, p. 21.

2. H.A., II, 46.

3. Mathew, p. 16.

4. Ibid., pp. 16-17.

The luxury and extravagance of the English court had considerably increased during Edward III's reign, nourished by increased foreign travel and more particularly by war. Spoils from Calais, Poitiers, and Caen were spread throughout the wealthy houses of England, gratifying and intensifying that passion for the extravagant and splendid which reached its highest pitch in Richard's reign. Edward III's sumptuary laws<sup>1</sup> quite failed to suppress the vogue for increasingly extravagant modes of dress, and Anne and her entourage<sup>2</sup> clearly brought new refinements to fashionable attire.

The extravagance of Richard's life with his Bohemian queen foreshadowed his later massive expenditure during the years of "tyranny". Anne herself died suddenly at the palace of Sheen in July 1394, causing the grief-stricken monarch to raze that splendid palace to the ground. His efforts to establish an entente with France and his second marriage, two years later, to Isabella of France, did little to endear Richard to his former brother-in-law, Wenceslas. The Emperor was by this time showing increasing ineptitude, and his habitual drunkenness was hardly conducive to the preservation of the dignity of his office.

At some point during the late 1390's Richard seems to have conceived the idea that he himself might obtain the imperial crown, having secured the deposition of Wenceslas. Historians are sharply divided upon the reality of this

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1. 37 Ed. III, C 8.

2. Webb, Creton, p. 101, n.O.

aspiration. McKisack, following Tout, has called the plan a "fantastic dream",<sup>1</sup> but Mathew takes Richard's chances seriously,<sup>2</sup> and Jones has remarked that although these imperial ambitions ultimately came to nothing, "there appeared in the early summer of 1397 to be more than a slender chance of their success."<sup>3</sup>

It is difficult to understand why Richard's chances of becoming Emperor should have been so minimized by many modern historians<sup>4</sup> and made by others to represent the fantasies of a deranged megalomaniac.<sup>5</sup> That Wenceslas's deposition was a very real possibility in the 1390's is confirmed by subsequent events, for in August 1400 the Diet did indeed declare him deposed and selected Rupert of Bavaria, the Elector Palatine, as King of the Romans. Richard was quite as qualified as the Elector for the title, for absentee Emperors were a common occurrence throughout the Middle Ages, and indeed the geographical proximity of Wenceslas to his subjects had meant very little, for he preferred to indulge his passions for hunting and alcohol in the isolation of his Bohemian forests.<sup>6</sup>

To view Richard as vainly pursuing a chimera at the

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1. McKisack, p. 476.

2. Mathew, p. 171.

3. Jones, p. 75.

4. Eg., E. Perroy, L'Angleterre et le Grande Schisme d'Occident (Paris, 1933), particularly ch. IV. Hereafter cited as Schisme.

5. McKisack, pp. 476-7.

6. A. Coville, The Cambridge Medieval History, VII, (Cambridge, 1949), 380. Hereafter cited as C.M.H.

expense of his suffering subjects, is to misjudge him. It is possible that the whole imperial scheme was the result of careful Urbanist diplomacy,<sup>1</sup> and it certainly appeared plausible enough to contemporaries like Walsingham who were not unaware of the realities of the international scene.<sup>2</sup> For his part, Richard set about obtaining the crown in an almost ruthlessly systematic way. In June 1397, when the German ambassadors arrived in England and announced that Richard had been or was about to be elected Emperor the king immediately sent envoys of his own to verify this report, and the latter appear to have confirmed his chances.<sup>3</sup>

With the assurance that he was a likely choice, Richard began a concerted attempt to win over the powerful German electors to his cause. It was obviously with the idea of winning over German opinion that the king granted privileges to the merchants of the Hanse at the expense of the traders of London. In October 1398 Richard issued orders to the city's collectors, "upon petition of the merchants of the Hanse in Almain, to cease from imposing upon them undue and unlawful distresses, not compelling them to contribute to the payment of the said tenth etc.,<sup>4</sup> nor troubling them for that cause".<sup>5</sup>

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1. Steel, p. 228.

2. Annales, p. 199.

3. Ibid., pp. 199-200..

4. The Shrewsbury parliament had granted Richard a tenth and a fifteenth.

5. C.C.R., 1396-99, p. 344.



But of far greater significance to Richard's bid for imperial support was his use of individual pensions. As early as May 29, 1397, homage was done to the English king by Rupert the elder, duke of Bavaria,<sup>1</sup> and the following month his son, the future Emperor, was granted a pension of 1,000 marks, guaranteed by the earls of Rutland and Nottingham and the bishop of Carlisle.<sup>2</sup> On the death of Rupert the elder in April 1398, his son was also awarded his father's yearly annuity of ~~£~~1,000.

In July 1398 the archdeacon of Cologne did homage<sup>3</sup> at Eltham, and in the same month the archbishop of Cologne himself, one of the seven electors, did homage to the Ricardian ambassadors,<sup>4</sup> receiving in return a ~~£~~1,000 annuity. Other German lords and knights likewise did homage and were similarly rewarded, Wynard de Holizheim and Frederick, Count of Moers,<sup>5</sup> in July 1397, Nicholas Bergman, John Hutzharen, and Sir John Kramerer in October of that year,<sup>6</sup> and in April 1399, just before Richard's departure for Ireland, William of Juliers, the duke of Mons, was awarded a ~~£~~1,000 pension in return for doing homage at Windsor and for engaging to serve the king with men at arms.<sup>7</sup>

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1. Foedera, II, 530.

2. Ibid., July 16, 1397.

3. Ibid., July 7, 1397.

4. Ibid., July 17, 1397.

5. Ibid., July 7, 1397.. Annuities of 50 marks each.

6. Foedera, II, 531-2, October 28, 1397. Annuities of ~~£~~50, 100 marks and ~~£~~50 respectively.

7. Foedera, II, 535, April 29, 1399.

In Mesquita's view no-one seriously believed in Richard's chances for the imperial crown,<sup>1</sup> but if all the renditions of homage and assertions of support from the German electors and knights were mere charades, they must certainly have been convincing ones. Richard saw, in their expressions of loyalty, the opportunity to restore to the crown of England the prestige and dignity which it had lacked in international circles since the days of Cr cy and Poitiers.

Richard was not and could never have been a warmonger or a martial hero, his achievements had to come through diplomacy. But his was not the foreign policy which the people of England required or with which they could sympathize.

The foppishly fashionable diplomats, however great their talents, seem to have prompted nothing but ridicule from the Englishmen who were not of the court circle.<sup>2</sup> It was even suggested that Richard's "tyrannical extortions" from his subjects were precipitated by the king's need to impress the German delegates with the wealth and splendour of his court.<sup>3</sup> Richard was attempting to make England a world power instead of a merely western European one, but such schemes were far beyond the understanding and certainly beyond the desires of the majority of his subjects. Thus what was essentially an intelligent

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1. D.M. Bueno de Mesquita, "The Foreign Policy of Richard II", E.H.R. LVI(1941), 628-37.
2. Eg., Richard the Redeless, passus IV.
3. Annales, p. 199.

Anglo-Imperial policy<sup>1</sup> qualified, in the minds of a large sector of the English nation, as yet another aspect of the "Ricardian despotism."

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1. Steel, in doubting that Richard ever had serious designs upon the imperial throne, seems to have underestimated the importance of Richard's whole policy vis-à-vis the Empire; cf. pp. 228-9.

### 3. The Papacy.

The whole question of England's relations with the papacy during the last decade of the fourteenth century was dominated by the fact of the Great Schism. Since 1378 the church had been split asunder, dividing its allegiance between two pontiffs, Urban VI in Rome and Clement VII in Avignon. After some initial indecision, England had followed the Empire to the support of Urban, while France, supported, as might have been expected, by Scotland, had given allegiance to the Avignon claimant. The original protagonists were replaced, in Rome by Boniface IX in 1389 and in Avignon by Benedict XIII five years later, but the division remained, indeed it was intensified as the supporters of each side became more intransigent.

Boniface's difficult position as effective head of only half of the universal church made the support of the English king essential. The schism meant also that Richard, when domestic affairs proved difficult, was able to utilize an outside source of support which was still powerful and prestigious, despite its attenuated state. It seems to have been felt in some quarters that Richard intended to bolster his despotism with papal sanction, but it is clear that Boniface was far from being Richard's pawn, indeed he succeeded, despite all the political odds and despite Richard's personal inclinations, in retaining that monarch's allegiance until his deposition.

"Throughout the thirteenth and fourteenth centuries there was a steady decline in the exercise of papal authority

in England, in spite of the growth of papal administration, justice and taxation".<sup>1</sup> The authority which Boniface IX exercised was a mere shadow when compared with that exercised by Innocent III less than two centuries before. In England royal authority had expanded to fill the vacuum: royal taxation widened its spheres of operation, the jurisdiction of the royal courts was substantially enlarged, and the promotions to church livings and ecclesiastical offices became increasingly a matter for royal concern.

Perhaps, as Wilkinson has suggested, open conflict between the papacy and the monarchy of England was delayed by the latter's domestic concerns and needed the stimulus of the Hundred Years' War and the "Avignon Captivity" to be precipitated. The imminence of a crisis was apparent from the earliest years of Edward III's reign,<sup>2</sup> and it came between 1351 and 1353. The year 1351 saw the passing of the statute of Provisors, remedying "les grevances et mischiefs" caused in the kingdom by the export of monetary tributes to the pope and by the papal power of appointment to office by ordaining "les franchises eleccions des Erceveschees, Eveschees et tutes autres dignities" in England and absolving the clergy of their duty to remedy papal tribute.<sup>3</sup> This was followed, in 1353, by the statute of Praemunire which effectively<sup>4</sup> prevented any appeal from the royal to the papal court.

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1. Wilkinson, Studies in the Constitutional History of the Thirteenth and Fourteenth Centuries, (Manchester, 1937), p. 377.

2. Ibid., p. 377, note 12.

3. Statutes of the Realm, I, 316-8; Lodge and Thornton, pp. 300-2.

4. Statutes of the Realm, I, 329; Lodge and Thornton, 383-4.

It must be stressed, however, that for all their seeming radicality, these statutes did little more than give form to what was already existing practice.<sup>1</sup> They were exclusively concerned with administrative and judicial matters, and did not impinge upon the spiritual sphere. It must also be realized that they were quite as much the result of the petitions of the commons in parliament as of any monarchic desire to enlarge his jurisdiction. The same holds true of Richard's own statutes of Provisors and Praemunire, passed in 1390 and 1393.<sup>2</sup> Negotiations had proved fruitless and, from the evidence of their previous parliamentary behaviour,<sup>3</sup> it appears quite clear that it was genuinely as a result of the commons' demands that Provisors was re-enacted in a strengthened form which threatened to provoke an open breach with the papacy.<sup>4</sup>

Richard's personal inclination seems to have been towards moderation and conciliation as far as Rome was concerned but, at the commons' request,<sup>5</sup> the re-enactment of Provisors was reinforced by the second or "Great" statute of Praemunire in 1393, designed to prevent papal nullification of the 1390

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1. Wilkinson, Studies, p. 384.

2. They had previously been renewed in 1365.

3. Eg. the request that their judgements have force despite the absence of the clergy, 1388 (Lodge and Thornton, p. 308) and their aversion to papal taxation (cf. 1389 papal ordinance, Lodge and Thornton, p. 309).

4. Wilkinson, Studies, p. 282.

5. One cannot agree with Wilkinson's contention that by 1393 there was a reversion to the conception of Anglo-Papal relations as primarily the concern of the ruler"; p. 389.

act, forbidding sentences of excommunication or bulls of provision from entering the country, and prohibiting the curia from entertaining any suits pertaining to the appointment to English benefices.<sup>1</sup> It seems likely to have been Richard's instigation which brought about the parliamentary recommendation that the king attempt to come to terms with Rome.<sup>2</sup> Richard was astute enough to realize, if his subjects were not, the impossibility of maintaining a completely intransigent position. Moreover, papal support was becoming increasingly necessary to the furtherance of Richard's own plans.

Richard, in extending his diplomatic horizons during the 1390's, made for himself a difficult task. The support of the papacy was essential to the furtherance of his imperial schemes, for Boniface exercised considerable influence over the electors and he, perhaps more than any other man, had the power to secure Wenceslas's deposition. Yet Richard was also determined to maintain and strengthen his entente with France. One of the terms of the 1396 marriage treaty had been that Richard should join with Charles in attempting to secure the resignation of both popes, but however good may have been his intentions, with the arrival of the Dean of Cologne's embassy the following spring, the king could not afford to honour the letter of the treaty.

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1. Lodge and Thornton, 311-3; cf. also W.T. Waugh, "The Great Statute of Praemunire, 1393", E.H.R., XXXVII (1922), 173-205.
2. Rot. Parl., III, 301.

Although it was perhaps not as important as his imperial plans, Richard had another reason for keeping Boniface's favour. This was his desire for the canonization of his great grandfather Edward II. Steel has used Richard's dedication to this cause as an example of his mental imbalance, while for Jones it is expressive of the monarch's elevated notions of regality. It clearly was a project dear to the heart of the king, as the issue rolls testify. In April 1394 two royal ambassadors took a gold cup and a ruby ring to the Roman court, in addition to "a Book of the Miracles of Edward, late King of England, whose body was buried at the town of Gloucester...to make a present of the same to our most holy father pope Urban".<sup>1</sup> The twenty pounds in money and the ruby ring which another royal envoy took to Rome in December 1394 seem to have been to further encourage the pope to look favourably upon the canonization proposal.<sup>2</sup> Then in June 1397 the issue recorded the sending of Richard, bishop of Coventry and Litchfield "to the court of Rome, respecting the canonization of Edward II, late king of England".<sup>3</sup>

However, it is not necessary to draw a sinister interpretation from Richard's canonization attempt. It seems probable that any English monarch would have wished to remove at least some part of the ignominious stain of

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1. C.I.R., 1396-99, p. 259. Urban is an obvious error for Boniface who had succeeded five years earlier.
2. Ibid., p. 257.
3. Ibid., p. 264.



deposition and murder which had sullied his ancestor. In addition it is likely that Richard may have been motivated by a wish to match the Capetian, Saint Louis with a Plantagenet saint.

Yet a further reason for Richard's reliance upon papal support during the last years was his need to have outside sanction for some of his more unpopular domestic measures. He obtained Boniface's formal ratification of the proceedings of the Westminster-Shrewsbury parliament, a move which may have aggravated the more "nationalistic" of Richard's subjects, but there were clear precedents for papal confirmation of purely domestic affairs.<sup>1</sup> Indeed the Appellants themselves had not hesitated, after their 1388 "purge" of Richard's administration, to utilize Urban's services in a series of episcopal translations and promotions.<sup>2</sup>

Richard was obviously very sensitive to affairs at the Roman court and anxious that his causes there should not be hampered. In November 1397 he issued instructions to the prior of Holy Trinity, in Norwich, that a monk of that house be recalled by his convent from Rome "as the king has particular information that the said John has made and ceases not daily to make attempts in that court to the prejudice of the king and his royalty wherefore the king is wroth."<sup>3</sup>

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1. Eg. the use of papal sanctions by both John and the baronial faction during the 1210's and 1220's.
2. Neville, Rushook and Fordham were demoted, Arundel, Skirlaw, Erghum and Waltham were promoted; cf. Steel, p. 164.
3. C.C.R., 1396-99, p. 278.

Perroy's collection of diplomatic documents includes a letter from Richard warning the pope against the intrigues of the traitor, Thomas Arundel who, despite his "just banishment" from England, had sought refuge at the Roman court and had there tried to obtain restitution of his benefices.<sup>1</sup>

But the need for support was far from one-sided during the 1390's. Apart from needing all the personal supporters he could muster because of the church's internal division, Urban also hoped for Richard's aid in Italy,<sup>2</sup> and there was the perennial problem of the infidel. Boniface put all the influence at his disposal behind the raising of troops for a crusade in 1398<sup>3</sup> which was to be led by the Emperor of Constantinople, Manuel II. Richard, in this case at least, was sufficiently realistic to realize his economic limitations. To the Emperor's appeal expressing his urgent need for troops, the king responded that the request had reached him only after the close of parliament and the whole summer would pass before the troops were ready. In conclusion Richard alluded to his real motive for refusal, his dire economic state, saying that the task of crushing the rebellion of some of his subjects and restoring peace had depleted the royal treasury and, in consequence, he asked to be excused compliance with Manuel's

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1. E. Perroy, The Diplomatic Correspondence of Richard II (Camden Soc., 3rd. series, 1933), p. 255, doc. 240. Hereafter cited as Diplomatic Correspondence.

2. Mesquita, p. 633.

3. Annales, p. 230.

request.<sup>1</sup> However, Richard did allow the bishop of Chrysopolis to raise money in England for the crusade in 1399,<sup>2</sup> and in May of that year the king finally agreed to donate 2,000 to the project,<sup>3</sup> obviously not wishing to lose papal favour, however desperate his own financial straits.

Boniface, although he must have been well aware of Richard's need of him, did take quite positive steps to retain his support. In 1397 honours were heaped upon Richard's kinsman, the earl of Huntingdon. He was appointed Galfanier, the "captain and counsellor of the Roman Church", and was also created vicar-general of the patrimony of Saint Peter, being accorded privileges which virtually placed the English clergy under his domination.<sup>4</sup> Huntingdon was apparently intended to engineer a final end to the schism. It is doubtful, however, if any one man could have accomplished that task, and Huntingdon seems to have been particularly lacking in the requisite qualifications.<sup>5</sup>

Then in November 1398 came a concordat which Perroy<sup>6</sup> has interpreted as marking a revolution in Anglo-Papal relations. Richard agreed that nominations to the bishoprics should be

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1. Diplomatic Correspondence, p. 173, doc. 241.

2. Ibid., p. 255, n. 241.

3. C.I.R., 1396-99, p. 272.

4. Schisme, pp. 341-2, cf. Steel, p. 228.

5. Although Perroy's condemnation of him as "that violent and mediocre baron" (Schisme, p. 343), seems somewhat excessive.

6. Schisme, p. 344.

taken out of the hands of the cathedral chapters and reserved to himself and the pope. He also conceded that the pope should have the right to appoint to one of every three of the greater offices and that, at least until Easter 1400, the pope should enjoy the right of provision to all minor benefices<sup>1</sup> on the first occasion of their falling vacant.

Miss McKisack has made a quite unqualified condemnation of Richard's role in this agreement. She has accused him of making "wholesale concessions" which abandoned the defensive positions carefully established by his grandfather, purely in order to further "the realization of his dreams of unrestricted power".<sup>2</sup>

Such a harsh judgement is, one feels, over-censorious and unsubstantiated by the evidence. The appointment of bishops, although theoretically the province of the chapters, had been for generations effectively determined by the co-operation of king and pope. For all the dogmatism of the Provisors and Praemunire statutes, co-operation had been the general basis of Anglo-Papal relations throughout the fourteenth century, and it was the idea of co-operation which was given formal expression in the 1398 agreement.

Richard was in no sense "selling out" the English people to further his own megalomaniac delusions. Rather he seems to have been genuinely attempting to establish a more rational foreign policy, free of former anti-clerical and

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1. McKisack, pp. 282-3.

2. Ibid., p. 283.

xenophobic prejudices. He may have made concessions in order to further his domestic and international ambitions, but these concessions were not of a radical nature, and despite all the seriousness of his plans and the importance of the papacy to them, Richard's first concern seems to have been to ascertain the truth on the subject of the schism. As late as November 1398 he issued instructions to the universities of Oxford and Cambridge to enquire into the matter and to inform the king of their findings.<sup>1</sup>

Yet for all the moderation of the Richard's papal policy, it seems to have been wildly unpopular with his subjects. Alienated by what they felt to be his arbitrary behaviour at home, Richard's subjects could only infer some subversive plot behind the entente which the king seemed intent upon establishing with Rome. The innate suspicion which Richard's domestic behaviour had engendered, combined with the Englishman's traditional anti-clericalism, or more particularly his anti-papalism, to create the disfavour which greeted the royal manoeuvres. The tenth of the Gravamina accusations, recalled the uncompromising nature of Richard's own Praemunire statute, which had forbidden appeals outside the kingdom, and proceeded to declare the king guilty of violating his own edict: "super quod dictus rex litteras apostolicas impetravit, in quibus graves censure proferuntur contra quoscumque qui dictis statutis in aliquo contravenire praesumpserint". Although it

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1. Foedera, II, 534.

specifically referred only to Richard's obtaining of papal confirmation for the Shrewsbury parliament, the Gravamina charge contained an implicit indictment of Richard's entire papal policy. It was obviously felt that the course which the king had been pursuing was "contra coronam et dignitatem regiam, ac contra statute et libertates dicti regni tendere<sup>1</sup> dinoscuntur".

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1. Rot. Parl., III, 418.

#### 4. France.

Undoubtedly the most significant aspect of Richard II's foreign policy during the years of "despotism" was his relationship with the kingdom of France. It seems to have been in this field that the king was most out of sympathy with the wishes of his subjects and in which, more than in any other sphere of foreign policy, his behaviour prompted the gravest suspicions of actual or potential despotic rule.

The primary concern of Anglo-French relations during the fourteenth century was, of course, the Hundred Years' War. However, Richard's reign evinced much more of negotiations, truces, and treaties than it did of actual fighting. The first few years after the monarch's accession witnessed quite sincere attempts on the part of Charles V to bring about a cessation of hostilities. He offered his youngest daughter, together with a substantial dowry, to persuade the English to agree to a marriage treaty. Unfortunately for those in both camps who looked for a peaceful settlement, during 1378 the papal schism broke out, an event which not only removed a powerful mediating influence, but, as England and France sprang to the support of rival candidates, meant an additional obstacle in the way of reconciliation.

It was partly as a result of papal pressure that the Bohemian alliance was preferred for the young Richard instead of the French one, but a more telling factor, one feels, in the decision of the royal council, was the traditional English animosity towards the kingdom of France. Edward III, and more

especially Richard's father, the Black Prince, had made England into a war machine, a machine whose primary raison d'être was to secure the defeat of the French enemy. A crude nationalism it might have been, but its lack of refinement did not make it any the less powerful.

Yet the scene in both countries had changed fundamentally in the decades since the hey-day of Richard's grandfather, and the 1380s saw England and France in curiously similar situations. In 1380, the succession of a minor to the English throne was followed by the same occurrence in France, upon the death of Charles V. Both lands were now dominated by councils, both of which comprised men of wildly divergent views on the conduct of the war, making a solution appear even less likely.<sup>1</sup> But neither side had the strength nor the leaders to strike any significant blow against the other.<sup>2</sup> Political realities seemed to demand a treaty, or at least a lengthy truce, but in England the matter of the French war had become a pawn in the governmental-magnatinal conflict which distinguished the latter part of the 1380s. The dissident nobles, with Gloucester at their head, as soon as they had ascertained that Richard's personal inclinations lay in the direction of peace, clamoured all the more loudly for a complete military victory.<sup>3</sup>

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1. E. Perroy, "Franco-English Relations, 1350-1400", History, XXI (1936), 148-154, Hereafter cited as Perroy.
2. Gaunt was becoming increasingly obsessed with his Spanish interests, and the great French leader Du Guesclin had died in 1379.
3. Perroy, p. 149.



However, in 1386, the Appellant lords, having gained control of the king and purged his administration, had a chance to direct the course of England's foreign policy for themselves. As Steel has remarked, they seized power as a "national" or "patriotic" party,<sup>1</sup> and they did, at first, make some efforts to pursue the aggressive line which they were supposed to represent. Yet although they had made the misconduct of foreign affairs and especially the opening of peace negotiations one of the principal accusations against the government, the results of their own militaristic efforts were minimal and did little or nothing to justify the change of regime.<sup>2</sup>

By 1388 it must have been apparent to even the most bellicose of the governing council that peace, at least upon a temporary basis, was the most realistic policy. And it was a peace policy which Richard immediately set about implementing upon his assertion of ability to rule in 1389. This year marked the beginning of a period of intense diplomatic activity between England and France, activity which, despite countless setbacks,<sup>3</sup> eventually resulted in reconciliation. In 1394, the death of Richard's first wife Anne, made a French marriage alliance finally possible. Official pourparlers were opened in July 1395 and, on March 12, 1396, Richard's be-

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1. Steel, p. 165.

2. Ibid., p. 166.

3. For the gradual removal of the obstacles see Diplomatic Correspondence, nos. 109, 123, 124, 126, 129, 132, 135, 145, 150, 151.

trothal to Charles IV's child, Isabella, was celebrated in Paris. Yet if Richard felt this settlement to be the end of his most thorny problem and the culmination of his hopes, he was very much mistaken. The French alliance was to prove "the beginning of his troubles, a heavy liability rather than a political asset."<sup>1</sup>

Richard's distaste for war, and what seems to have been his genuine desire for an entente between two nations as culturally linked as England and France, prompted him to make vital concessions to bring about the alliance. The splendid gifts with which his ambassadors hoped to dazzle the French court<sup>2</sup> were as nothing compared with his quite ruthless sacrifice of the wishes of his people. However great the political necessity, parliament had in past years shown its aversion to the very idea of a treaty with France. The idea of a settlement by marriage had been mooted at least three times before during Richard's reign, and each time had been unfavourably received.<sup>3</sup> On the last occasion the commons, obviously sensing Richard's anxiety for a speedy settlement, declared that although an honourable peace would be the greatest comfort they could wish for, the dangers in the way were so great that they could not decide to pursue it. They concluded their response by requesting that the king would not engage to -----

1. McKisack, p. 475.

2. Eg., C.I.R., p. 245.

3. The occasions were 7 Ric. II, Rot. Parl., III, 170; Rot. Claus. 9 Ric. II; and 17 Ric. II, Rot. Parl., III, 315.

do homage for Calais or any of the land previously conquered<sup>1</sup> in France.

Not only was feeling in England firmly against any formal alliance with France, but the marriage with Isabella was doubly unpopular. Firstly, she was an eight-year-old child, and since Richard's first marriage with a bride of his own age had proved childless, there must have seemed even less chance for an heir from his second wife. But there was more than her youth to consider; she was also the daughter of England's traditional and greatest enemy, the king of France. Richard, through this marriage treaty, was binding himself to the Valois court, the home, at least in the minds of the English, of all that was autocratic and unparliamentary. There can have been few alliances which would have proved more obnoxious to the people of England.

The initial suspicion of Richard's subjects must have been substantially increased by the form which the marriage treaty took. Perhaps the most exceptionable was the notorious clause whereby the French royal house promised to provide support for Richard against "all manner of people who owe him any obedience and also to aid and sustain him with all their power against any of his subjects".<sup>2</sup> It may well have been that Richard was still plagued by memories of the violence of the Peasants' Revolt. This first spontaneous expression of popular

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1. 17 Ric. II, Rot. Parl., III, 315.

2. Foedera, VII, 811.

discontent on a national scale, although it led to so few im-  
 mediate reforms, undoubtedly left its mark upon the young king.<sup>1</sup>  
 The cowardice and incompetence of the English nobility when  
 faced with this threat to their property and even to their  
 lives, must have made it quite obvious to Richard that should  
 anything of the sort ever recur, he would be forced to look  
 for outside support.

Alternatively, the clause may have been inserted with  
 nothing more sinister than the possibility of revolts in  
 Gascony in mind.<sup>2</sup> This region had proved a constant source  
 of trouble to Richard's father, and the utilization of French  
 forces to quell any possible resistance to Richard's rule  
 would obviously be more expeditious and economical than im-  
 porting English armies. Yet although there was no real reason  
 to suspect the worst of the French alliance, such clauses as  
 these were gloomily reported by the chroniclers<sup>3</sup> and were doubt-  
 less seen by many to hold the most sinister implications. Usk  
 was particularly critical of the marriage, and commented acidly  
 upon Richard's rejection of the daughter and heiress of the  
 king of Aragon, even though "she was very fair and of mar-  
 riageable years", and he went on to suggest that "why he  
 [Richard] chose this young child - and though a child she  
 married to him at Calais with much outlay of money and show-  
 they say was that, eager to pour forth his pent-up venom, he  
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1. Steel, p. 91.

2. McKisack, p. 476.

3. Eg. Annales, p. 188.

thought by the help and favour of the king of France to destroy his enemies."<sup>1</sup> This was mere speculation, but such conjectures must have been fairly commonplace, given the ambiguous nature of several of the treaty's clauses.

Yet many of the more explicit clauses in the marriage treaty caused as great disaffection in England as the ambiguous ones, a case in point being the one by which Richard agreed to surrender Brest and Cherbourg. England's refusal to return Brest to the duke of Brittany, and Cherbourg, occupied since 1378 as security for Navarre, to its ruler, had been a primary reason for the failure of French marriage negotiations in the early 1390's. But, all the requisite terms of the former treaty having been fulfilled, these territories were finally returned. Walsingham, either misunderstanding the situation or being consciously venomous, alleged that the return of Cherbourg was "pro certa summa pecuniae".<sup>2</sup> And although the actual conversation in which the Traison writer described Gloucester's<sup>3</sup> bitter quarrel with the king over the surrender of Brest may well be apocryphal, there<sup>4</sup> obviously was some difference of opinion over this matter. The expulsion of the English garrison from Brest was clearly seen as a humiliation in some circles, particularly by the Appellant lords, despite the failure of their own bellicose policy less than ten years before.

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1. Usk, p. 151.

2. Annales, p. 164.

3. Traison, pp. 117-121.

4. This quarrel seems to have been the reason for Gloucester's withdrawal from court to his Essex estates; cf. Jones, p. 76.

The restoration of these two important territories may have been unpopular in England, but "it was" quite defensible on the grounds that Richard was only keeping the pledged word of the English crown. Yet the king was far from satisfied with such seemingly minor concessions to his new ally, and he set about taking further steps to secure the affections of his new father-in-law. He seems to have adopted an almost paternalistic attitude to Frenchmen in England, issuing in May 1396 a directive to the sheriff of London with the order that he issue a proclamation forbidding any person to provoke a Frenchman to combat.<sup>1</sup>

The following month saw the setting up of the Calais staple for wool, hides, tin, and a variety of other commodities "as the king believes that advantage and profit is like to accrue to the town of Calais and the inhabitants thereof by the number of merchants flocking thither during the truce with France".<sup>2</sup> Richard seems to have been eager to further Anglo-French intercourse on all levels, whatever the prejudices of his subjects. He even wished to tighten the links between the two countries by further marriage alliances for only a few months after the solemnization of his own marriage Richard proposed that marriages should also be arranged between the earl of Rutland and Charles's second daughter Jeanne, and also between the eldest son of the earl of Derby and the French king's youngest child, Michelle, but nothing came of his sug-

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1. Foedera, II, 529.

2. C.C.R., 1396-99, p. 51.

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gestions.

Richard was, however, to find difficulties in the pursuit of both a pro-French policy and the imperial crown. The main bone of contention lay in Italy, or more particularly in the bitter war between the city of Florence and the expansionist and aggressive Giangaleazzo Visconti, the duke of Milan. In September 1396 Charles VI of France made an alliance with the Florentines, promising to aid them against the dangerously powerful Visconti. Richard, full of enthusiasm for his new French entente, readily promised to contribute a force of his own soldiers to strengthen the proposed French expedition. 2

Nottingham and Thomas Holland were ordered to prepare archers and lancers for the force, but the English people again showed themselves to be totally out of sympathy with the foreign policy of their monarch. In the first parliament of 1397 the commons were united in their agreement that any royal promise to send aid should be honoured, but they promptly removed any practical possibility that Richard might honour his word to France by disclaiming any responsibility for financing the proposed expedition. A clash between king and people might well have occurred two years prior to the stimulus of Henry's revolt over the issue of military support for France, had not a decisive battle intervened. At Nicopolis, late in 1396, a sizeable French force under the leadership of John, son of

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1. Diplomatic Correspondence, p. 169, doc. 229a.
2. Mesquita, p. 628.

the duke of Burgundy, was all but annihilated by the Turks, thus putting a temporary end to French hopes of any further Italian intervention.

But Richard had made further concessions to the French king during his Calais visit. He had also bound himself to support Charles's ecclesiastical policy, and in April 1397 a joint Anglo-French mission left Paris for Aragon and Rome in order to secure the resignation of both pontiffs. Another joint mission also went to Frankfurt to win over Wenceslas and the German princes to this policy. Both popes, as might have been expected, promptly rejected all attempts to secure their resignation.<sup>1</sup> Then, with the arrival of the dean of Cologne's delegation in the spring of 1397 and the awakening of Richard's imperial hopes, the English king found he could no longer afford to risk Urbanist displeasure.

Faced with the need for what must have seemed two total irreconcilables, the favour of the Clementist king of France, and the support of the Urbanist pontiff, Richard tried compromise. He made no attempt to get the English church to renounce its allegiance to Pope Boniface, nor did he respond to the Florentine appeal for aid, but he refused to sever all his newly-formed links with the court of France. Yet the impossibility of maintaining friendly relations with two such bitterly opposed powers must have become increasingly apparent. There was an ever-widening polarization between France, the

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1. Mesquita, p. 630.



Clementist pope and the Florentines on one side, and the Urbanist candidate and Giangaleazzo Visconti on the other. The English people, although they were no great devotees of the pope of Rome, seem to have inclined to him against the greater evil of the king of France and his candidate, more especially since there seems to have been some genuinely favourable feeling in the country towards the duke of Milan.<sup>1</sup> Richard, pursuing his precarious via media, did make some rather half-hearted attempts to win Charles VI for the Urbanist cause and to persuade him to withdraw his support both from pope Benedict and the city of Florence.<sup>2</sup>

But, despite the manoeuvres which his imperial schemes dictated, Richard remained as he always seems to have been, thoroughly Francophile, and it was this trait in their monarch which, perhaps more than any other, alienated the English people long before there was any hint of heavy financial demands, arbitrary-seeming executions, or banishments and property confiscations. The eloquent sympathy with which the French chroniclers described the events of the last three years of Richard's reign and the disdain which these writers evinced for the majority of his subjects is in itself a clear indication of the vast gap which existed between the ruler and his subjects.

It was the Traison writer who reported Salisbury's

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1. Jones, p. 16.

2. Mesquita, pp. 634-5.

advice to the beleaguered monarch following the hasty return from Wales in the summer of 1399. Faced with the desertion of the royalist army<sup>1</sup> and the rapidly increasing strength of Henry's forces, the earl is alleged to have advised the king to flee to Bordeaux, for "there shall we be well received and have aid, if it be needful, from France, from Brittany and from Gascony".<sup>2</sup> It was upon this well-known affinity between the court of France and Richard and his associates that Henry capitalized most effectively in his propaganda letters which were distributed throughout the country very soon after his landing.

Henry's letter to the city of London accused Richard of attempting to use his good relationship with France to tyrannize his realm. Troops from France were to aid him in securing the total subjection and bondage of the English people and, so Henry alleged, were to assist Richard in the arrest of all the country's chief magistrates who "had maintained the opinions of the commons, in opposition to him and his council, and put them to death by divers torments". Bolingbroke also made a more direct appeal to the self-interest of the English nobility "stating that king Richard had corresponded and made a treaty with the king of France and with the great lords of his realm, to restore and deliver to the king, and to those to whom they

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1. Traison, pp. 189-190. This writer also remarked that of those few who remained with Richard "the greater part were foreigners and foreign soldiers"; p. 190.
2. Ibid., p. 191.

belonged, all the cities, fortresses and castles which are in the kingdom of France, in Guyenne, in Gascony, and elsewhere, for a certain sum of money which he was to receive in ten years by annual instalments".<sup>1</sup>

Henry's accusations seem to have been carefully calculated to achieve the maximum effect in discrediting the king in the eyes of his subjects, for in addition to describing the threat to the property and lives of Englishmen inherent in the French alliance he also intimated that the very existence of parliamentary government might be endangered by it. The main bargaining-counter of the fourteenth-century parliament was its power to make money grants. Richard, with a handsome annuity from his ally of France, would have no need to make recourse to his parliament.

Bolingbroke's charges can be interpreted by a modern reader as mere propaganda, but contemporaries can hardly be blamed for receiving them as the unvarnished truth, and for accepting Henry as the one to redirect England along its "natural" path - that of violent and implacable hostility towards the kingdom of France. Yet even Henry, for all the Francophobia implicit in his accusations against Richard, seems to have realized the wisdom of a pacific policy from the very outset, for only two months after he had captured the throne he sent an embassy to Paris to ask for a French princess as a bride for his eldest son. The only response of the Valois court

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1. Traison, p. 181.

was a haughty refusal to recognise the new regime.<sup>1</sup> Louis of Orleans who had given a ready welcome to Henry when he had sought refuge as a wronged exile, was now particularly bitter in his opposition to Henry the usurper and, with King Charles showing increasingly frequent signs of insanity, the opinions of the house of Orleans were becoming more and more relevant to the conduct of the French government. Louis' rival at court, Philip duke of Burgundy, preferred a prolongation of the peace and even managed to get the twenty-two-year truce renewed. Orleans, however, set himself up as the avenger of Richard's wrongs and even offered to fight a duel with Henry, issuing a formal challenge in 1403.<sup>2</sup>

Henry, however, seems to have feared France more than Orleanist challenges. The feeling of outrage which his actions of the summer of 1399 had sparked at the French court seems to have made him genuinely fearful of a French invasion. Men at arms were mustered and posted along the sea coast, and, in January 1400, an order to the archbishop of Canterbury that all the "abbots, priors, men of religion and other ecclesiastical persons of his diocese...be furnished with arms", was justified by the assertion that the realm was threatened "by attacks of the king's enemies of France and their adherents" who had gathered together at sea "and purpose to attack divers towns upon the coast of England...to destroy the king, his government

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1. Mathew, p. 173.

2. C.M.H., VII, 380.

and people".<sup>1</sup> Henry, like his subjects, seems to have been genuinely apprehensive of the repercussions of Richard's close relationship with the kingdom of France.

In the case of Anglo-French relations during the last three years of Richard's reign it must be concluded that here, as in so many other areas of his government, the English king pursued an essentially intelligent policy, but one which, as Usk has declared,<sup>2</sup> ultimately led to the ruin of himself and his confederates. The theory, not only of a peace treaty but of a close and cordial entente between the two nations was unimpeachable. Such a relationship would have brought inestimable trading advantages to two countries which were beginning to feel the economic pinch from the trading ventures of the enterprising Dutch and which still appeared to be economically primitive societies in comparison to the great banking communities which had their homes in the Italian city states.

Richard's aim was to bolster England's status and win for it pre-eminence not only in Europe but in the world. He realized, it seems, that such an elevation could come about only if England was freed from the crippling economic burden which the war imposed and was at liberty to gear her foreign policy towards prestige and prosperity rather than purely military advantage. A French entente, it must have seemed,

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1. C.C.R., 1399-1402, p. 123.

2. Usk, p. 151.

would further a speedy settlement of the schism which had become a universal scandal, and, this achieved, Richard would be free to pursue his imperial schemes and ultimately bestow upon England the honour of possessing a monarch who was also King of the Romans.

This was Richard's scheme, not tyranny but regality in a more splendid form. But it was a scheme which relied for its success upon the support of the nation. Richard did not have such support, indeed, as has been seen, he was acting in quite blatant disregard of the wishes of most of his subjects. Given such a conflict of interests, disaffection was inevitable, but the reasons for it were not entirely political; the cultural bond between Richard and France seems to have been of equal, if less tangible, significance.

The similarity between the life and culture of the courts of England and France during the last years of Richard's reign is quite remarkable. While there were doubtless some Bohemian elements, and others which can be traced to the days of Richard's grandfather, in all significant aspects the Westminster of 1396-99 was a magnificent reflection of its Paris counterpart.

It is to Paris that the increased use of badges and livery collars at Westminster can be ascribed, and the fact that they were French fashions doubtless increased the violent animosity so apparent in the chronicles. The chained white hart was more than an elaborate trapping of royalty, it was

created by Richard as a personal cult of loyalty: a more Gallic<sup>1</sup> version of Edward III's own Order of the Garter. It is also to Paris that the increased complexity of the heirachic court structure can be ascribed, with it proliferation of new titles<sup>2</sup> and new creations.

It has been suggested that the intense devotion Richard manifested towards Edward the Confessor can also be ascribed to French influence,<sup>3</sup> and this may indeed be so, but it must be remembered that Henry III had also shown a great affection for this royal ancestor, and Richard's quatering of his own arms with those of the Confessor may well have been done with the very practical intention of impressing the Irish, who were known to have a great reverence for the saint.<sup>4</sup> However, Richard II's bid for the canonization of his great-grandfather, Edward II, may well have been inspired by the need for a more contemporary saint to match the Valois's proud devotion to St. Louis.

But perhaps the most obvious reflection of French influence at Westminster was the splendour and extravagance of life. "The ladies, young and old, kept great and excessive state"<sup>5</sup> said Jouvenal des Ursins of the Paris court, but he

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1. The author of Richard the Redeless stressed the pride with which the badge was worn-"those that had hertes on her brestes ...bar hem the bolder ffor her gay broches"; Political Poems, ed. T. Wright, I, (London, 1859), 381.
2. John Beachamp, Richard's chamber knight, was the first baron to be appointed by letters patent.
3. Mathew, p. 21.
4. Cf. Creton, p. 28 note o.; Annales, 223.
5. Quoted in C.M.H., VII, 375.

might equally well have been describing Richard's Westminster. In England, as in France, the ladies ruled the court. Queen Isabella and the duchess of Orleans in France had their counterparts in the duchesses of York, Albermarle, and Exeter, Lady Sanford, Lady Lutterel, and Lady de Mohn. The presence of great numbers of court ladies was "a distinctive mark of the household of Richard II" and their presence was reflected in the extravagance of clothes and the elaborate and costly jewelry which became increasingly the vogue. Creton told of the beauty of the "stuff of foreign pattern"<sup>1</sup> which Richard possessed, and the writer of Richard the Redeless described in elaborate detail the ingenuity of the court fashions.<sup>2</sup>

The secular nature of the French court was imitated by the English establishment, a facet which distinguished it from the cleric-dominated establishment of Edward III. In both countries passionate devotion to dress seems to have been the rule, "fashions were continually changing and everyone endeavoured to outshine his neighbour by the richness of his dress and the novelty of its form".<sup>3</sup>

Webb has remarked that "from the chain of his shoe to the plume on his casque, Richard was, perhaps, the greatest fop of his day",<sup>4</sup> and certainly he appears to have outshone all

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1. Creton, p. 100.

2. Passus III.

3. Knighton, quoted by Webb in Creton, p. 101, note o.

4. Ibid., p. 101.



rivals at Westminster by the lavishness of his expenditure. The issue rolls bear testimony to his unstinting largesse, from the extravagance of the funeral accorded his dead favourite De Vere<sup>1</sup> to the splendid jewels bestowed upon his living companions.<sup>2</sup>

The generous tradition of the Valois clearly influenced Richard's own lavish patronage of the arts. Payments to goldsmiths, silversmiths, coppersmiths, painters, masons, and carpenters figure very prominently in the lists of expenditure.<sup>3</sup> The expense of building the magnificent new Westminster Hall must have been tremendous, but this was necessary if the court life at Westminster were to match the "frenzied round of pleasure"<sup>4</sup> which typified the court of Richard's father-in-law during the 1390's.

Although the realm of culture and the arts was a sphere quite removed from the majority of Richard's subjects, a large section of them clearly knew of its extravagant and Gallic nature and obviously did not approve. Arundel himself, before departing to exile in 1397, had preached a bitter sermon "de luxuria quae regnabat(ur) in personis eorum, et in curiis avaritia atque superbia quibus inificiunt totum regnum".<sup>5</sup>

The Eulogium writer, in summing up Richard's regime

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1. C.I.R., p. 262.

2. Eg. the magnificent gifts to the duke and duchess of Lancaster, C.I.R., p. 265.

3. Eg. C.I.R., pp. 262, 263, 265, 270, 272, 273.

4. C.M.H., VII, 375.

5. Eulogium, III, 376-7.

of the ~~last~~ years, drew a direct link between the king's "vain-glory" and extravagance, and his deposition and imprisonment. According to this writer "rex Ricardus in divitiis omnes praedecessores suos studuit excedere et ad Solomonis gloriam pervenire...In thesauris et jocalibus, in vestibus et ornamentis regalibus, in quibus vehementer excessit, in splendore mensae, in palatiis quae aedificavit, nullus in regibus eo gloriosior diebus suis".<sup>1</sup> But the heavens intervened to cast down this vain monarch, and the magnificence of his former surroundings was replaced by perpetual incarceration in Pontefract castle.

Moreover, the obviously Gallic nature of Richard's court engendered only half-expressed fears that French absolutism would follow where French fashions had led. Now the English king, like the French one, "bona sic levata non ad commodum et utilitatem regni...convertendo, set ad sui nominis ostentationem et pompam ac vanam gloriam prodige dissipando".<sup>2</sup>

The Eulogium writer looked with grave suspicion upon the "ceremonial crownings" at Westminster with all their extravagance and exaltation of the monarch, remarking that all who caught his eye were forced to bend the knee in reverence.<sup>3</sup> In addition, the Gravamina charge that Richard "dixit expresse, vultu austero et protervo, quod leges sue erant in ore suo et aliquociens in pectore suo, et quod ipse solus posset mutare et condere leges regni sui"<sup>4</sup> was obviously made with Richard's

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1. Ibid., p. 384.

2. Rot. Parl., III, 419.

3. Eulogium, III, 378. Cf. also Annales, p. 209.

4. Rot. Parl., III, 419.

own occasional statements that he was "entire emperor within my own realm" were no more than had been claimed by the French jurists for their monarch over a century before.<sup>1</sup> Both uses may have had a quite legitimate basis in Roman law,<sup>2</sup> but it was clearly the more immediate and pernicious French example which Henry's first parliament had in mind when making its indictment of Richard.

Such then were the influences, or supposed influences of the court of France upon the English king. Culturally and politically they were abhorrent to the English nation as a whole. The realm was indignant and angry that it should be asked to support a peace policy when it wanted war and to finance a court of quite unprecedented magnificence which it could see was a quite conscious imitation of that of the French enemy. Henry seems to have realized that a great part of his success was directly attributable to this intense English Franco-phobia. His court, for all its splendour, was no rival to that of Richard, it could not have been if he wished to return the affections of his subjects. Nor could he, whatever considerations of high politics might dictate, and whatever his own personal convictions, afford a pacific French policy. The English

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1. Kantorowicz (op. cit. p.153) makes reference to a French jurist, Thomas of Pouilly, who wrote, c.1296-7, "*Cum rex Francie omne imperium habet in regno suo, quod imperator habet in imperio ...et de eo potest dici, sicut de imperatore dicitur videlicet quod omnia iura, precipue iura competentia regno suo, in eius pectore sunt indusa*".
2. Ibid., p. 28. The maxim "*omnia iura in scrino(pectoris) principis*" was one frequently used by the glossators.

people wanted war with the French enemy, and Henry was astute enough to realize and to comply with their wishes less than two years after his accession.

## V. CONCLUSION

The purpose of the foregoing survey has been to examine the so-called "despotism" of Richard II. The primary difficulty encountered has been to utilize the surviving contemporary sources without falling victim to their biases, which, in the case of the great majority of them, were markedly anti-Ricardian. The success of Henry Bolingbroke's revolution meant that the circumspect must attempt to justify the change of dynasty in their writings, and this justification, in most cases, took the form of violent abuse of his predecessor. Henry was probably more aware than any English monarch before him had been of the value of what, in modern parlance, might be termed "good publicity".

It is primarily from these biased chronicles, the defamatory letters which Henry circulated throughout England immediately after his landing, and the exhaustive list of Richard's alleged misdeeds in the parliament roll that a composite picture of the "Ricardian despotism" has been established, and it is this picture which has found most general acceptance in historical circles. Such material formed the basis of Stubbs's conclusion that the king, between the years 1396 and 1399 was perpetrating deeds which "struck at the root of the constitution".<sup>1</sup> But the inevitable reaction has taken place, and the current crop of historical surveys of the reign have either largely ignored the constitutional implications of the last years in their great admiration for the magnificence of his

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1. C.H., II, 525.

court,<sup>1</sup> have explained away any constitutional issues by presenting the king as not responsible for his own actions,<sup>2</sup> or have insisted that Richard aimed, not at the Victorian conception of ruthless tyranny, but at a theoretical absolutism of an exceptionally enlightened variety.<sup>3</sup>

While such elements of the "despotism" as the alleged murder of Gloucester and the financial "extortions" have formed the subject of brief analytical studies, there has no recent attempt to examine all the major facets of the alleged "despotism". It is this gap which the foregoing survey has attempted in some way to fill. The question which has most concerned us has not been the assessment of the monarch's mental state, nor yet the gauging of the constitutionality of his actions in accordance with some abstract standard of absolute perfection, for the sources forbid any certain prognostication about a fourteenth-century monarch's mentality, and, in full reaction from the era of "Victorian optimism", most historians are now most wary of pontificating upon what was and what was not considered "constitutional" during this era.

However there clearly was such a thing as precedent, indeed this seems to have been a quite considerable force during our period, acting as a check upon the arbitrary inclinations of government. And yet, having captured the loyalty and support of his subjects, there was much that a monarch

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1. Mathew.
2. Steel.
3. Jones.

might accomplish without arousing accusations of misrule.

This survey has examined Richard's actions in the three most significant areas of his government with an eye to establishing why they did not succeed. It has been suggested that, while he was guilty of some gross miscalculations, the king's conflicts with his magnates were, in some sense, inevitable, and not the immediate result of any policy, arbitrary or otherwise. And while the fates of the Appellant leaders prompted bitter tirades from the chroniclers, exile, execution, and even murder, were common facts of political life during the Middle Ages, with the grounds for such punishments often quite as slender as those which led to the fall of Gloucester and his cohorts.

With all the advantages of hindsight to aid him, it is obvious to the modern historian that the exile and deprivation of Henry Bolingbroke was a fatal political error, but, we have suggested, it was an error forced by the immediate necessities of the time, and should be considered in these terms.

There is, we have found, in Richard's dealings with his enemies, no real evidence of either conscious tyranny or mental imbalance. Similarly, the king's choice of ministers, far from representing the work of a would be despot or of a grief-crazed madman, suggests moderation and sound political sense. The members of his administration were despised, not because of inherent qualities or lack of qualities, but

because the policies which they were asked to implement were wildly unpopular, and their only crime was that they performed their tasks too well.

In the case of the king's Cheshire archers and White Hart retainers there may, we have suggested, been firmer ground for the accusations of the royal critics but, given a nation violently hostile to its monarch, it seems more likely that any unrest, whatever its cause, was laid at the door of those who sported the royal livery.

In the areas of administration and finance which prompted contemporary indictments, although Richard did not escape entirely guiltless from our examination, in several cases there was found to be no evidence to support the Gravamina charges, and in others, where there is evidence of some misdemeanour, it has been suggested that Richard's activities were mere repetitions of deeds which had gone almost unremarked when perpetrated by his predecessors.

The main contention of this study has been that there was a vast and unprecedented gap between the ruler and the ruled during the last years of the reign of Richard II. The king's temperament, his cultural proclivities, and his ambitions for himself and for his country were totally at variance with those which his subjects required and this, we submit, is why his regime failed.



It might be argued, in objection to this thesis, that previous kings had failed to capture what in more modern times might be termed "national opinion", and yet had not been ousted from their throne. Monarchs from William the Conqueror to Henry III might be cited as examples of men whose tastes and ambitions were not shared by the vast majority of their subjects. But Richard, it must be remembered, belonged to the fourteenth century. "National opinion" was becoming more and more of a reality as the decades passed. Between Henry III and Richard II the efforts of Edward I and Edward III had awakened the national consciousness and had succeeded, for the most part, in making their own goals their subjects' goals.

Richard was unalterably Francophile, and it seems to have been this facet of their monarch's make-up which, more than any other, alienated his subjects. Their parliamentary protests against his peace policy and the Frenchness of his court were, for the most part, polite and restrained, for the commons in parliament had not yet achieved sufficient stature to do more than ratify the decisions of government.<sup>1</sup>

But the nation's displeasure manifested itself in countless extra-parliamentary ways: in its continuing support of the Appellant leaders, in the reluctance with which the localities responded to the royal commissioners' demands for money, and, perhaps most noticeably, in the complete lack of confidence

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1. H.G. Richardson, "The Commons and Medieval Politics", Transactions of The Royal Historical Society, 4th series, XXVIII (1946), 21-43.

in the ruler apparent in the royal capital, manifest by the Londoners' almost total refusal to perform their traditional task of advancing funds to the king. Even Edward III had at times found the nation's financial response to the war somewhat grudging, but at least it had responded. Richard's peace policy found it wanting, not only in money, but in loyalty.

Henry Bolingbroke seems to have represented a more "English" spirit. England's nationalism may not have shown its first flower until the reign of Henry V and have kept its full blossom for Tudor times, but its roots were clearly apparent in the revolution of 1399. It must be admitted that Henry's most explicit appeal was to the notion of property right; he claimed that he had come to recover his rightful lands and his stolen title, but it is doubtful if he would ever have attained more than these had not Richard made the gap between himself and his subjects so yawningly vast.

Without Henry there might never have been any confrontation; conservatism was strong in every English heart and a forced change of dynasty lacked any immediate precedent. But Henry did come, either by accident or design, at precisely the moment when the English and their king had pulled most widely apart. Henry came, and must himself have been astounded at the rapidity with which the nation acceded to his claim to the royal title.

England was not rejecting a madman, an autocrat, or a despot, but rather it was casting off a monarch whom it could not understand, and hence one to whom it no longer felt able to render loyalty. Henry represented the embodiment of all that Richard was not, his triumph was absolute, and the captured monarch's final ride through his capital, the despised prisoner of a conquering hero, must have been much as Shakespeare described it:

As in a theatre, the eyes of men,  
After a well-grac'd actor leaves the stage,  
Are idly bent on him that enters next,  
Thinking his prattle to be tedious,  
Even so, or with much more contempt, men's eyes  
Did scowl on Richard: no man cried "God save him".

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1. Richard II, V, ii, 23-28.

## VI

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