

THE  
Fifteenth  
CENTURY

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XVIII

Rulers, Regions  
and Retinues

ESSAYS  
PRESENTED TO  
A.J. POLLARD



Edited by  
LINDA CLARK  
and  
PETER FLEMING

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XVIII

RULERS, REGIONS AND RETINUES  
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THE BOYDELL PRESS

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## ABBREVIATIONS

<i>BIHR</i>	<i>Bulletin of the Institute of Historical Research</i>
<i>BJRL</i>	<i>Bulletin of the John Rylands Library</i>
BL	British Library, London
BNF	Bibliothèque Nationale de France, Paris
Bodl.	Bodleian Library, Oxford
<i>Cal. Inq. Misc.</i>	<i>Calendar of Inquisitions Miscellaneous</i>
<i>CChR</i>	<i>Calendar of Charter Rolls</i>
<i>CCR</i>	<i>Calendar of Close Rolls</i>
<i>CFR</i>	<i>Calendar of Fine Rolls</i>
<i>CIPM</i>	<i>Calendar of Inquisitions Post Mortem</i>
<i>CP</i>	G.E. Cokayne, <i>The Complete Peerage of England, Scotland, Ireland, Great Britain and the United Kingdom</i> , ed. V. Gibbs <i>et al.</i> (12 vols., 1910–59)
<i>CPL</i>	<i>Calendar of Papal Registers. Papal Letters</i>
<i>CPR</i>	<i>Calendar of Patent Rolls</i>
<i>EcHR</i>	<i>Economic History Review</i>
EETS	Early English Text Society
<i>EHR</i>	<i>English Historical Review</i>
<i>Foedera</i>	Thomas Rymer, <i>Foedera, Conventiones, Literae et Cujuscunque Generis Acta Publica</i> (20 vols., 1704–32)
HMC	Historical Manuscripts Commission
<i>HR</i>	<i>Historical Research</i>
<i>Oxford DNB</i>	<i>Oxford Dictionary of National Biography from the Earliest Times to the Year 2000</i> , ed. H.C.G. Matthew and Brian Harrison (61 vols., Oxford, 2004)
PCC	Prerogative Court of Canterbury
<i>PPC</i>	<i>Proceedings and Ordinances of the Privy Council of England</i> , ed. N.H. Nicolas (7 vols., 1834–7)
<i>PROME</i>	<i>Parliament Rolls of Medieval England, 1275–1504</i> , ed. Chris Given-Wilson <i>et al.</i> (16 vols., Woodbridge, 2005)
RO	Record Office
<i>Rot. Parl.</i>	<i>Rotuli Parliamentorum</i> (6 vols., 1767–77)
RS	Rolls Series

<i>Statutes</i>	<i>Statutes of the Realm</i> (11 vols., 1810–28)
<i>STC</i>	<i>A Short-Title Catalogue of Books Printed in England, Scotland and Ireland and of English Books Printed Abroad, 1475–1640</i> , ed. A.W. Pollard and G.R. Redgrave, 2nd edn., revised by W.A. Jackson <i>et al.</i> (3 vols., 1976–91)
TNA	The National Archives, Kew
<i>TRHS</i>	<i>Transactions of the Royal Historical Society</i>
<i>VCH</i>	<i>Victoria County History</i>

Unless stated otherwise, the place of publication of books cited is London.

## PREFACE

The present volume, a festschrift for Professor A.J. (Tony) Pollard, owes its existence to an initiative by one of his former postgraduate students, Professor Anne Curry. The essays collected here, offered by three generations of his friends and pupils, celebrate Tony's outstanding career and pay tribute to his scholarship and enduring influence in furthering our understanding of late medieval England and France. Drawing inspiration from his own research interests and writing, which illuminate the military, political and social interactions of the period, they focus on three main themes: the contrasting styles of governance adopted by English monarchs from Richard II to Henry VII; the differing responses to civil conflict revealed in a variety of localities; and the lives of men recruited to fight overseas during the Hundred Years' War and beyond the border with Scotland. These topics take us across England from the far north to the Channel, to London, the south-west and the Welsh lordship of Gower, while on the way also examining how townsmen resisted taxation, the gentry administered their estates and the western marches were ruled.

We are grateful to all the contributors for their help in the volume's production, and we owe particular thanks to Anne Curry for her staunch support and guidance, and to Tony's wife Sandra, whose excavations in files and bookshelves enabled the compilation of a comprehensive bibliography of his published works.

Linda Clark and Peter Fleming



## PART I: RULERS



# TYRANNY AND AFFINITY: THE PUBLIC AND PRIVATE AUTHORITY OF RICHARD II AND RICHARD III<sup>1</sup>

*Gwilym Dodd*

‘Britain mourns a monster – because he was a king’. These were the opening words of Polly Toynbee’s reflection on Richard III’s interment in Leicester cathedral on 26 March 2015.<sup>2</sup> How could it be, she asked, that thousands – 20,000, by all accounts – came to Leicester to humble themselves before the bones of this ‘child-murdering tyrant’? It is a question which need not detain us here, except to suggest that perhaps the media frenzy and popular interest surrounding the discovery of Richard’s remains in 2012, and his reburial three years later, was in part the product of a perfect combination of royal intrigue, historical notoriety and murder most foul.<sup>3</sup> So who *did* kill the Princes in the Tower? On the basis of probability the Princes were killed on the orders of Richard III, but in the absence of definitive proof scholars have sensibly tended to focus on the point that Richard III was *believed* to have had his nephews killed.<sup>4</sup>

For contemporaries, however, it was not necessarily Richard’s infanticide which informed their view that the king was a tyrant. Just over forty years ago Tony Pollard wrote an article entitled ‘The Tyranny of Richard III’, in which he focused exclusively on Richard’s use of his affinity to understand why the king sat on the throne for barely two years.<sup>5</sup> It was how the king governed the shires, rather than what happened in the Tower, which did most to turn late fifteenth-century public opinion against him. Pollard showed how Richard’s ‘plantation’ policy violated the accepted norms of late medieval kingship and ultimately led to his downfall in 1485. Subsequent work on the reign of Richard III owed much to Pollard’s characteristically incisive and erudite contribution to the subject. But the question of the king’s (mis)management of local government, his relationship with particular regions and

<sup>1</sup> I would like to thank Matt Hefferan and Matt Ward for their stimulating discussions on the subject of this paper, and for reading an earlier draft. All errors remain my own.

<sup>2</sup> <http://www.theguardian.com/commentisfree/2015/mar/26/britain-king-richard-iii-tyrant#comments> (accessed Feb. 2016).

<sup>3</sup> Toynbee suggested that the spectacle revealed ‘the indignity the British accept in their accustomed role as subjects, not citizens’. Her column attracted 2,389 comments.

<sup>4</sup> A.J. Pollard, *Richard III and the Princes in the Tower* (Stroud, 1991), 127, 132, 135–9.

<sup>5</sup> *Idem*, ‘The Tyranny of Richard III’, *Journal of Medieval History*, iii (1977), 147–66.



the use (or misuse) of his royal affinity finds resonance in other reigns and is of particular relevance in understanding the phenomenon of 'failed kingship'. In what follows I draw out the broader context of Richard III's retaining policy before moving on to consider in detail the circumstances of Richard II's retaining policy, for it is Richard II who is generally considered to have 'invented' the phenomenon of the extended royal affinity. Both kings share poor historical reputations. To a large extent these reputations are built on the supposition that their reliance on affinities exposed the 'private' and unrepresentative nature of the authority they wielded over their subjects and therefore their failure to understand some of their basic obligations as kings.

But first, let us establish what happened in both instances. In October 1483, shortly after seizing the throne from his young nephew, Richard III faced a serious rebellion. Misleadingly known to posterity as 'Buckingham's Rebellion', after Richard's erstwhile most loyal lieutenant, Henry Stafford, duke of Buckingham, the rebellion was not in fact led or even initiated by the duke, but was far more grassroots in origin and involved large numbers of the more substantial gentry of the southern English counties, many of whom had no connection to the duke at all.<sup>6</sup> The rebellion was relatively easily crushed by Richard III, primarily because Buckingham was captured and executed before momentum could be achieved. The king then began to appoint loyal northern retainers into positions of prominence in the south to shore up support for the regime. In so doing, he transgressed a fundamental principle of medieval government which ordained that the rule of the shires ought to be placed in the hands of local men, the established magnates and gentry, who could govern with knowledge of local conditions and with the consent of the local population.<sup>7</sup> Richard III's colonisation of the southern shires by his northern followers almost certainly cost him the support of a sizeable and influential part of the political community. The Croyland chronicler, based in Lincolnshire and writing in April 1486, reported that Richard III's northern allies were 'planted in every spot throughout [King Richard's] dominions, to the disgrace and loudly expressed sorrow of all the people in the south, who daily longed more and more for the hoped-for return of their ancient rulers, rather than the present tyranny of these people'.<sup>8</sup>

Ninety years before this, Richard II similarly courted controversy by singling out Cheshire and its inhabitants for special favour and honour. On 25 September 1397 Cheshire was elevated to the status of a principality, thereby becoming a region of England uniquely identified with, and aligned to, the interests of the monarch.<sup>9</sup> At the same time, Richard initiated a massive recruitment of Cheshiremen into the royal affinity, so that within a matter of months it appeared that men from the north-west had come entirely to monopolise the king's affections.<sup>10</sup> Contemporaries remarked on the inappropriate familiarity with which the Cheshire archers behaved towards

<sup>6</sup> See Charles Ross, *Richard III* (New Haven, CT, and London, 1981), ch. 6.

<sup>7</sup> Pollard, 'Tyranny', 162.

<sup>8</sup> *Ingulph's Chronicle of the Abbey of Croyland: With the Continuations by Peter of Blois and Anonymous Writers*, ed. H.T. Riley (1854), 496.

<sup>9</sup> R.R. Davies, 'Richard II and the Principality of Chester 1397–9', in *The Reign of Richard II: Essays in Honour of May McKisack*, ed. F.R.H. Du Boulay and C.M. Barron (1971), 256–79. For the enactment, see *PROME*, vii. 355–6; *Statutes*, ii. 100–1 (ix).

<sup>10</sup> J.L. Gillespie, 'Richard II's Cheshire Archers', *Transactions of the Historic Society of Lancashire and Cheshire*, cxxv (1974), 1–39; Chris Given-Wilson, *The Royal Household and the King's Affinity: Service, Politics and Finance in England 1360–1413* (New Haven, CT, and London, 1986), 222–3.

their king.<sup>11</sup> Richard II did not use them to displace local elites, as Richard III was to do, but in September 1397 he had them surround parliament and intimidate the MPs into political submission.<sup>12</sup> The Cheshiremen gained a reputation for unchecked lawlessness and unruliness. According to the chronicler Adam Usk it was Richard II's retaining of Cheshiremen that was 'the chief cause of his ruin'.<sup>13</sup>

In both contexts it is evident that the preferential treatment given by the king to particular regions of his kingdom was symptomatic of a failure to attract broader support for his rule. Far from strengthening the king's hand, as these policies were intended to do, they fundamentally weakened his position and contributed to his demise a short while later. But did the 'regional favouritism' pursued by the two Richards turn them into tyrants? This is a question for which there is no clear answer, for the propriety of the label 'tyranny' depends entirely on whose terms and in whose perspective it is defined. This point underpinned Pollard's analysis of Richard III, for his purpose was not to 'prove' that Richard III was a tyrant but to understand why some contemporaries might have thought of him in these terms. In his conclusion Pollard argued that Ricardian apologists who had sought to rehabilitate Richard's reputation by arguing that he was the victim of scurrilous Tudor propaganda had overlooked the enormous discontent which his plantation policy had generated in the south of England. To this extent, Richard III's actions validated the harsh contemporary judgments made of him. Pollard further noted, however, that the 'Tudor Tradition' was not without its problems, for it ignored the northern perspective, which generally viewed Richard with favour, and it was entirely unwilling to 'treat the plight and dilemma of the man with sympathy'.<sup>14</sup>

Understanding *why* Richard III displaced the southern gentry with his northern retainers must certainly remain central to any historical judgment of the abilities and achievements of the king. As Pollard intimated, it was no premeditated act of tyranny but rather a response to circumstances, perhaps even an act of desperation, introduced by a king who had few other options to hand. The challenges Richard faced once he had crushed the rebellion were formidable, for those who had taken up arms were men whom the king thought he could rely upon because they were long-serving members of the Yorkist establishment and many were former household servants of his brother, Edward IV.<sup>15</sup> Ironically, his problems were compounded by the swiftness and efficiency with which the rebellion had been crushed, for this had prevented the full extent of the disaffection among the southern gentry from coming to light, so the shadow of suspicion hung heavy and widely over the dozen or so counties in which the sedition had fomented. In these circumstances, and with an urgent need to rebuild royal authority in the affected areas, Richard 'had little choice but to turn to men with whom he had already had dealings and this, in many cases, meant men whose primary interests lay in other parts of the country'.<sup>16</sup> The plantations, then, were the product of pragmatism rather than political ideology. It was a set of adverse circumstances, rather than a conviction in authoritarian rule, which had forced Richard's

<sup>11</sup> M.V. Clarke and V.H. Galbraith, 'The Deposition of Richard II', *BJRL*, xiv (1930), 125–81, at 163–4.

<sup>12</sup> *Chronicles of the Revolution, 1397–1400: The Reign of Richard II*, ed. and trans. Chris Given-Wilson (Manchester, 1993), 56–7.

<sup>13</sup> *The Chronicle of Adam Usk 1377–1421*, ed. Chris Given-Wilson (Oxford, 1997), 49.

<sup>14</sup> Pollard, 'Tyranny', 163.

<sup>15</sup> Rosemary Horrox, *Richard III: A Study in Service* (Cambridge, 1989), 161, 170–1.

<sup>16</sup> *Ibid.*, 182.

hand. Dislocating the landed elites of southern England was not in itself Richard's aim, but was the by-product of an overriding priority to establish security for the regime. Above all, Richard III's purpose was to re-establish a household presence in the south: this still allowed plenty of opportunity for the southern gentry to participate in the governance of their shires. Certain aspects of what the king did might thus qualify as 'tyrannical', according to strict contemporary definitions of the term,<sup>17</sup> but to describe the king as a 'tyrant' is too blunt an instrument for historians to use safely without foregoing vital context and perspective.

If Richard III's mitigation was that he was to a great extent a prisoner of circumstances beyond his control (even if he had done much initially to create these circumstances by deposing Edward V), no such extenuation apparently extends to Richard II. His elevation of Cheshire to the status of principality and the formation of a bodyguard comprising men from that region were, on the face of it, actions driven almost wholly by an agenda set by the king himself. Richard's territorial reordering of the north-west has been seen as a manifestation of his 'taste for self-dramatization',<sup>18</sup> and in more practical terms, as part of a grand scheme to create an 'inner citadel' within his kingdom; that is, a single consolidated bloc of territory (also incorporating the principality of Wales) that was significantly to enhance the king's strength and security.<sup>19</sup> Richard's *stated* purpose for his territorial reordering was to provide for 'the greater honour of his eldest son' – when, and if, he produced an heir – which suggests that the new principality was created with much longer-term dynastic considerations in mind and also, perhaps, with a more creditable rationale at play than historians have been prepared to admit.<sup>20</sup>

On his recruitment of Cheshire archers, however, Richard II has received nothing but criticism. The historical consensus is that the formation of the Cheshire bodyguard reflected the king's neurotic state of mind and the supremely dysfunctional nature of his kingship. As James Gillespie noted of the Cheshire retinue, 'by favouring one portion of his realm over all others, Richard, in his attempt to defend the Crown, lost the special status that his regality had given him. He appeared to be no different from a duke of Gloucester, or perhaps a duke of Lancaster.'<sup>21</sup> We can certainly criticise Richard for recruiting Cheshire archers, but did this make him a tyrant? His Lancastrian enemies certainly thought so. Thomas Walsingham spared no effort in castigating Richard's archers as the scourge of the kingdom, for as they travelled around with the king it was said that they 'beat, injured, and killed with dreadful cruelty, and with impunity, the loyal subjects of the king ... Furthermore they even abducted wives and other women and raped them without anyone daring to oppose them.'<sup>22</sup> Walsingham (and other commentators) appear to

<sup>17</sup> Jean Dunbabin, 'Government', in *The Cambridge History of Medieval Political Thought, c.350–c.1450*, ed. J.H. Burns (Cambridge, 1988), 477–519, at 493–8; J.M. Blythe, *Ideal Government and the Mixed Constitution in the Middle Ages* (Princeton, NJ, 1992), 47–50.

<sup>18</sup> Davies, 'Richard II and the Principality of Chester', 257.

<sup>19</sup> Nigel Saul, *Richard II* (New Haven, CT, and London, 1997), 393. The phrase 'inner citadel' was coined by T.F. Tout, *Chapters in the Administrative History of Medieval England* (6 vols., Manchester, 1920–8), iv, 59.

<sup>20</sup> *Statutes*, ii, 100–1 (ix).

<sup>21</sup> Gillespie, 'Richard II's Cheshire Archers', 1–2. And see also his concluding remarks in 'Richard II's Archers of the Crown', *Journal of British Studies*, xviii (1979), 14–29, at 29.

<sup>22</sup> Thomas Walsingham, *The St. Albans Chronicle: The Chronica Maiora of Thomas Walsingham*, ed. John Taylor, W.R. Childs and Leslie Watkiss (2 vols., Oxford, 2003, 2011), ii, 77.

have been taking their cue from article five of the deposition charges of September 1399, which accused Richard (among other things) of gathering 'together a great number of malefactors from the county of Chester ... cruelly killing some of the king's subjects, beating and wounding others, plundering the goods of the people ... and raping and ravishing both married and unmarried women'.<sup>23</sup> But these were victors' tales. In fact, there is little evidence to suggest that Richard used his Cheshire archers systematically to terrorise his people.<sup>24</sup> Their presence seems to have roused the curiosity rather than the opprobrium of contemporary commentators.<sup>25</sup> The one source written before 1399 which recorded the events of the parliament of September 1397, the Kirkstall chronicle, made no mention of the fact that Cheshire archers were present at the assembly.<sup>26</sup> The Monk of Evesham's account, while condemning the archers in general terms, nevertheless ascribed to them a clear and logical motive for drawing back their bows in the presence of the MPs; that is to say, they thought some quarrel or dissension had broken out.<sup>27</sup> Adam Usk was even more matter of fact about the incident, possibly reflecting the neutral tones of his original source, apparently written at the time of the parliament itself.<sup>28</sup> On the face of it, the Cheshire archers seem to have outraged modern historians more than those contemporaries who actually lived under their supposed tyranny. What probably disturbed the political establishment of the late fourteenth century most, focused as it was on the south-east of England, was the prospect of northerners – and low-born northerners at that – lording it over them with the connivance of the king.<sup>29</sup> It is thus difficult to argue with the idea that Richard's elevation of Cheshire and its inhabitants was dangerous and unwise, but imprudence does not automatically equate with tyranny.

There is an additional element to Richard II's 'recruitment policy' that continues to fuel debates about the acceptable norms of late medieval kingship. Thanks largely to the pioneering work of Chris Given-Wilson, we know that Richard II began

<sup>23</sup> *Chronicles of the Revolution*, ed. Given-Wilson, 174.

<sup>24</sup> See my discussion, 'Getting Away with Murder: Sir John Haukeston and Richard II's Cheshire Archers', *Nottingham Medieval Studies*, xlv (2002), 102–18, where I suggest that the notoriety of the Cheshire archers was in part fuelled by the high-profile murder during the parliament of Sept. 1397 of one of Henry of Bolingbroke's servants by Sir John Haukeston, a Cheshireman.

<sup>25</sup> See Tim Thornton, 'Cheshire: the Inner Citadel of Richard II's Kingdom', in *The Reign of Richard II*, ed. Gwilym Dodd (Stroud, 2000), 85–96, at 93.

<sup>26</sup> *Chronicles of the Revolution*, ed. Given-Wilson, 94–6.

<sup>27</sup> *Ibid.*, 57.

<sup>28</sup> *Chronicle of Adam Usk*, ed. Given-Wilson, 22–5. Usk was highly critical of the archers elsewhere in his chronicle: 48–9. See discussion by Chris Given-Wilson, 'Adam Usk, the Monk of Evesham and the Parliament of 1397–8', *HR*, lxvi (1993), 329–35, who suggests that the original account of the parliament was written by a chancery clerk: 333.

<sup>29</sup> 'And these men were not from the gentry of the land, but had been drawn either from the countryside or from a cobbler's shop, or from some other trade. At home they had been regarded as scarcely worthy of removing their masters' shoes, but here they considered themselves the equals and comrades of lords': Walsingham, *St. Albans Chronicle*, ed. Taylor *et al.*, ii, 77. For contemporary concerns about the social deviance of retaining, see Nigel Saul, 'The Commons and the Abolition of Badges', *Parliamentary History*, ix (1990), 302–15, esp. 311–13. On southern prejudices against northerners, and a North–South divide, see H.M. Jewell, *The North–South Divide: The Origins of Northern Consciousness in England* (Manchester, 1994); A.J. Pollard, *Imagining Robin Hood: The Late-Medieval Stories in Historical Context* (2004), 64–5; Andy King, '"Fer in the North, I Kan Nat telle Where": Gentility and Provincialism in Chaucer's Reeve's Tale', *Nottingham Medieval Studies*, lvii (2013), 89–110, esp. 102–3. There are obvious parallels to be drawn with Richard III's plantation policy, for which see Pollard, 'Tyranny', 162–3.

recruiting gentry into the royal affinity far more systematically from around 1389. Although the phenomenon of the royal affinity was not new, Richard's approach to gentry recruitment has been seen to mark a sea-change in royal policy, since it was political support in the localities rather than military service in royal armies serving overseas that was the driving force behind the creation of the affinity.<sup>30</sup> For Given-Wilson, and those following in his wake, Richard's recruiting policy was seen in positive terms, as a laudable attempt to increase royal authority and boost the king's influence in the localities. More recently, however, this approach has been challenged by Alison Gundy in her work on Thomas Beauchamp, earl of Warwick, which develops ideas explored by Helen Castor in her analysis of the duchy of Lancaster in the fifteenth century.<sup>31</sup> Since Gundy's revisionism represents a significant shift in appraisals of Richard's recruiting policy, it is necessary to explore the implications in more detail.

Gundy's main contentions are as follows. Firstly, and most importantly, she suggests that Richard II did not *need* a royal affinity. She argues that, in recruiting knights and esquires, Richard fundamentally misunderstood his role as king, in particular by failing to understand that his subjects' 'loyalty and obedience was normally given freely',<sup>32</sup> and that they 'were not naturally predisposed to disobey him'.<sup>33</sup> It was as a result of this basic misconception that Richard lost the trust of his people and caused the political troubles of his reign. Secondly, Gundy argues that positive appraisals of the royal affinity stem 'from the notion that the late medieval monarchy was inherently weak'<sup>34</sup> and that the monarch was in a constant state of conflict with his subjects. In particular, she criticises those who have praised Richard's recruitment of gentry because these scholars have ignored the underlying McFarlanite principle that it was common interest rather than patronage that was the essential dynamic of late medieval politics.<sup>35</sup> Thirdly, Gundy argues that the royal affinity fundamentally degraded royal authority because it replaced the king's crucial reliance on noble support with a specious dependence on the gentry, a relationship that signalled that the crown 'had lost ground to the gentry'.<sup>36</sup> And, finally, she suggests that there are major constitutional and conceptual problems attached to the royal affinity, for it was inherently a mechanism of noble power and was therefore essentially at odds with the notion of the universal authority of a king because it turned his public, royal authority into the private, faction-driven lordship of a regional magnate.<sup>37</sup> Here, Gundy directly echoes the views expressed by James Gillespie in his work on the Cheshire archers.

<sup>30</sup> Chris Given-Wilson, 'The King and the Gentry in Fourteenth-Century England: The Alexander Prize Essay', *TRHS*, xxxvii (1987), 87–102, esp. 93–4.

<sup>31</sup> Alison Gundy, 'The Earl of Warwick and the Royal Affinity in the Politics of the West Midlands, 1389–1399', in *Revolution and Consumption in Late Medieval England*, ed. Michael Hicks (Woodbridge, 2001), 57–70; *eadem*, *Richard II and the Rebel Earl* (Cambridge, 2013). See also Helen Castor, *The King, the Crown, and the Duchy of Lancaster: Public Authority and Private Power, 1399–1461* (Oxford, 2000).

<sup>32</sup> Gundy, 'Earl of Warwick', 59.

<sup>33</sup> Gundy, *Richard II and the Rebel Earl*, 29.

<sup>34</sup> Gundy, 'Earl of Warwick', 58.

<sup>35</sup> Gundy, *Richard II and the Rebel Earl*, 14–15.

<sup>36</sup> *Ibid.*, 12–13.

<sup>37</sup> *Ibid.*, 23; Castor, *King, Crown and Duchy of Lancaster*, 17–18.

There is not the space to explore the significance of Gundy's conclusions at length, but insofar as they have far-reaching implications for our understanding of Richard II's kingship in particular, and the place of the royal affinity in the late medieval polity in general, some preliminary observations may be offered. Firstly, one of the problems with Gundy's analysis is that she draws broader conclusions about Richard's use of his affinity by using as a case study the experiences of a nobleman (the earl of Warwick) who, as one of the senior Appellants, had proved himself to have been rather less than a dependable and loyal subject to the king. Gundy describes Richard's use of his supporters to undermine Warwick's position in the west Midlands as 'tyranny',<sup>38</sup> but it could equally be characterised as the affirmation of royal authority in a region dominated by a dissident nobleman. This brings us to the broader question of trust. Criticism of Richard's retaining policy rests on the premise that he could, and should, have pursued alternative strategies to re-establish his authority after the debacle of 1388. But it is not clear what these strategies might have entailed, nor how realistic they might have been in the circumstances of the time. In 1388 Richard had suffered the most devastating blow to his authority. While the principle that the king's subjects were predisposed to obey their king may hold good in a general sense, in the context of Richard's reign this was self-evidently not the case.

If it is true that the 'Merciless Parliament' of February 1388 had been preceded by an aborted deposition in December 1387,<sup>39</sup> Richard had every reason to doubt the innate respect which some of his senior nobles had for his position as their king. What had propelled these men into a position from which they could threaten to overthrow him was not a wave of popular support or the solid backdrop of constitutional principle but their own armed retinues. It was these armed retinues that, in December 1387, allowed the Appellants to rout royal forces at Radcot Bridge and which, a short time later, forced the king to submit to their will.<sup>40</sup> If Thomas Walsingham is to be believed, as late as 1397 Richard thought the duke of Gloucester capable of raising 'thousands of soldiers' for his own purposes.<sup>41</sup> Perhaps for Richard, just as concerning was the possibility of his less exalted subjects seizing opportune moments to overwhelm him with force: in 1391 William Mildenhall of London was mainperned for good behaviour having admitted to concealing from the king and council the disrespectful words his father had spoken about the king, including the significant comment that with twelve men at his disposal his father thought it would be easy to take the king out, especially because, his father noted, 'he [the king] often rides from his manor of Sheen to London with a few men of little resistance in his company'.<sup>42</sup> These are the circumstances in which we must view – and judge – Richard's

<sup>38</sup> Gundy, 'Earl of Warwick', 69: 'the king's tyranny must have had a profound effect on those who found themselves to be the victims of it' and 'Richard's tyranny over West Midlands society was such that no one dared actively to oppose him'.

<sup>39</sup> *The Reign of Richard II: From Minority to Tyranny 1377–97*, ed. and trans. A.K. McHardy (Manchester, 2012), 206. According to Nigel Saul, the incident 'has a ring of truth' to it: Saul, *Richard II*, 190.

<sup>40</sup> According to the monk of Westminster, the Appellants took with them an escort of '500 well-armed men' to the Tower of London to confront the king: *The Westminster Chronicle 1381–1394*, ed. and trans L.C. Hector and B.F. Harvey (Oxford, 1982), 226–7.

<sup>41</sup> Walsingham, *St. Albans Chronicle*, ed. Taylor *et al.*, ii. 69.

<sup>42</sup> CCR, 1389–92, p. 527.



recruitment policy of the 1390s. If the policy was driven by a sense of insecurity, this was not a failure of character or indicative of Richard's misunderstanding of his role as king, but a natural reaction to the traumatic events of the late 1380s.

The debate should thus turn not on the proposition that gentry recruitment was inherently a good or bad thing, but whether *in the circumstances* Richard's policy was sensible and realistic. In this regard, it is worth recalling that Richard himself had been initially sceptical about affinity-building. In the Cambridge Parliament of September 1388 the Commons had petitioned against the distribution of livery badges, and Richard had offered to lay aside his own badges as an example to others.<sup>43</sup> Given recent events, the total prohibition of livery distribution would probably have suited the king's interests very well, but the proposition was unrealistic and instead an interim agreement was made that offered a series of more limited restrictions.<sup>44</sup> Significantly, when a final settlement was reached in a council meeting held in April 1390 these earlier limitations had been watered down, almost certainly at the behest of the magnates who attended the meeting, rather than of Richard himself.<sup>45</sup> It is quite possible that John of Gaunt, as lord of the greatest affinity of the time, led this opposition. To some extent, therefore, Richard's hand was forced. And it was forced not just by pressure from senior nobles but by the broader socio-political shifts of the later fourteenth century in which 'bastard feudalism' had become an integral and irreversible feature of the political organisation in the localities.<sup>46</sup> To suggest that Richard might have remained aloof from these developments and trusted his subjects not to use their retinues against him displays admirable regard for the principled actions of his nobles, but it also seriously underestimates and simplifies the dilemma that he faced. The retinue allowed a nobleman to raise a force and have it in the field with almost immediate effect, whereas the king could raise an army only through the traditional and more time-consuming county musters and indenture system. This did not make the king inherently weak in relation to all his subjects, but it did make him vulnerable to especially powerful noblemen at times of heightened political tension.

All this, however, skirts around the more deep-seated criticism aimed at the overall concept of the royal affinity.<sup>47</sup> In essence, the argument runs that the royal affinity fundamentally undermined the king's claim to rule impartially in the interests of all his subjects because he would naturally favour his own interests and his own men above those of local lords and other affinities. Retaining gentry thus 'privatised' the public authority of the king and resulted in the destabilisation of local structures of power. Again, it is not my intention to offer a detailed critique of a model of late

<sup>43</sup> *Westminster Chronicle 1381–1394*, ed. Hector and Harvey, 356.

<sup>44</sup> *PROME*, vii. 149.

<sup>45</sup> R.L. Storey, 'Liveries and Commissions of the Peace 1388–90', in *The Reign of Richard II*, ed. Du Boulay and Barron, 146. Christopher Fletcher has argued more broadly that Richard's power was curtailed by conciliar control well into the 1390s: *Richard II: Manhood, Youth and Politics, 1377–99* (Oxford, 2008), 209–12.

<sup>46</sup> See Christine Carpenter's tripartite schema of late medieval English political culture, in which she dates the third, 'bastard feudal', phase from the mid 14th century: Christine Carpenter, 'Political and Geographical Space: the Geopolitics of Medieval England', in *Political Space in Pre-Industrial Europe*, ed. Beat Kümin (Aldershot, 2009), 119. She has developed these ideas more recently in 'Bastard Feudalism in the Fourteenth Century', in *Kings, Lords and Men in Scotland and Britain, 1300–1625: Essays in Honour of Jenny Wormald*, ed. Steve Boardman and Julian Goodacre (Edinburgh, 2014), 59–92, esp. 70–81.

<sup>47</sup> Castor, *King, Crown, and Duchy of Lancaster*, 16–17.

medieval political history that has now become established orthodoxy, but a number of observations are apposite to the current discussion. In the first place, contemporary attitudes to royal retaining were far from unequivocal. While there were requests for the king to stop distributing liveries, notably in April 1384, September 1388, January 1390 and 1401, the target of these requests was specifically the distribution of livery *badges*: at no point were the Commons (or anyone else) questioning the king's right to retain men in his retinue or affinity.<sup>48</sup> What seems to have been at issue was not retaining *per se*, but the *type* of retaining the king (and the nobility) engaged in: 'rent-a-mob' casual retaining, signified above all by the easy distribution of badges to men of low social status, was what vexed contemporaries, for this was seen to be the cause of lawlessness and disorder; attaching men to the household, as long-term servants and associates, was not.<sup>49</sup> In 1399 parliament enacted the most far-reaching legislation on the matter to date by imposing severe restrictions on retaining by lords; but explicit provision was made allowing that

our said lord the king, and only he, may give his honourable livery to any temporal lords he pleases. And excepting also, that our same lord the king may give his said honourable livery to his household knights and esquires, and also to his knights and esquires who are of his retinue and who take from him their annual fee for the term of their lives.<sup>50</sup>

Underlying the statute was an assumption that while retaining was dangerous in the hands of the king's subjects, and especially in the hands of lords, in the hands of the king the retinue served a legitimate and 'honourable' purpose. This is an important counterpoise to arguments that an affinity projected essentially noble rather than royal authority. Here, in 1399, the affinity – or retinue – was defined above all, and exclusively, as an instrument of the crown. Implicitly, it was being framed as a 'public' institution.

While the argument that the royal affinity exposed the private nature of a king's power has obvious and particular application to Henry IV, because he was a usurper king who ruled through the questionable legitimacy of a Lancastrian affinity, it does not automatically follow that this interpretative model applies to the general retaining that Richard II undertook in the 1390s. There is a danger in assuming that Richard's sole purpose in retaining gentry was to upset the local balance of power, when in fact this appears to have been a by-product of a broader policy that aimed to

<sup>48</sup> For Apr. 1384, see *Westminster Chronicle 1381–1394*, ed. Hector and Harvey, 80–3; for Sept. 1388 see *ibid.*, 356–8; for Jan. 1390, see *PROME*, vii. 149, and Walsingham, *St. Albans Chronicle*, ed. Taylor *et al.*, i. 897; and for 1401, see TNA, SC8/100/4985, printed in Saul, 'Commons and the Abolition of Badges', 314–15 (Saul also provides very useful broader context to the subject). The fact that the petition of 1401 was not formally enrolled on the parliament roll – a point mostly overlooked by modern commentators – suggests that its demand for the abolition of badges distributed by the crown was not a view that commanded overwhelming political support. For a general overview of the legislation on liveries in this period, see Jonathan Rose, *Maintenance in Medieval England* (Cambridge, 2017), 274–85.

<sup>49</sup> See, for example, the petition of the Commons presented in Jan. 1397, which specified that 'valets called yeomen, and others of lesser estate than squire, shall not use nor wear any emblem or livery called livery of company of any lord in the realm, if he be not a menial or servant or a continual officer of his said lord': *PROME*, vii. 327; *Statutes*, ii. 93 (2) (my emphasis).

<sup>50</sup> *PROME*, viii. 38; *Statutes*, ii. 113–14 (c. 7); *CCR*, 1399–1402, p. 182.