

## County and Community in Medieval England\*

The following are two typical ‘county community’ petitions from the first half of the fourteenth century, presented in the parliaments of 1322 and 1344 respectively:

1. To our lord the king and to his council, the community of the county of Lincolnshire [*la communalte du conte de Nicole*] ask that he should have regard for the mischiefs and losses that have occurred and still occur as a result of animal murrain, flooding of low-lying land, failure of corn and because people have been taken and put to ransom by the king’s enemies and rebels, and many have abandoned their lands and houses, through malice and for fear of these enemies, so that much of the land of the county is unsown. Notwithstanding this, Robert Darcy and Piers Breton are demanding 4,000 well-armed foot-soldiers from the community, with ten shillings per soldier for expenses, which amounts to 8,000 *li*, including their armour, which sum, with the aforesaid charge, the county cannot afford without being destroyed forever. Moreover your bailiffs and ministers have taken a great amount of corn and malt for the king’s use, to the great harm of the county. For which things, for God, they request that he consider their misfortunes, protesting that they are ready to give him what help they can, if it is done with the counsel of men of good will who know the county.<sup>1</sup>

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<sup>1</sup> 1322: The National Archives [hereafter TNA], SC 8/6/259; printed in *Rotuli Parliamentorum* (6 vols., London, 1767–77) [hereafter *Rot. Parl.*], i. 400, no. 79. I have chosen to translate the word *communalte* as ‘community’ in line with modern scholarly convention, though a more literal translation might be ‘commonalty’. The meaning of the two terms is very similar, though ‘commonalty’ suggests a particular connection to the idea of the ‘common people’: *Anglo Norman Dictionary* (Modern Humanities Research Association,

2. To our lord the king and his council pray the commons of the county of Bedfordshire [*la commune de counte de Bed*'] and Thomas, son and heir of Thomas de Studeley; [they state that] Henry Chalfont, sheriff of Bedfordshire, has given our lord the king and his council to understand that he has not levied, or been able to levy, more than 60s of the common fine of 100 marks at which Thomas de Studeley was assessed in the said county, although after Thomas's death he seized goods and chattels worth 100 marks and more, as he has acknowledged, and as is on record in the exchequer. The said commons and Thomas's son and heir ask that they might not be charged beyond law and reason, and against Henry Chalfont's recognisance, which is quoted below in this bill.

In the roll of estreats made before John Dengayne in the county of Bedfordshire in the sixteenth year.<sup>2</sup>

Are these requests evidence of the existence of 'county communities' in the first half of the fourteenth century? This is a question that entirely turns on our definition of 'county community'. These petitions do not provide evidence for the existence of a set of independent gentry who identified themselves solely with their respective counties and who together formed a clearly defined and exclusive social community ruling their shire. But they do show that 'county community'—or 'community of the county'—was a concept invoked by

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2002–6), s.v. 'communalité', available at <http://www.anglo-norman.net/D/communalte> (accessed 16 May 2016). For discussion of the term, see E. Steiner, 'Commonalty and Literary Form in the 1370s and 1380s', in D. Lawton, R. Copeland and W. Scase, eds., *New Medieval Literatures VI* (Oxford, 2003), pp. 199–221; J. Watts, 'Public or Plebs: The Changing Meaning of "The Commons", 1381–1549', in H. Pryce and J. Watts, eds., *Power and Identity in the Middle Ages: Essays in Memory of Rees Davies* (Oxford, 2007), pp. 242–60, esp. 244–5; and D. Rollison, *A Commonwealth of the People: Popular Politics and England's Long Social Revolution, 1066–1649* (Cambridge, 2010), pp. 91–5.

<sup>2</sup> 1344: TNA, SC 8/32/1588. In the endorsement to the petition, the treasurer and barons of the exchequer were instructed to investigate the matter.

contemporaries. They highlight how regional interests were articulated locally in county terms. They indicate that the concept of a county community could have a concrete application, in the sense that the petitions requested concessions that potentially affected large numbers of the residents of both shires. And, while the first petition expresses a form of local identity or county allegiance based implicitly upon knowledge of, and residence in, the county,<sup>3</sup> the second petition alludes to a common fine which the county, as a corporate body, owed to the Crown.<sup>4</sup> Both cases are typical of a large body of county community petitions kept for the most part in The National Archives series SC 8 ('Ancient Petitions'). They constitute the single most important evidence for grass-roots expressions of county solidarity and, as such, they are used in this discussion to provide the basis for a fresh consideration of this most contentious subject. In what follows, I argue that the county was not merely a creation of administrative expedience on the part of the Crown, but that it provided the basis for real and meaningful expressions of collective identity and for local corporate action. What

<sup>3</sup> On 25 March 1322 Robert Darcy, Robert Breton and Peter Breton were commissioned to levy 4,000 footmen in Lincolnshire for Edward II's expedition to Scotland; see S. Phillips, *Edward II* (New Haven, CT, 2010), pp. 425–6. William de Isny and Simon de Lunderthorp were substituted for the Bretons on 6 May 1322, presumably in response to the petition: *Calendar of the Patent Rolls Preserved in the Public Record Office* [hereafter CPR]: *Edward II, AD 1307–1327* (5 vols., 1894), 1321–1324, p. 97.

<sup>4</sup> The fine arose out of Edward III's wholesale purge of local officers in 1340–41. In December 1340 the king had launched a series of special inquiries to weed out corruption in local government. In the case of some counties, including Bedfordshire, officials managed to escape individual punishment by negotiating with the Crown a communal fine to be levied on the county as a whole. Bedfordshire's fine was 2,500 marks. In the parliaments of 1341 and 1343 the Commons requested that all such fines should be paid only by those who had committed the trespasses, but in practice the number of contributors far exceeded the number of office-holders. For background, see W.R. Jones, 'Rex et Ministri: English Local Government and the Crisis of 1341', *Journal of British Studies*, xiii (1973), pp. 1–20; D. Hughes, *A Study of Social and Constitutional Tendencies in the Early Years of Edward III* (Philadelphia, PA, 1978), pp. 209–11. For the Commons' requests, see *The Parliament Rolls of Medieval England, 1275–1504*, ed. C. Given-Wilson et al. (CD-ROM: Leicester, 2005) [hereafter *PROME*], parliament of 1341, item 64; parliament of 1343, item 37. For the legal proceedings and fines pertaining to Bedfordshire, see TNA, JUST 1/31. Since he does not feature in the published records as an office-holder, Studeley would appear to have been one of the unfortunate inhabitants of Bedfordshire paying for the misdemeanours of the county's officials.

underpinned the concept of the ‘county community’ and what gave it particular strength was its inclusivity and flexibility. I conclude my discussion by considering the particular circumstances of the early fourteenth century, which helped stimulate a culture of corporate identity and self-help based on the county unit.

## I

The county community is one of the most hotly contested concepts of late medieval English political historiography. Until the 1990s ‘community’ was very much in scholarly vogue, but in 1994 Christine Carpenter published an article which effectively spelled the end of the county community approach to late medieval regional studies.<sup>5</sup> At the start of her discussion, Carpenter indicated her intentions clearly: ‘[t]here is now a strong case for banning the word “community” from all academic writing and an even stronger one for banning it from the vocabulary of politics’.<sup>6</sup> On the face of it, the proposition is absurd, given the centrality of the concept of ‘community’ to medieval political discourse and political theory,<sup>7</sup> but Carpenter’s assertion was an important and necessary admonition against the uncritical and loose use of

<sup>5</sup> It is noticeable that Malcolm Mercer, in *The Medieval Gentry: Power, Leadership and Choice during the Wars of the Roses* (London, 2010), refuses to be drawn into discussion of the merits of the county community approach to local studies (pp. 21–3).

<sup>6</sup> C. Carpenter, ‘Gentry and Community in Medieval England’, *Journal of British Studies*, xxxiii (1994), pp. 340–80, at 340.

<sup>7</sup> See, in particular, J.G. Edwards, ‘The *Plena Potestas* of English Parliamentary Representatives’, in E.B. Fryde and E. Miller, eds., *Oxford Essays in Medieval History Presented to H.E. Salter* (Oxford, 1934), pp. 141–54, repr. in eid., eds., *Historical Studies of the English Parliament, I: Origins to 1399* (Cambridge, 1970), ch. 4; J.P. Genet, ‘Political Theory and Local Communities in Later Medieval France and England’, in J.R.L. Highfield and R. Jeffs, eds., *The Crown and Local Communities in England and France in the Fifteenth Century* (Gloucester, 1981), pp. 19–32; and M. Prestwich, ‘Parliament and the Community of the Realm in Fourteenth-Century England’, in A. Cosgrove and J.I. McGuire, eds., *Parliament and Community: Papers Read before the Irish Conference of Historians, Dublin, 27–30 May 1981* (Historical Studies, 14; Belfast, 1983), pp. 5–24.

the term.<sup>8</sup> Carpenter's arguments were aimed at those medievalists who, in her view, had adopted the theoretical framework pioneered in Alan Everitt's 1973 study of seventeenth-century Kent, in which he argued that mid-seventeenth-century England 'resembled a union of partially independent county states or communities, each with its own distinct ethos and loyalty'.<sup>9</sup> Crucially, her arguments were ranged against the concept of the county community defined narrowly as 'a "face-to-face community" and, normally, one that is isolated and has clearly defined borders, both geographical and social'.<sup>10</sup> It was thus relatively straightforward to expose the flaws in such a concept, for the gentry of late medieval England were self-evidently not living in splendid isolation. Their individual and collective outlook was far broader, as a result of marriage links, kinship ties, land-holding, office-holding, business associations, membership of magnate affinities and service to the Crown. This took them, both bodily and in mind, well beyond the borders of the particular county (or counties) where they held their principal residences.

Gentry studies may now be out of fashion, but the concept of the county community has not entirely disappeared. In her discussion, Carpenter drew on the work of social scientists to explore the idea of 'communities of mind' in the world of the late medieval gentry, and although ultimately she found no place for the county in her consideration (mainly because she discussed 'communities of mind' only in narrow social networking terms), subsequent work has demonstrated the importance of the 'imagined' county

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<sup>8</sup> In this, she was preceded by M. Rubin, 'Small Groups: Identity and Solidarity in the Late Middle Ages', in J. Kermode, ed., *Enterprise and Individuals in Fifteenth-Century England* (Stroud, 1991), pp. 132–50, who criticised the use of the term community on the grounds that 'it obscures difference and conflict ... it whitewashes shades of tension, distance, difference' (p. 134). See also the particularly instructive remarks of Susan Reynolds in *Kingdoms and Communities in Western Europe, 900–1300* (2nd edn., Oxford, 1997), pp. xi–lxvi.

<sup>9</sup> Quotation from A. Everitt, *The Community of Kent and the Great Rebellion, 1640–60* (Leicester, 1966), p. 13.

<sup>10</sup> Carpenter, 'Gentry and Community', p. 343.

community in late medieval English political culture.<sup>11</sup> Matthew Holford has shown how the county was not simply (or solely) a linguistic or bureaucratic construct, projected by the Crown into the localities to serve political and administrative expediency, but was ‘a deep-rooted and indispensable way of thinking about locality for a significant proportion of later medieval English society’.<sup>12</sup> Many counties were associated with specialised manufactured goods; others were associated with particular character traits.<sup>13</sup> Counties were frequently cited as a means of placing events and people, whether in chronicles, private correspondence or in works of literature.<sup>14</sup> Individuals commonly identified themselves as coming from a particular county. Occasionally, this could be expressed in very striking terms: in the 1460s Robert Gayton’s declaration in a petition that he had been ‘born in yo[ur] counte of Lyncoln and by natural inclynacion desired to enhabit hym in þe contre of his nativite’ suggests that one’s origins mattered (Gayton was, at the time of the petition, living in London).<sup>15</sup> One of the clearest examples of a grass-roots conceptualisation of the county occurred in 1381 when, according to Thomas Walsingham, the rebel leader John Straw declared that it had been the intention of the rebels to have Wat Tyler created king of Kent, along with similar rulers in each of the other counties of the kingdom.<sup>16</sup> Here was a clear forerunner of Everitt’s

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<sup>11</sup> The concept of an ‘imagined community’ has gained most traction in the context of studies of the medieval nation state. See, in particular, L. Johnson, ‘Imagining Communities: Medieval and Modern’, in S. Forde, L. Johnson and A.V. Murray, eds., *Concepts of National Identity in the Middle Ages* (Leeds, 1995), pp. 1–19; S. Reynolds, ‘The Idea of the Nation as a Political Community’, in L. Scales and O. Zimmer, eds., *Power and the Nation in European History* (Cambridge, 2005), pp. 54–66.

<sup>12</sup> M.L. Holford, ‘Locality, Culture and Identity in Late Medieval Yorkshire, c.1270–c.1540’ (Univ. of York Ph.D. thesis, 2001), ch. 2 (quotation at p. 35).

<sup>13</sup> *Ibid.*, pp. 39–42, for discussion and references.

<sup>14</sup> *Ibid.*, pp. 31–2, for discussion and references.

<sup>15</sup> TNA, SC 8/85/4219. Attachment to one’s place of birth was not unusual in the late Middle Ages, though it was usually expressed in terms of one’s country, rather than one’s county: see M.L. Holford, ‘*Pro patriotis*: “Country”, “Countrymen” and Local Solidarities in Late Medieval England’, *Parergon*, xxiii (2006), pp. 47–70, esp. 52–3.

<sup>16</sup> *The St Albans Chronicle*, I: 1376–1394, ed. J. Taylor, W.R. Childs and L. Watkiss (Oxford, 2003), p. 499.

‘independent county states’. The point is not whether this was truly Tyler’s declared intention, but that the idea itself was current.

The ‘idea’ of the county community, then, saves the term from historiographical oblivion, but is perhaps too convenient a way of sidestepping the original debates surrounding who or what constituted the community. The danger lies in assuming that ‘community’ only existed in the abstract and bore no resemblance to the reality of social and political networks, identities or structures in the regions. In fact, it is not at all clear that community as an idea and community as a social or political structure can be separated in this way: according to David Carr, ‘a community exists where a narrative account exists of a *we* which persists through its experiences and actions’.<sup>17</sup> In other words, the existence of a narrative of community is in itself indicative of the existence of that community. When Anthony Gross wrote his penetrating critique of the concept of the county community in 1998, he appeared to accept a more promising methodological approach: ‘almost all historians would acknowledge that community itself resides not in any distinct, identifiable and interconnected body of persons but rather in the connection and identity which bonded these individuals together’.<sup>18</sup> But there was a nasty sting in the tale: ‘the essence of community remains hard to isolate. We cannot trick our way around the problem simply by describing the essential as the feeling of bonding experienced by those within our postulated communities’. Gross was prepared to admit that ‘counties, once given concrete form by the influence of the centre, provided foci around which cultural and social expressions of local

<sup>17</sup> D. Carr, ‘Narrative and the Real World: An Argument for Continuity’, *History and Theory*, xxv (1986), pp. 117–31, quotation at 130. For a useful discussion of Carr’s views, see J.G. Hart, *The Person and the Common Life: Studies in a Husserlian Social Ethic* (Dordrecht, 1992), p. 271.

<sup>18</sup> A. Gross, ‘Regionalism and Revision’, in P. Fleming, A. Gross and J.R. Lander, eds., *Regionalism and Revision: The Crown and Its Provinces in England, 1200–1650* (London, 1998), pp. 1–13 (this and the following quotation at p. 6).

solidarity could coalesce',<sup>19</sup> but was reluctant to be drawn into explaining how those who articulated expressions of local solidarity were to be identified and what else besides social and political 'bonding' might have underpinned community sentiment. Ultimately, he remained unconvinced that the concept of the county community was anything more than a tool for dialogue between the central government and local administrators.

In the same year that Gross's discussion appeared in print, Simon Walker was working on his own important contribution to the subject. His discussion offered an altogether more comprehensive rehabilitation of the county community, in seeking to undermine what he described as a 'scepticism [that] is rapidly becoming professional orthodoxy'.<sup>20</sup> Walker made a number of valuable points, which can be summarised as follows. First, to suggest that members of the gentry felt an affiliation to their county is not to deny that they might also have belonged to a magnate's affinity and identified themselves with a lord.<sup>21</sup> The gentry did not need to be 'independent' to identify themselves with their shire: 'horizontal and vertical principles of social organisation often proved complementary rather than antagonistic'. Secondly, to suggest that in affiliating with their county the gentry could not also belong to other 'communities' or affiliations, as some critics had implied, is (Walker argued) unnecessarily reductionist. The political and social world of the gentry was characterised by a multi-faceted and complex intermingling of different loyalties and

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<sup>19</sup> Ibid., p. 8.

<sup>20</sup> His ideas were first aired in research papers delivered at Leeds and York in 1998. They were published posthumously in S.K. Walker, 'Communities of the County in Later Medieval England', in M.J. Braddick, ed., *Political Culture in Later Medieval England: Essays by Simon Walker* (Manchester, 2006), pp. 68–80.

<sup>21</sup> Cf. 'Noble rule is therefore inimical to the idea of a county community': Carpenter, 'Gentry and Community', p. 356. There is more recent useful discussion of the coexistence of horizontal and vertical ties among the northern gentry in M. Arvanigian, 'A County Community or the Politics of the Nation? Border Service and Baronial Influence in the Palatinate of Durham, 1377–1413', *Historical Research*, lxxxii (2009), pp. 41–61.



associations—cultural, familial, religious, economic, national.<sup>22</sup> There was room in this world for local solidarities based on the shire. Thirdly, Walker pointed out that land-holding in multiple counties did not preclude the possibility that most gentry could (and probably did) still identify more closely with one particular locality. Indeed, this perhaps became more likely as the fourteenth century progressed and residence requirements began to be linked more closely with office-holding.<sup>23</sup> Fourthly, critics of the county community had questioned how county sentiment could have been formulated when the obvious venue for discussions of county issues, the county court, had become a shadow of its former self by the early fourteenth century, attended by very few men of substance.<sup>24</sup> However, Walker rejected the proposition of a declining county court, reasserting the arguments of J.R. Maddicott that, even if it had lost much of its judicial competence, it still ‘retained considerable administrative importance’.<sup>25</sup> Finally, to the argument that the county was principally an

<sup>22</sup> This points to the idea of ‘concentric loyalties’, for which see K. Stringer, ‘Social and Political Communities in European History: Some Reflections on Recent Studies’, in C.C. Bjørn, A. Grant and K. Stringer, eds., *Nations, Nationalism and Patriotism in the European Past* (Copenhagen, 1994), pp. 9–34.

<sup>23</sup> On this point see the important discussion of N. Saul, *Knights and Esquires: the Gloucestershire Gentry in the Fourteenth Century* (Oxford, 1981), p. 164; P. Coss, *The Origins of the English Gentry* (Cambridge, 2003), pp. 213–14; Mercer, *Medieval Gentry*, pp. 88–9. See, however, the cautionary words of R. Gorski, *The Fourteenth-Century Sheriff: English Local Administration in the Late Middle Ages* (Woodbridge, 2003), pp. 58–63, who notes the important phenomenon of inter-county office-holding, though this usually only extended over two shires and included only men who held sufficient land to qualify for office.

<sup>24</sup> Cf. ‘We should therefore not see the [county] courts as a focus of shire unity in the later Middle Ages but rather as a remnant of a time when they had perhaps rather more significance’: Carpenter, ‘Gentry and Community’, p. 348.

<sup>25</sup> Walker, ‘Communities of the County’, p. 72; J.R. Maddicott, ‘The County Community and the Making of Public Opinion in Fourteenth-Century England’, *Transactions of the Royal Historical Society*, 5th ser., xxviii (1978), pp. 27–43. Whatever the status and role of the county court in the fourteenth and fifteenth century, it is worth remarking on the danger of making its prominence (or otherwise) the sole arbiter of the existence (or otherwise) of collective county sentiment. This need not have been the case. As Coss notes, informal association and interaction might equally have provided the basis for a common county *mentalité* (*Origins of the English Gentry*, p. 211). The work of Christian Liddy on the bishopric of Durham shows that it was possible for strong communal ‘community’ identity to form even in the absence of an institutional framework: C.D. Liddy, *The Bishopric of*

expedient of royal administration, generated and sustained by the Crown to serve the needs of governance,<sup>26</sup> Walker responded that shire administration could still be a force for social cohesion and that county office-holding ‘was *also* the arena in which local status was confirmed and augmented’.<sup>27</sup>

The last of Walker’s points—that the Crown played a crucial role in generating county identity—is undeniable, but the bearing it has on the ‘county community’ debate is not straightforward and deserves closer consideration. The part which the Crown played in this regard is usually seen in terms of the county-based administrative structures that it imposed from the centre, but there is also a vital terminological perspective. The collective identity of the shire was regularly invoked by the Crown as a way of indicating those areas of royal governance and/or decision-making which it wished to apply to all the inhabitants of the county. Thus, in 1296, a royal mandate was issued to the archbishops, bishops, abbots, priors, earls, barons, knights, free men and ‘to the entire community of the counties of Somerset and Dorset [*toti communitati comitatum Sumers’ et Dors’*]’ to be diligent in providing both footmen and horsemen capable of bearing arms for the defence of their counties.<sup>28</sup> In 1301, the ‘good men, religious and other good towns and the whole community of the county of Essex [*a toute la communaute du Counte d’Essex*]’ were notified of the Crown’s willingness to reduce the quota of prise because of the scarcity of oats.<sup>29</sup> In 1331, the ‘community of the county of Warwick [*communitatis comitatus Warr’*]’ was pardoned £80 that was owed from a fine of 800 marks imposed as a result of irregularities found in the

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*Durham in the Late Middle Ages: Lordship, Community and the Cult of St Cuthbert* (Woodbridge, 2008), pp. 200–205.

<sup>26</sup> Cf. ‘the “county community” ... is ... something imposed from outside’: Carpenter, ‘Gentry and Community’, p. 375.

<sup>27</sup> Walker, ‘Counties of the Community’, p. 75.

<sup>28</sup> TNA, C 66/115, m. 16; *CPR: Edward I, AD 1272–1307* (4 vols., 1893–1901), 1292–1301, p. 187.

<sup>29</sup> TNA, C 66/121, m. 16; *CPR: Edward I, 1292–1301*, p. 589.

county's payment of recent taxation.<sup>30</sup> Community, in these examples, was shorthand for the entire population of the administrative unit of the county, or everyone else not otherwise specified. It was convenient language to signal the inclusivity of all those to whom the act of government applied. If these examples suggest that 'community' was an invention of royal bureaucracy, and was therefore applied to the localities by outside agency, this idea is suggested even more strongly by the charters and patent letters issued at the end of the fourteenth century granting rights and privileges to urban guilds and misteries. In 1393, the goldsmiths of London were granted licence 'that they shall have henceforth a perpetual community constituted of themselves [*quod ipsi decetero unam communitatem perpetuam de se ipsis habeant*] and for the community to elect yearly four wardens from their number to govern the mistery and community and all men thereof'.<sup>31</sup> In the following year, the London mercers were also allowed 'to have a perpetual community of themselves', electing wardens 'to supervise, regulate and govern the community and mistery'.<sup>32</sup> 'Community' was thus bestowed on these London craftsmen by an act of royal grace.<sup>33</sup>

We should be wary, however, of oversimplifying the complex interplay of relationships—and concepts—between the centre and localities. Members of the guilds and misteries of late medieval London clearly formed common associations or identities based on their own membership of such 'communities', and not only because the Crown bestowed

<sup>30</sup> TNA, C 66/176, m. 1; *CPR: Edward III, AD 1327–1377* (16 vols., 1891–1916), 1330–1334, p. 197.

<sup>31</sup> TNA, C 66/336, m. 6; *CPR: Richard II, AD 1377–1399* (6 vols., 1895–1909), 1391–1396, p. 219.

<sup>32</sup> TNA, C 66/339, m. 4; *CPR: Richard II, 1391–1396*, pp. 425–6.

<sup>33</sup> The more common term applied to these associations was 'corporation', for which see the pioneering work of M. Weinbaum, *The Incorporation of Boroughs* (Manchester, 1937); and more recent important discussion by S. Reynolds, 'The History of the Idea of Incorporation or Legal Responsibility: A Case of Fallacious Teleology', in ead., *Ideas and Solidarities of the Medieval Laity: England and Western Europe* (Aldershot, 1995), pp. 1–20, at 12–13.

upon them an official terminology of community.<sup>34</sup> In a similar way, we should not assume that the idea of a ‘community of the county’ had little salience for local people simply because this phrase also formed part of the lexicon of central government. Communities did not suddenly come into existence because the Crown described them in such terms.<sup>35</sup> To argue that the ‘county community’ was merely of utility to central government does not account for the readiness of local men themselves to use the terminology of community in their negotiations with the Crown. Besides, the idea that county offices contributed little to county sentiment ignores the possibility that administrative structures could themselves become a means of negotiating and defining the share of local power. It also overlooks the likelihood that what sustained the county as a focus of gentry activity was as much its role in underpinning local associations and identities as the impetus from central government to bring the shire under its own overarching rule.<sup>36</sup>

That the official bestowal of community status by the Crown could, in the context of the urban misteries, come to indicate a new relationship between groups of craftsmen and the Crown nevertheless sheds valuable light on contemporary understandings of what being a community actually signified. Self-governance was evidently a key consideration. Men were to be elected to lead the urban misteries and represent their interests. Inclusivity was also important. When the Crown referred to the community of a county or a town, or, for that

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<sup>34</sup> D. Keene, ‘English Urban Guilds, c.900–1300: The Purposes and Politics of Association’, and G. Rosser, ‘Big Brotherhood: Guilds in Urban Politics in Late Medieval England’, in I.A. Gadd and P. Wallis, eds., *Guilds and Association in Europe, 900–1900* (London, 2006), pp. 3–26, 27–42; and G. Rosser, *The Art of Solidarity in the Middle Ages: Guilds in England, 1250–1550* (Oxford, 2015), ch. 6.

<sup>35</sup> Reynolds, ‘History of the Idea of Incorporation’, p. 17.

<sup>36</sup> See the useful discussion by J. Freeman, ‘Middlesex in the Fifteenth Century: County Community or Communities?’, in M. Hicks, ed., *Revolution and Consumption in Late Medieval England* (Woodbridge, 2001), pp. 89–103. Freeman demonstrates that Middlesex had a core elite of resident gentry who dominated county office-holding over successive generations, and whose association with each other in this regard was, she argues, instrumental in forging ‘a sense of identification with the county’ (p. 99).

matter, the ‘community of the bishop’s men of Welle, Elm, Wisbeach, Leverington, Neuton and Tyd’,<sup>37</sup> the ‘community of the whole fleet of England and Bayonne’,<sup>38</sup> ‘the community of the marsh of Romenhale [Kent]’,<sup>39</sup> or the ‘community of the fishers of the ports of Blakeneye, Cleye, Cromer and adjoining places [Norfolk]’,<sup>40</sup> it did so to indicate the universal nature of the membership of the group it was addressing. Membership of a community also entailed liabilities and obligations. In 1396 the brethren and sisters of the guild of St Peter and St Paul in Boston were granted licence ‘that they shall form, have and begin a certain community among themselves and of themselves and to have a certain common seal [*quod ipsi quondam communitatem inter se et de se ipsis facere habere et inire et quoddam commune sigillum*]', and the master and his successors were empowered ‘to plead and be impleaded on its [the guild’s] behalf’.<sup>41</sup> In other words the guild, as a community, acquired a legal personality which meant it could both prosecute and be prosecuted, with its members assuming collective responsibility for the outcome. The obligation of a community is illustrated especially clearly in the arrangements put into place in the 1390s to ensure that sufficient provision was made for the upkeep of Rochester Bridge. In 1399 it was ordained that the communities which had been responsible for maintaining the old bridge at Rochester ‘should in themselves be a community, and [be] held to be a community, for the maintenance and management of the said new bridge [*communitas per se sint habeantur et reputentur pro sustentacione et gubernacione novi pontis supradicti*]’.<sup>42</sup> In other words, membership of the community entailed a legal duty to contribute to the

<sup>37</sup> CPR: Edward I, 1281–1292, p. 203.

<sup>38</sup> CPR: Edward I, 1292–1301, p. 16.

<sup>39</sup> CPR: Edward II, 1313–1317, p. 75.

<sup>40</sup> CPR: Richard II, 1377–1381, p. 597.

<sup>41</sup> TNA, C 66/344, m. 23; CPR: Richard II, 1396–1399, pp. 19–20.

<sup>42</sup> TNA, C 66/351, m. 31; CPR: Richard II, 1396–1399, p. 454. For discussion of the bridge and the arrangements put into place for its upkeep, see R.H. Britnell, ‘Rochester Bridge, 1381–1530’, in N. Yates and J.M. Gibson, eds., *Traffic and Politics: The Construction and Management of Rochester Bridge, AD 43–1993* (Woodbridge, 1994), pp. 41–106, at 50–51.

maintenance of the bridge: the Crown had created a community of obligation and responsibility.

The seminal work of Susan Reynolds has shown that collective action and collective identity were perfectly normal aspects of the functioning of late medieval society. In a key discussion, Reynolds stressed the importance of regarding groups not in early modern terms, as nascent ‘corporations’ with a clearly defined and special legal status, but as perfectly natural legal or political entities indistinguishable from individuals. She commented further that, ‘[d]eep-rooted as habits of collective action and collective responsibility were, they did not mean that rights were attributed only to groups rather than to individuals. Rather, people were not bothered about the distinction’.<sup>43</sup> With no clear definition of corporate status, Reynolds concluded that any group could potentially represent itself on a collective basis: its members did not need official sanction to function in this way—that is, their association was not necessarily dependent on royal prescription. Counties may not have had as sharply defined a legal identity as, say, a city guild or a town council, but the facets of incorporation which Reynolds explored in her discussion were present in the relations between counties and the Crown. Counties were collectively responsible to the Crown for providing money, men and victuals in times of national need. If these quotas were not met, the inhabitants of a county were collectively held responsible for the shortfall and, on occasion, they were collectively fined—as the petition given at the start of this discussion, from the commons of Bedfordshire, illustrates.<sup>44</sup> The county as such was not in the position of being sued at common law, mainly because, unlike a borough or abbey, it did not possess land,<sup>45</sup> but it

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<sup>43</sup> Reynolds, ‘History of the Idea of Incorporation’, p. 3.

<sup>44</sup> See also TNA, SC 8/64/3186 (printed in *Rot. Parl.*, ii. 178–9, no. 14) concerning a fine of 4,000 marks levied on the county of Northamptonshire for trespasses committed in and outside the Forest boundaries, and n. 85 below.

<sup>45</sup> See discussion by Frederick Pollock and Frederic William Maitland, *The History of English Law Before the Time of Edward I* (2 vols., Cambridge, 1895), i. 672–3, 676–8; and

could be held to account by the Crown for its action—or inaction. In such matters the Crown often addressed its communication to the county as a collective entity (i.e. the ‘community of a county’), rather than to any specified individual, on the presumption that those responsible for implementing its orders—probably, for the most part, the sheriff and his ministers<sup>46</sup>—were, rather like the wardens of a city mystery, acting and thinking in accordance with the interests and the common good of the community as a whole.

## II

In recent years, and in a variety of historical contexts, scholars have demonstrated the continuing importance and application of the concept of community to describe connections between medieval people and their collective identities. Many of the methodological objections raised to ‘community studies’ in the closing years of the twentieth century have been overcome by adopting a more nuanced, imaginative and flexible approach to the idea and its application to social relations and political identities.<sup>47</sup> But for all that ‘community’

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G. Post, *Studies in Medieval Legal Thought: Public Law and the State, 1100–1322* (Princeton, NJ, 1964), pp. 199–200, esp. n. 126.

<sup>46</sup> Gorski, *Fourteenth-Century Sheriff*, pp. 2–3.

<sup>47</sup> E.g. P.R. Schofield, *Peasant and Community in Medieval England, 1200–1500* (Basingstoke, 2003), esp. pp. 1–9; J.H. Arnold, *Belief and Unbelief in Medieval Europe* (London, 2005), p. 106; Reynolds, ‘Idea of the Nation as a Political Community’; Rosser, *Art of Solidarity*, *passim*; A. Ayton, ‘Armies and Military Communities in Fourteenth-Century England’, in P. Coss and C. Tyerman, eds., *Soldiers, Nobles and Gentlemen: Essays in Honour of Maurice Keen* (Woodbridge, 2009), pp. 215–39, at 216; R. Stein, A. Boele and W. Blockmans, ‘Whose Community? The Origin and Development of the Concept of Bonum Commune in Flanders, Brabant and Holland (Twelfth–Fifteenth Century)’, in E. Lecuppre-Desjardin and A.-L. van Bruaene, eds., *De Bono Communi: The Discourse and Practice of the Common Good in the European City (13th–16th c.)* (Turnhout, 2010), pp. 149–69; A. Ruddick, *English Identity and Political Culture in the Fourteenth Century* (Cambridge, 2013), esp. chs. 3 and 4. For a recent reappraisal of the county community by early modernists, see J. Eales and A. Hopper, eds., *The County Community in Seventeenth-Century England and Wales* (Hatfield, 2012), esp. S.K. Roberts, ‘County Counsels: Some Concluding Remarks’, pp. 125–36.

has been rehabilitated in medieval studies, political historians of late medieval England have shifted their attention to other interests and priorities, with the county community debate now appearing to have run its course. But to regard this debate as closed seems premature, especially given the lack of attention which scholars have granted thus far to the clearest grass-roots expressions of county community sentiment: petitions presented to the Crown.<sup>48</sup> These were, of course, in some ways central to Maddicott's arguments, but only as a means of validating the importance of the county court. Gross seemed reluctant to acknowledge their existence at all, when he stated that 'it is only the central government's notion of the county as a body associated by common rights and obligations that reaches us with any clarity'.<sup>49</sup> Meanwhile Carpenter appeared to dismiss them entirely from consideration on the grounds that they, like parliamentary representation, were merely examples of local men dancing to the Crown's tune.<sup>50</sup> I do not think, however, that they can be set aside quite so easily. I have identified 312 extant petitions presented in the name of counties, dating from the late thirteenth to the mid-fifteenth century. Those examples presented during the reigns of the first three Edwards—the majority, numbering 214—are listed in the Appendix. Taken together they comprise a sizeable and important body of evidence for late medieval county solidarity, and as such they deserve detailed scrutiny. In this section I review this neglected source and consider what significance we might draw from the invocation of community solidarity found in the petitions.<sup>51</sup>

<sup>48</sup> Though see G. Dodd, *Justice and Grace: Private Petitioning and the English Parliament in the Late Middle Ages* (Oxford, 2007), pp. 254–66.

<sup>49</sup> Gross, 'Regionalism and Revision', p. 8.

<sup>50</sup> Carpenter, 'Gentry and Community', p. 375.

<sup>51</sup> This research has benefited from the search facility created by the cataloguing of TNA series SC 8 by the AHRC-funded project, directed by Mark W. Ormrod (PI) and Gwilym Dodd (CoI), 'Medieval Petitions: A Catalogue of the "Ancient Petitions" in the National Archives', which ran between 2003 and 2007.



It is to be noted from the Appendix that not all county petitions used the term ‘community’ (*comunalte* or *communaute*) to describe the collective identity of the petitioners: some were said to be presented by the ‘people’ (*gentz* or *people*), ‘men’ (*homes*), ‘lieges’ or ‘commons’ (*la commune* or *les communes*) of the shire, or simply by the county itself. This indicates that the word ‘community’ was not in itself accorded any special privilege in the lexicon of petitioning: it was one of a number of terms used to convey a sense of collective action in support of a common interest. It could be used interchangeably with the other terms. Thus, the inhabitants of Lincolnshire presented two petitions, almost certainly in the same session of parliament which met in May 1322: one was addressed from ‘the people’ of the county, the other from ‘the community’.<sup>52</sup> In a few instances where petitions were enrolled on the parliament roll, the enrolling clerk chose to substitute the appellation found on the original petition (such as ‘people’ or ‘commons’) for the term ‘community’.<sup>53</sup> Undeniably, though, all the words used in county petitions denoted some form of collective construct or corporate body which might, for the sake of convenience, be described along community lines. The petitions listed in the Appendix also reveal an important shift in the terminology of collective county identity across the fourteenth century. Broadly speaking, in the reigns of Edward I and Edward II, county petitions were presented in the name of the community (*comunalte*) or people of the county. By the start of Edward III’s reign, however, the ‘commons’ began to be invoked, and by the 1370s it was this term, rather than ‘community’, which predominated. Interestingly, the phrase *la commune* was used initially to signify the commons; it was only later, at the end of Edward III’s reign and especially in the 1370s, that

<sup>52</sup> TNA, SC 8/205/10224, SC 8/6/259.

<sup>53</sup> TNA, SC 8/64/3186; *PROME*, parliament of 1315, item 267 (228); TNA, SC 8/140/6975; *PROME*, parliament of 1319, item 20; TNA, SC 8/3/147; *PROME*, parliament of Oct. 1320, item 50 (58).

*les comunes/communes* came into regular usage.<sup>54</sup> These changing patterns reflect broader linguistic shifts in political vocabulary. The use, and eventual displacement, of *comunalte* in county petitions was almost certainly indicative of the rise to prominence of the Commons as the arbiters of the interests of the realm in parliament.<sup>55</sup> The shift to *les communes*, from *la commune*, reflected developments in the use of language in the parliament rolls.<sup>56</sup> Like petitions presented in the name of the community of the realm or the Commons, petitions presented in the name of the community of a county or the commons of a county (or its people or lieges) carried a double meaning: these terms were used to reference both the actual petitioners who presented the petition and also those on whose behalf the petition was being presented. There was, in other words, a strong representative element to these terms. There had to be: no contemporary would have believed that every single inhabitant of a county had put his or her name to the request. The petitions claimed to speak for the collective interest.<sup>57</sup>

<sup>54</sup> *La commune*, like *comunalte*, has multiple meanings, including ‘community’, but the prevailing sense in a petitionary and parliamentary context appears to have been the ‘common people’ or ‘commons’: *Anglo-Norman Dictionary*, s.v. ‘commune’, available at <http://www.anglo-norman.net/D/commune> (accessed 16 May 2016). There is useful discussion of the term ‘commune’ in Rollison, *Commonwealth of the People*, pp. 138–41 and W.M. Ormrod, ‘The Good Parliament of 1376: Commons, *Communes*, and “Common Profit” in Fourteenth-Century English Politics’, in D. Nicholas, B.S. Bachrach and J.M. Murray, eds., *Comparative Perspectives on History and Historians: Essays in Memory of Bryce Lyon (1920–2007)* (Kalamazoo, MI, 2012), pp. 169–88, esp. 174–5, but the timing and significance of the shift in the way the Commons were described has largely gone unnoticed.

<sup>55</sup> W.A. Morris, ‘Magnates and Community of the Realm in Parliament, 1264–1327’, *Medievalia et Humanistica*, i (1943), pp. 58–94, esp. 75–85; Prestwich, ‘Parliament and the Community of the Realm’; Reynolds, *Kingdoms and Communities*, ch. 8; and more recently, J. Watts, ‘The Commons in Medieval England’, in J.-P. Genet, ed., *La Légitimité implicite* (Paris, 2015), available online at <https://books.openedition.org/psorbonne/6618> (accessed 23 May 2019).

<sup>56</sup> As shown, in rather crude form, by searching *PROME* using these terms. *La Commune* produces 613 hits under Edward III, 331 under Richard II and 103 under Henry IV. *Les Communes* produces 222 hits under Edward III, 489 under Richard II and 471 under Henry IV.

<sup>57</sup> Nevertheless, an important and interesting distinction appears to have been drawn between acceptance that county-based petitioners might articulate the interests of the whole county, on the one hand, and a refusal to countenance the possibility that county-based assemblies might make grants of taxation to the Crown on behalf of the shire, on the other hand: W.N. Bryant,

Figure 1 shows the distribution of county petitions across England, using all 312

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examples identified in the period between *circa* 1276 and 1460. This map demonstrates that the counties situated on the outer edges of the kingdom tended to be the most active petitioners. In many cases this was indicative of their vulnerability to external attack: it was relatively commonplace for counties in the north, on the Welsh borders and on the south coast to request assistance from the Crown in defence of their communities or else dispensation (usually financial) in the aftermath of raiding. It also tended to be on the outer fringes of the kingdom that difficult and often intractable disputes over legal rights and franchises generated petitions, such as the protracted struggle between the communities of Devon and Cornwall, on the one hand, and the tin miners of the region, on the other. It was the unusual and sometimes problematic constitutional positions of the palatine communities of Chester and Durham that underpinned many of the cases emanating from those regions. Had the map indicated only petitions presented by a single county the concentration of cases at the periphery would be accentuated even further, for large numbers of petitions presented by the Home Counties were as part of county alliances, many of these concerning sheriffs' fee-farms. Overall, the results shown on the map indicate that distance was no obstacle to communication with the centre. They also point to the possibility that counties situated further away from Westminster were more adept at formulating their own county agendas as a result of the particular circumstances and challenges of their geographical position.

It would be easy to dismiss petitions from counties as insincere gambits designed to hoodwink the Crown into granting concessions to individuals on the false premise that these served broad interests. Indeed, historians have been far more willing to accept the representative nature of petitions presented by the Commons in parliament than of petitions

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'The Financial Dealings of Edward III with the County Communities, 1330–1360', *English Historical Review*, lxxxiii (1968), pp. 760–71, esp. 767.

presented in the name of the commons of counties.<sup>58</sup> Yet scrutiny of county petitions reveals that most could claim to raise matters which might have affected a sizeable proportion of the shire's inhabitants. The issues included requests to be discharged from the burden of taxation as a result of widespread destruction caused by the Scots (Northumberland, 1324; Cumberland, 1348);<sup>59</sup> assistance in dealing with large numbers of malefactors assembled since the king's departure on campaign for France (Wiltshire, 1338–60);<sup>60</sup> requests to have the county gaol situated within more convenient reach of the county's inhabitants (Dorset, 1305; Berkshire, 1318; Sussex, 1320–36; Warwickshire, 1377);<sup>61</sup> concerns raised about the state of the county's defences (Devon, 1300–50);<sup>62</sup> complaints about the depredations inflicted on the county's inhabitants by Cheshiremen (Shropshire, 1399);<sup>63</sup> requests to have the forest boundaries strictly enforced or restrictions placed on encroaching franchises or liberties (Nottinghamshire, 1318; Dorset, 1324; Hampshire, 1300–50; Warwickshire, c.1320–c.1360; Kent, 1376);<sup>64</sup> requests to have bridges repaired or the king's highways freed from tolls (Lancashire, 1304; Northamptonshire, 1300–30; Nottinghamshire, 1324–5);<sup>65</sup> and the request of the commons of Essex in 1381–2 to have oyster fishing off the coasts of the county banned between 1 May and 20 September in order to preserve stocks.<sup>66</sup> If we accept Simon Walker's eminently sensible suggestion that 'community' implied 'a shared sense of values, a

<sup>58</sup> On common petitions, see, in particular, G.L. Harriss, 'The Commons' Petition of 1340', *English Historical Review*, lxxxviii (1963), pp. 625–54; id., *King, Parliament, and Public Finance in Medieval England to 1369* (Oxford, 1975), ch. 5; W.M. Ormrod, 'Agenda for Legislation, 1322–c.1340', *English Historical Review*, cv (1990), pp. 1–33; J.R. Maddicott, *The Origins of the English Parliament, 924–1327* (Oxford, 2010), pp. 340–41.

<sup>59</sup> TNA, SC 8/165/8209, SC 8/12/594.

<sup>60</sup> TNA, SC 8/208/10360.

<sup>61</sup> TNA, SC 8/271/13547, SC 8/257/12843, SC 8/259/12913, SC 8/145/7248.

<sup>62</sup> TNA, SC 8/164/8175.

<sup>63</sup> TNA, SC 8/142/7062.

<sup>64</sup> TNA, SC 8/318/E348, SC 8/107/5343, SC 8/73/3642, SC 8/150/7460, SC 8/14/652.

<sup>65</sup> TNA, SC 8/93/4648, SC 8/64/3188, and SC 8/8/374 (printed in *Rot. Parl.*, i. 424, no. 31).

<sup>66</sup> TNA, SC 8/19/950.

collective sense of purpose [and] a common agenda',<sup>67</sup> then it seems difficult to deny that these petitions reveal a community *mentality*, even if they do not directly prove the existence of 'social' county communities. In the absence of complaints about the unrepresentative nature of county petitions, we must assume that the majority reflected a broad consensus and that there was little scope or appetite to abuse the system.

One particular case indicates very clearly the level of fine discrimination that contemporaries could apply when invoking county interests. In 1339 the inhabitants of Dorset presented a three-part petition to the king, but only the first part was presented in the name of the commons (*la commune*) of the county.<sup>68</sup> This related to the defence of the county, and asked for the appointment of local men to guard the sea, and for the aid of the county of Somerset in defence of the coast. The second part requested financial relief for a group of settlements on the Dorset coast which had recently suffered destruction at the hands of French raiders. This part, however, was said to be presented specifically by the people of these vills. And the third part, presented by the people of Blackmoor in Dorset, made complaint against the king's wardens of the forest who were attempting to return the woods of Blackmoor to forest law. The petition suggests a clear understanding of the distinction between a request which promoted the interests of the inhabitants of the county as a whole and a request which raised matters which were directly applicable to only a small section of the county's inhabitants. County petitions thus show local men formulating 'policies' based on the needs of their county and they articulate a sense of corporate or collective responsibility. Responsibility, like representation, sat at the very centre of the county community mentality, and it worked as much in terms of the county's inhabitants contributing to the collective interest—by paying taxes, wages of knights of the shire or

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<sup>67</sup> Walker, 'Communities of County', p. 70.

<sup>68</sup> TNA, SC 8/256/12792A.

communal fines, or by raising men for county musters or contributing victuals for war—as it did in their promoting an esoteric community agenda.<sup>69</sup>

The question of who exactly drafted these petitions goes to the very heart of the county community controversy. How many people were required to form a properly constituted community, one that existed not only in abstract but also in real terms, as the basis of concrete identities and associations? Defining the membership of such a community has been the most vexatious of all the problems that historians have debated. As far as county petitions are concerned, there is little reason to doubt that many, if not all, were presented in parliament,<sup>70</sup> and therefore that, in an immediate context, it was the county's MPs who were responsible for representing the shire's interests. Traditionally, county petitions had been presented in parliament as 'private petitions', because they were deemed to raise matters affecting only narrow, localised interests; but in the second half of the fourteenth century, as the Appendix shows, they began to be incorporated into the lists of common petitions which traditionally raised matters of national importance.<sup>71</sup> Almost certainly this was the initiative of MPs, who were ideally placed to determine what should be presented as a common petition:<sup>72</sup> parliamentary representatives saw an opportunity to increase the impact and prestige of their constituencies' interests by redefining them as matters of national concern requiring the attention of the king and his council. The late fourteenth century also saw the emergence of petitions presented in the name of county 'alliances'. Some of the most

<sup>69</sup> See R. Esposito, *Communitas: the Origin and Destiny of Community*, tr. T. Campbell (Stanford, CA, 2010), pp. 4–6.

<sup>70</sup> G. Dodd, 'Parliamentary Petitions? The Origins and Provenance of the "Ancient Petitions" (SC 8) in The National Archives', in W.M. Ormrod, G. Dodd and A. Musson, eds., *Medieval Petitions: Grace and Grievance* (Woodbridge, 2009), pp. 12–46.

<sup>71</sup> Dodd, *Justice and Grace*, pp. 141–55. See also Appendix below.

<sup>72</sup> See W.M. Ormrod, 'On—and Off—the Record: The Rolls of Parliament, 1377–1377', in L. Clark, ed., *Parchent and People: Parliament in the Middle Ages* (Edinburgh, 2004), pp. 39–56, esp. 53, for emphasis on the role of the parliamentary clerks in having private petitions incorporated into the parliament roll as common petitions.

elaborate group petitions raised matters relating to trade and commerce. Take, for example, the petition presented in 1373 by the communities of Warwickshire, Leicestershire, Northamptonshire, Rutland, Bedfordshire, Buckinghamshire, Cambridgeshire and Huntingdonshire, asking the king to grant common and open passage of wool along the waterways leading to the port of Lynn.<sup>73</sup> On matters affecting trade on a regional basis, it is possible that the knights of the shire and burgesses found common cause at parliament, and coalesced to speak for a county community, or bloc of counties, which encapsulated the interests of both the countryside and urban centres. In 1376 a petition in the name of the ‘community of the county of Cumberland’ raised concerns about the state of the walls and ditches of the city of Carlisle, as well as the general lawlessness of the county and its vulnerability to Scottish raiding, so there were other matters which could coalesce around the common county community identity.<sup>74</sup> But such examples are relatively rare: the large numbers of petitions presented separately on behalf of the burgesses or citizens of towns suggest instead that a clear line of demarcation usually existed between the local concerns which the two types of MP brought to parliament for redress. Occasionally, a very clear and deliberate distinction was drawn between urban communities, on the one hand, and county communities, on the other.<sup>75</sup> This points to the conclusion that the knights of the shire were the main spokesmen for the county in parliament.

<sup>73</sup> *PROME*, parliament of 1373, item 20 (VIII).

<sup>74</sup> *PROME*, parliament of 1376, item 132 (LXXIII).

<sup>75</sup> TNA, SC 8/129/6425: a two-part petition from 1) the mayor and burgesses of Nottingham, and 2) the community of Nottinghamshire and the mayor and commons of Nottingham, c.1376; TNA, SC 8/123/6150, petition from the people of Lincoln and the commons of Lincolnshire, c.1376; *Rot. Parl.*, ii. 141, xxxi (petition from the commons of the counties of Yorkshire and Lincolnshire, with all the boroughs and cities); and *PROME*, parliament of 1407, item 31 (petition from the knights, esquires and other gentlemen of the counties of Oxfordshire and Berkshire, and the mayor and burgesses of the town of Oxford). In the first half of the fourteenth century, the ‘community of the city of Hereford’ made complaint against malefactors from the county of Herefordshire (‘mesfesours de Conte de Heref’), which appears to indicate a conceptualisation of the city as a separate entity from the county: TNA, SC 8/51/2542, c.1322–c.1340.

We might be tempted to believe that most, if not all, knights of the shire belonged to the county elite and therefore that only the top echelon of gentry were in a position to act in the county's interests. Occasionally, it is possible to get behind the vocabulary and identify the narrower group of authors behind such requests. In *circa* 1322, a petition was presented by the community of Lincolnshire which included a complaint that the sheriff's brother Peter Breton had erroneously exacted fines from the community in lieu of military service.<sup>76</sup> In the subsequent letters patent, it was specified that the petition had been presented to the king and council by the 'men-at-arms' of the county.<sup>77</sup> In another petition presented by the community of Lincolnshire, this time in 1315, the actions of the sheriff were said to have generally damaged the community, and in a rare qualification it was stated that they had specifically 'deprived the middling people [*les mene gentz*] of their lands through false juries'.<sup>78</sup> This same phrase—albeit in Latin—was used to identify in part the petitioners of Norfolk in 1290, who presented their complaint in the name of the 'poor and middle-ranking people of the county [*Pauperes et mediocres de comitatu Norff*]'.<sup>79</sup> In a petition presented by 'the people of the counties of Gloucester, Herefordshire and all the community of those parts of Wales', complaining about a weir placed in the River Wye by the earl of Gloucester, it is possible that magnate influence lay behind the complaint, for when an inquisition was subsequently held into the matter it was found that the weir was causing particular damage to Henry of Lancaster, lord of Monmouth, and his men, to the value of £10 *per annum*, though it was also noted that 'incalculable damage and nuisance' was caused to other people of the 'adjacent

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<sup>76</sup> TNA, SC 8/124/6151.

<sup>77</sup> *Calendar of Close Rolls Preserved in the Public Record Office: Edward II* (4 vols., 1892), 1318–1323, p. 439.

<sup>78</sup> TNA, SC 8/64/3165; *PROME*, parliament of 1315, item 19 (14); printed in *Rot. Parl.*, i. 291–2, no. 14.

<sup>79</sup> *PROME*, Edward I, Roll 2, 101 (83).



parts'.<sup>80</sup> Perhaps the petition gained more rhetorical force by the absence of references to Lancaster in its text. In some instances, it is true that the interests of the whole county were invoked to advance rather narrower concerns: in the late fourteenth and early fifteenth centuries a number of county petitions sought to reduce burdensome fee-farms, a cause which was most directly relevant to the limited pool of men eligible to hold the sheriff's office. But in general, the terms 'community' and 'commons' were intended to imply more than just the vavasours of the county, even if it was the leaders of county society who were best positioned to frame such requests. In 1410 a series of petitions seeking readjustments in the amount of fee-farm charged by the exchequer were said to be presented by the 'knights, esquires and communities' of various counties;<sup>81</sup> in the following parliament of 1411 a similar set of requests were said to have been presented by 'the knights, esquires and commons' of counties.<sup>82</sup> Such phrasing is important, for it implied that knights and esquires—that is, the gentry—were conceived of as being separate from the broader masses of county society.<sup>83</sup>

We should not assume, however, that only the topmost layer of county society had the right or ability to represent the county's interests. Particularly in the first half of the fourteenth century, large numbers of MPs were relatively obscure men and the articulation and representation of county issues may therefore have involved individuals from quite a broad socio-economic group.<sup>84</sup> Take, for example, the petition from the 'community of

<sup>80</sup> TNA, SC 8/50/2461; *Calendar of Inquisitions Miscellaneous (Chancery) Preserved in the Public Record Office*, II: 1307–1349 (London, 1916), no. 205, pp. 48–9.

<sup>81</sup> *PROME*, parliament of 1410, item 46 (i, iii, iv, v). In 1398, a petition was presented by the 'knights, esquires, burgesses, merchants and poor community of Lancashire': TNA, SC 8/221/11021.

<sup>82</sup> *PROME*, parliament of 1411, item 30 (ii, iii, iv, v). Similar wording was used in a petition from Northumberland in 1401: TNA, SC 8/339/15953.

<sup>83</sup> On the evolution of the term Commons see Watts, 'Public or Plebs', pp. 252–7.

<sup>84</sup> See Saul, *Knights and Esquires*, pp. 120–22; and P. Bradford, "'The Obscure Lives of Obscure Men'?: The Parliamentary Knights of the Shires in the Early Fourteenth Century', in W.M. Ormrod, ed., *Fourteenth Century England VII* (Woodbridge, 2012), who, although trying to rescue early fourteenth-century MPs from obscurity, nevertheless admits that 'a

Berkshire' asking to have the county gaol situated at Wallingford instead of Oxford where the sheriff had located it, presumably for his own convenience.<sup>85</sup> This can be positively dated to the parliament of 1318<sup>86</sup> and was therefore presumably presented by the county's MPs, John Newenham and Robert Haddele. Of these men, however, we know very little: there is no evidence to suggest they were involved in administration at a shire level, and they have left virtually no other trace in the records. The fact that men such as these were elected, while saying something about the importance attached to parliamentary representation, also speaks to the wide and inclusive nature of the county 'establishment' in this period.<sup>87</sup> Many county petitions were made *against* incumbent sheriffs, which underlines the point that they cannot all have been formulated by the county elite. It also suggests that they are unlikely to have been drafted in the county court, over which sheriffs presided.<sup>88</sup> In some instances, the broad application of the grievance was especially emphasised. In 1315, for example, the 'poor men of the community of Devon' complained of the unrestricted activities of the county's tin miners, stating that the 'destructions and damages are almost entirely inflicted on the poor'.<sup>89</sup> In the early years of Edward III's reign, a petition was presented by the king's 'community of his liege people and free-tenants' of Lancashire: 'free-tenants' was inserted because the

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reasonable number are indeed completely obscure ... their names ... [being] utterly untraceable in extant official records' (p. 117).

<sup>85</sup> TNA, SC 8/257/12843. Berkshire shared its sheriff with Oxfordshire. For an earlier petition, presented in 1315, on the same subject, see TNA, SC 8/2/67.

<sup>86</sup> The petition was enrolled on the parliament roll written up for this parliament: *PROME*, parliament of October 1318, SC 9/21, item 218.

<sup>87</sup> A point emphasised by the distribution of the financial burden when counties faced 'corporate' fines. In Staffordshire, ninety-two men paid the fine of 340 marks imposed on the county for tax abuse (Gross, 'Regionalism and Revision', p. 9); while no fewer than 2,650 individuals contributed to the 3,000 mark fine imposed on Essex following the inquiries into the abuse of local office in 1341 (Hughes, *Social and Constitutional Tendencies*, p. 209).

<sup>88</sup> For example, TNA, SC 8/32/1585, SC 8/32/1588, SC 8/58/2881, SC 8/139/6935, SC 8/152/7592, SC 8/160/7978, SC 8/193/9648, SC 8/201/10008, SC 8/263/13113, and SC 8/295/14711; and see Dodd, *Justice and Grace*, pp. 264–5.

<sup>89</sup> *PROME*, parliament of 1315, item 115 (95); printed in *Rot. Parl.*, i. 297, no. 35.

second part of the petition had particular relevance to this group.<sup>90</sup> In 1378, the ‘commons of Kent’ plaintively pointed out that most of the county was ‘in the hands of great lords’ who did little to protect their possessions, and that ‘the commons of the county cannot afford, and do not have the power to defend their county without more aid and support from the aforesaid lords’.<sup>91</sup>

Attempts to delineate the membership of a county community by drawing up concrete lists of names is therefore a flawed exercise, for it was in the nature of the concept of ‘community’ in this context that membership was open, changeable and flexible. It was this sense of common ownership over county interest which perhaps explains why, in 1376, the ‘poor people of the hundred of Guestling’ in the county of Sussex conflated themselves with the ‘people of the county of Sussex’ in their petition against the franchises enjoyed by the people of the Cinq Ports.<sup>92</sup> In 1315, the burgesses of Helston in Cornwall complained about the burden of taxation they faced, remarking that the demands made of them constituted ‘more than [was demanded of] other people from the community of that county’.<sup>93</sup> To the inhabitants of Helston, the ‘county community’ was not some remote, static entity populated by a small group of the county’s landowning elite: it was an inclusive body of the county’s inhabitants to which they themselves belonged. In other contexts, particularly at the start of the fourteenth century, this assumption could have a real impact, as sheriffs felt obliged to consult as broad a cross-section of the knights and free tenants of their shires as they could muster when overseeing county elections.<sup>94</sup> The moral force behind those who invoked the interests of the county community thus lay not in the exclusive but inclusive nature of that

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<sup>90</sup> TNA, SC 8/57/2808.

<sup>91</sup> *PROME*, parliament of 1378, item 64.

<sup>92</sup> *PROME*, parliament of 1376, item 172 (cxii).

<sup>93</sup> *PROME*, parliament of 1315, item 21 (16).

<sup>94</sup> Maddicott, *Origins of the English Parliament*, p. 368.

community,<sup>95</sup> so that any attempt by contemporaries to define the community's membership or to restrict it to the county's elite would have been futile and self-defeating.

### III

County community petitions add one further crucial dimension to the discussion: chronology. Only Simon Walker considered whether different stages in the development of what he described as the 'evolution of the county community' could be discerned, but his ideas were outlined in brief and the implications of his periodisation not fully explored. The omission is important, for discussion of the county community has been conducted for the most part by fifteenth-century historians, because the majority of gentry or local studies have focused on this period.<sup>96</sup> This prompts the observation that what was true of the fifteenth century, in terms of the dynamics of local power, the nature of lordship, and the relationship between the localities and the centre, was not necessarily true of the fourteenth century. It was in the fourteenth century, as we have seen, that the majority of county petitions were presented: 84 per cent of extant county petitions were presented before 1399; 94 per cent before 1413. The county community petition was thus a phenomenon limited overwhelmingly to the period between *circa* 1300 and *circa* 1413. Whatever else may be concluded, these trends point unmistakably to the conclusion that greater emphasis was placed in the 'long fourteenth century' than in the fifteenth century on institutional—that is to say, parliamentary—redress for localised, county-wide problems and grievances. The emergence of county petitions is

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<sup>95</sup> Interesting and useful comparisons can be made with the use of petitions by the inhabitants of seventeenth-century Kent to articulate broad-based county opinion, for which see J. Eales, 'Alan Everitt and the Community of Kent Revisited', in Eales and Hopper, eds., *County Community*, pp. 15–38, esp. 18–23, 29–38.

<sup>96</sup> The notable exception is Saul, *Knights and Esquires*.

especially noticeable in the reign of Edward II,<sup>97</sup> and particularly from 1315, when cases of this type began to be presented in some volume and by an impressively wide selection of counties (see Appendix). While this was partly reflective of underlying petitioning trends,<sup>98</sup> it was also indicative of a newly emerging emphasis on the county as the basis for local collective action and identity—under Edward I, only a relatively small number of county petitions had been articulated.<sup>99</sup> The notable surge under Edward II suggests that underlying political factors were at work. I propose that these factors not only explain the emergence of county petitions but also (and concomitantly) the emergence of a strong sense of county corporate identity in the early fourteenth century. There are two, in particular, to consider.

First, in his seminal work on the gentry, Peter Coss describes the very substantial growth in the number of commissions which the Crown entrusted to local men from the 1290s.<sup>100</sup> This marked a significant expansion in the reach of central government as a result of pressures induced by a period of intensified warfare, but it also marked the beginning of a much closer partnership in government between local men and Crown officials. As Coss

<sup>97</sup> As noted by Maddicott, *Origins of the English Parliament*, p. 341.

<sup>98</sup> The parliament of 1315 saw the greatest number of petitions presented to any of Edward II's parliaments, and it was the first of the reign to see a substantial volume of petitions presented. The assembly was presided over by Thomas of Lancaster, who evidently used the opportunity to put into practice his espoused aim of reforming royal government. There is no evidence, however, to indicate that Lancaster specifically encouraged petitions from counties; their appearance is more likely to have been part of a broad groundswell of local discontent that had built up since the beginning of the reign: Dodd, *Justice and Grace*, pp. 64–75.

<sup>99</sup> According to G.L. Haskins, 'The Petitions of Representatives in the Parliaments of Edward I', *English Historical Review*, liii (1938), pp. 1–20, esp. 9–11, there are twenty-three surviving 'county petitions' which date to the reign of Edward I. These figures are misleading, however. Haskins included eleven petitions which could not be positively dated and which, in fact, have mostly been dated in the modern calendar to the period after 1307. Of the remaining twelve petitions positively dated to Edward I's reign, five were presented by Cumberland in 1305 and three of these covered broadly the same issue of prise. The appearance of county petitions in Edward I's reign is noted by J.R. Maddicott, 'Parliament and Constituencies, 1272–1377', in R.G. Davies and J.H. Denton, eds., *The English Parliament in the Middle Ages* (Manchester, 1981), pp. 61–87, at 69, though he uncritically accepts the figures provided by Haskins.

<sup>100</sup> Coss, *Origins of the English Gentry*, esp. ch. 7.

states, ‘the developments which took place during the later years of Edward I ... brought increasing numbers of county knights into major offices and commissions’.<sup>101</sup> The commissions covered a range of activities, including tax-collection, commissions of array, commissions for the collection of prise, law-keeping (notably the general appointment of keepers of the peace in 1300) and parliamentary representation (which became more frequent as demands for taxation increased). The gentry were also heavily employed as justices on huge numbers of *ad hoc* commissions of oyer and terminer.<sup>102</sup> The net effect of this increased activity, according to Coss, was the emergence of an *esprit de corps* among those engaged in these activities. Notwithstanding the diminished role of the county court, Coss asserts, ‘it is still possible to argue that an attachment to the county could well have existed among resident knights ... the employment of a proportion of the knights on county based commissions may also have had this effect, especially in the latter part of the [thirteenth] century’.<sup>103</sup> There is much to be said for this argument: if, at the end of Edward I’s reign, local administrative activities based around the county intensified, could not the shared experiences, outlook and function of those engaged in these activities also have fostered co-operation and created a common county identity and sense of collective purpose?

The hypothesis gains an intriguing twist in the light of Coss’s further finding that the knightly classes who had monopolised county office-holding at the end of the thirteenth century began to loosen their grip in the course of Edward II’s reign—at precisely the time when county community petitions first appeared in numbers.<sup>104</sup> Perhaps then, the stimulus for collective county appeals to the Crown came not from a narrow clique of the county’s most

<sup>101</sup> Ibid., p. 179. For a European perspective, see J. Watts, *The Making of Polities: Europe, 1300–1500* (Cambridge, 2009), esp. pp. 238–44.

<sup>102</sup> R.W. Kaeuper, ‘Law and Order in Fourteenth-Century England: The Evidence of Special Commissions of Oyer and Terminer’, *Speculum*, liv (1979), pp. 734–84, esp. 753.

<sup>103</sup> Coss, *Origins of the English Gentry*, pp. 161–2.

<sup>104</sup> Ibid., pp. 195–200. For lower-status sheriffs, see Gorski, *Fourteenth-Century Sheriff*, pp. 69–78.

powerful landowners, discharging their public duties as the vavasours of the shire, but from the participation of a broader selection of men, now involved in county administration, who shouldered the responsibilities of running the shire and represented its corporate identity to the Crown. One might add that this was also a period when the demands being made on counties as corporate entities—tax-collection, county-wide musters, prise, parliamentary wages and so on—increased significantly, thus drawing a much expanded segment of the local population into the field of obligation to the county community. While this may not have been especially welcome to these individuals, it probably stimulated an increased sense of entitlement to participate in dialogue with the Crown over the governance of, and conditions pertaining within, the shire. This is not to suggest that only the office-holding gentry were synonymous with the county community. The importance of Coss's work lies in the general point that the expansion of government in the localities significantly increased the pool of local men who had a stake in how the county was administered—whether as its governors or those who now came within the orbit of royal governance—and who therefore had a claim and a desire to present complaints to the king in the name of the community of the shire.

My second factor builds on the first, but relates more directly to the dynamics of power in early fourteenth-century England. One of the central strands in criticisms of the idea that the gentry identified with county administrative structures and forged horizontal ties of association with fellow gentry is the argument that vertical ties of lordship—that is, a hierarchical model—dominated so completely that political activity and identity was determined by the leadership of magnates. It was not necessary for a magnate to recruit everyone into his affinity to enable him to 'act as leader in local affairs', Christine Carpenter has asserted: '[w]hat was required was strategic recruitment, ensuring the loyalty of families that would be most useful to the lord, as local officers and as a means of access to local

society'.<sup>105</sup> In fact, the extent to which magnate affinities acted as the crucible of local power structures may well be exaggerated,<sup>106</sup> but even if we accept that the affinity was an important factor in shaping local politics in the fifteenth century, Carpenter herself has acknowledged that the patterns, extent and purpose of the recruitment of the gentry by lords was very different for much of the fourteenth century. 'It can be argued', she states, 'that the social, political and governmental system for which bastard feudalism is shorthand barely existed at the accession of Edward II and emerged in its full form much later in the [fourteenth] century ... lords were not embedded in local societies, as the chief protectors of the gentry and their lands and as "gatekeepers" to local rule on the king's behalf, until its last three decades or so'.<sup>107</sup> Her findings were presaged by the research of Andrew Spencer on Edward I's polity, in which he argued that the picture was one largely of 'comital indifference towards local office holding', and that 'magnates generally did not want their men to be distracted or compromised by serving the crown at a local level'.<sup>108</sup> Of the recruiting patterns of three major earls in the reign (Cornwall, Lincoln and Lancaster), Spencer concluded that 'none ... came close to achieving [a high] level of penetration of the local gentry in any of their areas of influence, nor is there any indication that they sought to do so'.<sup>109</sup> Are we, then, to resurrect the idea of 'independent' gentry in the shires? Independent is perhaps too strong a word to use for, like the term 'community', it invites

<sup>105</sup> Carpenter, 'Gentry and Community', pp. 359–65, quotations at 360.

<sup>106</sup> A point made by J. Watts, *Henry VI and the Politics of Kingship* (Cambridge, 1996), p. 92, drawing on the work of S.K. Walker, *The Lancastrian Affinity, 1361–1399* (Oxford, 1990), pp. 246–61.

<sup>107</sup> C. Carpenter, 'Bastard Feudalism in England in the Fourteenth Century', in S. Boardman and J. Goodare, eds., *Kings, Lords and Men in Scotland and Britain, 1300–1625: Essays in Honour of Jenny Wormald* (Edinburgh, 2014), pp. 59–92, quotation at 75. The idea was first mooted by Saul, *Knights and Esquires*, p. 166.

<sup>108</sup> A.M. Spencer, *Nobility and Kingship in Medieval England: The Earls and Edward I, 1272–1307* (Cambridge, 2014), p. 142. See also Spencer's 'The Earls in the Reign of Edward I (1272–1307)' (Univ. of Cambridge Ph.D. thesis, 2009).

<sup>109</sup> *Ibid.*, p. 135.



multiple meanings and methodological confusion; but recent work undoubtedly revitalises questions about the strength of the horizontal ties felt among the gentry and the extent to which the gentry and Crown were working together to rule the shires without relying on the intercession of the nobility. There is a real sense in this period of the gentry being left to get on with things on their own.<sup>110</sup> The expansion of royal government from the late thirteenth century onwards accentuated this situation, but it is important to acknowledge that a strong tradition of gentry engagement with the Crown stretched back well before this time, and was especially pronounced in the middle years of Henry III's reign, when local communities negotiated with the king to secure liberties and ensure the full and proper implementation of Magna Carta.<sup>111</sup> In simple terms then, the unequal distribution of 'county petitions' across the fourteenth and fifteenth centuries could be explained by the fact that whereas in the fifteenth century the nobility exercised a tight grip on local government through well-established bastard feudal ties, in the fourteenth century these conditions were mostly absent. This allowed greater scope for shires to negotiate with the Crown directly over their governance.<sup>112</sup> It is notable that the presence of great local lords on the commissions of the peace—one of the main factors to support the argument that magnates determined the shape and structures of local governance<sup>113</sup>—did not occur until the second half of the fourteenth

<sup>110</sup> To this we might add the vacuum of *royal* engagement in local affairs under Edward II, for which see C. Burt, 'Local Government in Warwickshire and Worcestershire under Edward II', in B. Thompson and J. Watts, eds., *Political Society in Later Medieval England: A Festschrift for Christine Carpenter* (Woodbridge, 2015), pp. 55–75.

<sup>111</sup> J.R. Maddicott, 'Magna Carta and the Local Community, 1215–1259', *Past and Present*, no. 102 (1984), pp. 25–65.

<sup>112</sup> This shift in the involvement of nobles in local government is summarised by C. Burt, 'King, Lords and Commons in Late Medieval England: A Contractual Relationship?', in F. Foronda, ed., *Avant le contrat social: Le Contrat politique dans l'Occident médiéval, XIII<sup>e</sup>–XV<sup>e</sup> siècle* (Paris, 2011), pp. 357–76, esp. 359–60, 372–4.

<sup>113</sup> Cf. 'the lords ... [were] the essential link between centre and locality'; '[w]hy else were they normally placed on commissions of the peace in the counties where they had a large landed interest...': Carpenter, 'Gentry and Locality', pp. 359 and 359 n. 78. More generally, this view overlooks the high level of direct interaction that existed between the king's subjects and central government, for which see G.L. Harriss, 'Political Society and the

century. These are the circumstances in which horizontal associations, loyalties and co-operation, coalescing around office-holding, might have produced a sense of collective awareness, political cohesiveness and community.

In describing local structures of power and the interaction between localities and centre, we therefore need to conceive of the possibility that institutions played a more central role in the first half of the fourteenth century than in later (or earlier) periods. It is not at all clear that magnates took on political leadership in the shires at this time, and in the absence of their direction it stands to reason that the gentry had a greater sense of their own role as the formulators of local policy and the representatives of local interests to the Crown. In this, parliament played a crucial role. Maddicott's emphasis on the forging of 'public opinion' in the localities, and his emphasis on the constituency as a unit of political identity and action, derived not from a mistaken belief in the omnipresent influence of parliament, but in the fact that parliament had an unprecedented impact on the localities between *circa* 1290 and 1350—through taxation, legislation, petitioning, the holding of regular elections and the collection of MPs' wages.<sup>114</sup> The insistence by MPs in October 1339 that they return to their constituencies to consult with the 'commons in their counties' before voting a grant of taxation suggests that real dialogue was happening locally about how the interests of the residents of the county ought to be balanced with the interests of the king and nation.<sup>115</sup> It was the intensity of parliamentary activity in this period, together with the new emphasis on the political role of the gentry as the voters of increasingly regular taxation and the architects of 'public policy' through the presentation of common petitions, which sharpened local

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Growth of Government in Late Medieval England', *Past and Present*, no. 138 (1993), pp. 28–57, esp. 36–7.

<sup>114</sup> Maddicott, 'Parliament and the Constituencies', *passim*; and a useful summary by Coss, *Origins of the English Gentry*, p. 212. See also Genet, 'Political Theory and Local Communities', p. 20, for some perceptive comments on the link between the emergence of representative institutions and the evolution of local communities.

<sup>115</sup> *PROME*, parliament of Oct. 1339, item 8.

political consciousness and which created the conditions in which MPs in 1339 felt obligated to refer back to their constituents. This consultation says much about the strength of county solidarity in the early years of Edward III's reign. On a number of occasions, the Crown even negotiated directly with individual shires to raise money, either as fines to be paid in lieu of the visitation of the eyre or as communal county-wide fiscal obligations.<sup>116</sup> The second half of Edward II's reign was clearly pivotal in all these developments, for it was in these years that the parliamentary Commons came of age, thrust into the political limelight in part because of the weakness of the Crown and the fragmentation of the nobility.<sup>117</sup> Without the strong proactive hand of the king, and in the absence of the local leadership of nobles, a culture of self-help and resourcefulness flourished in the regions. It is interesting to observe that similar conditions prevailed in the later fourteenth century, during the 1370s and 1380s, when county petitions were also presented in large numbers. There seems to have been a direct correlation between the assertiveness of MPs at parliament and their willingness to bring pressure to bear on the Crown to resolve their constituencies' grievances.

But there was something else too, for it was not just politicised parliamentary constituencies which came to present 'community' petitions in parliament in the early fourteenth century. They also came from regions which did not send MPs to parliament at all: from the 'community of Cheshire' in 1280–1305;<sup>118</sup> the 'people of Ireland' in 1297;<sup>119</sup> the 'community of Galloway' in 1305;<sup>120</sup> the 'gentlemen of Gascony' in 1305;<sup>121</sup> the 'community

<sup>116</sup> J.F. Willard, 'Edward III's Negotiations for a Grant in 1337', *English Historical Review*, xxi (1906), pp. 727–31; Bryant, 'Financial Dealings of Edward III'.

<sup>117</sup> G. Dodd, 'Parliament and Political Legitimacy in the Reign of Edward II', in G. Dodd and A. Musson, eds., *The Reign of Edward II: New Perspectives* (Woodbridge, 2006), pp. 165–89.

<sup>118</sup> TNA, SC 8/269/13423.

<sup>119</sup> TNA, SC 8/53/2643; printed in *Documents on the Affairs of Ireland Before the King's Council*, ed. G.O. Sayles (Dublin, 1979), pp. 44–5.

<sup>120</sup> *PROME*, Edward I, Petition 3 (no. 71).

<sup>121</sup> 'les gentils homes de Gascoigne': TNA, SC 8/292/14570.

of the bishopric of Durham between Tyne and Tees' in 1307;<sup>122</sup> the 'community of the county of Limerick' in 1312;<sup>123</sup> the 'community of North and South Wales in 1322';<sup>124</sup> the 'men of Jersey and Guernsey' in 1324–5;<sup>125</sup> the 'community of Pembrokeshire' in 1330–33;<sup>126</sup> the 'community of Cardiganshire, Cantref Mawr and Iscennen' in 1331–2;<sup>127</sup> and the 'men of the franchise of Durham and Norham' in 1332–4.<sup>128</sup> These petitions point to a broader phenomenon of community self-help, and a new wave of regional empowerment and collective consciousness. They also suggest in many cases a failure, or an absence, of local lordship, for if magnates really had been the obvious and predominant conduits of information to the Crown on conditions in the localities, cases of this kind would surely not have arisen. An appeal from a community or collective entity presented 'publicly' in parliament was evidently considered to carry more weight and to be more likely to achieve results than the quiet word of an obliging magnate in the ear of the king.<sup>129</sup> In part, this may have reflected the diminished constitutional influence of the magnates, who, in the early decades of the fourteenth century, could no longer consider themselves to be the mouthpiece of the people;<sup>130</sup> but in so far as large numbers of these petitions were presented in the reign of Edward II, and specifically from 1315, it may also have been symptomatic of a regime presided over by a king who had little real interest in ruling his realm. Edward II was too

<sup>122</sup> TNA, SC 8/326/E770, printed in *Northern Petitions Illustrative of Life in Berwick, Cumbria and Durham in the Fourteenth Century*, ed. C. Fraser, Surtees Society, cxciv (Durham, 1981), pp. 244–5.

<sup>123</sup> TNA, SC 8/124/6153; printed in *Documents on the Affairs of Ireland*, ed. Sayles, pp. 69–70.

<sup>124</sup> TNA, SC 8/145/7250; printed in *Calendar of Ancient Petitions Relating to Wales*, ed. W. Rees (Cardiff, 1975), p. 245.

<sup>125</sup> *Rot. Parl.*, i. 416 (1).

<sup>126</sup> TNA, SC 8/297/14840.

<sup>127</sup> TNA, SC 8/38/1870, printed in *Calendar of Ancient Petitions Relating to Wales*, ed. Rees, p. 50.

<sup>128</sup> TNA, SC 8/44/2169, printed in *Northern Petitions*, ed. Fraser, p. 217.

<sup>129</sup> On the role of parliament as a legitimising political force, see Dodd, 'Parliament and Political Legitimacy', pp. 176–9.

<sup>130</sup> Prestwich, 'Parliament and the Community of the Realm', *passim*.

preoccupied with fighting his barons to respond to the problems within his kingdom, which, under different conditions, they might have brought to his attention. Far better in these circumstances for communities to represent themselves in parliament in the hope of galvanising government as a whole (the royal councillors, king's officers, and royal justices) than to pursue the more uncertain course of obtaining favour through the royal court. These were also, concurrently, the years when the 'community of the realm' had gained sharper political definition as an expression of collective political endeavour, a development that would shortly see the emergence of the ubiquitous lists of common petitions.<sup>131</sup> Acting and thinking as a community was thus key to legitimising political dialogue and identity, and what happened at parliament may well have informed, and itself have been informed by, what was happening in the localities.<sup>132</sup>

#### IV

It is not the purpose of this discussion to resurrect the idea that the shires were ruled over by elite groups of 'independent' gentry who placed more emphasis on their ties with each other than those with their lords. At the same time, however, a tendency to denigrate the concept of the county community risks ignoring an important contemporary conception of political identity. The county community cannot be dismissed on the grounds that it is a modern artifice. The trouble with the county community debate is that it has tended to polarise around extreme points of view, which has led to an 'all or nothing' approach to the subject: either the greater gentry ruled the shire along the lines of a modern County Council, or we must dismiss

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<sup>131</sup> Maddicott, *Origins of the English Parliament*, pp. 343–4.

<sup>132</sup> Again, there are useful parallels to be drawn with the early modern period: see J. Broadway, 'A Convenient Fiction? The County Community and County History in the 1650s', in Eales and Hopper, ed., *County Community*, pp. 39–55, esp. 53–5.

community entirely from our historical lexicon. The central thrust of this discussion, however, argues for a middle ground. My contention is that ‘community’ was not simply a figure of speech, but described how contemporaries actually thought of themselves. The concept of community and identification with the county thus had a material effect on how counties were administered and how their inhabitants related to each other and to central government. The idea of a county community was certainly an effective tool of central government because it created a conceptual framework with which to project into the localities a sense of collective responsibility and obligation; but a *sense* of community was also fostered among the inhabitants of a shire through shared functions and interests. Community mattered to the inhabitants of counties not only because it amplified the moral force behind their petitions, but also because a sense of collective identity and responsibility was more likely to result in the sharing of the burdens imposed by the Crown. The crucial point, though, is that a county mentality did not necessarily dominate how the gentry thought of themselves or formed their associations; it did not preclude vertical ties with magnates or associations or interests which extended beyond the county’s borders. It does not follow that in the absence of magnate leadership, the gentry automatically coalesced into tightly knit county-ruling committees. In fact, the depth of corporate county identity may not have run very deep at all.<sup>133</sup>

But, however loosely the concept was applied, the inhabitants of a county might still have thought of themselves as constituting a community. This reflected the fact that contemporary usage of the term lacked the sort of precision that modern historians have been so determined to give it. The men who inhabited county offices and/or held the most land may have thought of themselves as the leaders of the county community, but the community

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<sup>133</sup> This is suggested by the phenomenon of counties sharing their MPs in order to save on the costs of their wages: Bradford, “‘Obscure Lives of Obscure Men’?”, pp. 119–20. Such practices had died out by the middle of the fourteenth century.

itself represented the idea of a much broader cross-section of the shire's population—indeed, in theory, the *whole* of the shire—and was in essence shorthand for the county's common interest. The representation of the common interests of the inhabitants of the county in petitions was not a unique phenomenon in late medieval England, but part of a deep-rooted mode of political action.<sup>134</sup> The articulation of common interest went hand in hand with a conception of community solidarity: it is hard to conceive of a situation in which individuals articulated the interests of a community without feeling some sense of belonging to that community. A broad cross-section of the inhabitants of a county could claim to be members of its community: its membership was in the nature of being open and evanescent. Thus, the county community was not some static, monolithic, elitist entity: it was instead the dynamic idea of the county as a whole. I have argued that a sense of county corporate identity was especially pronounced in the first half of the fourteenth century, a time when magnates had not yet woken up to the possibilities of controlling the localities through the recruitment of local office-holders into their affinities. Whether or not we choose the word 'community' to describe the associations and identities which the county fostered among the gentry at this time should not in itself be a reason to dismiss the county altogether as a factor shaping political mentalities and obligations in the localities.

*University of Nottingham*

GWILYM DODD

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<sup>134</sup> M.S. Kempshall, *The Common Good in Late Medieval Political Thought* (Oxford, 1999).