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978-1-107-08990-7 - Government and Political Life in England and France, c.1300–c.1500

Edited by Christopher Fletcher, Jean-Philippe Genet and John Watts

Excerpt

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1 The government of later medieval France and England: a plea for comparative history

Jean-Philippe Genet

On 30 May 1420, a solemn assembly, in which the three estates of the kingdom of France were represented, met in Paris to confirm the new treaty concluded at Troyes between the King of England and the King of France. Once a direct line had been established through the French king (whose son, the future Charles VII was disqualified because of his crimes) and the English one, by the marriage of Henry V with Catherine de Valois, daughter of Charles VI, the two kingdoms of France and England would belong to the heir of this marriage and his own heirs, that is:

the same person who will be, for the time, King and sovereign lord of both kingdoms, as said earlier, keeping nevertheless in all other matters to each kingdom his rights, liberties, customs, uses and laws, without subjecting in any way one of the said kingdoms to the other¹

The double reign of Henry VI was a double failure, but the geographical and historical proximity of the two kingdoms was such that the personal union under the imperium of one man of France and England was thought to be a political structure worth trying. The two kingdoms were, however, to be kept strictly separated, each governed according to its own particular laws and traditions.

Close, if distinct: such were France and England in the eyes of their governing elites in 1420–2, a view which nearly two centuries of academic (but nationally based) historiography has obscured by dividing what had been a common history into two parallel and distinct national histories. It is worth remembering that, at one time, it seemed common sense to teach and study British and French histories together: ‘the histories of France and England from the reign of Edward the Confessor have been so constantly and closely connected by all international relations of peace and war that they would naturally collect themselves into one province’,

¹ Cosneau (1889), p. 111.

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advised the Oxford Regius professor of Modern History, Henry Halford Vaughan, in his *Memorandum to the Parliamentary Commissioners* in 1856.² This is why we wanted to reconsider the history of the French and English political space, concentrating our examination on the problem of government. In this brief introductory chapter to the volume, I intend to justify this project, by establishing to what extent it is possible to describe England (or the British Isles) and France as a common political space; why we have chosen to explore it through the theme of government; and what some of the methodological implications of such a choice were. It is worth noting that I shall not attempt to give a narrative of the events of the period, though it might have been useful for some readers. In the introduction, it will only be possible to combine efficiently the two traditional national perspectives. In his conclusion, John Watts offers a general survey in the light of the findings of this book.

I

On another occasion, I have described France and England as a couple.³ They are obviously two states and two nations with a long and turbulent history, but at least for the medieval segment of this history, it is mostly a common history: the Saxon tribes were next to the Frankish ones in the queue to breach the *limes*; the Normans did, after all, conquer England; and the Norman and Plantagenet kings of England ruled over a much larger slice of French territory than their Capetian counterparts for quite a long time. True, in the later Middle Ages, from the last decade of the thirteenth century onwards, war was the dominant link between the two countries, but the English still governed significant parts of France until 1453 and they kept Calais (1347–1558) and later on Boulogne (1543–6) until the middle of the sixteenth century. As we have seen, the double kingdom of France and England had some reality between 1422 and 1435, at least. The marriages between the two royal dynasties were so frequent (Henry II married the divorced wife of Louis VII; Henry III and Saint Louis were brothers-in-law; Edward I, Edward II, Henry V and Henry VI had Capetian or Valois wives) that one could nearly say that one and the same family ruled both countries. Despite all this, the dream of the double monarchy vanished, although it is difficult to know what would have happened had Henry V, by far the best soldier of his times, lived longer than he did. All the same, the loss of Guyenne and Normandy did not erase France from the English agenda. Calais was still in English hands, and Burgundian Low Countries could still offer

² Bill (1973), p. 266.³ Gazeau and Genet (2012).

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a powerful alliance (at least until 1475 when Edward IV crossed the Channel). And after the Battle of Pavia, Henry VIII was quick to suggest to his nephew Charles V that he should get rid of Francis I and recognise himself as the true King of France to ensure a lasting European peace.

Be it a peaceful one, or a warring one, the relation between these two entities has always been intense and it is all the more surprising that the two histories have usually been written in the rigid framework of national historiography imposed by the nineteenth century on the emerging scientific history. There were some good opportunities for crossing the Channel, especially with the so-called debate on the ‘Norman yoke’, but they proved unequal to the task of diverting historians from the main road of national history. Indeed, it is only recently with David Bates and the late Marjorie Chibnall that British historians really came back to Normandy to write in depth the history of the Conquest from where it began.⁴

Mutual interest has, however, always been keen, although not synchronic. English nineteenth-century historians sought a model in the Prussia of Stein and generally speaking in Germany, while their French counterparts, whether Orleanists – such as Thiers and Guizot – or Republicans, were fascinated by the history of England: they valued highly a political system which seemed able to prevent the violent political upheavals experienced by France. There is a distinctly Whig flavour in the French approach to English history. Henry Wallon (who introduced the word ‘République’ into French parliamentary legislation in 1875 and is therefore, at least formally, the founder of the Third Republic) was an Anglophile who wrote a history of the reign of Richard II, while André Réville (1867–94), the son of a French minister at Amsterdam, was the author of a history of the 1381 rising which is still useful today.⁵ This tradition was continued by Charles Bémont⁶ (1848–1939); Charles Petit-Dutaillis (1868–1947), who was brought to English history by the editing of his friend Réville’s work and later edited the translation by his own pupil, George Lefèvre, the future great historian of the French Revolution, of Bishop Stubbs’ *Constitutional History of England* (to which he added the *Studies and Notes*, prefaced by Powicke);⁷ and Édouard Perroy (1901–74).⁸ All these men knew what force was driving them to English history: the love of freedom. Petit-Dutaillis was jailed for a time

⁴ See Bates, (1969–80). ⁵ Réville (1898), (1892), pp. 1–42.

⁶ Bémont (1884), (1892).

⁷ Stubbs (1913); Petit-Dutaillis’ comments, mostly taken from his edition, were published as *Studies and Notes Supplementary to Stubbs’ Constitutional History*... (Petit-Dutaillis (1908–28), with several re-editions.

⁸ Perroy (1933a) and Perroy (1933b).

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at Fresnes by the Gestapo, and Perroy had an important role in the Resistance, writing his *Guerre de Cent Ans* while on the run in the mountains of Forez, and coming close to being the first ‘préfet’ of free France at Saint-Étienne in 1944. Marc Bloch had the same political sympathies and died a martyr at the hands of the Nazis in 1944 and we now know, thanks to François-Olivier Touati, that he had developed strong intellectual links with his fellow contributors to the *Cambridge Economic and Social History of Europe*, M. M. Postan and Eileen Power.⁹ But after this, while contemporary historians such as François Crouzet and François Bédarida continued in the same tradition, English history appears to have disappeared as such from French medieval historiography. Younger historians such as Bernard Guenée and Philippe Contamine were very learned in English history and historiography, but did not work on English sources. French historians with some curiosity for countries other than the motherland have now deserted the United Kingdom, flocking to the French schools and institutes in Rome and Madrid, or following the government’s incitements to study German history – long neglected, it is true, for obvious reasons.¹⁰

With the end of the Second World War, however, it was now time for the English to cross the Channel and they indeed introduced new perspectives on French history. Several of these young historians were exceptionally well prepared to work in France, thanks to the teaching of diplomatic and palaeography provided by Pierre Chaplais in Oxford.¹¹ These views were not always welcomed – though their exponents were – but they have in the end deeply affected French historiography, and this is also one of the reasons why this book had to be written. Roughly speaking, there are two areas in which they have been most influential: the first is the export of the ‘McFarlane legacy’, which made historians realise that ‘bastard feudalism’ was not restricted to England, but that money and contracts, though disguised as ‘alliances’ were just as common in France – and in many other places – as they were in England.¹² Peter Lewis is mainly responsible for this and he has written what remains one of the best and most innovative histories of later medieval France.¹³ The other area is a tactful but well-grounded revision of the degree of cohesion and unity of the French kingdom, too often taken for granted by French historians. While Ferdinand Lot, Robert Fawtier and their collaborators in their epoch-making *Histoire des Institutions de la France* drew – and not

⁹ Touati (2006). ¹⁰ For a survey, see Genet (1991).

¹¹ On his role see Sharpe (2012). His *English Diplomatic Practice* (Chaplais (1982–2003)) is a monument, with unfortunately no counterpart for France.

¹² Britnell and Pollard (1995). See also Hicks (1995). ¹³ Lewis (1968).

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so long ago – a sharp line between the *Institutions royales* and the *Institutions seigneuriales*,¹⁴ in which category they dissolved beyond recognition the princely states of the later Middle Ages, British historians produced superb studies of the governments and societies of these principalities: Christopher Allmand¹⁵ (Lancastrian Normandy), Michael Jones¹⁶ (Brittany), Malcolm Vale¹⁷ (Gascony), Richard Vaughan¹⁸ or Graeme Small¹⁹ (Burgundy) to name but a few of the British historians working on the period under scrutiny in the present book, have amply demonstrated the amount and the vitality of state-building activities emulating but also opposing the French kings.

A consequence of these historiographical developments is that we are now in a better position to deal with France and England as a common political space. The French historians mentioned above had simply complemented their British colleagues' views on the twelfth and thirteenth centuries, but the new emphasis on the importance of the principalities and the state-making activities of the princes by British historians has deeply altered the perception of France itself and more generally of a European west as dominated by the great 'national' monarchies. Precisely because they were fast-growing organisations, these monarchies appeared fragile and precarious: several English and Scottish kings were deposed and murdered, and France faced disintegration at least twice. But we must face the consequences of this new vision for a comparison between France and England. On the English side, principalities were not a problem: England was more weakened by Fortescue's 'overmighty subjects' than by its peripheral principalities (the principality of Wales, the duchies of Lancaster and of Cornwall, the County Palatine of Chester) since they were used more often than not as royal power bases against aristocratic unrest. However, it must not be forgotten that Aquitaine and Normandy can be seen at times as English principalities, which greatly enhanced the status of the Black Prince, John of Gaunt²⁰ or the duke of Bedford: princes indeed they were, and their weight in English politics depended on this status. More recently, the question of 'Britishness' has been introduced, the winds blowing not from France but from Wales and Ireland, under the impulsion of the late Sir Rees Davies²¹ and of Robin Frame.²² But the problems of these territories did not affect the administrative machinery and the government of England to the same extent.

¹⁴ Lot and Fawtier (1957); see Ferdinand Lot, quoted in the Introduction as saying 'À dire vrai, en France, comme ailleurs dans l'Europe occidentale, il n'existe qu'une seule institution; c'est la Royauté.' (p. ix).

¹⁵ Allmand (1983). ¹⁶ Jones (1970, 1988, 2003). ¹⁷ Vale (1970, 1990).

¹⁸ Vaughan (1970a), (1973a), (1979). ¹⁹ Small (1997). ²⁰ Goodman (1992).

²¹ Davies (1986), (2000), (2009). ²² Frame (1995).

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Ireland remained an external problem, though it could be used as a power base by magnates just as much as Aquitaine or Normandy; the Welsh, on the other hand, were gradually integrated in the English political society after the failure of Owain Glyn Dŵr's revolt.²³ Welsh problems proved less dangerous for England than they had been previously, even during the so-called Wars of the Roses,²⁴ because of the decline of the Marcher Lordships, would-be principalities of thirteenth-century England. The case of Scotland must be left to further investigation, since we are facing here a quandary similar to the Franco-British one, perhaps even worse, that of two unduly 'national' histories for a largely common historical space.

If the 'British turn' in English historiography can be left aside for a Franco-English comparison without too much damage,²⁵ the re-evaluation of the importance of the principalities presents more difficulties for France, which had several principalities or would-be principalities developing on her vast territory. Several of these also had large dominions outside France, providing their masters with resources outside monarchical control. Even if we discard as inconsistent the conglomerates of lordships of the two rival houses of Foix and Armagnac, and consider the dukes of Anjou (with their lands in Provence and later in Lorraine, not to speak of their Italian pretensions), Bourbon²⁶ and Alençon, as less lethal at the time, at least two of these principalities were well advanced in the process of becoming autonomous, if not independent, states by the middle of the fifteenth century: Brittany²⁷ and Burgundy.²⁸ Burgundy was especially dangerous, since besides their French demesnes (Burgundy, Flanders, Artois) the dukes had secured a large slice of Imperial territory (most of the Low Countries, the County of Burgundy, part of Alsatia). Charles the Bold when he died was both trying to impose his authority on the Imperial ecclesiastical principalities on the Rhine and to unite the two main nuclei of his lands at the expense of the duke of Lorraine. Had he succeeded in wresting a royal title from the impoverished emperor, he would have been a formidable challenge for the legitimacy of the French king. Though he did not succeed, the ultimate result of his involvement with the Empire was the transfer of the most valuable Burgundian lands to the Habsburgs who, since they soon also became kings of Spain, were later able to encircle France. It was not in 1453, when an uncertain peace was re-established between France and England, but much later, after Charles the Bold's death in 1477 on the battlefield at Nancy and the

²³ Davies (1995). ²⁴ Griffiths (1991). ²⁵ But see now Brown (2013).

²⁶ Mattéoni (1998), (2012). ²⁷ Kerhervé (1987).

²⁸ Prevenier and Blockmans (1999); Schnerb (2005).

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subsequent collapse of his ‘state’, or even later on, in 1488, when the government of Anne de Beaujeu had tamed the duke of Orléans (the future Louis XII) and brought Brittany under French control by marrying her brother Charles [VIII] to the heiress Anne de Bretagne, that France re-emerged as a unitary and consistent monarchical state.

At this stage, a reminder of the general situation in Europe may be useful. It is worth pointing out that in 1479, the crowns of Castile and Aragon were united in the persons of Ferdinand and Isabella; that in 1487, at the Battle of Stoke, Henry VII disposed of the last Yorkist competitor to receive strong aristocratic support (Lambert Simnel; Perkin Warbeck, eliminated in 1497, was chiefly backed by foreign powers); and that in 1489 James IV put an end to chronic rebelliousness in Scotland. But before this monarchical turn in the last decade of the century, in a period in which the general prevalence of wars, feuds and civil unrest in the two great kingdoms of France and England drew into their rivalry nearly all adjacent powers from Scotland to Spain, including the principalities of Western Germany, the Swiss and Italian regional states and the Iberian kingdoms, the sinews of power were operated at regional or factional level, if not below.

This means that during most of the fifteenth century, political action has to be followed at infra-state level as well as at state level. Franco-English relations in the years 1412–13, for instance, are a complex web of negotiations, first between the Prince of Wales [the future Henry V], his associate the earl of Arundel and the Burgundians, and later between Henry IV and his second son Thomas [Clarence] with the leaders of the Armagnac party, producing two raids in France on opposite sides.²⁹ Until 1472, at least, Franco-English relations in the reign of Edward IV are best described as a highly volatile game of four parties – Lancastrians (attracting the previously Yorkist Warwick affinity); Yorkists (soon reduced to the king and his in-laws); Louis XI; and the Burgundians – with constantly changing alliances. English and French princes were also involved outside their respective kingdoms: John of Gaunt dreamt of being King of Castile, and the Valois dukes of Anjou fought for the kingdom of Naples and later in Catalonia or in imperial Lorraine. As we have already mentioned, the dukes of Burgundy were at least as much involved in the Empire as they were in France, while the dukes of Brittany long held the earldom of Richmond in England. It is no surprise that the crime of treason became one of the main political tools developed by the French kings.³⁰ For monarchies did survive in the end, and though we have to take into account the somewhat dislocated structures of both

²⁹ Favier (1980); Allmand (1992).³⁰ Cuttler (2003).

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polities, we are left with the impression that a certain degree of continuity existed and that it was strong enough to allow us to follow the thread of central government, despite the convulsive state of the political societies of France and England. A consequence of this is that we shall be focusing on the kingdoms of France and England: in the pages which follow there is almost no Wales, no Ireland and no Scotland, there is no Burgundy, no Gascony, no Brittany: there are only France and England and, while we are quite conscious that this is a distortion of reality, we have had to accept it as the only way of making a comparative study manageable.

II

As we have seen, though English and French historians were perfectly able to write history with minds alerted and informed by a deep knowledge of a different model, and though we have in both countries excellent ‘national’ histories,³¹ they have on the whole fought shy of a truly comparative history. Though comparison between France and England used to be a well-established tradition in the Middle Ages – it is enough to remember Forstecue’s *Governance of England* and *Le débat des hérauts d’armes de France et d’Angleterre*³² – Charles Petit-Dutaillis may have been the first to have attempted such a comparative history with his study of the feudal monarchies of France and England.³³ Even so, it was left to Marc Bloch to make the first methodological breakthrough with *Seigneurie française, manoir anglais*, though there is not much left of his conclusions, the book being but notes for a lecture delivered in 1936 but published only in 1961, thanks to Georges Duby.³⁴ It is a daring attempt to use comparative history as a method to explore the rural structures of the two countries. However, a more wide-ranging attempt at writing a comparative history has come from the American medievalist Richard Kaeuper, who produced an impressive account of the development of the governing of both France and England in the fourteenth century, starting from the enterprise of war, in which he saw a kind of *primum movens*, moving then to taxation and credit, ending with justice and the maintenance of order.³⁵ Our approach, however, is different: we have

³¹ See for instance Bove (2009) for France and Harriss (2005) for England – but see also Carpenter (1997) for the second half of the fifteenth century.

³² *Le débat des hérauts d’armes*, ed. Pannier (1877); for Fortescue, see Fortescue (1997), pp. 83–123. There is also the extensive literature of confrontation between the two kingdoms: see for instance ‘*L’honneur de la couronne de France*’, ed. Pons (1990) and Taylor (2006).

³³ Petit-Dutaillis (1936), a translation of the French edition published in 1933.

³⁴ Bloch (1960): see the review by Robert Fossier, *Bibliothèque de l’École des Chartes*, 119 (1961), pp. 361–3.

³⁵ Kaeuper (1988).

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mostly concentrated our own work on the fifteenth century, and we never intended to produce a continuous narrative. But to write a comparative history, we had first to choose between two contrary approaches, either to compare structures, which would have led us to compare two societies, or to concentrate on dynamics, which opened other perspectives.

Against the first approach, it must be admitted that the present state of historiography makes it extremely difficult to write a comparative history of French and English societies. This is due to some obvious discrepancies (the sheer size of France makes it more heterogeneous, while the centralised structure of the old English state which survived the Conquest contrasts with the segmented nature of power in feudal France). But the main obstacle is historiographical. A kind comment would be that French historians have a highly centralised perception of their decentralised medieval past, while English historians have a highly localised perception of their centralised medieval past. But the fault is not entirely with them, since it is also a consequence of the configuration of the sources of each country. In England, we have excellent sources for the central machinery of government, sources which historians and antiquaries have tapped at least from the second half of the sixteenth century, while in France a large amount of these central archives has been destroyed from early on, either by accident (the burning of the *Chambre des Comptes* in 1737) or during political troubles such as the French Revolution and the Paris Commune. Enough survives to give us a clear idea of the working of the central administrative and judicial machinery (the *Parlement* of Paris has kept most of its archives), but it remains very difficult to track in any detail the relations of the centre with the regional administration and localities, not to speak of individuals, which is a *forte* of the English archives. On the other hand, the French Revolution confiscated religious and noble properties, including their archives, for which the *Archives Départementales* were immediately created, and the County Record Offices, created much later, pale in comparison (indeed, the spoils of the monasteries had already been dispersed by the end of the sixteenth century!).³⁶ Therefore it is possible to write in England what cannot be written in France, that is, extremely coherent and well-documented histories of the elites (nobility, gentry, town oligarchies) from the central archives,³⁷ while for the medieval peasantry we depend upon estates' archives. A striking consequence is that elites

³⁶ See Leitch (2011); Kitching (2011); Ruggiu (2011).

³⁷ A good example is the trilogy devoted to the Paston family by Colin Richmond (1990, 1996, 2001): the Paston Letters, in itself an exceptional source, is completed by the central archives to achieve with a *microstoria* precision the portrait of a gentry family; compare with, for instance, Charbonnier (1973) for a French counterpart.

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are studied apart from the peasants, and that there are no regional studies that explore society in the round; histories of the elites are either centred on a town or on a county, peasant histories on estates.³⁸ The result is quite different in France, where the monumental French *thèse d'État* is ideally suited for good town and regional studies. This is why the pillars of French medieval historiography are the splendid regional studies produced by a long line of historians, from Georges Duby to Guy Bois,³⁹ a line that the demise of the *thèse d'État* seems to have brought to an end, to the despair of some.

The problem for us is that, given the regularity of structures in the limited space of the kingdoms, English local studies, whether they deal with aristocracy, towns or peasantries, are additive, while in France only town histories are; the regional studies never are, because the structures are too different from one part of the country to another. To come back to social history, it makes sense to speak about the English nobility or about the English peasantry, but they have no reliable French counterparts: the only social group for which some comparison is possible is urban oligarchies, because most French towns have a similar relation to the monarchy, and because town archives often provide what is lacking elsewhere (for instance, Bulst's epoch-making history of the *États généraux* in 1468 and 1484 has been written from this kind of material).⁴⁰ But neither for the peasantry nor for the nobility can we boast of a synthesis similar to that achieved by Bernard Chevalier for the French towns.⁴¹ If we put alongside one another Bruce McFarlane's classic essay on the English nobility⁴² (to which could be confidently added a selection of county-gentry studies) and Philippe Contamine's essay on the French nobility, the contrast is fascinating. Thanks to parliamentary summons, McFarlane knows precisely how many noble families existed at any given time; and from Warwickshire and other English counties,⁴³ we get impressive lists of gentlemen, with their retinue affiliation, the offices and commissions they received, and not too bad an idea of their income, thanks to the *Inquisitions post mortem*. On the other side of the Channel, Contamine struggles valiantly with his sources, or rather his absence of sources, and with an inadequate secondary literature to get the best of them, but he ends up with a patchy and indecisive survey, concluding that only 1% of them could belong to the higher nobility (perhaps the would-be French

³⁸ Hilton (1966) is an exception, and it may be worth stressing that Hilton was a Marxist historian.

³⁹ Bois (1976), highly relevant for the present project. (After all, the English *were* in Normandy.)

⁴⁰ Bulst (1992). ⁴¹ Chevalier (1982). ⁴² McFarlane (1973).

⁴³ Saul (1981); Payling (1991); Carpenter (1992), to quote but a few.