INTRODUCTION

OVERVIEW

This book has two main aims. Its subject is the far north in the fifteenth century, in a time period significant for the region in being much less well understood than either the preceding century (dominated by Anglo–Scottish warfare) or the following one (in which the so-called border reivers were so well documented by Tudor administrators and their Scottish counterparts). The first aim is to investigate the far north in light of its prevailing reputation as different from the rest of England: an alien, turbulent and exceptional ‘periphery’ distant from the realm’s heartland. The question to be pursued is how local society governed itself, in particular, how it sought to manage conflict, in the northern marches. The second aim is the more ambitious. While drawing local, national and international comparisons where relevant and helpful, it is to raise questions from this example about the geography of power and the nature of conflict in the English kingdom as a whole.¹

Our knowledge of these matters concerning late medieval England is well established. The present state of the field owes its foundation to the work of K.B. McFarlane. In the middle decades of the last century McFarlane rewrote the agenda for the study of politics and political society, demolishing the Whig approach which had dominated for a hundred years. The older interpretation, set by William Stubbs and Charles Plummer, was concentrated on criticism of ‘overmighty subjects’ and their use of ‘bastard feudalism’ to secure personal interests, and on seeking to understand England’s past chiefly in order to explain the institutional development of parliament as the pillar of Victorian

¹ Footnotes in this overview section are kept to a minimum; subsequent notes in this chapter contain full references.
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English liberty.\(^2\) Since the McFarlane reformation, a great deal of work has been done on late medieval England’s rich array of archives, which lend themselves well to the study of landowners in the localities. From this has emerged a patchwork of local studies, many of them focused on particular counties; the landmark statement of this type is Christine Carpenter’s *Locality and Polity: A Study of Warwickshire Landed Society, 1401–1499*. A number of other works have explicitly used evidence drawn from case studies in certain areas to illuminate national issues. The best examples of this work, such as Edward Powell’s *Kingship, Law and Society: Criminal Justice in the Reign of Henry V* and Helen Castor’s *The King, the Crown, and the Duchy of Lancaster*, have tended to focus on localities no further north than the midlands. All this has achieved a present understanding of the late medieval (and in particular of the fifteenth-century) kingdom which was defined by a precociously centralised monarchical government, requiring effective rulership exercised by capable kings (and prone to drift towards disaster if kings were unable to provide this). The governance of the realm required cooperation between kings and nobility, and, in turn, collaboration between the nobility and the gentry. In this way private power and public authority were fused together. The private power of all landowners and the ability to command men was derived from land, and the king’s law guaranteed rights in land; effective kingship was thus especially about making the law work. The gentry gave their support to the nobility by participating in a nobleman’s following or affinity; in return, gentlemen, esquires and knights received their lord’s backing in the protection of their landed interests. All landowners shared in a fundamental consensus about the acceptable limits of occasional violence and the preference for swift, informal and peaceful resolution of disputes.\(^3\)

If such is the current understanding of the late medieval kingdom as a whole, the place of the English far north in this framework remains unresolved. ‘In a society so disorderly, so physically remote from the king and the central courts at Westminster, bastard feudalism provided the squirearchy with its only hope of some kind of security.’\(^4\) This is one view of the region expressed some time ago by R.L. Storey and it is a perspective which if problematic in some regards has proved

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remarkably durable. We have come to know a great deal about the late medieval English north generally, or, rather, to know a great deal about the careers of the northern nobility, especially the magnates, and about many of the more prominent knights and barons. Much less is clearly known about the lesser rungs of political society in the region, the lower gentry and upper peasantry, and about the deep assumptions which shaped their choices and actions in local affairs. As it presents the conceptual framework for what is to follow, the second section of this introductory chapter will review the relevant historiography of the north. All the same it is worth noting here at the very outset that the English ‘north’ is amorphous. The ‘north’ of course refers to a cardinal direction, an idea, not a place. It took on a particular modern sense as a consequence of industrialisation, but it has a deeper past too, for the ‘north’ as an idea has always had a mythical status in European culture.

For the purposes of this book, the focus is on a defined area, identified in our period as the marches towards Scotland. That consisted of the three counties of Westmorland, Cumberland and Northumberland and the liberties within them. This, as we shall see, has long been understood as a disturbed upland zone with atypical social structures, shaken further by the effects of late medieval Anglo-Scottish border war.

Much of the archival research for this study was completed during the years when the US and NATO-led war in Afghanistan was at its most intense. Journalists at the time regularly reported on ‘remote rural’ Afghanistan and its ‘often violent culture of blood feud and local justice where the reach of central government is weak or non-existent’. The mountainous valleys of the Afghan–Pakistan border were described as ‘tribal frontiers’. Influential in shaping such thinking about the region by journalists and Western generals was Sir Winston Churchill’s quasi-ethnographical account of his experience there in another conflict, The Story of the Malakand Field Force: An Episode of Frontier War. Then Churchill wrote of a world in ‘a state of continual tumult’ which led the border clans to dwell in fortified towers, possess an ‘absolute lack of reverence for all forms of law and authority’ and engage in ‘family vendettas and private blood feuds’ instructed by an honour code.

5 For example, see S.G. Ellis, Defending English Ground: War and Peace in Meath and Northumberland, 1460–1542 (Oxford, 2015), 84. For the development of this theme in the historiography see below, p. 7.
9 ‘Dinner Date with the Presidents’, BBC News Online, 30 September 2006.
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‘incomprehensible to a logical’ and ‘civilised’ mind.10 The present study has nothing to do with Afghanistan, but it does have much to do with the ideas expressed here which parallel the range of assumptions at work in enduring interpretations of England’s northern frontier in the late middle ages: that it was also a remote and hilly landscape inhabited by feuding clansmen who, in response to incessant tumult, built fortified houses and lived by raiding and feud.11 One of the chief contentions of this book is that otherwise poorly understood patterns (both violent and peaceful) of local conflict and social organisation are detectable in the northern marches, but that such behaviours and structures were not primarily a consequence of a hostile border or of life in a sub-mountainous landscape. Rather, it will be argued that something like ‘feud’ may be identified here and explained as a function of a culture of conflict which is best understood in a European context. Of England it has been said that ‘if blood-feuds did arise they were rare’.12 Such was the view expressed by McFarlane on the nature of conflict among the nobility in a foundational essay on the War of the Roses. It is the second aim of this book which is the more daunting: to bring the far north more satisfactorily into a framework of understanding applicable to the whole kingdom. This is to prompt questions about conflict throughout England and, in relation to this, about our understanding of some of the rules, and the geography, of power in the kingdom.

THE FAR NORTH, CONFLICT AND GOVERNANCE

In 1419 the castle of Wark [castrum de Werk] was captured at night by William Haliburton of Fast Castle, who was then tricked [deceptus] by Sir Robert Ogle and killed [interfectus] treacherously [proditoriæ] along with twenty-three very gallant Scots [Scoti viri fortissimi]. After they had taken the castle, Sir Robert Ogle was there at once, parleying [tractatum] with them and making many promises in connection with handing over the building [deliberacione domus]. But meanwhile the English ascended the rope ladders which the Scots had left hanging from the walls, climbed over and threw the headless corpses [decapitatorum cadavera] of all the Scots over the walls.

—Walter Bower, Scotichronicon13

11 See comment on Sir Walter Scott below at note 26.
13 Scotichronicon, vni, 112–13. Wark’s description as a ‘castrum’ suggests that Wark-on-Tweed is intended, not the tower of Wark-in-Tynedale. See also Liber Pluscardensis, i, 353 (Latin); ii, 269 (translation).
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Thus the chronicler Walter Bower recounted in the 1440s a particularly gruesome, calculated and exhibitory episode of border violence. The Scottish abbot’s matter-of-fact prose touches a number of themes pertinent to England’s far north, not least that of Anglo-Scottish conflict, which had oscillated fitfully between war and truce since 1296; the most recent interjection of formal peace was that of 1328, quickly abandoned. There is savagery and deceit too: by the fifteenth century the inhabitants of the English northern counties, and especially of those counties within the frontier jurisdiction known as the marches towards Scotland, had a well-established reputation for fierceness and unrest that was observed by English writers. This was not just martial belligerence directed towards the Scottish foe. The experience of border raiding and defence, so the familiar assertion goes, generated a militarised society in a region where violent assault and plunder were accepted and normalised facts of life. Chronicle accounts of the Wars of the Roses that noted ‘the malyce of the northermen’ are well known to historians, as are the colourful verses on the perfidious and alien nature of the ‘Gens Borae’ penned by Abbot John Whethamstede of St Albans. Malory’s Sir Balin ‘le savage’ arises from septrional stock; ‘borne in Northumbir-londe’, without hesitation he decapitates the Lady of the Lake in revenge for the slaughter of his mother. Even if such a perception of English northerners was nothing new, the case has been made that the civil convulsions of the fifteenth century – and the role therein of militarised northerners – was of particular significance in the development of attitudes towards the English north, and of a ‘northern consciousness’. In this vein Clement Paston informed his brother by letter following the battle of Wakefield that the ‘pepill in the northe robbe and styll and ben

14 I.A. MacInnes, Scotland’s Second War of Independence, 1332–1357 (Woodbridge, 2016), 1.
16 The traditional view is rehearsed in S.G. Ellis, ‘Region and Frontier in the English State: The English Far North, 1296–1603’, in S.G. Ellis and R. Esser (eds), Frontiers, Regions and Identities in Europe (Pisa, 2009), 77–100, at 88; Ellis, Defending English Gaul, 84.
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apoyntyd to pill . . . and gyffe a-way menys goodys and lyfflodys in all the sowthe cwntré'. 20 It is telling that the soldier and chronicler John Hardyng, who relished narrating skirmish and war with the Scots, was careful in the 1460s to remind his addressee, Edward IV, of the loyalty of ‘the north parte’, and to suggest that the oracle of Jeremiah 1:14 referred in fact to the true north: to Scotland. 21 Two decades later the Crowland continuator readily applied the same piece of scripture to the insurrection of the king’s northern lieges. 22 Of course, reading such material requires sensitivity to the universal topoi of northern barbarity and incivility cultivated since classical antiquity, and which is more often to the fore in studies of periods preceding and following the later middle ages. 23 Indeed, historians of Scotland have also become alert to the ‘portfolio of developed motifs’ upon which late medieval authors drew as they wrote about the peoples of their own realm. 24 Walter Bower himself turned to passages from Vegetius on the sepentrionales populi in order to explain the headstrong pugnacity of his co-lieges, the Scotti transmontani, those dwelling beyond the Mounth. 25

This book is about how local society was governed, and governed itself, in particular, how conflict was managed, in England’s fifteenth-century far north. These ‘remote provinces’, wrote Sir Walter Scott in 1814, ‘were inhabited by wild clans as lawless as their northern neighbours, resembling them in manners and customs, inhabiting similar

21 Chron. Hardyng, 380, 420.
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strong-holds, and subsisting, like them, by rapine’.26 As suggested above, this view has held considerable sway over historians. Even in works of high calibre they have long been satisfied to make colourful throw-away remarks about society in the northern English marches: that it was riddled with ‘endemic violence’27 and a ‘characteristic northern indifference to the authority of the law’.28 Another historian describes the borderlands as ‘traditionally lawless and including some of [England’s] wildest terrain’, a ‘sensitive area’ where ‘problems of maintaining order and administrative machinery were endemic’.29 In more recent work comparable claims are still to be found about ‘a taste for violence and “private” warfare’,30 a ‘culture of an unstable march society’ in the ‘isolated and fragmented world’ of the ‘rugged border valleys’.31 Further comment on this ‘remote region’ has described the far north as ‘set apart from the main currents of English society by virtue of the dictates of border warfare and its close proximity to England’s perennial enemy’.32 And other work using evidence drawn from the area points to the role of the ‘armed frontier’ in fostering ‘the social and the legal conditions that [allowed] feuding to continue’ in the marches up to the regal union of 1603.33 There is no question that the late medieval far north was among those parts of the

27 M.E. James, Change and Continuity in the Tudor North: The Rise of Thomas, First Lord Wharton (York, 1965), 7. See also G.M. Trevelyan, English Social History (London, 1904), 153.
30 M.L. Holcroft and K.J. Stringer, Border Liberties and Loyalties in North-East England, c. 1200–c. 1400 (Edinburgh, 2010), 122. This important book is discussed below with regard to liberties and franchises.
31 Ibid., 332. See also M.C. Carpenter, Locality and Polity: A Study in Warwickshire Landed Society, 1400–1499 (Cambridge, 1992), 484, 641.
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kingdom with the lowest distribution of population and lay wealth. Yet hand in hand with the actuality of a relatively sparsely inhabited and impoverished territory is another old chestnut, that the far north was in consequence isolated and distant, a socially and culturally backward ‘dark corner of the land’, contrasted with the more populous, prosperous, cultivated and unified south-east.

Linked directly to the view of a remote, violent and hopelessly ‘lawless’ English far north is an issue that has been fundamental to the historiography of fifteenth-century England as a whole: the role of lordship, both its exercise in the locality and its effects in the wider kingdom. Here most attention has been directed to the greater nobility, in an older school of thought in the guise of the ‘overmighty subject’. Not least among these medieval megafauna were the great northern magnates, the Percys and the Nevilles, who, so the older formulation went, flouted royal authority and led their unruly followers in private quarrels, ultimately leading to civil war and the collapse of the Lancastrian regime in the later 1450s. Of course, that regime itself was founded by a vastly ‘overmighty subject’, and much scholarship concerning the north in the reigns of Richard II and Henry IV has focused on the relationship between the crown and the Percys and Nevilles, who were so important to the Lancastrian usurpation. Arising from this theme is


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the long-standing notion of a governmental ‘problem of the north’ generally – not just of the three marcher counties – in which English rulers, on the one hand, needed powerful nobles to defend the border but, on the other, faced a potential threat from these same men.38 Historians have been less clear as to what areas constituted the region of ‘north’ which presented this dilemma; certainly, magnates with power bases firmly established in Yorkshire served the crown as wardens of the march, the crown officers who supervised border defence and border law.39 Older work viewed the wardens as avaricious lords, recruiting from among the gentry ‘private armies at the king’s expense’ and posing a ‘formidable a threat to the peace of England’.40 Certainly, some magnates who served as wardens caused serious trouble. The Percys between 1403 and 1408, and again in 1442–3, the Middleham Nevilles in 1469, and both families in 1453 fit this profile of behaviour,41 but the role of the wardens and the courts of march law which they administered has come to be viewed as integral to the system not only of local defence but also of peacekeeping in northern England.42 More generally, historians came to view the gentry followings of late medieval English nobles in a constructive light, no longer simply the unruly consequence of corrupt ‘bastard feudal’ recruiting, committing depredations at their lord’s whim. As already noted, through work inspired by McFarlane, historians’ understanding of magnate affinities moved towards appreciating their political complexity. Although sometimes difficult to control (and, so


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the historiography suggests, perhaps especially so in areas distant from Westminster), they could facilitate effective local governance when managed aptly by a powerful lord.\textsuperscript{43} The present study is indebted to the work of others who have explored the structures of landed society in the English north and the role of northern magnates in local and national politics. Such work, especially studies of the north–east published in the 1970s–1990s, found that the Percy and Neville of Middleham affinities tended to provide a measure of continuity and a ‘stabilising bond’ among local nobility and gentry.\textsuperscript{44} By contrast, regarding Cumberland and Westmorland, one researcher has argued for the strength of gentry localism triumphing over noble politics, and a similar point has been made about the limits of Percy influence in Northumberland.\textsuperscript{45} The period after 1471, however, has produced contradictory interpretations. Whereas earlier scholars argued for continuing crown reliance on powerful northern magnates, like Richard, duke of Gloucester, and Henry Percy, fourth earl of Northumberland, newer work questions the influence these men actually wielded and the extent of the resources put at their disposal by the crown. While Gloucester’s influence in Yorkshire has long been understood to have been dependent upon Percy support, research now suggests that his dominance in the north–west was also far from complete.\textsuperscript{46} On the other hand, according to one writer, it was


