6 Government and society

The growth of government • Law and justice • Religious beliefs • Ordinary people in country and town • The growth of towns as centres of wealth • Language, literature and culture

The growth of government

William the Conqueror had governed England and Normandy by travelling from one place to another to make sure that his authority was accepted. He, and the kings after him, raised some of the money they needed by trying cases and fining people in the royal courts. The king's "household" was the government, and it was always on the move. There was no real capital of the kingdom as there is today. Kings were crowned in Westminster, but their treasury stayed in the old Wessex capital, Winchester. When William and the kings after him moved around the country staying in towns and castles, they were accompanied by a large number of followers. Wherever they went the local people had to give them food and somewhere to stay. It could have a terrible effect. Food ran out, and prices rose.

This form of government could only work well for a small kingdom. By the time the English kings were ruling half of France as well they could no longer travel everywhere themselves. Instead, they sent nobles and knights from the royal household to act as sheriffs. But even this system needed people who could administer taxation, justice, and carry out the king's instructions. It was obviously not practical for all these people to follow the king everywhere. At first this "administration" was based in Winchester, but by the time of Edward I, in 1290, it had moved to Westminster. It is still there today. However, even though the administration was in Westminster the real capital of England was still "in the king's saddle".

The king kept all his records in Westminster, including the Domesday Book. The king's administration kept a careful watch on noble families. It made sure the king claimed money every time a young noble took over the lands of his father, or when a noble's daughter married. In every possible way the king always "had his hand in his subject's pocket". The administration also checked the towns and the ports to make sure that taxes were paid, and kept a record of the fines made by the king's court.

Most important of all, the officials in Westminster had to watch the economy of the country carefully. Was the king getting the money he needed in the most effective way? Such questions led to important changes in taxation between 1066 and 1300. In 1130 well over half of Henry I's money came from his own land, one-third from his feudal vassals in rights and fines, and only one-seventh from taxes. One hundred and fifty years later, over half of Edward I's money came from taxes, but only one-third came from his land and only one-tenth from his feudal vassals. It is no wonder that Edward called to his parliament representatives of the people whom he could tax most effectively.

It is not surprising, either, that the administration began to grow very quickly. When William I invaded Britain he needed only a few clerks to manage his paperwork. Most business, including feudal homage, was done by the spoken, not written, word. But the need for paperwork grew rapidly. In 1050 only the king (Edward the Confessor) had a seal with which to "sign" official papers. By the time of Edward I, just over two

hundred years later, even the poorest man was expected to have a seal in order to sign official papers, even if he could not read. From 1199 the administration in Westminster kept copies of all the letters and documents that were sent out.

The amount of wax used for seals on official papers gives an idea of the rapid growth of the royal administration. In 1220, at the beginning of Henry III's reign, 1.5 kg were used each week. Forty years later, in 1260, this had risen to 14 kg weekly. And government administration has been growing ever since.

Law and justice

The king, of course, was responsible for law and justice. But kings usually had to leave the administration of this important matter to someone who lived close to the place where a crime was committed. In Saxon times every district had had its own laws and customs, and justice had often been a family matter. After the Norman Conquest nobles were allowed to administer justice among the villages and people on their lands. Usually they mixed Norman laws with the old Saxon laws. They had freedom to act more or less as they liked. More serious offences, however, were tried in the king's courts.

Henry I introduced the idea that all crimes, even those inside the family, were no longer only a family matter but a breaking of the "king's peace". It was therefore the king's duty to try people and punish them. At first the nobles acted for the king on their own lands, but Henry wanted the same kind of justice to be used everywhere. So he appointed a number of judges who travelled from place to place administering justice. (These travelling, or "circuit", judges still exist today.) They dealt both with crimes and disagreements over property. In this way the king slowly took over the administration from the nobles.

At first the king's judges had no special knowledge or training. They were simply trusted to use common sense. Many of them were nobles or bishops who followed directly the orders of the king. It is not surprising that the quality of judges depended on the choice of the king. Henry II, the most powerful English king of the twelfth century, was known in Europe for the high standards of his law courts. "The convincing proof of our king's strength," wrote one man, "is that whoever has a just cause wants to have it tried before him, whoever has a weak one does not come unless he is dragged."

By the end of the twelfth century the judges were men with real knowledge and experience of the law. Naturally these judges, travelling from place to place, administered the same law wherever they went. This might seem obvious now, but since Saxon times local customs and laws had varied from one place to another. The law administered by these travelling judges became known as "common law", because it was used everywhere.

England was unlike the rest of Europe because it used common law. Centuries later, England's common law system was used in the United States (the North American colonies) and in many other British colonial possessions, and accepted when these became nations in their own right. In other parts of Europe legal practice was based on the Civil Law of the Roman Empire, and the Canon Law of the Church. But although English lawyers referred to these as examples of legal method and science, they created an entirely different system of law based on custom, comparisons, previous cases and previous decisions. In this way traditional local laws were replaced by common law all over the land. This mixture of experience and custom is the basis of law in England even today. Modern judges still base their decisions on the way in which similar cases have been decided.

The new class of judges was also interested in how the law was carried out, and what kinds of punishment were used. From Anglo-Saxon times there had been two ways of deciding difficult cases when it was not clear if a man was innocent or guilty. The accused man could be tested in battle against a skilled fighter, or tested by "ordeal". A typical "ordeal" was to put a hot iron on the man's tongue. If the burn mark was still there three days later he was thought to be guilty. It was argued that

God would leave the burn mark on a guilty man's tongue. Such a system worked only as long as people believed in it. By the end of the twelfth century there were serious doubts and in 1215 the pope forbade the Church to have anything to do with trial by ordeal.

In England trial by ordeal was replaced with trial by jury. The jury idea dated back to the Danes of Danelaw, but had only been used in disputes over land. Henry II had already introduced the use of juries for some cases in the second half of the twelfth century. But it was not the kind of jury we know today. In 1179 he allowed an accused man in certain cases to claim "trial by jury". The man could choose twelve neighbours, "twelve good men and true", who would help him prove that he was not guilty. Slowly, during the later Middle Ages, the work of these juries gradually changed from giving evidence to judging the evidence of others. Juries had no training in the law. They were ordinary people using ordinary common sense. It was soon obvious that they needed guidance. As a result law schools grew up during the thirteenth century, producing lawyers who could advise juries about the points of law.

Religious beliefs

The Church at local village level was significantly different from the politically powerful organisation the king had to deal with. At the time of William I the ordinary village priest could hardly read at all, and he was usually one of the peasant community. His church belonged to the local lord, and was often built next to the lord's house. Almost all priests were married, and many inherited their position from their father.

However, even at village level the Church wished to replace the lord's authority with its own, but it was only partly successful. In many places the lord continued to choose the local priest, and to have more influence over him than the more distant Church authorities were able to have.

The Church also tried to prevent priests from marrying. In this it was more successful, and by the end of the thirteenth century married priests were unusual. But it was still common to find a priest who "kept a girl in his house who lit his fire but put out his virtue."

There were, however, many who promised not to marry and kept that promise. This was particularly true of those men and women who wanted to be monks or nuns and entered the local monastery or nunnery. One reason for entering a religious house was the increasing difficulty during this period of living on the land. As the population grew, more and more people found they could not feed their whole family easily. If they could enter a son or daughter into the local religious house there would be fewer mouths to feed. Indeed, it may have been the economic difficulties of raising a family which persuaded priests to follow the Church ruling. Life was better as a monk within the safe walls of a monastery than as a poor farmer outside. A monk could learn to read and write, and be sure of food and shelter. The monasteries were centres of wealth and learning.

In 1066 there were fifty religious houses in England, home for perhaps 1,000 monks and nuns. By the beginning of the fourteenth century there were probably about 900 religious houses, with 17,500 members. Even though the population in the fourteenth century was three times larger than it had been in 1066, the growth of the monasteries is impressive.

The thirteenth century brought a new movement, the "brotherhoods" of friars. These friars were wandering preachers. They were interested not in Church power and splendour, but in the souls of ordinary men and women. They lived with the poor and tried to bring the comfort of Christianity to them. They lived in contrast with the wealth and power of the monasteries and cathedrals, the local centres of the Church.

Ordinary people in country and town

There were probably between 1.5 and 2 million people living in England in 1066. The Domesday Book tells us that nine-tenths of them lived in the

countryside. It also tells us that 80 per cent of the land used for farming at the beginning of the twentieth century was already being ploughed in 1086. In fact it was not until the nineteenth century that the cultivated area became greater than the level recorded in the Domesday Book.

Life in the countryside was hard. Most of the population still lived in villages in southern and eastern parts of England. In the north and west there were fewer people, and they often lived apart from each other, on separate farms. Most people lived in the simplest houses. The walls were made of wooden beams and sticks, filled with mud. The roofs were made of thatch, with reeds or corn stalks laid thickly and skilfully so that the rain ran off easily. People ate cereals and vegetables most of the time, with pork meat for special occasions. They worked from dawn to dusk every day of the year, every year, until they were unable to work any longer. Until a man had land of his own he would usually not marry. However, men and women often slept together before marriage, and once a woman was expecting a child, the couple had no choice but to marry.

The poor were divided from their masters by the feudal class system. The basis of this "manorial system" was the exchange of land for labour. The landlord expected the villagers to work a fixed number of days on his own land, the "home farm". The rest of the time they worked on their small strips of land, part of the village's "common land" on which they grew food for themselves and their family. The Domesday Book tells us that over three-quarters of the country people were serfs. They were not free to leave their lord's service or his land without permission. Even if they wanted to run away, there was nowhere to run to. Anyway, a serf's life, under his lord's protection, was better than the life of an unprotected wanderer. Order and protection, no matter how hard life might be, was always better than disorder, when people would starve.

The manorial system was not the same all over the country, and it did not stay the same throughout the Middle Ages. There were always differences in the way the system worked between one estate and another, one region and another, and between one period and another. Local customs and both local and national economic pressures affected the way things worked.

The manorial system is often thought to be Norman, but in fact it had been growing slowly throughout the Anglo-Saxon period. The Normans inherited the system and developed it to its fullest extent. But the Normans were blamed for the bad aspects of the manorial system because they were foreign masters.

In the early days of the Conquest Saxons and Normans feared and hated each other. For example, if a dead body was found, the Saxons had to prove that it was not the body of a murdered Norman. If they could not prove it, the Normans would burn the nearest village. The Norman ruling class only really began to mix with and marry the Saxons, and consider themselves "English" rather than French, after King John lost Normandy in 1204. Even then, dislike remained between the rulers and the ruled.

Every schoolchild knows the story of Robin Hood, which grew out of Saxon hatred for Norman rule. According to the legend Robin Hood lived in Sherwood Forest near Nottingham as a criminal or "outlaw", outside feudal society and the protection of the law. He stole from the rich and gave to the poor, and he stood up for the weak against the powerful. His weapon was not the sword of nobles and knights, but the longbow, the weapon of the common man.

In fact, most of the story is legend. The only thing we know is that a man called Robert or "Robin" Hood was a wanted criminal in Yorkshire in 1230. The legend was, however, very popular with the common people all through the fourteenth, fifteenth and sixteenth centuries, although the ruling class greatly disliked it. Later the story was changed. Robin Hood was described as a man of noble birth, whose lands had been taken by King John. Almost certainly this was an effort by the authorities to make Robin Hood "respectable".

Left: *Two out of twelve pictures illustrating the occupations of each month, about 1280.* Above left February: *a man sits cooking and warming his boots by the fire. Above him hang smoked meat and sausages, probably his only meat for the winter. In the autumn most animals were killed, and smoked or salted to keep them from going bad. There was only enough food to keep breeding animals alive through the winter.* Below left November: *perhaps it is the same man knocking acorns or nuts from a tree for his pigs to eat. The complete set of pictures shows mixed farming, which produced cereals, grapes for wine and pigs.*

Above: *A woman milks a cow, while the cow tenderly licks its calf. Almost all the population lived in the country, but cows were kept by townspeople too. This domestic scene has a touching gentleness about it.*

Most landlords obtained their income directly from the home farm, and also from letting out some of their land in return for rent in crops or money. The size of the home farm depended on how much land the landlord chose to let out. In the twelfth century, for example, many landlords found it more profitable to let out almost all the home farm lands, and thus be paid in money or crops rather than in labour. In fact it is from this period that the word "farm" comes. Each arrangement the landlord made to let land to a villager was a "firma": a fixed or settled agreement.

By 1300 the population was probably just over four million (up to the nineteenth century figures can only be guessed at), about three times what it had been in 1066. This increase, of course, had an effect on life in the country. It made it harder to grow enough food for everyone. The situation was made worse by the Normans' love of hunting. They drove the English peasants out of the forests, and punished them severely if they killed any forest animals. "The forest has its own laws," wrote one man bitterly, "based not on the common law of the kingdom, but on the personal wishes of the king."

The peasants tried to farm more land. They drained marshland, and tried to grow food on high ground and on other poor land. But much of this newly cleared land quickly became exhausted, because the soil was too poor, being either too heavy or too light and sandy. As a result, the effort to farm more land could not match the increase in population, and this led to a decline in individual family land holdings. It also led to an increase in the number of landless labourers, to greater poverty and hunger. As land became overused, so bad harvests became more frequent. And in the years of bad harvest people starved to death. It is a pattern cruelly familiar to many poor countries today. Among richer people, the pressure on land led to an increase in its value, and to an increase in buying and selling. Landowning widows found themselves courted by land-hungry single men.

Unfortunately, agricultural skills improved little during this period. Neither peasants nor landlords had the necessary knowledge or understanding to develop them. In addition, manorial landlords, equally interested in good harvests, insisted that the animals of the peasantry grazed on their own land to enrich it during its year of rest. Many villagers

tried to increase their income by other activities and became blacksmiths, carpenters, tilers or shepherds, and it is from the thirteenth century that many villagers became known by their trade name.

Shortage of food led to a sharp rise in prices at the end of the twelfth century. The price of wheat, for example, doubled between 1190 and 1200. A sheep that cost four pence in 1199 fetched ten pence in 1210. Prices would be high in a bad season, but could suddenly drop when the harvest was specially good. This inflation weakened feudal ties, which depended to a great extent on a steady economic situation to be workable. The smaller landed knights found it increasingly difficult to pay for their military duties. By the end of the thirteenth century a knight's equipment, which had cost fifteen shillings in the early twelfth century, now cost more than three times this amount. Although nobles and knights could get more money from their land by paying farm labourers and receiving money rents than by giving land rent free in return for labour, many knights with smaller estates became increasingly indebted.

We know about these debts from the records of the "Exchequer of the Jews". The small Jewish community in England earned its living by lending money, and lived under royal protection. By the late thirteenth century these records show a large number of knights in debt to Jewish money lenders. When a knight was unable to repay the money he had borrowed, the Jewish money lender sold the knight's land to the greater landholding nobility. This did not please Edward I, who feared the growth in power of the greater nobility as they profited from the disappearance of smaller land-holders. He had wanted the support of the knightly class against the greater lords, and it was partly for this reason that he had called on them to be represented in Parliament. Now he saw the danger that as a class they might become seriously weakened. The Jews were middlemen in an economic process which was the result of social forces at work in the countryside. While the economic function of the Jews in providing capital had been useful they had been safe, but once this was no longer so, the king used popular feeling against them as an excuse to expel them. In 1290 the Jewish community was forced to leave the country.

Feudalism was slowly dying out, but the changes often made landlords richer and peasants poorer. Larger landlords had to pay fewer feudal taxes, while new taxes were demanded from everyone in possession of goods and incomes. As a result many could not afford to pay rent and so they lost their land. Some of these landless people went to the towns, which offered a better hope for the future.

The growth of towns as centres of wealth

England was to a very large degree an agricultural society. Even in towns and cities, many of those involved in trade or industry also farmed small holdings of land on the edge of town. In this sense England was self-sufficient. However, throughout the Middle Ages England needed things from abroad, such as salt and spices. Inside England there was a good deal of trade between different regions. Wool-growing areas, for example, imported food from food-producing areas. However, it is harder to know the extent of this internal trade because it was less formal than international trade, and therefore less recorded.

We know more about international trade, which was recorded because the king obtained a considerable income from customs dues. During the Anglo-Saxon period most European trade had been with the Frisians in the Low Countries, around the mouth of the River Rhine. Following the Viking invasions most trade from the ninth century onwards had taken place with Scandinavia. By the eleventh century, for example, English grain was highly valued in Norway. In return England imported Scandinavian fish and tall timber. However, by the end of the twelfth century this Anglo-Scandinavian trade link had weakened.

This was the result of the Norman Conquest, after which England looked away from the northeast, Scandinavia and Germany, and towards the south, France, the Low Countries, and beyond. The royal

family had links with Gascony in southwest France, and this led to an important trade exchange of wine for cloth and cereal. However, easily the most important link was once again with the Low Countries, and the basis of this trade was wool.

England had always been famous for its wool, and in Anglo-Saxon times much of it had been exported to the Low Countries. In order to improve the manufacture of woollen cloth, William the Conqueror encouraged Flemish weavers and other skilled workers from Normandy to settle in England. They helped to establish new towns: Newcastle, Hull, Boston, Lynn and others. These settlers had good connections with Europe and were able to begin a lively trade. However, raw wool rather than finished cloth remained the main export. As the European demand for wool stayed high, and since no other country could match the high quality of English wool, English exporters could charge a price high above the production cost, and about twice as much as the price in the home market. The king taxed the export of raw wool heavily as a means of increasing his own income. It was easily England's most profitable business. When Richard I was freed from his captivity, over half the price was paid in wool. As a symbol of England's source of wealth, a wool sack has remained in the House of Lords ever since this time. Much of the wool industry was built up by the monasteries, which kept large flocks of sheep on their great estates.

The wool trade illustrates the way in which the towns related to the countryside. "Chapmen" or "hucksters", travelling traders, would buy wool at particular village markets. Then they took the wool to town, where it would be graded and bundled up for export or for local spinning. Larger fairs, both in town and country, were important places where traders and producers met, and deals could be made. These were not purely English affairs. Foreign merchants seeking high quality wool frequently attended the larger fairs.

Such trade activities could not possibly have taken place under the restrictions of feudalism. But towns were valuable centres to nobles who wanted to sell their produce and to kings who wished to benefit from the increase in national wealth. As a result, the townspeople quickly managed to free themselves from feudal ties and interference. At the end of the Anglo-Saxon period there were only a few towns, but by 1250 most of England's towns were already established.

Many towns stood on land belonging to feudal lords. But by the twelfth century kings were discouraging local lords from taking the wealth from nearby towns. They realised that towns could become effective centres of royal authority, to balance the power of the local nobility. The kings therefore gave "charters of freedom" to many towns, freeing the inhabitants from feudal duties to the local lord. These charters, however, had to be paid for, and kings sold them for a high price. But it was worth the money. Towns could now raise their own local taxes on goods coming in. They could also have their own courts, controlled by the town merchants, on condition that they paid an annual tax to the king. Inside the town walls, people were able to develop social and economic organisations free from feudal rule. It was the beginnings of a middle class and a capitalist economy.

Within the towns and cities, society and the economy were mainly controlled by "guilds". These were brotherhoods of different kinds of merchants, or of skilled workers. The word "guild" came from the Saxon word "gildan", to pay, because members paid towards the cost of the brotherhood. The merchant guilds grew in the thirteenth century and included all the traders in any particular town. Under these guilds trade was more tightly controlled than at any later period. At least one hundred guilds existed in the thirteenth century, similar in some ways to our modern trade unions. The right to form a guild was sometimes included in a town's charter of freedom. It was from among the members of the guild that the town's leaders were probably chosen. In the course of time entry into these guilds became increasingly difficult as guilds tried to control a particular trade. In some cases entry was only open to the sons of guild members. In other cases entry could be obtained by

paying a fee to cover the cost of the training, or apprenticeship, necessary to maintain the high standard of the trade.

During the fourteenth century, as larger towns continued to grow, "craft" guilds came into being. All members of each of these guilds belonged to the same trade or craft. The earliest craft guilds were those of the weavers in London and Oxford. Each guild tried to protect its own trade interests. Members of these guilds had the right to produce, buy or sell their particular trade without having to pay special town taxes. But members also had to make sure that goods were of a certain quality, and had to keep to agreed prices so as not to undercut other guild members.

In London the development of craft guilds went further than elsewhere, with a rich upper level of the craft community, the so-called livery companies, controlling most of the affairs of the city. Over the centuries the twelve main livery companies have developed into large financial institutions. Today they play an important part in the government of the City of London, and the yearly choice of its Lord Mayor.

Language, literature and culture

The growth of literacy in England was closely connected with the twelfth-century Renaissance, a cultural movement which had first started in Italy. Its influence moved northwards along the trade routes, reaching England at the end of the century. This revolution in ideas and learning brought a new desire to test religious faith against reason. Schools of learning were established in many towns and cities. Some were "grammar" schools independent of the Church, while others were attached to a cathedral. All of these schools taught Latin, because most books were written in this language. Although it may seem strange for education to be based on a dead language, Latin was important because it was the educated language of almost all Europe, and was therefore useful in the spread of ideas and learning. In spite of the dangers, the Church took a lead in the new intellectual movement.

In England two schools of higher learning were established, the first at Oxford and the second at Cambridge, at the end of the twelfth century. By the 1220s these two universities were the intellectual leaders of the country.

Few could go to the universities. Most English people spoke neither Latin, the language of the Church and of education, nor French, the language of law and of the Norman rulers. It was a long time before English became the language of the ruling class. Some French words became part of the English language, and often kept a more polite meaning than the old Anglo-Saxon words. For example, the word "chair", which came from the French, describes a better piece of furniture than the Anglo-Saxon word "stool". In the same way, the Anglo-Saxon word "belly" was replaced in polite society by the word "stomach". Other Anglo-Saxon words ceased to be used altogether.

Mob Quad in Merton College is the oldest of Oxford's famous "quadrangles", or courtyards. It was built in the first half of the fourteenth century. Almost all the Oxford colleges were built round quandrangles, with a library on one side (in Mob Quad on the first floor on the left), and living areas for both masters and students on the other sides. Merton College chapel, in the background, is the finest late fourteenth-century example in Oxford.