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Medieval "states" or "colonies"? The Anglo-Welsh Marcher lordships, ca. 1067-1300

1.   <u>Introduction</u>

Soon after the battle of Hastings, while William the Conqueror's armies were still entrenching themselves in England, some of his men began raiding into Wales, notably Roger de Montgomery, whom William had trusted as his lieutenant in Normandy during the Hastings campaign. Roger, his sons, and several other invaders like them almost immediately began building castles all over Wales, in an attempt at conquest which, if it ever was co-ordinated, soon descended into a piecemeal land grabbing enterprise, as the new king of England's attention was diverted elsewhere and the various Welsh rulers among whom Wales was divided fought back. For two hundred years, until the reign of Edward I of England, native Welsh rulers retained varying degrees of independence, especially in the north and west of their country. Over this period, nearly 400 castles were built in Wales and along its borders, most of them by invaders. Many of these castles were short-lived (most of these were of the motte and bailey type, see Maps 1 and 2); others survived for centuries (most of these were masonry castles, see Map 3).

Map 1: Castles along the Welsh borders built before 1066 (north to south: Richard's Castle, Hereford, and Ewyas Harold)
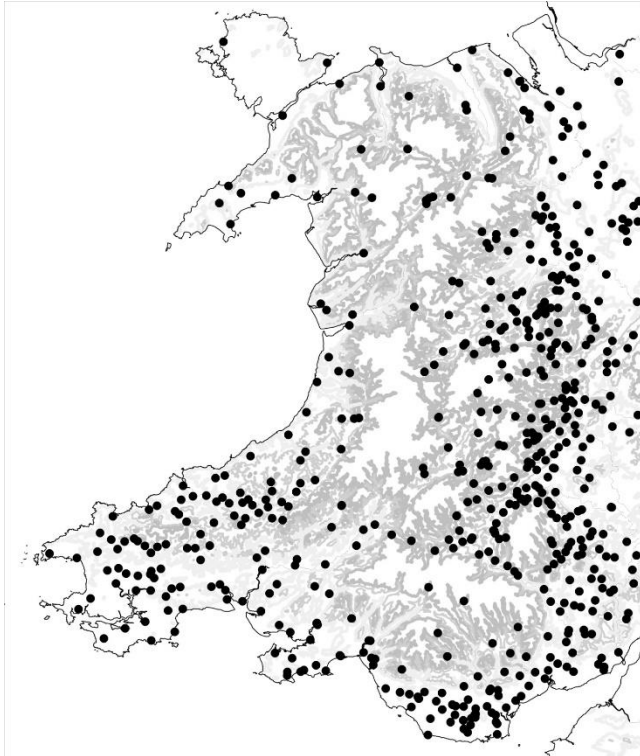
Map 2: Castles built by 1215
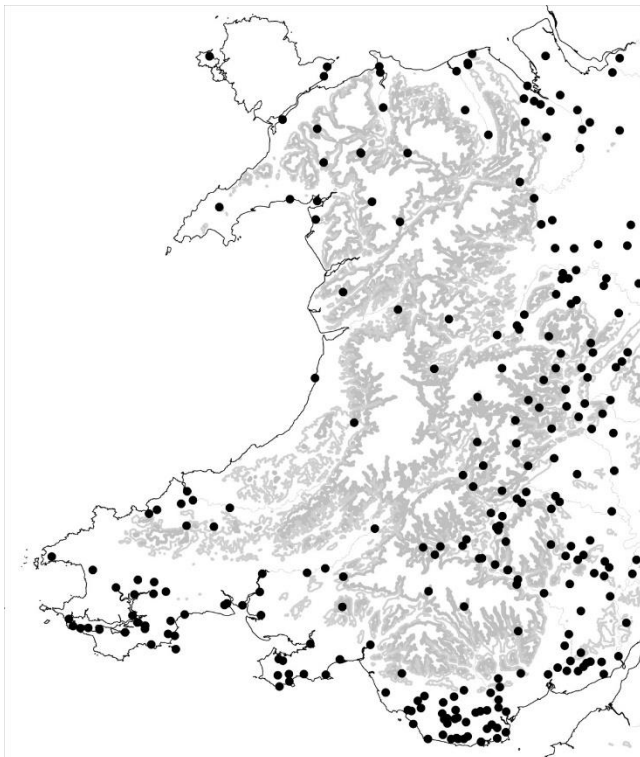
Map 3: Castles in use in 1300[1]

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[1] A. H. A. Hogg and D. J. C. King, 'Early Castles', 'Masonry Castles', 'Additions', in *Archaeologia Cambrensis*, 112, 116, 119 (1963, 1967, 1970).

Some forty castles, by 1300, had become military and administrative centres for a patchwork of conquest territories. These "Marcher lordships" stretched along the Anglo-Welsh border and across south Wales. They separated the English border counties (Cheshire, Shropshire, Herefordshire and Gloucestershire) from the newly created Principality of Wales (see Map 4). Some of the Marcher lordships had, by 1300, been fought over for generations – others had only recently been carved out of Welsh territory and granted by Edward I to captains of his campaigns known as the Edwardian conquest of Wales (1282-3). For the rest of the medieval period, until Henry VIII's Acts of Union of England and Wales, the March remained a highly distinctive and independent territory, whose lords claimed quasi-regal rights: it was a land where the English king's "writ did not run".

Map 4: The English border counties, Marcher lordships, and Principality of Wales in the fourteenth century.

2. The Marcher lordships: "states"?

Generalizing about the Marcher lordships has its risks.[2] The March was an exceptionally diverse region. In the year 1300, a traveller riding west from Shrewsbury could have reached the newly established Principality of Wales in two days.[3] He would have set off from an English county town, with a royal castle, a sheriff, monthly meetings of the shire court and regular visits from the royal tax collectors. On his way, he would then have crossed five different kinds of territory:

i)   the lands of Peter Corbet, a descendant in direct male line from a Norman knight who had followed Roger de Montgomery to Shropshire. Peter, lord of Caus castle, aspired to being a Marcher lord, holding that he and his ancestors had tried pleas of the crown at Caus since time immemorial, but in 1292 he had been told that Caus lay in the county, "where no one should be king except the king of England"[4];
ii)   the lordship of Montgomery, established by Roger, earl of Shrewsbury in the late eleventh century, held by the de Bollers family until 1207, when it escheated to the crown;
iii)   the Marcher lordship of Ceri, newly created by Edward I and granted to Roger Mortimer;
iv)   the lordship of Powys, the remnant of an ancient Welsh kingdom, now held of the English crown by a native Welsh ruler who had supported Edward I during the conquest of Wales, and finally
v)   the Welsh "cantref" of Meirionydd, which in 1284 had been converted into a constituent shire of the Principality by the Statute of Rhuddlan.

Yet, well before Edward I's Welsh wars, the March was seen by contemporaries as a region (*marchia Walliae*), distinct from *pura Wallia* (and from England).[5] Indeed, a "march of Wales" is already mentioned in Domesday Book, the great survey of England in 1086, as well as in Magna Carta (1215).[6] By the thirteenth century, at the latest, one reason for this was that the lords of the March (who appear in the sources as *barones Marchiae*) had begun to claim "Marcher liberties": one such was the right to wage war; another, to try, in their own courts, legal cases which in England were reserved to the royal court (arson or murder, say); and to inflict punishment, including the penalty of death, on those they convicted. Marcher lords also maintained that royal officials, be they sheriffs, justices of the peace or tax collectors, lacked all authority in the March. Most remarkably, in 1250, Walter Clifford, lord of Clifford on the Welsh borders of Herefordshire, forced a messenger of King Henry III to eat the letter he had delivered, along with its royal seal.[7] The medieval kingdom of England was perhaps the most advanced "state" of Europe, precocious in such areas as its development of parliament, the governance of localities from the centre, bureaucracy, taxation and law. Yet the Marcher lords' efforts – and success –

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[2] As noted by R. R. Davies, *Lordship and society in the March of Wales, 1282-1400* (Oxford, 1978), v.
[3] Several passages in this thought-piece are adapted from M. Lieberman, *The March of Wales, 1067-1300. A borderland of medieval Britain*, Cardiff 2008 (here 3).
[4] *Placita de quo warranto*, ed. W. Illingworth (London, 1818), 686a.
[5] M. Lieberman, *The medieval March of Wales. The creation and perception of a frontier, 1066-1283* (Cambridge, 2010); D. Stephenson, *Medieval Wales, c. 1050-1332: centuries of ambiguity* (Cardiff, 2019).
[6] Domesday Book (DB) 183 ('in marcha de Wales'), 186 ('in Marcha de Walis'); J. C. Holt, *Magna Carta*, 2nd edn (Cambridge, 1992), App. 6, esp. 467-9 (clause 56 of the 1215 text).
[7] Matthew Paris, *Chronica majora*, ed. H. R. Luard (7 vols, RS, 1872-1883), v, 95.

in withdrawing land into the March meant that even the English kingdom did not achieve well-defined borders.

The "Marcher liberties" were probably not "officially" granted by a king of England in return for services rendered in guarding the Welsh borders. In 1956, Goronwy Edwards suggested that they were usurped from Welsh rulers;[8] in 1979, Rees Davies proposed that waging war and exercising lordship were simply necessary conditions for establishing local power in the March, and that such activities only began to be perceived as "liberties", scrutinized and justified in legal terms in the thirteenth century.[9] Davies, developing an argument advanced by Helen Cam,[10] suggested that this happened once the English "state", particularly its central administration, had developed to a point where it began to intrude more regularly in the peripheries of the English kingdom; that is, once it became closely interested in its own customary rights and privileges (and how much money they were worth). This led it to challenge and question the entrenched rights and privileges of the competition, to wit, other aristocratic landholders. In the thirteenth century, thus, the Marcher lords began having to defend their legal right to practices their forebears had taken for granted.

More recently, the Marcher lordships have also provoked debate about how useful the term "state" is to historians trying to understand the medieval period. While Rees Davies proposed that the Marcher lordships were "virtual states", he did so in an essay arguing against applying this term to medieval polities, chiefly because, for him, it invited anachronistic assumptions.[11] Susan Reynolds, in a response to Davies, affirmed that for her the Marcher lordships qualify as "states", since they fitted her definition (adapted from Max Weber): "an organization of human society within a more or less fixed area in which the ruler or governing body more or less successfully controls the legitimate use of physical force". Reynolds saw the March as providing an opportunity for medievalists not only to learn from but to contribute to discussions about "statehood".[12]

3.   The Marcher lordships: "colonies"?

The diversity among the Marcher lordships should be re-emphasized at this point: at best, Reynolds' definition fitted some lordships in and along Wales at some points in time (for one exception, witness Caus lordship ca. 1300, noted above). And moreover, there is a competing, incompatible case to be made for seeing the Marcher lordships as colonies.

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[8] J. G. Edwards, 'The Normans and the Welsh March', *Proceedings of the British Academy*, 42 (1957 for 1956), 155-77.

[9] R. R. Davies, 'Kings, lords and liberties in the March of Wales, 1066-1272', *TRHS*, 5th ser., 29 (1979), 41-61.

[10] H. M. Cam, 'The evolution of the mediaeval English franchise', *Speculum*, 32 (1957), 427-42; repr. in eadem, *Law-makers and law-finders* (London, 1962), 22-43.

[11] R. R. Davies, 'The medieval state: the tyranny of a concept?', *Journal of Historical Sociology*, 16 (2003), 280-99.

[12] S. Reynolds, "There were states in medieval Europe: a response to Rees Davies, *Journal of Historical Sociology*, 16 (2003), 550-555. See also her "The historiography of the medieval state", in M. Bentley (ed.): *Companion to historiography* (London, 1997), 117-38.

For one thing, thrill-seeking and the pursuit of martial glory no doubt motivated several of the invading barons and knights who fought the Welsh – and each other – in Wales and the March. Yet they also hoped for material gains.[13] Building castles was generally part of a longer-term plan with both military and economic goals – and we have evidence to show the success of such plans. Domesday Book records that the manor of Clun, held by Picot de Sai in 1086, had been worth "before 1066 £25; later £3; now, of what Picot has, £6 5s; of what the knights have, £4 less 5s."[14] In south Wales, in 1095, a Welsh chronicler tells us, the Normans "ravaged Gower and Cydweli and Ystrad Tywi […] and the lands remained waste."[15] And yet, a little over two centuries later, these lands belonged to the some of the most valuable Marcher lordships: the lordship of Gower yielded £300 in 1316; Cydweli was worth £333 in 1331.[16]

During the intervening period, Britain and indeed Europe escaped wide-spread famine and pestilence – in Wales, as elsewhere, the population was growing. Moreover, in Wales, the Marcher lords themselves fostered such growth, by encouraging immigration.[17] Gilbert fitz Richard of Clare brought English settlers to Ceredigion in the first half of the twelfth century, "to fill the land, which before that was almost completely empty from a scarcity of people".[18] During the two decades which followed Edward I's wars of conquest in 1282-3, English peasants came to Wales in great numbers, apparently in a process planned and executed by Marcher lords.[19] This apparently involved offering incentives: it seems that English peasants working on manors in the March owed lighter services than they would have in England.[20] Moreover, after 1066, towns were re-introduced to Wales for the first time since the fall of Rome.[21] William fitz Osbern, another of the Conqueror's most trusted followers, is known to have founded towns at the castles of Wigmore and of Clifford.[22] Almost certainly, this meant he granted them the "liberties of Breteuil" which had already been given to Hereford. By 1086, Rhuddlan's burgesses had received the same privileges. There were as yet only eighteen burgesses, but this was clearly thought to be just a beginning: archaeological work has shown the earthworks of this fledgling town encompassed about thirty-five acres.[23]

Such seigneurial entrepreneurship could be seen as evidence of "statehood" as much as of "colonialism" – but it needs to be borne in mind that for all their independence, the Marcher lords were clearly

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[13] Lieberman, *March of Wales*, ch. 3.

[14] DB 258.

[15] *Brut y tywysogyon, or the chronicle of the princes. Red Book of Hergest version*, ed. T. Jones (Cardiff, 1955) (*Brut)*, 34-5.

[16] Davies, *Lordship and society*, 196-8.

[17] Davies, *Age of conquest*, 97-100, 147.

[18] *Brut*, 92-3 (annal for 1116).

[19] Davies, *Lordship and society*, 342-3.

[20] M. Griffiths, 'The manor in medieval Glamorgan: the estates of the de Ralegh family in the fourteenth and fifteenth centuries', *BBCS*, 32 (1985), 178, 194-5; cf. Somerset Record Office, DD/WO 47/1, ff. 13v-15r.

[21] R. A. Griffiths, 'Wales and the marches', in D. M. Palliser (ed), *The Cambridge urban history of Britain, vol. 1* (Cambridge, 2000), 681-714.

[22] DB 183.

[23] DB 269; H. Quinnell and M. R. Blockley, *Excavations at Rhuddlan, Clwyd, 1969-1973: mesolithic to medieval* (York, 1994), 214-16; M. Bateson, 'The laws of Breteuil', *English Historical Review*, 15 (1900), 302-303.

subjects of the kings of England. When a Marcher lord died leaving a minor heir, or indeed no heir, his Marcher castles and lands passed temporarily into royal custody, just like lands in England. Henry III sentenced Walter Clifford to death for insulting his messenger (Walter received a royal pardon in the end, but we may assume he had learned his lesson).[24] Edward I asserted himself even over the most powerful Marchers; in the early 1290s, the lords of Glamorgan (the earl of Gloucester and Hertford) and of Brecon (the earl of Hereford) accepted that the king of England should pass judgement in their boundary dispute. Indeed, at Parliament in 1292, those two earls were condemned to prison, and their Marcher possessions confiscated.[25] "Royal Wales" – Marcher lordships held by the Crown and, after 1284, the Principality of Wales – arguably has the best claim to being seen as colonial. But, it should be noted that many of the most powerful Marcher lords also held lands in England. For much of the twelfth century, and then again from the thirteenth, the earls of Gloucester were also lords of Glamorgan. The Bohuns, earls of Hereford, of Essex and of Northampton, were at the height of their power in the thirteenth and fourteenth centuries, when they were also in control of the lordships of Brecon and sometimes of Builth and of Haverford. From the thirteenth century on, the lords of Oswestry and of Clun on the Welsh borders of Shropshire were also earls of Arundel. Thus, both royal and aristocratic ties existed between England and at least some of the Marcher lordships, at least some of the time. To that extent it is exaggerated to see the Marcher lordships as independent "conquest states", comparable to the so-called "crusader states" which were established at precisely the same time in the Levant.

That said, the use of "empire" as an analytical category applying to the European Middle Ages is complicated by the fact that they knew self-professing "empires" and "emperors" (the Carolingian Empire, the Holy Roman Empire, Byzantium and, later, the Papacy) – but these had at best incompletely inherited the Roman empire's colonial structure. The Norman and Plantagenet kings of England also ruled over large parts of France – but the "imperial" quality of these "Norman" or "Angevin" "Empires" remains debated.[26] Yet while Rees Davies, as noted, was wary of applying the term "state" to the European Middle Ages, he first wrote of "Colonial Wales" in 1974, and in 2000 he published his Ford Lectures under the title "The First English Empire".[27] In it he explores "the relationship between England and the British Isles" and "why that relationship did not develop, substantively or historiographically, into an integrative one" (p. 3) – even though, for him, the Anglo-Saxon kings had before 1066 prepared the ground for a "high kingship of the British Isles" (ch. 1). The main reason he gave for this was that over the period 1093-1343, the English "state" came to exclude from its operations all those it did not consider to be English.[28] To take but one example in this complex story, we might compare the north of England in the later twelfth and early thirteenth centuries with the experience of Ireland.[29] Both these territories came into contact with English royal power to an unprecedented extent at that time. But they

[24] Matthew Paris, *Chron. maj.*, v, 95.
[25] *The Parliament rolls of medieval England, 1275-1504*, gen. ed. C. Given-Wilson (16 vols, London, 2005), *vol. 1, (1275-94)*, ed. P. Brand (London, 2005), 499-516.
[26] D. Bates, *The Normans and Empire* (Oxford, 2013).
[27] R. R. Davies, "Colonial Wales", *Past and Present: A Journal of Historical Studies*, 65 (1974) 3-23; idem, *The First English empire* (Oxford, 2000).
[28] R. R. Davies, "The English state and the "Celtic" peoples, 1100-1400", *Journal of Historical Sociology*, 6 (1993), 1-14; idem, *First English empire*, *passim*, esp. 193-201.
[29] Cf. Lieberman, *March of Wales*, ch. 5.

did so in very different ways. Thus, in the last quarter of the twelfth century, Cumberland and Westmorland were finally turned into shires (Westmorland received a sheriff in 1177-8). The kings themselves and their justices in eyre began to pay far more regular visits – as did tax collectors. This largely explains why northern aristocrats led the rebellion against John.[30] But at the same time, no-one doubted that this was a rebellion of England's barons against their king. In 1215, Magna Carta was largely about the rights of the English king in his kingdom, including the northern counties.

Contrast Ireland. Henry II proclaimed his son John king of Ireland in 1177;[31] and English institutions soon began to be exported to Ireland: an exchequer[32] and a "king's court in Ireland" existed by 1199,[33] as did sheriffs based at Dublin, Waterford (including Cork) and Munster. In 1204, John built a castle at Dublin to house his treasury; his writ ran in the great English lordship of Leinster, and the magnates there were responsible for collecting his dues. His chief governor in Ireland, normally referred to as "justiciar", headed a judiciary system which administered the common law of England in Ireland.[34] The royal Lordship of Ireland developed further throughout the thirteenth century, by reduplicating the institutions of the English "state".[35] But, this did not grow England or the English "state". The Lordship of Ireland was administrated separately; and such English institutions as were exported were largely reserved to the English in Ireland.[36] In the late 1270s Irish ecclesiastics campaigned for English law to be generally extended to the Irish; but, by and large, unsuccessfully.[37] More generally, for Rees Davies, as English royal power extended throughout the British Isles, it brought with it institutions which were increasingly reserved for the English. This meant that native societies tended to be dominated rather than integrated: the way in which the English "state" operated hampered the creation of a single, united kingdom of the British Isles during the medieval period. Thus, for Davies, what Edward I presided over towards the end of his reign was an English empire in the British Isles.

Davies' thesis has met with some criticism, notably from historians of Scotland, who have doubted that Scotland paralleled Ireland and Wales as closely as Davies argued.[38] But, the Welsh Marcher lordships – or colonies – fit neatly into the picture of a medieval English empire of the British Isles. For instance, in the Welsh March, towns remained predominantly English-populated – even though, in principle, the freedoms they offered presumably were as attractive to Welshmen as to Englishmen. Around 1300, the townsmen in Glamorgan identified themselves as "the English burgesses of the English boroughs". At Aberafan, the townsmen were mainly Welsh; nevertheless, they were described as the lord's

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[30] J. C. Holt, *The Northerners: a study in the reign of King John* (Oxford, 1961), chs. 11 and 12.

[31] Gerald of Wales, *Expugnatio Hibernica: the conquest of Ireland*, ed. and transl. A. B. Scott and F. X. Martin (Dublin, 1978), 236-7 (ii, 37).

[32] F. X. Martin, "John, lord of Ireland, 1185-1216" in A. Cosgrove (ed.), *A new history of Ireland, vol. 2: Medieval Ireland 1169-1534 (Oxford, 1987)*, 127-55; "The Irish Pipe Roll of 14 John, 1211-12", eds. O. Davies and D. B. Quinn, in *Ulster Journal of Archaeology*, 3rd series, supplement to vol. 4 (1941). (This is the only surviving Irish pipe roll).

[33] *Rotuli de oblatis et finibus, tempore regis Johannis*, ed. T. D. Hardy (London, 1835), 36.

[34] P. Brand, 'Ireland and the literature of the early common law', *Irish Jurist*, ns, 16:1 (1981), 95-6.

[35] R. Frame, *Colonial Ireland* (Dublin, 1981), ch. 5, 'English institutions'.

[36] R. R. Davies, 'The peoples of Britain and Ireland, 1100-1400. 3. Laws and customs', *TRHS*, 6th ser., 6 (1996), 1-23.

[37] Davies, *First English empire*, 160.

[38] D. Broun, review of Davies, First English empire, in *The Scottish Historical Review*, 82 (2003), 133-135.

"Englishmen" in the second half of the thirteenth century.[39] In the countryside, moreover, Marcher manors were commonly divided into Englishries and Welshries, meaning that ethnic groups were treated as distinct entities, each with their own place in an administrative framework. That framework was imposed not by the king of England but by the Marcher lords. But, the Marchers may have well have shared the same outlook as their king.

Furthermore, the English "state" became embroiled in several minor but telling ambiguities on its border with Wales. For one thing, the lordship of Montgomery escheated permanently to the crown in 1207; also, it was contiguous with Shropshire. Nevertheless, it was never integrated into that county. Instead, after 1536-42 it became part of the shire to which it leant its name, the only shire in Britain to be named after a castle in Normandy. This must have been, at least in part, because Montgomery lordship had lain mostly beyond Offa's Dyke in Welsh-populated territory. As for taxation: the Welsh of Archenfield, on the Herefordshire border, paid their share of Henry III's tax of 1225. Later, however, they were won exemption from English taxes by claiming that Archenfield was part of the Welsh March.[40] This claim, it may be, carried greater weight at the later date because by then the Welshness of Archenfield's population made it less likely for them to be taxed by the English "state" anyway. As such events show, the English "state" was, by the thirteenth century, able to micro-manage even parts of Britain which were remote from its south-eastern heartland. At the same time, it seems it was more and more effective and consistent about excluding Welsh-populated territories from its operation, or in any case about treating them separately. By the thirteenth century, it seems, the Marcher lords were not alone responsible for preventing the expansion of the English "state": rather, their outlook and actions were those of colonial lords within an English "empire".

4. Conclusion

Thus, despite their diversity, the Anglo-Welsh Marcher lordships provide a case study of a medieval borderland. We might arguably see them as "states". More clearly, the Marcher lordships illustrate how the limits of one of medieval Europe's most advanced "states" – England – worked in practice, especially since some Marcher lordships even came to include territories which Domesday Book shows to have belonged to the English shires in 1086. And finally, as a meeting point of two culturally distinct parts of Latin Christian Europe (the "Celtic" and the "Anglo-Continental"), the Marcher lordships also could be seen as typical medieval "colonies" in the first English empire identified by Rees Davies. Certainly the March of Wales became the springboard for the first English conquests in Ireland. For this reason, and others, then, the medieval March of Wales can be seen to have prefigured, and helped prepare, post-medieval colonialism.

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[39] *Cartae*, iii, no. 811, 922-3; cf. ibid., iv, no. 1001, 1275 (dated to 1350); Davies, *Lordship and society*, 325.
[40] *Foreign accounts of Henry III, 1219-34*, ed. F. Cazel (PRS, 44, 1974-5), 56; Davies, *Lordship and society*, 17.