Abbots in Anglo-Norman Parliaments

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Sir James Ware wrote in 1626 that the Parliament of Ireland in the Middle Ages comprised, besides the temporal lords and commoners, a number of ecclesiastical peers: eleven Cistercian and two Augustinian abbots, and also nine conventual priors, viz. one from the Knights of St. John of Jerusalem, seven from the Augustinian Canons, and the Benedictine cathedral-prior of Downpatrick. Numbered among the Cistercian abbots as a peer in Parliament was the Abbot of Woney (=Abington, Co. Limerick). From the outset it should be understood that this was originally no more than the Parliament of the Anglo-Norman colony. Furthermore, the king who conquered Ireland was not a true Englishman but a Frenchman, and the pattern of administration which he established was similar to the general pattern of French feudalism.

The French Parliament goes back to at least the thirteenth century. That was a supreme court of justice—which Duke Charles the Bold imitated in the Burgundian Netherlands, in 1473 at Malines. Brabant, however, had already instituted a representative parliament at a village called Kortenberg, in the preceding century. In Anglo-Saxon England there had been national assemblies—the Witenagemot—but the Norman invasion of 1066 had done away with those. King John had to concede the Magna Carta, in 1215, that taxes were no longer to be levied without the consent of the barons and bishops, thus more or less creating a parliament. It was in the reign of Henry III (1216-1272) that Simon de Montfort established the first real national representative Parliament, by joining to the lords a number of knights, and also the burgesses of the cities. It was at the Parliament at Oxford in 1258 that the English Parliament was organised and given definite constitution. The newly-formed parliament was to meet three times a year. Before these, the only feudal states which were administered by councils of vassals were the small kingdom of Jerusalem and the other Latin states of the East.

In Iceland, the general assembly (Althing) dates from A.D. 930. In the German Empire communications were too difficult for a parliament to be meaningfully organised. As for the ‘democracies’ in antiquity, such as Athens and ancient Rome, they had no representation from the masses of the common people. England was not the first country to have representative assemblies, but it was there that they best developed.

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4 H. G. Richardson and G. O. Sayles, Parliament in Medieval Ireland, Dundalk 1964, pp. 4-11.
Medieval parliaments were not democratic; there were no political parties, and medieval parliaments differed greatly from one place to the next. In the second half of the thirteenth century there were parliaments over a great part of Western Europe, notably in those countries where French was spoken by the ruling classes, and also in Italy. In the fifteenth century parliaments came to resemble each other more closely.

H. G. Richardson and G. O. Sayles have made “the first attempt to give a comprehensive account of the medieval Irish Parliament.” One of the earliest notices of the Justiciar's Council in Ireland is in 1252, when we find it sitting in Dublin with the Justiciar, the Archbishop of Dublin, the Treasurer, the Chancellor, the Escheator and two justices; on other occasions prelates and barons might be present unofficially. Parliament was the court of highest resort where ministers brought their perplexities, and subjects their grievances. Irish suitors could resort to the King's Parliament, in England, and Irish business could be discussed there.

In the reign of Edward II and in the beginning of that of Edward III, profound changes came over the English Parliament. Under Edward I the business in parliament had been conducted chiefly by professional servants of the king, but under his successors the baronage became predominant.

In England, during the reign of Henry III (1216-1272) and even earlier, several Cistercian abbots had been consulted on parliamentary affairs. Yet, among the 102 religious which Montfort summoned in 1265, only 17 Cistercian abbots are found, whereas there were at that time 72 Cistercian establishments in England. In 1377 there were 76 Cistercian monasteries but Edward II convoked only 7 of their abbots. The abbots were assembled in parliament nine times between 1265 and 1307, and were summoned to Parliament quite generally under Edward I (1272-1307) and Edward II (1307-1327). Edward III (1327-1377) summoned all the heads of the greater monastic Orders. Of the friars who were not bishops, there are only two cases where the provincial of the Dominicans was summoned.

In the fourteenth century, Parliament was summoned on an average every eleven months; in the fifteenth only half that frequently. At Edward I's last Parliament, held at Carlisle in January 1307, 107 prelates and magnates had been summoned, but only 6 secular prelates appeared out of 21, and 5 abbots out of 48. Nearly six weeks after the opening date, writs, on pain of forfeiture, were sent out to 27 lay magnates; only 10 of them subsequently attended. In the middle of the fourteenth century, five parliaments had to be postponed on account of defective attendance. Excusatory letters from more than half the abbots in each of the forty parliaments held during the fourteenth century have survived.

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2 Under Henry III the office of Escheator became very important; he had, for example, to describe the lands of a tenant-in-chief after his death; if there were an heir under age, he became the king's ward (Powieke, op. cit., p. 64).
3 Richardson and Sayles, op. cit. (1952), p. 71.
5 Sr. Aloyse Marie Reich, University of California Publications in History, 17 (1941), 265-268.
In 1306 four Benedictine abbesses were summoned, although no woman may actually have ever sat in Parliament.

In 1364, the last year of Edward III’s reign, only 23 abbots and priors were summoned to Parliament. This may be attributed to several factors. The king’s motive for summoning was usually the desire for a subsidy. The Witan of the Saxon kings habitually comprised a number of bishops in the royal administration of justice; for abbots it was the custom. From the time of Richard II (1377-1399) to the end of Edward IV (1483), the list of Parliamentary abbots and priors remained fixed at 25. The number of lay lords fluctuated from 16 to 18 during Henry V’s campaigns in France, and to 40 or more under Henry VI (1422-1461) and Edward IV (1461-1483).\(^{13}\)

Such are the figures for England, but what was the situation in Ireland? The first mention of Parliament in Ireland comes from the late thirteenth century, one of the obscurest periods of Anglo-Irish history, when the lordship of Ireland was held by Edward, Henry III’s eldest son. We have scant information about the central organisation, but the need of income for the prince caused the Parliament to be convened at Castledermot, Co. Kildare, in 1264.\(^{14}\) Goddard Orpen expressly states that prelates were present at the two first parliaments.\(^{15}\)

The records of Edward I’s lordship (1254-72) are very scanty. Very little information is to be got about Irish Parliaments for a good many years after 1264. Taxation being a normal matter for discussion in parliament, the Commons were more and more frequently summoned, and they began to present general grievances. In Ireland, in contrast with England, there was no Upper Chamber for many years.\(^{16}\)

Parliament was the king’s extended council, just as the army was “His Majesty’s Army,” since it was paid out of the king’s treasure and not by taxes on the population. The king called whom he would to council, whether in or out of Parliament.\(^{17}\) Although we cannot be sure, it is possible that from 1330 to the 1370s as many as twenty Irish Parliaments were summoned.

It is uncertain when heads of religious houses were first summoned to parliament in Ireland, as was the case in England, but the practice was well established by 1330. In 1357, Edward III laid down that the prelates had to assist at councils. A number of prelates were summoned urgently to Dublin, apparently only from the neighbouring counties, in 1359, and again, in the following year, to Kilkenny; and in Dublin once more in 1372. The bishops of Cloyne and Cork were summoned to Ballyhack, Co. Cork, a few months later. A council at Clonmel, in 1381, was attended by prelates, magnates and commons from Kilkenny, Wexford, Tipperary, Waterford, Cork, Limerick and Kerry. For subsequent councils at Cork in 1382, Kildare in 1385, Dublin, Kilkenny and Castledermot in 1394 and 1395, it does not appear that any abbots were present. Eleven parliaments are recorded between 1366 and 1382.\(^{18}\) In the last third of the fourteenth century the division was made between the House of Lords and the House of Commons, although this terminology was not adopted for many years. The notion of peerage, applied to both the lords spiritual and temporal,

\(^{13}\) Reich, op. cit., pp. 339-361.
\(^{14}\) Richardson and Sayles, op. cit. (1962), pp. 57-58.
\(^{16}\) Richardson and Sayles, op. cit. (1964), pp. 11-13.
\(^{17}\) Ibid., p. 4.
first appears in England during the reign of Edward II (1307-1327). 19

There is a relative abundance of documents for the beginning of the reign of Richard II (1377), but no Irish parliamentary roll has survived from the fourteenth century. We have no early list of spiritual peers. The Irish bishops were numerous and many were poorly endowed. The only full lists which have come down to us are of the year 1375, 1378, 1380 and 1382. We know still less how many answered the summonses, perhaps very few—nothing would induce the Archbishop of Armagh to attend a parliament in the province of Dublin, but he would send proctors. We have little knowledge of the abbots and priors summoned before 1375, but they had included the Abbot of Wotheny (i.e. Abington, Co. Limerick—see fn. 1) and the Prior of Athassel, neither of whom were summoned in that year. At that parliament, held in Kilkenny "on the morrow of Trinity 1375, lay assessors were appointed and collectors for a subsidy: In comitatu Lymerici Edmundus de Burgio, Meilerus de Burgio, Adam fitz Peires, in cantreda de Wetheveny"—which latter district was later called the barony of Ownybeg. Other assessors and collectors were appointed for the other cantreds. 20

At that time (1375) the list included nine Cistercian abbots. In 1378 seven Cistercian abbots were summoned; also one abbot and two priors of Regular Canons, and the prior of the Knights of Kilmainham. There is a large gap in our evidence after 1382, and our facts are few for the fifteenth century. By 1375 summons were restricted to houses in Cork (Tracton), Dublin (All Hallows, Holy Trinity, St. Mary’s, St. Thomas’, Kilmainham), Kildare (Connel), Kilkenny (Duiske, Jerpoint, Kells), Limerick (Monasterenagh), Louth (Mellifont), Meath (Trim), Wexford (Dunbrody, Tintern), and Wicklow (Baltinglass). By the middle of the fifteenth century only three houses in Co. Dublin, one in Wicklow, one in Kildare, and one in Louth answered the summons. In 1380 twenty-eight writs were issued to bishops and abbots, including those in such outlying dioceses as Raphoe, Co. Donegal, Killala, Co. Mayo, and Ardflert, Co. Kerry, but how many answered the summons is a very different matter. 21

Fines for absence were most numerous between 1375 and 1382, and they were revived under Henry VI (1422-61). The "afforced council" which met at Drogheda on the 26th of June 1444 was limited to the counties of Dublin, Kildare, Louth and Meath. 22

By the 1460s peerage in Ireland had been assimilated to peerage in England. The doctrine that liability depended on the tenure of a barony was applied also to heads of religious houses, the number of which houses steadily declined. By the fifteenth century peerage had become an honour and precedence was hotly disputed. The relationship between the king and the bishops became progressively weaker. In the fifteenth century a substantial representation might be expected from the province of Cashel, while in the province of Tuam writs would be entirely ignored. In many parliaments very few bishops would be present in person.

The commons had no established place in the Irish Parliament until about 1370. There were then twenty-six constituencies returning a possible total of twenty-eight knights and twenty-four burgesses. Early in the fifteenth century, only eleven

20 Richardson and Sayles, op. cit. (1947), p. 61.
22 Richardson and Sayles, op. cit. (1952), pp. 16, 80, 119-136, 143, 144 and 189.
counties and ten towns returned representatives. In 1420 there were no representatives from Ulster and Connacht, and other constituencies fell away subsequently.

Some of the councils or parliaments met in the chapter-room of the Cistercian abbey in Dublin, others in the cathedral; in 1371 one was held in the small chapel of Ballydoyle, near Cashel,23 and at least one in Kilmainham Priory.

It is perhaps relevant to conclude by noting, as did Father Aubrey Gwynn, S.J., following on his survey of Irish parliaments at this general period, "the complete failure of parliament in this country to make itself, as it had become in England, a body that was fully representative of a nation's social and political life."24

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24 Ibid., p. 222.