

Richard III and his Parliament – a lecture by Dr Rosemary Horrox. Yorks Branch Lecture May 2009

There are many fine reasons why you should give a lecture. The subject is interesting. The subject is important. The subject enlightens the audience. The subject is rooted in important research. This lecture ticked all those boxes and we can add one more. Three years ago the re-edited and translated Parliamentary Rolls came out having taken the last 10 years of the good doctor's life, so you might as well get a lecture or two out of it! And jolly good that it did. For what a finely crafted gift of a lecture this turned out to be.

Richard III only had one Parliament in his short reign but there were some noteworthy bits and bobs amongst the more normal fare for us to ponder upon. Although this Parliament had plenty of typical business to transact it also gives a tone that suggests Richard was aiming to position himself in opposition to some of the methods of his late Big Bro, Edward IV.

But first that's look at what we have to base such speculation upon. What are the sources and what problems does their very nature give us?

The main source for Richard's Parliament, and indeed all Parliaments of the time, is the Parliamentary Rolls. Now no imagining this is Hansard on vellum, oh no indeedly not. This is the formal and rather incomplete record of the decisions made. No debate detailed here, barely a sniff of an idea of what went on. This was completed by the Clerk of Parliament who was the King's official and this is his record. Not even slightly independent then.

It only included what was agreed. Not only does it exclude any record of how the decision was made, but there is also no account of what business was not agreed but had been discussed. At first it was thought the accounts of "the king will take advice" were references to the Parliament not passing the king's business but we now know this was not a no, this was a "this will be considered elsewhere, not by parliament". We simply don't get a record of the "nays", just the "okays".

Plus it's rather a whitewashed document. There's barely a sniff of controversy. If it's sensitive it is noticeable by its absence. So we have no record of the Duke of Clarence's trial in the Rolls for Edward IV's reign. For that we are reliant on chronicles like Croyland, which are highly selective and rather like the news media today reports in the light of the author's opinions.

Even when controversy is mentioned don't think it's going to be a full record of anything. It is what the king wanted recorded with a few additions from those who paid the Clerk.

An example of this is from the rolls of Henry VII's first parliament. The Attainder for Richard III's supporters was backdated to the day before Henry's reign began. This sneaky ploy meant anyone who fought at Bosworth for the legitimate king of the day (that'll be Richard, then) was nevertheless in hindsight a traitor. We do know from other sources this was a heated debate that held up other business for 2 days. But on the rolls? Just the facts, ma'am. The decision and no more. Why such a debate? Well aside from the fact it's just rude it also set a rather dangerous precedent. In future you might think twice about fighting for the king unless you thought he would win – better to sit it out and see who wins. 10 years later this was revoked, but not retrospectively so it still was not okay to have fought for Richard against Henry.

So what is there. Well there's some private business (but not all), there's the King's business and there are common petitions on the end.

Let's start with Common Petitions. These are not petitions to the House of Commons but business of general concern. There are particular petitions which relate to individuals. An example of this would be the lifting of an act of attainder. But beware, not every lifted Act of Attainder is noted here even when they are agreed so never assume that absence means it didn't happen. It seems likely that if you wanted a record of your Attainder being lifted on the roll then a few bob slipped to the clerk would do the job. In 1472-5 attainders were lifted on quite a few Lancastrians but it's not enrolled. Did none of them pay? Presumably not.

Individual and Commons petitions being on the rolls gives the sense that Parliament was not just the king's business, but that there is a mutual process going on.

The commons also had to agree to taxation and this was not just rubber stamping – there were deals to be done. But there was a limit. Parliament was the king's and it generally does what the monarch of the day wanted in the end, but we will not usually see the horse trading that got the deal done so the rolls show that the king's will always prevails but not the price he may have had to pay to get that agreement.

A nice example of this is in Edward IV's reign. In the 1460s Parliament grants a large amount of money to invade France, but no invasion happens. In 1472 Edward asks for more. The Commons agrees but with the rider that independent officials keep the cash until Edward starts to raise troops. In 1474 Edward points out that he can't raise troops when they still hold the money for the troops but the Commons stick to their guns. No recruitment, no cash. This argument is interminable and boring

(Dr Horrox had to edit it so she knows this firsthand!). But it did show that the Commons had teeth when they chose to use them.

Kings could and did use Parliament as a way of getting their views across and enhance their position. Not only a source of money, it could be used to show the king's view on traitors, it was a forum to discuss what the king wanted to do and get approval and of course it was PR.

Edward IV certainly used it well in this way. He would announce news of the campaign against Lancastrians and the nobles like Warwick would do the same. It was a way of the King getting his views out there but also it was a chance for the populace to give feedback as well, as they discussed the news of the day.

And so to Richard. Approval was certainly something Richard needed in 1483 as he needed to explain to the people why he should be king. So he used Parliament, as all others had done before him, to get his point across. Richard was not different than any other monarch in this use, but he maybe needed to utilise it more at the start of his reign than some others.

Specifically Parliament was where Richard's title to the throne was asserted with the Titulus Regis.

The bill to assert Richard's claim to the throne was the second item on the roll (the first predictably is money) indicating its importance. This was put in by the commons and was purported to be the bill that had been given to Richard in June of 1483, asking him to take the crown. We do know that there was a bill that did just this and Richard did see it as an invitation to be more than just the protector but in Horrox's view the one in the rolls, in 1484 is not the one presented originally. And in this she is largely alone. No one else seems to have a problem with it being the same text except our lecturer.

We only have the Rolls version, the 1484 one. This version is very critical of Edward IV with condemnation of his lechery and debauchery. Horrox's reading on the 1483 version is that this was not so but that Richard was depicted as continuing the good governance of Edward's reign. After the October rebellion of 1483 Richard now saw he did not have the support of Edward's supporters as he had thought before so it was now acceptable to attack Edward's style.

This bill was not put in by the crown and Richard holds it at arms length. It is agreed by the Commons and the Lords but this does not make him king (he was already that). But it is an assertion of his claim to the throne and is accepted as a fair version.

And it is the first significant difference between Richard's and his successor and predecessor's first parliaments. Edward's statement was an elaborate dynastic statement showing that through Mortimer he was the rightful king. In contrast Henry's was 2 sentences – in effect declaring “this is how it is, deal with it”, but both had on common the fact they were not arguing they should be king and justifying it – just declaring it. This was in contrast to Richard, and maybe Henry VII did it that way in response to Richard – a reaction to it.

What else is in Richard's first parliament? Money.

Richard did not ask for money by raising taxes. He just keeps quiet. He declined to collect the taxes granted by Edward's final 1483 parliament to wage war against the Scots throughout his reign (Henry VII does not). Instead he collected a tax on aliens granted to his elder brother (after all, they're foreigners so who cares about them?).

Parliament did grant Richard customs revenue for life. This had been a bone of contention. Edward IV had it and the minority government of Edward V had expected it would be granted as a formality. Instead it was stopped by a London lobby group (including the Mercers), which had caused much bad feeling.

In the opening speech written for Edward V's opening Parliament that never was there had been pointed remarks that those who did not support the head were rotten limbs and this was a reference to the London Mercers. By the Parliament of 1484 there was no trace of this as Richard had got his customs money.

Richard also repudiates benevolences – a scheme for raising money by Edward IV whereby gifts of money was asked for – not loans – which was hard to refuse. Chronicles of the time admire the genius of the scheme whilst hating them as a con. Richard's repudiation was very specific – distancing himself from the practice. Although the declaration is a Commons petition, that the king does allow to be put in sometimes.

A year later Richard did have to raise money and did so by loans but the fear was these would never have been repaid and benevolences might have returned. We shall of course never know if Richard could have kept to his decision here.

Edward also had used the Duchy of Lancaster to try our financial schemes which could then be rolled out elsewhere. One such wheeze was to declare that the practice of land given to Trustees by owners to avoid it being grabbed by the crown was not allowed. Richard stops this, and does not treat the Duchy as different financially to anywhere else in the kingdom. As many of his supporters were from the Duchy it would have been foolish to continue to treat it as a cash cow.

Richard presents himself in the rolls as defender of the realm, but this claim is his Achilles heel. He wants and tries to give that image but his problem is the only war in his reign is a civil war, so he finds it more difficult than his elder brother to present himself as a war leader which is a disappointment to him.

Richard's record on law and order was on the whole good. There was a nasty taste left by the rebellion and subsequent forfeiture of land which not always well done but aside from this he did well.

Parliament always grumbles about the rule of law not being maintained but earlier reigns had always answered that it was not the law at fault, it was the enforcement of it by the great lords and they should look to their own efforts. Richard's Parliament shows a move away from this.

The rolls include 6 commons petitions which were on very specific issues. Hanbury in his paper from the 1960s was over the top, suggesting Richard was the second Justinian but here we see good law. These petitions were very precise and well drafted, which was unusual for the time. They were on facets of the law that were not working. They are impressive though they deal with very specific and detailed areas.

Also popular was protectionist trade regulations. Edward IV in the 1460s had started to do this but he had wanted alliances with Burgundy so had needed to back off in order to work with them. Richard was able to allow them again, although how enforceable the new regulations were is debatable, but he did exclude books, a decision which was welcomed although this was tagged onto the wrong act. Although there were explicit differences in Richard's schemes to Edward's they did have behind them the same xenophobia.

Edward had used Parliament to manipulate property, noticeably the Mowbray inheritance. Richard dismantles this, but that was mainly because his supporters had been victims of it. He was not averse to doing similar things himself.

Among the Commons Petitions (the wrong place for it) was one relating to Elizabeth Woodville. This was an act of complete forfeiture. But she was not attainted, no process had been brought against her, there was no reason to be and it was backdated to May 1483 when Richard had entered London as protector. No reason is given except in one paragraph it describes her as "calling herself Queen" implying she had never had the right to the title. So Henry VII was not the only one to backdate things to his own ends!

Richard's first parliament saw Richard at his most secure on the throne. The rebellion had collapsed and others are starting to make peace. Richard must feel reasonably on top. Croyland seems to support this even

though it shows its dislike of Richard by describing him as riding roughshod over Parliament. Dr Horrox thinks not. In fact Richard is very careful to tread carefully. The rebellion had been a huge shock as those he felt he could trust had betrayed him. In a sense he never recovers.

And there the good doctor stopped. But of course there will always be a lively question and answer session.

One audience member asked if William Catesby could have been the writer of the tight well written bills of this Parliament. Catesby is a lawyer and possibly the speaker. But the 1484 Parliament shares the problem with Edward IV's last of 1483 as we know the names of very few members. Richard would have known Catesby would be a very good speaker but who else were the county members? These are more influential than town members but we do not know who they were. Are they Richard's followers or the usual suspects. Also Catesby was not active as a lawyer. So Dr Horrox does not see he would have been pivotal in the writing of the bills.

Whoever did do them was exceptional. They were well drafted and this is rare indeed. Most Parliamentary drafting is rubbish. For example in Henry VII's reign in royal business there were three place names spelt wrong in a bill that was deciding property for Henry's queen.

Was Richard there for the whole of the Parliament? No. He doesn't have to be. When he does he sits with the Lords. He had to open it but after that he would have left them to it. Kings addressing the Commons is very rare and there is no sign that Richard did that. Edward IV did so it in 1461 but this was a noteworthy exception. It is not like a modern opening at all. The Chancellor gave a sermon to start the ball rolling, and there is no mention or clues to the business in that. The king does not give a speech at all.

And there we left it. What we now know is don't look to the Rolls is you want any ideas on debate, don't expect something missing meant it didn't happen and don't expect it to be much more than the King's view on what transpired. No Hansard this, not even close. But we just have to grab what we do have, and thank Dr Horrox for 10 years of her life working on this valuable document anyhow.