Were there any weaknesses in Edward III's system of government?

It is possible to see the French war as Edward III's all-encompassing preoccupation, a preoccupation which resulted in Edward's subordination of the governance of England to his military ambitions. The 'crisis' of 1340-1 therefore resulted mainly in Edward not subsequently reaching defensively to opposition but pro-actively, adapting his relations with his subjects to suit his needs, rather than adapting his military ambitions to suit their needs. Thus, it could be said that Edward's preoccupation with war represented a fundamental weakness in his system of government. To address this charge, we must examine the reign in four distinct chronological phases: between Edward's accession in 1327 and his coup of 1330, between 1330 and the crisis of 1340-1; between 1340-1 and the early 1360s; and finally between the early 1360s and Edward's death in 1377.

The Mortimer regime of 1327-1330 was characterized by a disastrous Scottish campaign, expenditure which exhausted Edward's resources, and more or less arbitrary government. After his coup of 1330, Edward III can be seen to represent a very different type of ruler to his father and Mortimer. The weaknesses of Edward III's system of government: the influence of favourites, the lack of impartiality on the king's part and an inability to act in a kingly manner, were inherited in Edward III's early years. His strength at the outset derived from the fact that he had disassociated himself from the Mortimer regime and had resumed what might be termed the normal, accepted role of the king.

Thus, in the early 1330s, Edward III exercised his kingly duties effectively, actively reconstituting the crown previously disgraced magnates such as Hugh d'Audley, son of Hugh Despenser, who had fled in 1330.
recovered many of the Despenser lands and was placed in the peerage in 1338. This type of gesture served to emphasize Edward’s ultimate power over the fate of those who might oppose him and to reconcile, rather than alienate, such possible opposition. It represents the king divorcing himself from factional infighting and placing himself at the head of the body politic, and this was crucial.

The six appointments to the peerage which Edward made in 1333 had the capacity to have been politically sensitive had Edward followed the example set by Edward II. Hume states that he was “not governed by favourites”, an issue critical to the independence and stature of the crown. The king must be seen to stand above his magnates, not promoting one or two above others, for this would lead to inaccessibility and the reducing of the king to the level of the magnates. Edward shored the need for magnates; their numbers were depleted, “this realm has long suffered a serious decline in name, honour and ranks of dignity.”

and most importantly the need for nobles of lofty status and eminence.” Edward endowed the new peers by means of forfeited lands and manors rather than crown lands; for example, Montacute was given a proportion of the forfeited Mortimer estates. Edward’s policy was to reward such supporters, but to balance this with appointments to older families; for example, the restoring of Richard Fitzalan to the lordship and title of Montacute. In addition to this, Edward made his appointments to peerage in parliament and with the counsel of the existing magnates.

Essentially therefore Edward had restored the trust between the nobility and the crown, had placed himself at the head of the body politic, and as such dispensed grants of title and lord precently, stressing whilst doing so the natural status of the peerage as councillor,

“by whose certain counsels and aid our realm can be directed and in adversities sustained.”
The 1330s were notable for the restoration of the dignity of the crown and the display of Edward's ability to act in accordance with his duties whilst showing his authority. As has already been mentioned, appointments to the parlement were made in accordance with none but counsel, and the summoning of a parliament in November 1330 by Mortimer and his confederates gave Edward the opportunity to stress that,

"our lord the King wishes to do grace to all who deserve it."

At the local level, all sheriffs were replaced with "good men knowledgeable in the law" and inquests were called into conspiracies and oppressions by officials, royal councillors and facteurs. Again, under the tyranny of Edward IPs final years and the Mortimer regime, the absence of a strong king had led to problems throughout the whole body politic, and, even if simply to stress the importance of an impartial judicial system, some action was necessary.

The period between Edward's coup and 1337 can therefore be seen to show a king with a strong system of government, acting in accordance with his accepted role. What led then to the crisis of 1340-1?

Edward made claim to the French crown in 1327 after the French confiscation of Gascony and began to mobilise his financial resources. The Walton Ordinances were issued by Edward in 1339 as he sought to engage the finances of the realm for the war. The Ordinances placed control on Exchequer expenditure, cancelled all exemptions from taxation and disallowed grants and payment, by instalments, of debts to the crown. Edward also promoted and took with him to France Kilsby as Keeper of the Great Seal, leaving the Home Councils to enforce the direct taxation granted in 1337.

The measures taken by Edward in the Ordinances led to opposition. The Home Council had little legitimate authority and importantly, Parliament had not authorised the Ordinances...
Edward's foreign alliances resulted in debts of £276,000 by the end of 1337, which in turn led to demands for supplies of money from England. The embargo on wool exports also had detrimental effects on the merchants of Dordrecht who had advanced loans to Edward in return for income from wool customs upon the resumption of free trade. Finally, the wool monopolists with whom Edward had negotiated a deal which had resulted in an immediate loan of £200,000 were also seen as profiting at the expense of the community of the realm.

Edward returned in February 1340 and arbitrarily ordered an investigation into the accounts of tax collectors, a general commission to investigate and commission to investigate smuggling. He also made a clean sweep of royal officials. In doing so, Edward alienated the Commons and by ordering the imposition of the tax of a tenth on the clergy, he made another enemy. The nobility resented Kilbys influence on Edward's decisions and when Edward made his attack on Shaftesbury, he found a united alliance shrewdly in the petition of 1340.

The petitions spell all these grievances. They request the recovery of "any end... done against the liberty of the church", an inquiry into the expenditure of taxes granted and an end to remissions of revenues to creditors, "no part is to be assigned elsewhere during this war." They also request that the king allows councillors to be elected in parliament and that peers be tried by their fellows also in parliament.

Ultimately, these grievances showed the weakness of Edward's wartime system of government. However, the alliance of Lord and Commons was not constitutionally profound. It survived only as long as the Lords supported the Commons. When Edward appeared the Lords by dismissing Kilby, reconciling Shaftesbury and committing himself to a Dutch campaign, Hamon very pertinently points out that the Commons were left to salvage what they could from the statute. Their
grievances were not completely ignored, however; upon the
repeal of the statute, Edward stated that he would uphold
certain points that were "reasonable and profitable
for the King and his people." Nevertheless, the grievances were
to resurface later in the reign.

Amrod states that there was no attempt by Edward
during 1341 to change his military policy. In fact, during the
1340s, he went onto win major victories over France at
Brittany in 1342, Gascony in 1346, Artois in 1347, and Calais in
1347. After almost a decade the war resumed and Edward
reached the zenith of his power in 1354-60 after the capture of
King John of France in 1356.

After 1343, stability of government ensued and the
appointment of ecclesiastical ministers along with a better
system of administration in Edward's absence worked
remarkably well. The appointment of Edington in 1356 to the
Office of Chancellor also helped to ensure no recurrent of
the 1341 crisis. Edington is credited with the restoration of
the supremacy of the Exchequer and the increased
accountability of the Exchequer which increased efficiency
during Edward's absence. McKitterick also gives Edington credit
for his handling of parliament between 1341 and 1363.

Edward made sure, after 1343, to keep parliament well-
informed of the progress of the war and ask its approval.
For example, Shores lists the request for parliament's
approval of the causes of the war and King John's breaches of the
treaty. In 1363, a national balance sheet was presented to
parliament in order to persuade it of the need for money.
It represented a policy of cooperation, but also
skillful manipulation by the king who promised to do all
in his power to hold their "ease, comfort and favor."

It might appear, then, that Edward's system of
government after 1341 was characterized by its strength.
"Spirit of co-operation and compromise followed the crisis."
However, the Commons had gained bargaining power in the consents of the parliaments, and the achievement of various concessions in respect of local government in return for grants of taxation could be seen as representing a weakening of Edward's system of government. The subordination of the needs of good governance to the needs of war perhaps shows the surrendering of vital prerogatives to the Commons. This need not necessarily represent a Whigish opinion but it remains a matter of fact that, although the Commons had negotiated legitimacy with which to refuse war taxation, their bargaining power had increased. It seems pertinent to examine therefore, the concessions over the local judicial powers within the Commons gained.

During Edward's reign, the knights and gentry achieved significant legal responsibilities in the shires reflected in the emergence of gentry members as Justices of the Peace, able, by 1350, to determine on felonies. The Statute of 1361 formally constituted keepers of the peace as JPs. Thus, the eye and commission of trial by battle became primarily used to raise money by individual assessment and fines by government. Hanns states that there was much controversy over the involvement of central government in the form of lords and professional judges and place the gentry's discretion and visiting judges. However, Pouley suggests that the relationships between the amice judges appointed to oversee the work of JPs was one of cooperation, where often, the amice judges would leave JPs to determine, and where joint sessions of the peace and great delinquency were held while amice judges were on circuit. In effect, the judges and JPs worked in association.

The above indicates that the relationship between the King at the centre and Commons, therefore, was not quite confrontational as has been assumed. Hanns' view is turning point in relation to what the Commons began to feel that their property interests were threatened is counteracted by the fact that, between 1344 and 1355, Edward
succeeded in achieving ten years of direct lay taxation. Thus, the Commons gained certain increased powers and the ability to achieve some redress of grievances in parliament, but this need not represent a Breakdown in Edward's system of government, since, as has been seen, he largely managed to extract what he wanted from the Commons and had a great deal of control over the localities.

The period between 1341 and 1360 is, however, marked by important developments in Edward's relationship with the church. As has already been seen, Edward infringed upon church liberties by ordering the clergy to pay the tenth in 1340. The Statute of Provisions in 1351 and the Statutes of Praemunire in 1351 and 1353 have been seen as Edward's recognition of the resentment of his subjects about the revenues which the pope derived from the English clergy. However, Heath has shown that these measures largely coincided with Edward's diplomatic measures. What, however, does this say about Edward's system of government? Had Edward only been acting in recognition of anticlericalism, the statutes might present evidence of a strong system of government, but the fact that they largely coincided with diplomatic measures might again show a king who was willing to subordinate even the church to his military ambitions. At the very least, voices of anticlericalism and antipapism seemed to have been supported by the king.

The final phase of Edward's reign can be seen partly in terms of the financial problems which in the 1360s, unalleviated by Edward's extravagance and the failure of Wykeham to alleviate the financial burdens of the late 1360s such that, "nothing was found in the king's treasuries he was in such great poverty." (TNA: 1376) Thus the second crisis did not simply begin with the unsuccessful French War, but in the earlier 1360s. However, in terms of Edward's system of government, it must be remembered...
that Edward's mental health was failing and there is a limit as to how far he can be held responsible for the last phase of the war with France, and the deaths of a number of his original magnate councillors from 1337 did not help his position. The final phase illustrates, in summary, disappointment at the humiliating withdrawal from the Arundel, exhaustion from the burden of taxation and feelings that the 'ministers', Latin, Neville, Mowbray and Richard Lyons, were corrupt. Because of his health, Edward was unable to represent during the Good Parliament and his part in the 'cabi' has little bearing on his action as King before his mental illness.

Edward III's system of government between his coup and the 'crisis' of 1340 was characterized by the restoration of the authority of the King. Edward showed the ways in which a King should fulfill his duties as a spiritual dispenser of land and titles and as the head of the body politic. His military ambitions and failure to make adequate provisions for government during his absence led to the 1340-1 'crisis'. It is probably true to say that, in the aftermath of the 'crisis', the gentry gained considerable judicial power, but that the increase in the importance of the Commons in Parliament was not nearly so critical to the constitutional development of England as has previously been stressed. Edward's military ambitions did, to a certain extent, aid the development of the Commons. With regard to the Church, however, Edward me have helped to inflame anti-clerical and anti-papal feeling and his use of the Statutes of Provisors and Praemunire simply in the course of his diplomatic measures now seem to indicate a King so preoccupied with war that he was prepared to subordinate the Church to his ambitions. However, such a policy was neither unique nor new. The final crisis of the reign was unfortunate.
for Edward as he was probably senile from the mid-1360's onwards, and therefore cannot be held culpable for the weaknesses of government. It must be remembered that military ambition was, to a certain extent, expected of a king like Edward III, before the 'crisis' of 1340. Edward's reign was peaceful and lacking in the sort of problems which his father had faced, largely because Edward III governed as a king ought.
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