On 15 September 1361, Lionel of Antwerp (1338–68) disembarked at Dublin and began his tenure as the king’s lieutenant in Ireland. It was a pivotal moment for the English residents of Ireland. They had played on the conscience of the king at Westminster, and the fruit of their efforts was the appointment of a young lieutenant with a pedigree ideally suited to Irish office. Through his wife, Lionel laid claim to the vast inheritance of the Burgh family, including Ulster – once Ireland’s premier earldom – and the lordship of Connacht. But Lionel was no ordinary noble. He was a Plantagenet, the second surviving son of King Edward III (1327–77) and soon to become duke of Clarence. The appointment of so exalted a chief governor heralded four decades during which the lordship of Ireland was lavished with more attention from England than it had received since the reign of King John (1199–1216). The armies that crossed the Irish Sea were principally

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3 Lionel was created duke of Clarence on 13 November 1362 at the Westminster parliament while absent in Ireland: Rotuli parliamentorum, 7 vols. (London, 1783–1832), ii, 273; Cal. Chart. R., 1341–1417, 174. His elder brother, William (b. 1336), died in infancy.

funded not from dwindling Irish revenues but by the English exchequer. The intention, however aspirational, was to reverse the various misfortunes the colony had suffered and return it to the health it had enjoyed in the late thirteenth century when it had been self-sufficient and profitable. With so much favouring Lionel’s enterprise, it would be fair to assume that lieutenant and colony would be united by a sense of common purpose. Why they were not is the subject of this paper.

Lionel served in Ireland from September 1361 until November 1366, with one extended period of absence from 23 April until 8 December 1364. When he left for the last time in 1366 to marry a Milanese bride, he reputedly swore never to return. What induced the chronicler to record this is far from clear. The Irish chancery rolls for the period have long since been lost and the Dublin annalist has little to say. Possibly it betrays a typical English distaste for ‘barbarous’ Ireland, a reaction which, for Lionel, was no doubt reinforced by the prospect of a shimmering career in northern Italy. But there was probably more to the remark than innate antipathy.


7 Gilbert, ed., Chart. of Saint Mary’s Abbey, ii, 396. A complete itinerary is printed in Connolly, ‘Lionel of Clarence’ (PhD), appendix 10, 319–24.


9 Denis Bethell noted that it was during the twelfth century that, ‘“Barbarity” had become, and was
The lieutenancy was not without incident. Lionel is best remembered in the ‘accepted Irish national memory’ for the enacting the most famous body of legislation produced in the medieval lordship, the ‘Statutes of Kilkenny’ of 1366.\textsuperscript{10} These statutes notoriously attempted to check ‘degeneracy’ among the colonists, the process in which some descendants of the original invaders of Ireland departed from mainstream English ways of life.\textsuperscript{11} Cultivation of native Irish lifestyles, for instance Gaelic marriages, fostering of children, names, modes of riding, and apparel, were all forbidden.\textsuperscript{12} The legislation went further, however, and tackled the related problem of cultural tension between the English of Ireland and the English of England. The long-term residents of Ireland were forbidden from denigrating those they viewed as relative interlopers with the label ‘English hobbe’ or fool, and the new arrivals were ordered to repay this courtesy by not using the term ‘Irish dog’ to describe the established colonists. Instead, all the king’s subjects, wherever they were born, were to ‘be called by one name, the English lieges of our lord the King’.\textsuperscript{13}

Name-calling sounds rather innocuous, but it was only one symptom of a perpetual problem. Casting back to the colony’s earliest history, we find Gerald of Wales vicariously grumbling in a speech he attributes to one of the first invaders, Maurice fitz Gerald (d. 1176), that, ‘just as we are English so far as the Hobbes’, ‘Dogs’ & Politics in the Ireland of Lionel of Antwerp


Irish are concerned, likewise to the English we are Irish, and the inhabitants of this island and the other assail us with an equal degree of hatred. More recently, a crisis in 1341 had prompted the Dublin annalist to remark that there had never before been such division between the English of Ireland and the English of England. The gradual process whereby the colonists came to see themselves as distinct from the community of England – what historians call ‘identity formation’ – has been well rehearsed elsewhere. Yet, no matter how extended the process, the immediate significance of Lionel’s tenure in Ireland should not be played down. The statutes of Kilkenny afford a rare glimpse of the lexicon of cultural abuse current in medieval Ireland. The very fact that the terms ‘hobbe’ and ‘dog’ found their way into the legislation may indicate a new level of official disquiet. Moreover, the Kilkenny statutes had an ongoing relevance. They came to have a talisman-like quality, being reissued several times in the ensuing century-and-a-half to ward off the colony’s ills.

17 A less detailed act of 1357 discusses the ‘dissensions and maintenances, by reason of birth, [that have arisen] between those that are natives or Ireland and those that are natives or England’: 31 Edward III [Eng.], stat. 4, c. 18: Statutes of the Realm, 11 vols. in 12 (London, 1810–28), i, 363. In an alternative translation, followed by James Lydon, the key phrase ‘racione nationis’ is rendered ‘by reason of race’: Berry, ed., Statutes John–Hen. V, 417; cf. James Lydon, The Lordship of Ireland in the Middle Ages (2nd edn., Dublin, 2003), 236; Lydon, ‘The Middle Nation’, 11. This is misleading: the two English communities did not think of themselves as different races.
That being the case, it is worth searching for the cause of such proscriptive attitudes. Part of the problem was no doubt the massive influx of English personnel into the lordship after 1361. Colonial politics must have been a nearly insoluble conundrum for Lionel’s army. Even the basic task of identifying the enemy was complex. Many of the colonists had become, superficially at least, indistinguishable from the native Irish and could be mistaken for belligerents. This was the reason for the renewed emphasis on expunging degenerate behaviour, a concern that dated back to at least 1297, when the cúlán, a distinctive Gaelic hairstyle, was prohibited because, ‘it frequently happens that some Englishmen reputed as Irishmen are slain. . . and by such killing a cause of enmity and rancour is generated among many’.19 Yet, it did not follow that the condition of being Gaelic intrinsically made one the enemy. Lionel, like nearly all chief governors, drew on the manpower of Gaelic dynasties, for instance the Uí Néill of Clann Aodha Buidhe and the Uí Cheinnéidigh.20

It would be unfair to force rogue ‘Gaelicized’ colonists to bear the blame for the discord alone. Lionel’s army was not made up solely of men with pristine records. Recruitment from criminal elements in society had played a large part in the preparations, just as it did in organizing the armies of the Hundred Years War. Many men indicted or outlawed for serious crimes took the opportunity to serve in Ireland and have their past behaviour pardoned.21 That cultural differences between soldiers such as these and the equally volatile colonists, both used to living by the sword, could escalate into verbal and physical attacks is not in the least bit surprising.


It was, however, to be expected that a military force would cause a certain level of disorder. The strained relations that developed during Lionel’s lieutenancy should not be explained away by this alone. What then was at issue? One plausible suggestion is that the acrimony stemmed from the concentration of power, specifically the great offices of the Irish administration, in the hands of officials born in England. A high point of disaffection was reached in 1364. It was during this year that Lionel returned to England for eight months between April and December. A letter sent to the lordship that June stated that the king had been informed of ‘divers dissensions and debates . . . between the English born in England and the English born in Ireland his subjects, whereby in times past hurt and peril has happened in Ireland, and worse is feared unless the same be speedily appeased’. Such dissensions were in future to be punished with two years’ imprisonment and the payment of a ransom to the king. What exactly sparked this letter has eluded historians, but it is likely that anti-ministerial feelings were running high. As the leading modern authority on the Lionel’s lieutenancy put it: ‘There is no evidence as to exactly what was going on in Ireland in the summer of 1364, but it is clear that the hostility of the Anglo-Irish to Englishmen, particularly to English officials, which had erupted from time to time during the first half of the fourteenth century, had come to a head once more.’ It rather neatly explains why two years on, in 1366, the issue of ‘hobbes’ and ‘dogs’ had to be addressed in the statutes of Kilkenny.

Beyond that general conclusion, however, it seems wise to venture warily. The exclusive categories of the Kilkenny statutes are rather blunt conceptual instruments for the delicate task of dissecting the politics of the 1360s. Cultural divergence does not illuminate everything about those years. This point is made by the Dublin annalist in his concise account of events in 1361 following Lionel’s


arrival. After resting briefly in Dublin, the young lieutenant launched an expedition southwards against a Gaelic dynasty, the Uí Bhroin of Leinster. Before the campaign, however, Lionel reputedly commanded that no one born in Ireland should come near his army. The aim of this rash order was to exclude those of English descent born in Ireland, and its effect, so the annalist says, was calamitous. One hundred of Lionel’s retainers were killed. So far the annalist’s tale confirms the familiar portrait of Lionel as a man at odds with the colonial community. It is the next, comparatively neglected sentence that paints the lieutenant in rather different colours. The loss of so many men prompted a more contrite Lionel to reconsider his policy. He gathered together the whole population, both those of England and of Ireland, into one army, with the result that his campaigns against the native Irish were a great success. There followed a ceremony in which many men, again both from England and Ireland, were knighted by the prince.

A story about successful cooperation for mutual benefit, albeit with an initial hiccup, does not ring true with the bilious slurs recorded in the statutes of Kilkenny. Nor can the entry be depended upon as accurate in every particular. It is not contemporary and there is the solid evidence of Lionel’s retinue rolls to indicate that the lieutenant did not lose one hundred men in the autumn of 1361. It is also clear that it was intended from the outset that English forces would be supplemented by members of the colony in Ireland, as well as by the Gaelic Irish. The annalist’s concern, therefore, may not have been to convey solid facts so much as an important lesson. Lionel’s initial exclusion of the English of Ireland was a miscalculation and it had courted military disaster. It was only when he solicited the aid of the long-term colonists that Lionel tasted military victory, and so great was his success that he celebrated by honouring Englishmen from both sides of the Irish Sea with knighthood. Written retrospectively, it may well be that this account of the early days of Lionel’s lieutenancy is a somewhat idealized version of events, designed to extol the virtue of working with the grain of colonial society rather than perpetuating cultural distinction.

Yet, as tempting as it may be to write the annalist’s tale off as an ‘invented tradition’, it nonetheless points towards some general truths. There is, in fact, a great deal of evidence to show that significant elements within the colony did

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24 On the Uí Bhroin generally, see Emmett O’Byrne, *War, Politics and the Irish of Leinster, 1156–1606* (Dublin, 2003), and for this campaign, 102.
27 Lionel’s clerk of the wages, Walter Dalby, was commissioned to pay the army by indenture including ‘Irishmen if there be any retained’: *Cal. Pat.*, 1361–4, 61.
indeed cooperate with Lionel of Antwerp. It was by no means every ‘Irish dog’ who was hostile to his advances. Indeed, describing the events of Lionel’s lieutenancy in terms of ‘hobbies’ and ‘dogs’ obscures the variegated internal politics that dictated how the colonists responded to Lionel’s mission. The permanent residents of the colony had long-standing conflicts and rivalries peculiar to themselves, and these did not evaporate at the arrival of an English army. On the contrary, the presence of such an illustrious lieutenant provided an exceptional opportunity to court royal favour and eclipse rivals. Efficacious promotion of one’s private interests required working through the institutions of government. None of this renders the hobbe–dog dichotomy redundant. Given that this vituperative couplet was coined by the people of the time, its importance is beyond dispute. The cultural discord of Lionel’s lieutenancy should, however, be understood in part as reflecting the hostility of factions within the colony. It is here, in the interplay between local politics and external intervention, that a more complex and persuasive explanation for the problems that beset Lionel’s lieutenancy is to be found.

The best way to negotiate these intricacies is probably to set out on a traditional route, closely examining why members of the colony became estranged during 1364, before branching off to see what influence indigenous politics may have had on the course of the crisis. A beginning may be found in the comprehensive shake-up of the Irish exchequer and judiciary that took place in February 1364. Two of Lionel’s officials, Thomas Burghley and Walter Dalby, were in England early in the year and were no doubt guiding the king on the appointments. Significantly, neither of these men was born in Ireland, although both held lofty positions in its administration. Dalby was already Lionel’s clerk of the wages. While at court, he gained for himself an appointment as treasurer of Ireland, which meant that two powerful offices were combined in one person. There was


30 Calendar of the Fine Rolls preserved in the Public Record Office, 1356–68, 280. Philomena Connolly identifies Dalby with ‘Sir Walter Dalby, parson of the church of Our Lady, Berkhamsted’

31 Both men received protections for their return to Ireland in the spring of 1364, Thomas Burghley on 4 February and Walter Dalby on 1 March: Cal. Pat., 1361–4, 457, 459, 473.
nothing particularly unusual about the treasurership being in the hands of an Englishman, although in fact the most recent treasurer, Thomas Mynot, newly elected as archbishop of Dublin, came from Ireland.33 The chancellorship, on the other hand, was more often than not held by someone from within the colony.34 Thomas Burghley, however, had been a brother of the hospital of Saint John of Jerusalem in England before becoming, in what may have been an unpopular move, prior of the Irish order in 1359. That same year he was appointed chancellor of Ireland. After Lionel’s arrival in 1361, he exercised two other influential posts. He was chancellor of the Irish exchequer from 1362 to 1364 and briefly acted as chief justice of the justiciar’s bench, in 1361–2.35

At the losers’ end in the administrative reshuffle of 1364 were Robert Holywood and John Troye, two long-standing office-holders. An attempt was made to replace both of them in their respective positions of chief and second baron of the Irish exchequer.36 Neither John Keppok nor John Uppingham, their replacements, took up office, and the fact that no one seems to have been paid as either chief or second baron of the Irish exchequer between 9 April 1364 and 1 February 1365 indicates that there was confusion or dispute over who should hold the offices.37 The king was later to state that he had been ‘deceived by the informations of the said prior [Burghley] and Walter de Dalby’.38 It must have been particularly galling, therefore, that Burghley and Dalby – who had engineered this reshuffle – were to have their expenses paid by a subsidy granted in Ireland by the clergy and commons.39 The changes paved the way for Lionel’s

(otherwise Northchurch, Hertfordshire), and suggests that he may have originated in Great Dalby, Leicestershire: Connolly, ‘Lionel of Clarence’ (PhD), 218, note 209; Register of Edward, the Black Prince preserved in the Public Record Office, 4 vols. (London, 1930–3), iv, 353; William Page, ed., VCH: Hertfordshire ii (London, 1908), 245–50.

33 Connolly suggests that Mynot was removed because, after being granted the temporalities of the archdiocese of Dublin on 21 September 1362 [Cal. Pat., 1361–4, 389], he may have travelled to the pope at Avignon: Connolly, ‘Lionel of Clarence’ (PhD), 214. Thomas Scurlag, abbot of Saint Thomas’ Abbey, Dublin, acted as deputy treasurer from 20 October 1362 to 1 April 1364, shortly after which Dalby took up office: H.G. Richardson and G.O. Sayles, The Administration of Ireland, 1172–1377 (Dublin, 1963), 104.

34 Frame, English Lordship in Ire., 90–3.


36 Cal. Pat., 1361–64, 468. Holywood was ordered, ‘quod se de officio praedicto ulterius nullatenus intromittat’: Rymer, Foedera (Rec. Comm.), iii, part 2, 721.

37 Philomena Connolly, ed., Irish Exchequer Payments, 1270–1446 (Dublin, 1998), 514; Richardson and Sayles, Admin. Ire., 113, note 5.

38 Cal. Close Rolls, 1364–8, 4; Rymer, Foedera (Rec. Comm.), iii, part 2, 722. The instruction to the chancellor and treasurer to cause ‘those who neglect to pay to be compelled if needs be’ is an indication that resistance to the levying of the grant was anticipated.
departure from Ireland on 23 April 1364, and no doubt were intended to ensure a stable administration during the lieutenant’s absence in England. As it turned out, they seem to have had the opposite effect.

By early June, a group representing ‘certain of the commons of Ireland’ had travelled to Westminster bearing grievances. It included three of the lordship’s leading nobles, Maurice fitz Thomas, fourth earl of Kildare (d. 1390), Simon Fleming, baron of Slane, and John Husee, baron of Galtrim, as well as Richard White, recently appointed chief justice of the justiciar’s bench in Ireland, and Richard Plunket, one of the king’s legal representatives.40 The delegation seems to have left hard on Lionel’s heels, possibly on 25 April 1364.41 It was this embassy that provoked the letter of 6 June 1364 demanding that ‘dissensions and debates’ between the English of England and Ireland be quelled. The king also commanded the Irish administration not to trouble the earl of Kildare and his associates for leaving the lordship without licence. The letter stated that although they had been elected to bring complaints before the king, at some point after that election a proclamation had been made in the lordship that no one should leave Ireland without permission. Ignoring the orders of the council, the representatives of the Irish commons had boarded a ship at Dublin and travelled to England. The delegation seems to have believed that it would be the target of official reprisals on its return to Ireland and so sought a royal pardon.42

Who was in a position to make the representatives of the Irish commons feel vulnerable in this way? Two obvious candidates are Burghley and Dalby. As

40 Cal. Close Rolls, 1364–8, 58. Fleming is not stated to have been elected by the Irish commons; rather he was in England ‘to survey his lands there’. Sometimes these brief references can be misleading and he may still have been involved in bringing complaints to the king. In a parallel case in 1397, David Wogan of Ireland received a licence to remain in England to prosecute personal affairs. Only from second pardon for absence issued the following March do we learn that he ‘was lately chosen by the lords and commonalty of Ireland in the Parliament held at Dublin one of the ambassadors of that land to report its condition to the king’: Cal. Pat., 1396–9, 209, 340. The earl of Kildare also used the visit to court in 1364 as an opportunity to transact some private business. He petitioned the king to grant him liberty jurisdiction over the county of Kildare as he had held before 1345: G.O. Sayles, ed., Documents on the Affairs of Ireland before the King’s Council (Dublin, 1981), no. 233. Regaining liberty rights over this county was an ongoing concern of the Kildare earls (for instance in c. 1346–8, 1364, 1367, 1369, 1391 and 1394–5), but it was not restored until the early sixteenth century, and then only briefly: see Connolly, ‘Ancient Petitions (SCR)’, Analecta Hibernica 34 (1987), 71, 74, 79, 83; Richardson and Sayles, eds., Parliaments and Councils of Mediaeval Ireland, no. 72; Sayles, ed., Documents on the Affairs of Ireland, nos. 214, 233, 275–6; National Archives of Ireland, J.F. Ferguson’s Collection of Extracts and Notes from Irish Administrative Documents, Edward I–Henry VII (3 vols.), ii, fols. 105r–105v. On Kildare up to c. 1345, including a map, see A.J. Otway-Ruthven, ‘The medieval county of Kildare’, Irish Historical Studies 11 (1959), no. 43, 181–99; and on the temporary restoration of the sixteenth century, S.G. Ellis, ‘The destruction of the liberties: Some further evidence’, Bulletin of the Institute of Historical Research 54 (1981), no. 130, 154–8.

41 Richard White, chief justice, is recorded as having been in England from 25 April to 25 July 1364, during which time his office was exercised by the second justice of the justiciar’s court, Nicholas Lumbard: Connolly, Irish Exchequer Payments, 515.

42 Cal. Close Rolls, 1364–8, 58.
chancellor and treasurer of Ireland both these men held seats on the Irish council. At the very least, they must have attempted to enforce the council’s ruling that the embassy of the Irish commons should not travel to Westminster. If so, it was probably not just because they wanted to keep all those who could fight in Ireland to defend their lands. The fact that the delegation was sent to complain about Lionel’s English-born administrators cannot have been far from their minds. That Burghley and Dalby were the focus of grievance is clear. In September, as Lionel prepared to return to Ireland, both men were superseded in their offices. Dalby’s activities as clerk of the wages had made him unpopular. It was recorded in his enrolled treasurer’s account that his commission as clerk of the wages had been ‘revoked because of certain suggestions made to the king’, presumably in the summer of 1364. One of those who may have won the king’s ear was John Troye, second baron of the exchequer, whose dismissal Dalby seems to have sought in February 1364. By June that year, Troye was in Westminster, and in the autumn he was appointed in Dalby’s place as treasurer. Another loser, Robert Holywood, successfully held on to his disputed exchequer post of chief baron. A final victory was the stipulation in Lionel’s renewed appointment as lieutenant in Ireland that he was forbidden from removing the chancellor and treasurer from office.

It is extremely unlikely that the grievances expressed by the lordship’s community concentrated solely on the fact that these men were, in the language of the Kilkenny statutes, ‘English hobbes’. Such an argument could hardly have expected a welcoming audience at Westminster. Almost certainly the complaints implicated Lionel’s men in administrative impropriety. Burghley was removed as chancellor in September for consciously deceiving the king, and Dalby’s accounts as treasurer of Ireland became the subject of a drawn-out investigation. The charges were based on the testimony of certain Irish ‘magnates and men worthy of credence’, almost certainly a reference to the representations of June 1364. If the allegations were true – and it was quite common for false, or at least
Fig. 1 Earls of Desmond, Omond, Ulster and their English connections

KINGS of ENGLAND, LORDS of IRELAND

Eleanor of Castile = EDWARD I

ULSTER

1. Walter Burgh (d. 1271)

2. Richard Burgh
   'Red earl' (d. 1326)
   John = Elizabeth Clare
   (d. 1313) (d. 1360)

3. William Burgh
   'Brown earl' (d. 1333)
   = Elizabeth
   (d. 1363)

4. Lionel
   Duke of Clarence
   (d. 1368)

5. Edmund Mortimer
   Earl of March (d. 1381)
   = Phillipa

ORMOND

Edmund 'earl of Carrick'
(d. 1321)

Humphrey Bohun
Earl of Hereford = Elizabeth

EDWARD II

1. Edward
   (d. 1330)

2. Thomas Dagworth
   (d. 1350)

3. John
   (d. 1361)

4. Richard Burgh
   (d. 1326)

5. Nicholas
   (d. 1402)

6. Katherine
   (d. 1405)

7. Anne Welles
   (d. 1434)

DESMOND

1. Maurice fitz Thomas
   (d. 1356)

2. James
   (d. 1382)

3. Gerald
   (d. 1398)

4. Thomas
   (d. 1396)

5. Edmund Mortimer
   Earl of March (d. 1381)

Beatrice = 2. Maurice
(d. 1358)

Nicholas
(idiot)
(d. 1398)

Earl of Stafford

Earls of Desmond

James Gallda (d. 1434)

Earls of Ormond

Earls of March & Ulster,
lords of Connacht & Trim
embellished, complaints about administrators to be sent to England — then the chancellor and treasurer had acted in what a cynic might call the best traditions of the Irish administration. Whether the lordship of Ireland was any worse than other areas within the king’s dominions is certainly open to debate, but there was a perception that, both at local and central level, corruption was pervasive. A concerted attempt was made to combat the problem in 1359 before Lionel’s arrival, and later many of what have been termed the ‘forgotten’ statutes of Kilkenny tackled the question again. But the issue also surfaced during the intervening years. In May 1363, the three earls resident in Ireland – Kildare, Ormond, and Desmond – as well as several lords from the second rank of the nobility were appointed to investigate the behaviour of royal ministers. The commission no doubt came in answer to appeals from Ireland, and the king declared that he had ‘the matter very much at heart’. Significantly, three of the investigators – Kildare, Fleming, and Husee – were among those who remonstrated with the king after Lionel’s departure the following summer. In November 1363, possibly in response to the inquiry, the king constrained the authority of the inspector of weights and measures in Ireland on hearing reports of extortion, and also commanded the lieutenant to adhere to English legislation of 1362.

50 In 1352, there were complaints about men travelling to England in order to slander members of the Irish administration: Cal. Close Rolls, 1349–54, 462. In 1357, the king complained that ‘certain persons of Ireland . . . with railing tongues [strive] to injure the fame and reputation of our good officers and other our liege subjects’: 31 Edward III [Eng.], stat. 4, c. 12: Berry, ed., Statutes John–Hen. V, 413–14. Berry’s translation of ‘labia . . . latrancia’ as ‘railing tongues’ may be looser but is possibly more evocative than the ‘barking mouths’ found in an alternative version: Statutes of the Realm, i, 360–1 (quotation at 360). A petition of the lords and commons of Ireland of 1380 requested that this provision be confirmed: Sayles, ed., Documents on the Affairs of Ireland, no. 267. The practice was not new to the 1350s, though it is from around this date that the evidence blossoms. For a petition of 1276, see Beth Hartland, ‘Edward I and Petitions Relating to Ireland’, in Michael Prestwich, Richard Britnell, and Robin Frame, eds., Thirteenth Century England IX: Proceedings of the Durham Conference 2001 (Woodbridge, 2003), 60. Within a few decades of Lionel’s lieutenant, one newly appointed chancellor of Ireland, Robert Wikeford, archbishop of Dublin, was wily enough to pre-empt his accusers and have all ‘impeachments and complaints’ against him reserved to the king: Cal. Pat., 1381–5, 455. For Wikeford, see D.B. Johnston in Oxford DNB, lviii, 864–5. The king’s lieutenant from 1383 to 1386, Philip Courtenay, had a similar provision in his indenture with Richard II: Johnston, ‘Chief governors and treasurers’, in Barry, Frame, and Simms, eds., Colony and Frontier, 104. For Courtenay, see J.S. Roskell, Linda Clarke, and Carole Rawcliffe, The History of Parliament: The House of Commons, 1386–1421, 4 vols. (Stroud, 1992), ii, 670–3.


54 The other nobles were: John Husee, baron of Galtrim; Simon Fleming, baron of Slane; John Cusak; and William Loundres. Cal. Pat., 1361–64, 369.
Fig. 2 Ireland, c. 1361–6
concerning the ever-contentious issue of purveyance.55 This interaction conveys that Lionel’s Ireland was divided, with the lordship’s resident nobility adopting a firm stance against the excesses of the lieutenant’s ministers.

A point of considerable agitation in 1364 seems to have been a commission to investigate ‘indictments of many trespasses and other enormities’ in Ireland. The order to launch the inquiry was sent from Westminster on 22 April, the eve of Lionel’s departure for England. It was addressed to the earl of Ormond, Burghley (the English-born chancellor of Ireland) and four others.56 It was presumably suspected that these indictments were false, something that hints at other miscarriages of justice such as overly suggestible judges and packed juries. From the evidence of later statutes against the practice, it would seem that the aim of these machinations was, for ‘malice, envy and revenge’, to ruin residents of the colony by eliciting declarations of outlawry, thereby causing the victims’ forfeiture and possibly putting them in jeopardy of their lives.57 It may have been a dirty trick, but it was not uncommon. In 1378, in the aftermath of inquiries into the chief governor, Sir William Windsor (1369–72; 1374–6), the city of Dublin was in uproar because some forty-four of its citizens had been indicted ‘by malice and procurement’ of certain people who bore them ill-will for aiding the investigation.58 In 1397, John Melton, who was deputy to the then treasurer of Ireland, appealed to the king because he feared ‘arrest under pretext of divers indictments [made] before justices by the malice of his enemies’.59

To the residents of the colony in 1364, it must have seemed a cruel irony that it was the ‘corrupt’ chancellor, Burghley, who was among those commissioned to investigate the charges. Burghley had spent time on the Irish bench, and as chancellor he exercised considerable jurisdictional competence.60 This power was

56 The panel also included Simon Fleming, baron of Slane, Richard Plunket, Stephen Bray, and Robert Cadell: Cal. Pat., 1361–64, 537.
57 The quotation is from the English statute, 9 Henry V, stat. 1, c. 1 (1421): Statutes of the Realm, ii, 204. See also English statutes 1 Richard II, c. 13 (1377); 8 Henry VI, c. 10 (1429); 18 Henry VI, c. 12 (1439): Statutes of the Realm, ii, 5, 246–8, 310.
supplemented on 16 November 1363 when he was authorized to appoint justices in Ireland. Richard White, who was appointed chief justice in Ireland that very same day, was later one of those who brought complaints against Burghley in June 1364. Evidently the chancellor’s supervision of the judicial establishment proved to be a negative experience for White and stirred in him a desire to voice his objections at court.

The chronology suggests that the representatives of the Irish commons who left Ireland around 25 April 1364, and the royal messengers bearing the orders of 22 April to investigate indictments, passed by each other on their respective journeys, each ignorant of the other’s mission. But if, as seems likely, the inquiry was launched by Westminster in response to earlier petitions from Ireland, then the earl of Kildare and his fellows may well have travelled to court intending to complain about problems with the judicial system. Certainly by September, the king had been made aware that all was not well. The results of the original investigation had reached Westminster and were found wanting. On 24 September, the commission was renewed in nearly identical terms, but with a new team of investigators. Several of the new panel – the earl of Kildare, John Husee, and Richard White – were among those who had borne the grievances of the Irish commons to Westminster the previous June, and risked impeachment on their return to Ireland. The remonstrations of the summer, in other words, had been a great success. The chancellor and treasurer of Ireland had fallen; the investigation of false indictments had been renewed, now to be conducted properly; the lieutenant’s powers were restricted; and the king was treating the residents of the lordship with favour.

One difficulty with explaining why 1364 was such a crisis point is that there was nothing exceptional about ministers in Ireland, or indeed anyone else, taking advantage of the fact that the crown was a remote figure in the lordship. Peddling false information seems to have been a minor industry. In 1355, a royal ordinance sought to prevent a situation in which anyone could complain of lack of justice in Ireland. Apparently, persons who had forfeited lands to the king for minor offences had been unable to recover their possessions because of errors that were ‘pretended to have occurred in the records and processes of pleas held before the justices and other courts’ in Ireland. A protracted dispute in the mid-1360s over

62 Cf. the complaint in 1357 about justices of Ireland being ‘led by the counsels of their private counsellors and not of ours . . . [and] applying their gains unlawfully acquired in that behalf to their own uses and not to ours’. 31 Edward III [Eng.], stat. 4, c. 3: Statutes of the Realm, i, 357–8; Berry, ed., Statutes John–Hen. V, 409.
63 Cal. Pat., 1364–7, 68.
64 This king’s favour is clear, since it was to members of the June embassy that the renewed investigation was entrusted. Furthermore, at least one of the delegation was rewarded by the king. In July, Richard White received a licence to acquire lands worth up to twenty pounds in Ireland, despite statutes forbidding that practice: Cal. Pat., 1364–7, 5.
the Nangle inheritance in Navan involved information being provided by enemies of the claimants, the Clintons. Indeed, in 1367, Thomas Burghley, the fallen chancellor of 1364, himself fell victim. He claimed, in his capacity as Prior of the Hospital of St John of Jerusalem in Ireland, that he was being distrained of the farm of the manor of Leixlip for an amount in excess of what he owed because the ‘last extent was made . . . by his enemies’.

Of course, it is easy to be too credulous. Many of the surviving allegations may themselves have been schemes designed to deceive. What is clear is that the king strongly disapproved of attempts to manipulate him. In 1357, Edward III ordered that false reports on the state of Ireland should not be sent to him but only ‘the truth of the fact’. The penalties for those who were involved in such chicanery, and were discovered, were deliberately humiliating. A colourful case from the 1390s concerns one William Carlisle, a long-serving English-born officer in the Irish administration, who incidentally first came to Ireland with Lionel of Antwerp. Carlisle persuaded an unnamed accomplice to impersonate Thomas Middelton, the prebendary of Crospatrick in the diocese of Ferns, Ireland. The impersonator had it recorded by the mayor of the staple of Westminster that the unfortunate Middelton owed Carlisle some two hundred pounds. Carlisle, once exposed, confessed the deceit and was condemned for three weeks to ‘undergo the judgement of the pillory in the city of London one whole hour of one market day every week when the greatest part of the people shall be assembled there’.

Naturally, it would be absurd to suggest that flagrant corruption was a vice to which English-born officials were particularly prone. Ministers from within the colony seem to have been consumed by it just as readily. Robert Holywood, for instance, whose job security was temporarily threatened in 1364, had a chequered past. Likewise, in the late 1340s, there were allegations that resident nobles were subverting the course of justice because they had the lawyers in Ireland in their pay. It was presumably the coincidence of factors that made the crisis of

69 For Carlisle’s first arrival in Ireland, see Cal. Pat., 1361–4, 130. In a petition of 1383, William Carlisle mentions that his first association with Ireland was at Lionel’s arrival: Sayles, ed., Documents on the Affairs of Ireland, no. 269. For Carlisle, see F. Elrington Ball, The judges in Ireland, 1221–1921, 2 vols. (New York, 1927), i, 85–6.
72 Sayles, ed., Documents on the Affairs of Ireland, no. 212. On the retaining of justices and lawyers
1364 so urgent. Not only was there a lack of probity in government, but the residents of Ireland did not even enjoy the privilege of being administered badly by one of their own. Insofar as this, the major crisis of Lionel’s lieutenancy, has been explained at all, it has been in these terms: widespread colonial disaffection with corrupt outsiders in the administration. For those looking for a case study in ‘identity formation’, Lionel’s lieutenancy recommends itself as a prime example.

So it may have been, but it is still necessary to ask whether that is the whole story. Burghley’s replacement as chancellor, for instance, was not a long-standing Irish-born official, but an English-born knight, Sir Robert Ashton, who was later to return to Ireland as chief governor during 1372–3.73 Admittedly, this is only mildly disquieting. Given that Robert Ashton had served in Ireland in 1363 under Lionel,74 he may have been known to the colony and deemed an acceptable compromise candidate. His appointment raises a more general point about how misleading it is to insist pedantically that only those who were literally Irish-born could be acceptable to the colonists or embraced by the term ‘English of Ireland’.75 John Troye, for instance, seems to have been favoured by the Irish delegation of 1364, but was almost certainly born in England, his first employment in Ireland being as paymaster for the army of the justiciar Ralph Ufford, 1344–6.76 But these qualifications do little to shatter a final stumbling block, and that is the involvement of the leading member of the lordship’s noble elite, the earl of Ormond.

Ormond was intimately connected to the young Lionel of Antwerp. It was he who had led the diplomatic campaign from the late 1350s to have Lionel sent to


74 Ashton served from 16 April to 14 October 1363: Dryburgh and Smith, eds., *Handbook and Select Calendar TNA*, 325.


76 For Troye’s service in 1344–5, see Connolly, *Irish Exchequer Payments*, 416.
Ireland. In October 1360, the earl went himself to England to lobby. The association may have gone beyond mere courtship. The two men shared an illustrious great-grandfather in King Edward I (1272–1307). Ormond’s mother, Eleanor Bohun, dowager countess of Ormond, was the namesake of her grandmother, Eleanor of Castile (d. 1290), the first wife of Edward I. The Butlers, moreover, had a traditional association with the royal household, apparent in their name and their right to the prisage of wines in Ireland that dated back to the progenitor of the Ormond earls, Theobald Walter (d. 1205), who had accompanied the future King John to Ireland in 1185. The second earl of Ormond cultivated this proximity to the crown, and the king played his part, invariably referring to him as his ‘dearest and faithful cousin’ in royal letters.

The marks of favour are clear even before Lionel was appointed lieutenant. Late in 1359, while he was chief governor of Ireland, Ormond was described by the king as, ‘manfully and vigorously striving to preserve the estate of Ireland and the king’s rights there, and defend the said land against the king’s enemies’. The following year, the king granted him a licence to acquire lands worth up to £60 per year, something usually forbidden to office-holders. The results are manifest. In the course of a few years, he acquired land in ‘Inyshmcneyl’ and ‘Inysherther’ in county Cork and in the town of CarrickmacGriffin. Protracted...
legal wranglings brought him control of Malure Island, county Waterford.85 With Lionel resident in Ireland, their relationship could be reinforced. Ormond was constable of Dublin castle, Lionel’s refurbished headquarters,86 and he was one of the very few residents of the lordship who served militarily with the lieutenant.87 Lionel also witnessed several grants of land in favour of Ormond. On a single day, 3 October 1362, Ormond received the lands of William Carew around Fenoagh, county Waterford, and the Purcell manors of ‘Corketen, Loughmy and Okyryn’ in county Tipperary.88 In 1364, he received a grant of Drumdowney in county Kilkenny.89 His mother Eleanor’s Irish lands were exempted from paying a subsidy in 1363 and she was granted a £200 life annuity at the English exchequer.90 In January 1364, Ormond’s considerable debts were respited.91 Within a few months, Lionel had departed for England leaving Ormond as guardian of Ireland.

Ormond, then, was inextricably linked to Lionel’s administration, and it is no surprise to find him entangled in the crisis of 1364. The earl was in charge of the lordship from April that year, but it was not he who led the opposition to Lionel’s ministers. Nor did the colonists who travelled to England to remonstrate with the king in the summer of 1364 go with his assent. When the king wrote commanding

86 Lionel caused to be built ‘divers works agreeable to him, for sports and his other pleasures, as well within that Castle of Dublin as elsewhere’: J.T. Gilbert, History of the Viceroy of Ireland (Dublin, 1865), 219–20, 546–8. For Ormond’s payment as constable, see Connolly, Irish Exchequer Payments, 511.
87 Connolly, ‘Lionel of Clarence’ (PhD), 153–4.
88 Curtis, ed., Ormond Deeds, ii, nos. 87, 89. Fenoagh is a parish in north Waterford in the barony of Upperthid. The Purcell lands in county Tipperary are Corketeny (now the parish of Templenore, baronies of Eliogarty and Ikerrin), Loughmoe (now represented by the two parishes of Loughmoe East and West, barony of Eliogarty) and Ikerrin, now the name of a barony to the north of Eliogarty but then part of the larger medieval cantred of Elyocarroll. See C.A. Empey, ‘The Cantreds of Medieval Tipperary’, North Munster Antiquarian Journal 13 (1970), 25–6. These manors were held in 1303 by Hugh Purcell of the manor of Thurles: Newport B. White, ed., The Red Book of Ormond (Dublin, 1932), 71. They were later taken into the king’s hands because of a later Hugh Purcell’s forfeiture, and Ormond granted them to Geoffrey Roh Purcell and Geoffrey son of John More Purcell in November 1362, soon after receiving them himself: Curtis, ed., Ormond Deeds, ii, no. 90.
that the earl of Kildare and his associates should not be bothered for their unli-
censed visit to Westminster, the letter was directed to the earl of Ormond.92 In
September, when the commission to investigate false indictments was reissued,
Ormond, conspicuously, was excluded from the panel.93 It was Ormond who had
led the first unsatisfactory investigation of April 1364 that had stirred up the
hostility of the English of Ireland. Complaints arising from that hostility seem to
have caused the king to lose confidence in the earl.

Despite being the leading member of the ‘English of Ireland’, Ormond had
become a focus of resentment in 1364. Why did he incur this hostility? Was it
simply that he was rather too friendly with the English of England, too much akin
to the ‘hobbes’ who had come to Ireland with Lionel in 1361? This answer seems
rather trite. It is difficult to think of an element in the colony that would not have
courted Lionel’s favour. Admittedly, the Butlers had expansive English land-
holdings, but they were by no means alone in maintaining the transmarine link.
One rung down the social ladder, the Flemings and Wogans were regular visitors
to their English estates, and in the next generation the heads of both these families
were well enough connected to become knights of King Richard II (1377–99).94
Landholdings are but one yardstick with which to measure cultural links;
m arriage connections provide another. In this respect too, the Butlers’ relation-
ship with England was not totally exceptional. The fourth earl of Kildare (d.
1390), for instance, was wedded to the daughter of Bartholomew Burghersh in
1347, and the short-lived second earl of Desmond (d. 1358) married a daughter of
Ralph, earl of Stafford.95 Nor is Ormond very convincing in the role of royal
lackey. In 1357, he arrested and imprisoned the king’s representative in Ireland,
John Bolton, provoking wails of protest and causing the king to threaten him with
forfeiture unless Bolton was immediately released.96 Quite what had warranted
the arrest is unclear; but it is likely that, as far as Ormond was concerned, Bolton
had been trampling rather imprudently on Ormond’s authority in typically
Butler-dominated territories.97 In other words, he would not countenance any
flouting of his authority, even if it meant defying the king.

Ormond, then, was not one to row in behind the ‘English of England’ if it did
not suit him. Yet, with a shift in focus and a looser interpretation of identity, a
possible explanation for the antagonism that Ormond engendered in his fellow
colonists can be found readily enough. The clue is a reference to Munster among

92 Cal. Close Rolls, 1364–8, 58.
93 Cal. Pat., 1364–7, 68.
94 See above, note 40, and Chris Given-Wilson, The Royal Household and the King’s Affinity:
95 Gilbert, ed., Chart. of Saint Mary’s Abbey, ii, 390; Frame, English Lordship in Ire., 290; K.B.
McFarlane, The Nobility of Later Medieval England: The Ford Lectures for 1953 and Related
Studies (Oxford, 1973), 85. David Beresford prints a list of the Butlers’ English possessions in his
thesis, ‘The Butlers in England and Ireland, 1405–1515’ (PhD, University of Dublin, 1999),
appendix I, 279–85.
97 Frame, English Lordship in Ire., 298–9.
the orders sent to Ireland in June 1364. A letter addressed to Ormond from the
king forbade him from holding any pleas or sessions ‘in the parts of Mounester’
until the return of Lionel. As insurance, a second letter was sent to the chancellor,
Burghley, commanding him to inform Ormond of the order, and repeating that
‘the King would not that such pleas and sessions be there held before the said
duke’s coming by reason of the said guardian’s [Ormond’s] office’. The signifi-
cance of this is that Munster was an area of considerable private interest for the
Butlers, who held extensive lands in the south of Ireland and exercised liberty
jurisdiction in Tipperary. But, crucially, power in Munster was shared with the
earls of Desmond, descendants of the first of the Irish Geraldines mentioned
above, Maurice fitz Gerald. A good rapport between the Butlers and Geraldines
in the later medieval period was in notoriously short supply. In the 1380s and
1390s the two earldoms were regularly coming to blows. While their relation-
ship earlier in the fourteenth century may not have been quite as fraught as it was
later to become, there are clear signs of tension between these two neighbouring
powers from the 1340s. It is in this context of factional tension and local politics
that Ormond must be placed if his attitudes and actions during the lieutenancy of
Lionel of Antwerp are to be understood.

The Butler family was unfortunate enough to undergo two minorities from the
1320s, firstly in the years 1321–6 at the death of Edmund Butler, and secondly in
1338 with the premature demise of his son, James Butler, who in 1328 had been
created the first earl of Ormond. An absence of lordship was problematic
anywhere, but it was particularly disquieting in a frontier region such as Ireland.
James, the future second earl of Ormond, the man who nearly three decades later
was to be guardian of Ireland during Lionel’s lieutenancy, was six at his father’s
death in 1338. The Butler inheritance was entrusted to Maurice fitz Thomas (d.
1356), the man whom G.O. Sayles dubbed, perhaps a little unfairly, the ‘rebel-
lious’ first earl of Desmond. Although the young James II Butler was granted

98 Cal. Close Rolls, 1364–8, 63. Lionel had been made duke of Clarence in 1362; see above note 3.
His return to Ireland bearing a new title was recorded by the Dublin annalist: Gilbert, ed., Chart. St.
Mary’s Abbey, ii, 396.
100 Curtis, ed., Ormond Deeds, ii, no. 245; Tresham, ed., Rot. pat. & claus. canc. Hib. calendarium,
121, no. 77; 122, no. 28; 137, no. 220; K.W. Nicholls, ‘Late Medieval Irish Annals: Two Fragments’,
101 Complete Peerage, x, 116–17, 119; C.A. Empey, ‘The Butler Lordship in Ireland, 1185–1515’
(PhD, University of Dublin, 1970), 156–86.
102 The examination of Desmond’s career by G.O. Sayles in ‘The Rebellious First Earl of
Desmond’, in J.A. Watt, J.B. Morrall and F.X. Martin, Medieval Studies presented to Aubrey Gwynn
(Dublin, 1961), 203–29, has been modified somewhat by Robin Frame, ‘Power and Society in the
3–33], and Frame, English Lordship in I rel., 207–14, 262–74, 296–7. Following from Frame’s
approach, see A.F. O’Brien, ‘The Territorial Ambitions of Maurice fitz Thomas, First Earl of
Desmond, with particular reference to the barony and manor of Inchiquin, Co. Cork’, Proceedings of
the Royal Irish Academy 82 (1982), C, no. 3, 59–88, and recently Keith Alan Waters, ‘The Earls of
Desmond in the Fourteenth Century’ (PhD, University of Durham, 2004), 19–97.
livery of his lands prematurely in 1347, his curtailed minority had been extremely damaging. A power struggle over the Ormond inheritance in 1344–5 led to open war between Desmond and the then chief governor, Ralph Ufford. Ufford was not known for his cordial relations with the English of Ireland. The Dublin annalist reports that, at his untimely death in 1346, floods ceased, the air grew wholesome, and the clergy and people rejoiced. Yet, notably, one person who did support him was Fulk de la Freigne, an important figure in Butler territories and seneschal of Kilkenny. The Freigne family was to maintain its close relations with the Butlers throughout the career of the second earl of Ormond, and it may have been this connection that brought them the favour of Lionel of Antwerp. Two of them, John and Patrick son of Robert, were knighted by Lionel upon his arrival in 1361. Their esteem for the young lieutenant may be indicated by the fact the next generation of this family produced a Lionel de la Freigne. Fulk de la Freigne’s son, Patrick, was seneschal of Kilkenny like his father, and in 1375 he agreed to serve Ormond with his retinue against all men except the king. In 1384, Patrick was an arbitrator between the third earls of Desmond and Ormond after ‘great discords’ had arisen between them. All this lay in the future. In the 1340s, Fulk de la Freigne’s support of Ralph Ufford can probably be attributed to a hostile attitude to Desmond’s influence over the Butler inheritance, and he no doubt welcomed the fact that Ufford withdrew the keeping of Ormond’s lands from Desmond and granted it to the young James Butler’s mother and her new husband, Thomas Dagworth. In the turmoil that followed there was a prolonged siege of the Butler stronghold of Nenagh castle, in north Tipperary, between Desmond and Ormond adherents and several parts of the Butler lordship were laid waste.

104 Gilbert, ed., Chart. of Saint Mary’s Abbey, ii, 388.
106 Gilbert, ed., Chart St. Mary’s Abbey, ii, 396.
110 The custody of the Ormond inheritance was rather complicated. The original grant to Desmond was for two and a half years. It was renewed but, from September 1343, Desmond had to compete with the first earl of Ormond’s widow who was granted the keeping of the lands. In April 1344, Desmond received a new grant of the lands. This grant was withdrawn after the arrival of Ralph Ufford in June 1344 and transferred to the counts of Ormond and Thomas Dagworth. See Empey, ‘The Butler Lordship in Ireland’ (PhD), 77–8; Frame, English Lordship in Ire., 271–3; Frame, ‘Ralph Ufford’, 19; O’Brien, ‘Territorial Ambitions’, 72–4; Waters, ‘Earls of Desmond’ (PhD), 77–8.
It would not be an exaggeration to describe James II Butler’s minority as the formative period in the growth of hostility between the two major powers in the south of Ireland. From the moment that the new second earl gained possession of his lands in 1347, he was presented with the task of reconstructing and consolidating his earldom. It was a process that dominated his subsequent career. His relationship with the first earl of Desmond was far from cordial. Despite gaining livery of his lands, Ormond found it extremely difficult to rid himself of the spectre of the earl of Desmond. He doubtless found it aggravating that in 1339, at the beginning of his minority, his guardian had purchased the lands of an English absentee, Peter Grandison, reputedly for 1,100 marks. Grandison held the manors of Kilfeakle, Kilsheelan, and the important town of Clonmel, all within the bounds of Ormond’s liberty of Tipperary. After Ormond came of age, it seems that Desmond repudiated the palatine jurisdiction that Ormond theoretically exercised over these lands. A royal letter of 6 July 1351, sent presumably at the urging of Ormond, ordered Desmond to be ‘intendent and respondent’ to Ormond for his holdings in Tipperary. Desmond was, however, impervious and must have appealed the matter for, on 14 August the same year, decision on the case was deferred until it had been discussed in the king’s court. Desmond’s claim was that he held not of Ormond but immediately of the king. He had forfeited his Tipperary lands to the crown, along with the rest of his estates, during his rebellion of 1344–5. Clonmel, Kilfeakle, and Kilsheelan, therefore, had been in the king’s hands when Ormond was granted the liberty of Tipperary in 1347. But because Desmond’s outlawry had later been annulled and his lands restored, Ormond sought the same rights over the Geraldine lands in Tipperary that his father, the first earl, had exercised.

By 1354, the case had scarcely progressed. Ormond, it seems, persevered in his
attempts to compel the tenants of Desmond’s lands to recognize his jurisdiction and the authority of his ministers, presumably by entering Desmond’s lands and enforcing his rights. By March 1354, no doubt in response to Desmond’s petitions, the king ordered the chief governor and escheator of Ireland to investigate the matter.\(^{116}\) It must have been of some concern to Ormond that in July the following year Desmond was appointed chief governor of Ireland.\(^{117}\) Ormond may have thought it expedient to attend upon the king in England. He was present at the Michaelmas parliament at Westminster 1355 and served Edward III in Scotland in 1355–6.\(^{118}\) During that period, his Irish concerns were treated favourably. On 10 January 1356, ‘for the good service done and to be done’ by Ormond, the king conceded to his wishes. Clonmel, Kilfeakle, and Kilsheelan were to be held no differently from any other lands in the liberty of Tipperary.\(^{119}\) Whether Desmond would have let the matter rest there is impossible to tell. He died in Dublin castle two weeks later, on 25 January, seemingly never having admitted Ormond’s authority.\(^{120}\)

It seems unlikely that this dispute was restricted to the civil matter that emerges from the records and that it signifies no real fall-out between the two earls.\(^{121}\) Admittedly, Ormond’s entry on to the lands was part of a process of ensuring that his claims did not lapse.\(^{122}\) But it may have gone beyond the perfunctory. Clonmel, Kilfeakle, and Kilsheelan were all situated near the border between the supremacies of Desmond and Ormond, a region that was particularly sensitive to both earls. Outposts of Desmond influence in Butler territory can only have been irksome. The issue was evidently still grating on Ormond in 1372, when he had his authority confirmed by the king.\(^{123}\) While there is no evidence of raids or plundering between the two earls, it is worth noting that in the comparatively peaceful setting of England, the principal cause of what John G. Bellamy has called the ‘gentlemen’s wars’ was property.\(^{124}\) When references to a serious Geraldine–Butler feud emerge in the 1380s, they are sparse in the extreme. Given this, it may be that we should read more into the complaint that Ormond was compelling Desmond’s tenants to recognize the authority of his ministers than

117 Cal. Pat., 1354–8, 266–7. Desmond was given a protection during pleasure on 13 May: Cal. Pat., 1354–8, 221.
118 Rotuli parliamentorum, ii, 264, item 4; Frame, English Lordship in Ire., 298.
120 Gilbert, ed., Chart. of Saint Mary’s Abbey, ii, 392.
121 For a different view, see Waters, ‘Earls of Desmond’ (PhD), 91–2 and 170–1, although Waters does state that it may have become contentious by 1372 at page 129.
mere legal tokenism. Compulsion may have been brought about forcibly or with the threat of force.

The dispute in Tipperary, which is prominent in the records of the period, was probably only the most obvious of many tensions that sprang up between these two great lordships. Another source of contention may have been even more disconcerting to the earl of Ormond. As part of Desmond’s restoration in 1349, a marriage had been contracted between his son and heir, Maurice fitz Maurice, and Beatrice, daughter of Ralph, earl of Stafford.125 Beatrice brought to the marriage joint control of the Stafford lands in Kilkenny for a period of ten years.126 A Geraldine presence in Kilkenny, hemming Ormond in on two sides at precisely the time when he was increasing his activity in this region, was again unlikely to make for harmonious relations. At the very least it would have motivated Ormond to continue bolstering the strength of his earldom.

Desmond’s death in 1356 marked a reversal of fortune. It was the Munster Geraldines who now suffered from mischance and biological accident. Maurice fitz Maurice, son of the first earl of Desmond, was still under age when his father died. Although he was granted custody of the Geraldine lands prematurely, Maurice did not prove his age until August 1357,127 and by the following summer he was dead. Despite orders prohibiting any lord of Ireland going to England, the new second earl of Desmond attempted to cross the Irish Sea in 1358 and was drowned near Wales.128 He had no son. His younger brother Nicholas was an ‘idiot’, and the land of idiots was entrusted to the crown.129

None of this, however, signalled a reversal of policy for Ormond. Widespread disturbances across Munster followed closely upon the deaths of both the Desmond earls.130 Ormond’s primary task was to shield himself from this turmoil. A series of treaties and indentures of retinue made with both Gaelic and English lords dates from the period immediately following the death of the first earl of Desmond.131 It seems he was anxious to consolidate his power in the confusion that was spreading across the south of the country in early 1356. Among these contracts is one made with an Oliver Howell, containing the interesting proviso that Howell would serve with Ormond against everyone ‘saving

125 Frame, English Lordship in Ire., 290.
126 Tresham, ed., Rot. pat. & claus. canc. Hib. calendarium, 69, no. 56.
127 He was twenty-one on 31 July 1357, as was attested to by members of the Munster nobility at an inquisition held at Limerick on 4 August 1357: Calendar of Inquisitions Post Mortem and Other Analogous Documents Preserved in the Public Record Office, x, no. 397, 325–6.
129 Nicholas was to be brought to be examined in October 1358: Cal. Close Rolls, 1354–60, 467.
130 Cal. Pat., 1354–8, 449; Tresham, ed., Rot. pat. & claus. canc. Hib. calendarium, 72, no. 11.
however the king and his heirs and the Earl of Desmond’. It was an indication that conflict between the two comital houses was conceived as possible, and even likely.  

Ormond’s activities were not, however, simply defensive. During the confusion that followed the second earl of Desmond’s drowning in 1358, there is some evidence that Ormond’s power was spreading into Geraldine territories. The Dublin and Westminster administrations responded differently to the problem of the idiot heir, Nicholas fitz Maurice. In Dublin, custody of the Desmond lands was granted to the third son of the first earl, Gerald fitz Maurice. Westminster entrusted the inheritance to the second earl’s father-in-law, the earl of Stafford. But meanwhile there is fragmentary evidence that Ormond was exerting influence across Munster. In the autumn of 1358, Ormond was given the unusual office of chief keeper of the peace in all Munster and was ordered to bring the other keepers before him and array men against the diverse confederacies of both English and Irish nations that were incessantly committing depredations and homicides.

On 18 March 1359, the earl of Ormond took up office as justiciar, and he used this position as an opportunity to emphasize his authority over the young Gerald of Desmond. In the early summer he warned Gerald not to launch an attack against the le Poers in retaliation for a transgression they had committed against some of Gerald’s men in the Dungarvan area of Waterford. Ormond was, however, also anxious to see a satisfactory resolution, as he saw it, to the problem of the Geraldine inheritance. What he required was security for himself. Immediately upon taking up office, Ormond summoned Gerald of Desmond, along with other Munster nobles, to his first general council to be held at Waterford in early April, under pain of a punitive £200 amercement for non-attendance. Quite possibly he intended to discuss a proposal that received the consent of Edward III in July the same year: a marriage settlement.

132 Curtis, ed., *Ormond Deeds*, ii, no. 33; Jones and Walker, ‘Private Indentures’, no. 43. If Howell was a tenant of both earls, this formula may have been necessary to preclude the possibility that he would have to serve with one of his lords against another; nonetheless, it is a recognition of the likelihood of conflict between the two earls.


135 Tresham, ed., *Rot. pat. & claus. canc. Hib. calendarium*, 73, no. 37. This is the only surviving example of a commission of the peace for all Munster. See Robin Frame, ‘Commissions of the Peace in Ireland, 1302–1461’, *Analecta Hibernica* 35 (1992), 35.


138 Tresham, ed., *Rot. pat. & claus. canc. Hib. calendarium*, 77, no. 22. This sum was twice the standard amercement of £100 for the absence of an earl from parliament. See the calendared list of fines collected by J.F. Ferguson from the memoranda rolls of the Irish exchequer covering the period 1374–83: National Archives of Ireland, *J.F. Ferguson’s Collection of Extracts and Notes from Irish..."
On 20 July 1359, the king – presumably at the suggestion of a delegation from Ireland, which would have arrived informed by discussions at the April meetings of the Irish council – confirmed the terms of a marriage settlement between the houses of Ormond and Desmond. Ormond was ordered to deliver possession of ‘all the castles, manors, lands and liberties’ that belonged to the second earl of Desmond to his younger brother, Gerald, ‘to hold without rendering anything therefor, after he has given security to marry James’s daughter, as the king has ordained that Gerald and James’s eldest daughter shall be joined in matrimony’. The king presumably hoped that the settlement would bring stability to the south of Ireland. It would also provide Ormond with the security he needed to continue rebuilding the earldom that had been so damaged by the father of his new son-in-law.

This long interlude is a necessary background for interpreting Ormond’s activities in the 1360s. Lionel’s lieutenancy admittedly shifted priorities in the lordship. The lordship became focused on the progress of his military campaigns and his administrative adaptations. His presence, however, did not cause all personal considerations to disappear. For Ormond, the determination to bolster his power in the south of Ireland remained a prime concern. The royal lieutenant did not make these ambitions redundant; rather he was an instrument with which to pursue them.

The fruits of Lionel’s good will towards Ormond are clear from the land grants and other favours bestowed upon him. But it would be naive to assume that Ormond’s ambition was limited to what could be acquired by conventional means. It is certainly possible that lands were acquired by coercion and their holders forcibly ejected. Recourse to such action was common in this period and would explain the hostility of his fellow colonists. The evidence for violent

Administrative Documents, Edward I–Henry VII (3 vols.), i, fols. 343–4, 346–7, 348–51. For comment, see Richardson and Sayles, The Irish Parliament, 137–44. The summons was sent to six nobles from the south of Ireland, but Richardson and Sayles believe that the ‘penalty of £200 may have been threatened in the case of only one of those summoned by personal writ’. The Irish Parliament, 140, note 26.


140 Cal. Close Rolls, 1354–60, 576; Cal. Pat., 1358–61, 246; Rymer, Foedera (Rec. Comm.), iii, part 1, 433. It was not the first attempt to bring such a settlement in recent times. A marriage had been proposed by the first earl of Desmond between his daughter Joan and James, the second earl of Ormond: Cal. Pat., 1354–60, 412. Ormond in fact married Elizabeth, daughter of John Darcy, lord of Knayth: Complete Peerage, x, 121.

141 These concerns are reflected in the writings of the Dublin annalist who discusses the early Uí Bhroin campaign in Leinster and the transfer of the exchequer to Carlow: Gilbert, ed., Chart. of Saint Mary’s Abbey, ii, 395–6.

142 25 Edward III [Ire.], c. 15 (1351); 40 Edward III [Ire.], c. 28: Berry, ed., Statutes John–Hen. V,
intervention is lacking, however, and in any case there were more subtle means. The order sent to Ormond in 1364 forbade him from holding sessions or pleas in Munster.\footnote{Cal. Close Rolls, 1364–68, 63.} Behind this phrase may lie the concern of the colony about the power that the office of guardian of Ireland would confer on Ormond. It could easily be used for his own profit.\footnote{For the judicial power of chief governors of Ireland, see Wood, ‘The Office of Chief Governor’, 214–16; Otway-Ruthven, ‘The chief governors of medieval Ireland’, 229.} Such a charge would be unwarranted except that just a few years previously, on the occasion of Ormond’s last chief governorship, there had been complaints about exactly this type of behaviour. A letter sent to Ireland in the summer of 1360 stated that complaints had reached the king of royal ministers taking ‘untrue inquisitions . . . procured by malice’, and that the justiciar – who at that time was Ormond – had ‘not cared to hear their complaints, admit their proofs, or do them justice’.\footnote{Bellamy, Crime and Public Order in England in the Later Middle Ages, 25–9; Bastard Feudalism and the Law (Portland, OR, 1989), chapter 2, ‘The Land Wars’, 34–56; Christine Carpenter, ‘Law, Justice and Landowners in Late Medieval England’, Law & History Review 1 (1983), 205–37, especially her comment at 216 that, ‘while the representatives of the gentry condemned [violence] in the Commons, they and the nobility were quite prepared to use it if other methods failed’.} A particularly vexed case was that of Arnold le Poer, whose father, Eustace le Poer (d. 1345) had forfeited his lands in Castletown and Oughterard, county Kildare, to the king. According to Arnold, these lands were entailed in such a way that they should not have been forfeited, and he accused the justiciar (Ormond) of pretending that he was forbidden by royal ordnance from hearing pleas concerning forfeited lands with the result that he had ‘not cared to do anything at his [Arnold’s] suit’.\footnote{Frame, ‘Ralph Ufford’, 32. On the le Poers generally, see Ciaran Parker, ‘Paterfamilias and Parentela: The le Poer Lineage in Fourteenth-century Waterford’, Proceedings of the Royal Irish} Ormond’s lack of official zeal in this case was really no wonder. He had a personal interest in Castletown and Oughterard, both of which ultimately came into the possession of his family. By pursuing Arnold’s case he would only have damaged his interests.\footnote{Frame, ‘Ralph Ufford’, 32.} It may also be significant that Arnold’s father, Eustace, had forfeited for his adherence to Ormond’s late enemy, the first earl of Desmond, in the latter’s rebellion against Ralph Ufford. Eustace was drawn and hanged in 1345 for his trouble and Ormond and several of his associates benefited greatly by the le Poers’ collapse.\footnote{Forced entry was made an offence in England in 5 Richard II, stat. 1, c. 7 (1381), and an act against it was specifically provided for Ireland in 1402: Statutes of the Realm, ii, 20; Berry, ed., Statutes John–Hen. V, 514–17. Cf. Bellamy, Crime and Public Order in England in the Later Middle Ages, 25–9; Bastard Feudalism and the Law (Portland, OR, 1989), chapter 2, ‘The Land Wars’, 34–56; Christine Carpenter, ‘Law, Justice and Landowners in Late Medieval England’, Law & History Review 1 (1983), 205–37, especially her comment at 216 that, ‘while the representatives of the gentry condemned [violence] in the Commons, they and the nobility were quite prepared to use it if other methods failed’.}
1358, John, son of the Fulk de la Freigne who had fought with Ralph Ufford against Desmond, was granted a le Poer manor in county Kildare.\textsuperscript{149} And in 1361, one Peter son of William le Poer was complaining to the king that Ormond had removed from his custody certain lands in Kilkenny in order to grant them to his retainer, Oliver Howell.\textsuperscript{150} It seems, therefore, that Ormond was exercising his office to maintain his influence and keep rivals out of power.

It is by no means far-fetched to imagine that fears about Ormond similarly using his office a brief four years on in 1364 caused the king to forbid him from holding pleas or sessions in Munster. It is difficult to tell whether Ormond complied with the order. He spent most of July in the south of the country holding sessions of the chief governor’s court in the Waterford area, but thereafter we lose track of his movements until he reappears in Tullow, county Carlow, on 10 September.\textsuperscript{151} After Lionel’s return in December 1364, however, Munster was considered an issue that had to be tackled. The lieutenant spent much of 1365 there. With him went two men who had complained to the king the previous summer, Richard White and Richard Plunket.\textsuperscript{152} In April 1365, at Cork, Lionel pardoned Ormond of all ‘confederacies, champerties, allegations, oppressions, extortions, excesses, deceptions, etc, done by him in our land of Ireland, and . . . granted him our firm peace’.\textsuperscript{153} All Ormond’s improprieties of the previous year were washed away. Quite what those improprieties were is impossible to determine in any detail, but an inkling of what had been going on is provided by the fact that Lionel concentrated his activities in county Cork. Cork was an area that had been dominated by Ormond’s late guardian, Maurice fitz Thomas, first earl of Desmond, not through landholdings so much as because of a network of clients. Elements among most of the leading Cork families – for instance, the Cogans, Barrys, Cauntons, Barrets, and Carews – can be associated with Desmond and his private army that had done much to damage Ormond’s earldom.\textsuperscript{154} Quite possibly Ormond was using his authority in 1364 as he had exercised it in 1360, to settle old scores. It may also have been a time to woo the lesser nobility of the Cork area away from Desmond adherence. Like any confederacy, there were parties

\textsuperscript{149} Cal. Fine Rolls, 1356–68, 66.
\textsuperscript{150} Cal. Fine Rolls, 1356–68, 150.
\textsuperscript{151} Philomena Connolly, ‘Pleas Held before the Chief Governors of Ireland, 1308–76’, Irish Jurist, new series 18 (1983), 128; and see Connolly’s itinerary, ‘Lionel of Clarence’ (PhD), 322.
\textsuperscript{152} Connolly, ‘Lionel of Clarence’ (PhD), 323; Connolly, ‘Pleas before chief governors’, 128. For White and Plunket, see Connolly, Irish Exchequer Payments, 523. White acted as chief justice of the lieutenant’s court and itinerated with Lionel from 7 January until 14 July 1365. Richard Plunket, as king’s pleader, was in Munster from 15 February until 12 June 1365.
\textsuperscript{153} Curtis, ed., Ormond Deeds, ii, no. 112.
opposed to Desmond who would probably have been willing to transfer their allegiance away to a rival power. Ormond’s land acquisition in Cork in 1360 had been witnessed by members of the Barry, Rochefort, Roche, and Courcy families. There were also factions within and between the Cork families that could be exploited. Whatever the exact details, it seems clear that the concern about Ormond’s authority was the legacy of the long-standing tension between him and the earls of Desmond and, more recently, his efforts to consolidate his power in the south of Ireland.

Significantly, this interpretation implicates Ormond in precisely the type of activity that had earned the English-born administrators, Burghley and Dalby, the opprobrium of elements within the Irish colony. If Ormond was deliberately using the favour he carried with Lionel, and his association with Lionel’s ministers, to build up his own power, then some residents of the lordship may have considered him an unsuitable candidate to represent the king and preserve justice and good government. Lionel may even have known as much, but found he was constrained by the realities of power from appointing anyone over Ormond’s head. It would be a mistake to imagine that Ormond was an isolated figure within the colony. He may appear so because the surviving evidence favours his vocal critics, but a considerable section of the lordship’s political community must have supported him and benefited from his relationship with Lionel of Antwerp. It was among those outside Ormond’s network that Lionel’s intended sojourn in England and Ormond’s imminent appointment as guardian would have occasioned concern. This may in part have sparked the mission to Westminster that sought to clip the temporary chief governor’s wings.

There are probably other ways of reassembling the rather scanty evidence from Lionel’s lieutenancy with different results. Many of the suggestions here have been highly conjectural. Nonetheless, they have the immediate significance of forcing some reassessment of Lionel’s lieutenancy. To classify what happened merely as an identity crisis between ‘hobbes’ and ‘dogs’ is too simplistic. The earl of Ormond was the leading figure in the lordship of Ireland, not an English-born Englishman encroaching on the power of the lordship’s nobility. Long-standing rivalries, internal to the colony, provide the subtext to Ormond’s activities and explain why representations were made against him. What Lionel’s lieutenancy seems to have provided was a means for someone who could rely on royal favour

156 In 1358, there was a feud between the Barrys, Barrets, and Courcys in Cork: Tresham, ed., *Rot. pat. & claus. canc. Hib. calendarium*, 69, no. 45; 71, no. 106. For parties from the south of Ireland opposed to Desmond, see Frame, ‘Ralph Ufford’, 33. Cf. Simon Walker, *The Lancastrian Affinity, 1361–99* (Oxford, 1990), chapter 7, for the constraints on the most powerful of English aristocratic connections.
157 It is worth noting that the delegation that appealed to the king in June 1364 was elected only by ‘certain of the commons of Ireland’, a phrase which may indicate that others among the elected members of the Irish parliament were under Ormond’s influence and dissented: see *Cal. Close Rolls, 1364–8*, 58, and above note 40.
to bolster power at home. Curial politics had become one more arena in which to play out factional conflicts. It was to be a characteristic feature of late medieval Ireland.

Complicating factors such as these — the politics lurking behind the terms ‘hobbe’ and ‘dog’ — do not take away from the suggestion that a distinct identity among the residents of the late medieval lordship of Ireland was a burgeoning reality. Robin Frame, depicting an entire forest of political attitudes rather than just the trees, has written: ‘Like all such constructs, the settler identity has a way of evaporating once exposed to the deeds of real people in specific situations . . . This is no more than we should expect; it does not render the words and ideas present in the sources insignificant.’158 But equally, those very contradictions facilitate a fuller understanding of how power was exercised in the lordship of Ireland. Given that so much of the seemingly intractable controversy surrounding late medieval Ireland has fixated on the identity of the colonists,159 an attempt to appreciate the political realities behind the rhetoric may not be the worst approach. To do otherwise is to ignore a rich seam of possibilities, one of which is that people had the capacity to think and act in ways that seem utterly incompatible, even though, given the exigencies of the moment, reconciling actions and attitudes was probably a relatively effortless task.160

160 Earlier versions of this essay were read at a session of the Haskins Society, International Medieval Conference, Leeds (13 July 2004), and to the Irish Historical Society (9 November 2004). I am very grateful for the comments and encouragement I received at those meetings, and also to Dr Seán Duffy, Prof. Robin Frame, and Prof. Richard Abels, who read the completed text and provided me with invaluable advice.