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IN ENGLAND
1066-1232

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THE JUSTICIARSHIP
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BY

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LIST OF ABBREVIATIONS

Other than contractions of titles which are obvious, the following are the common abbreviations used in this work:

BM	British Museum
<i>CChR</i>	<i>Calendar of Charter Rolls</i>
<i>CCLR</i>	<i>Calendar of Close Rolls</i>
<i>CMH</i>	<i>Cambridge Medieval History</i>
<i>CPR</i>	<i>Calendar of Patent Rolls</i>
CP 25 (1)	Feet of Fines
<i>EHR</i>	<i>English Historical Review</i>
KR	King's Remembrancer Rolls
LTR	Lord Treasurer's Remembrancer Rolls
PRO	Public Record Office
Sc I	Ancient Correspondence
<i>TRHS</i>	<i>Transactions of the Royal Historical Society</i>
<i>VHC</i>	<i>Victoria History of the Counties of England</i>

INTRODUCTION

Unlike the sheriff and the chancellor, the justiciar has had no historian, although his person, his office, and his duties have inevitably figured in many mediaeval administrative studies. The chief reason for the lack of any major work dealing with the justiciarship is undoubtedly the width and scope of the office. Because he was the king's *alter ego*, any study of his office is of almost the same magnitude as a history of the kingship itself. As soldier and politician, feudal magnate or great bishop, judge and financier, the justiciar had so many and varied aspects that to draw them within the covers of one book is a formidable and difficult task, but it is one of decided value and usefulness, because a study of the justiciarship is an examination of the centre of power in Angevin England, of the heart of English mediaeval government.

The breadth and complications of the justiciarship lead one to an approach which is suggested on other grounds. It is almost a cliché to say that the man was always more important than the office in the early Middle Ages, and that therefore the importance of an office varied with closeness of its holder's relations with the king and perhaps with his feudal significance. This alone would prompt an examination of the justiciarship through its individual tenants, but when the complexity of its duties is so great unity of theme is to be found only in the men who carried them out. This book is therefore as much a history of the justiciars as it is a history of the justiciarship, although such was the utility of the office to the king that it assumed what would later be called a 'constitutional' position within the legal and financial apparatus of government. Both Richard fitz Nigel and Glanville assume in their treatises a formal position, quite apart from any individual holder, around which the exchequer and the legal system revolved. Still, if there is such a 'constitutional' aspect of the justiciarship, the main emphasis must fall upon the individual justiciars.

The scope and complexity of the justiciarship are not the sole

difficulties which face its historian; he must also contend with the uneven nature of his material. The political actions of a justiciar were likely enough to attract the attention of chroniclers, but his administrative activity, his control of the technical instruments of power, hardly ever did. Thus it is only when the record evidence survives that a full account of the justiciarship can begin to be offered and, although this begins under Henry II, only with King John does it reach the dimensions required for such a study. This is particularly unfortunate because the reign of Richard I, when the continuous absence of the king afforded great scope to the justiciar, saw the high-water mark of his power and influence, but it cannot be traced in the same detail as under John. Inevitably the evidence tends to distort a history of the justiciarship by the emphasis it places upon Geoffrey fitz Peter's tenure of office which can be examined in greater detail than that of any of his predecessors, although it seems beyond doubt that the justiciar's power and influence reached its greatest height with Hubert Walter. Nevertheless, such detailed examination of Geoffrey fitz Peter's work provides both a definition of the office and a standard of reference.

Notwithstanding these difficulties, the justiciarship deserves an attempt to describe it because of the place it occupied in the development of English government. It was a transient feature which existed for less than a hundred years, but it was an experiment in the delegation of royal power at the highest level which left its mark on the organization of English mediaeval government.

This book took its origin from a suggestion of Professor J. H. Le Patourel who first guided my research, and it owes much to the encouragement of Sir Goronwy Edwards, Professor V. H. Galbraith, and Mr Edward Miller, who continued this guidance. I must also thank Lady Stenton who, in examining my first doctoral dissertation, gave me much valuable criticism and advice, and Professor R. F. Treharne who read the manuscript with such care. One of my greatest debts is to the Master and Fellows of Trinity College, Cambridge, who elected me to a College Research Studentship and gave me the time and leisure to do the bulk of the

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INTRODUCTION

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research upon which the book is based. It need hardly be said that without the patience and courtesy of the officers of the Public Record Office and the British Museum I could scarcely have written the book.

F. W.

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