

ALFRED'S LONDON



Buildings in Saxon London

ANGLO-NORMAN LONDON

Saxon Municipal Government

The evidence for the structure of Local Government in Saxon London before the conquest, is very sparse. That which is available, is in the form of Charters and Acts such as the Laws of Ine, Alfred and Aethelstan. These concentrated mainly on tribal law dealing with the basic relationships between members of the tribe and their relationship with the church and king. This law was insufficient for the new emerging urban population, living in concentrated areas such as Lundenwic or the city of London, outside the traditional manorial system. This new urban population lived in a society consisting mainly of small industrial units and a new commercial class. This commercial class dealt with buying and selling both the products of the intramural industry, as well as the agricultural surplus brought in from the external rural areas, and products from further afield, both from the near continent, and international trade from the near and far east.

The Saxon system of municipal government in London had grown from the citizens or freemen, exercising customary and traditional rights which had probably grown from before and after the re-foundation of the City of London in the ninth century. Being founded on custom and usage, no one had seen fit to record these liberties in writing, or if they did, any records which may have existed have been lost or destroyed in the numerous fires and wars which had occurred.

Traditional Celtic and Saxon tribal law was unable to cope with this new situation, where the population of the city consisted of mainly free tradesmen, who had no tribal allegiances and were beginning to organize themselves into trade guilds. A new system

had to evolve within the city to meet these new circumstances.

There is very little written evidence for the actual structure of Local or municipal Government in London prior to the Norman Conquest. That which does exist, is contained in the *Anglo-Saxon Chronicle*, *Law Codes* issued by the various Saxon Kings and *Charters* such as that of Edward I the Confessor (1047-1066) and William I, (1066-1087) as well as laws made by the bishops, reeves and burghers or freemen of the city. There can be little doubt that there had been some form of Local Government in London prior to the Norman Conquest which would have been based upon Saxon law and custom. Some historians have conjectured however that although there had been a hiatus in the records between the withdrawal of the Romans in 410 A.D., and the renewal of London by Alfred the Great in 886 A.D., there had been some continuity of occupation by the remaining Romano-British occupants.¹ In addition, Laurence Gomme in his book, *The Governance of London*. points to the continuance of ancient Roman commercial law into the Saxon and Norman period together with a legacy of corporate government.²

The first written evidence for the existence of the liberties of London, is the *Judicia Civitatis Lundoniae*³ made by the bishops, reeves and commoners of the city in the tenth century and ratified by the king Aethelstan (924-940), also the Charter granted by Edward the Confessor and quoted by William I in his Charter of 1067. These Charters granted the continuation of the “*Liberties*” already won by the citizens of London in previous Saxon years. The exact form of these “*Liberties*” is not detailed in either of these Charters, but is thought to consist of the right of the commoners to elect the Justiciar⁴, later to be known as the Mayor, and Aldermen, and for the Justiciar to appoint two Reeves or Sheriffs, and to govern the city via these officers, and to make such local laws as they thought fit. It is apparent from these documents that the citizens of London had at an early stage seized the right to govern themselves, and this right had been accepted by the reigning sovereigns at least from the tenth century.

¹ Fleming, R. *Britain After Rome*. page 10

² Gomme, L. *The Governance of London*. pages 32-33., 118

³ Attenborough, F. L. *The Laws of the Earliest English Kings*. page 157.

⁴ Carpenter, J. *Liber Albus*. page 13

Another example of this right was the formation of the *Cnihtengild* by the citizens without royal authority, but accepted by the monarch, to defend the city by a guild of soldiers, ⁵ in the reign of Eadgar (954-975). It would seem that this existing system of local London government was continued as before and was confirmed by William I, in his Charter of 1067.

There is no existing written record of the system prevailing at the time of the conquest apart from the above, and so it is hard to determine what changes if any were made. One can only conjecture, using the evidence of the known social structure of the Saxons, and how it would have been modified by the need to live in a new centralised urban setting.

We know that the Saxon tribal structure was that of a hierarchy of dependance between the peasant and the local lord, up to the king. This social structure was however essentially a rural one which was hardly suited to an urban society. Whereas in the rural setting the peasant was in most ways self sufficient, living off the land and making his own clothes, tools and buildings, and paying rent in kind to the lord of the manor, the town dweller led a more specialised life.

Many of the new town dwellers still farmed land outside the town walls, bringing their produce into the town for their own consumption as well as for sale in the City markets. The population of the city at this juncture was a mixture of Saxon, Norman, Danish as well as German origin, as would have been common in an international trading city.

Specialised trades, such as cloth making, dyeing, smithing in iron copper, silver and gold, tanning, bread baking brewing, production of armour and other military equipment, as well as other luxury trades were carried out within the City. In addition London became the centre for markets at which food and goods from the rural areas as well as manufactured goods from inside the town, could be sold. It was at this time that the manorial farms were becoming more efficient, and started to produce a surplus which needed a market, and could be sold in the local town at a better price than in the rural setting. London was also the centre for international commercial trade via the port which had connections with other commercial centres in Europe.

All of these new pressures created the need for a new social structure for the city.

⁵ Stow, J. *A Survey of London*, pages 59-145. *Letter-Book C*, pages xviii-xx.

The manorial system had to be adapted for these new conditions. No longer could urban society be based upon a static rural population, but on the rising crafts and commercial classes, each pursuing a living independent of a manorial overlord. Urban society had to adapt to these new circumstances. Land within the town was initially owned by either the king, the church or the local lords. These owners let parcels of their property out to the new tradesmen and traders. These new men were presumably mainly freemen who had migrated to the city, and owed no allegiance to any superior master, or who had broken such allegiance. and migrated to the city in order to practice their specialist crafts, or trades.

These tradesmen and merchants settled at first in the Saxon town of Lundenwic, to the west of the walled city, which carried on a thriving trade with both the English countryside as well as with the near continent. With the coming of King Alfred the Great, and the re-establishment of the walled city as the centre for administration as well as the seat of the Bishopric, Lundenwic was abandoned and the industrial and commercial centre returned to the city, which could be more easily defended against the Viking raids

We do know that the Saxons divided the city into a system of twenty six Wards,⁶ probably much on the lines of the preceding Roman system of Vicus or Pagus.⁷ In each ward the resident freemen elected its own Alderman, who in turn appointed local officers as necessary at local Wardmotes. Above this were probably a committee of aldermen and local prominent citizens who carried out the day to day running of the city, the collection of rents from city owned property, street cleaning and maintenance, and supervision of weights and measures and of the local markets.

We know that the various Saxon and Viking monarchs levied taxes and tolls on the shipping using the port of London and that the city also taxed the local markets. This income financed the growing city bureaucracy as did the fines and penalties imposed by the city courts.

It was the duty of a municipal authority was to keep the peace within the city so that the king could collect the taxes and dues which were rightfully his, together with the

⁶ Stow, J. *A Survey of London*. page 141.

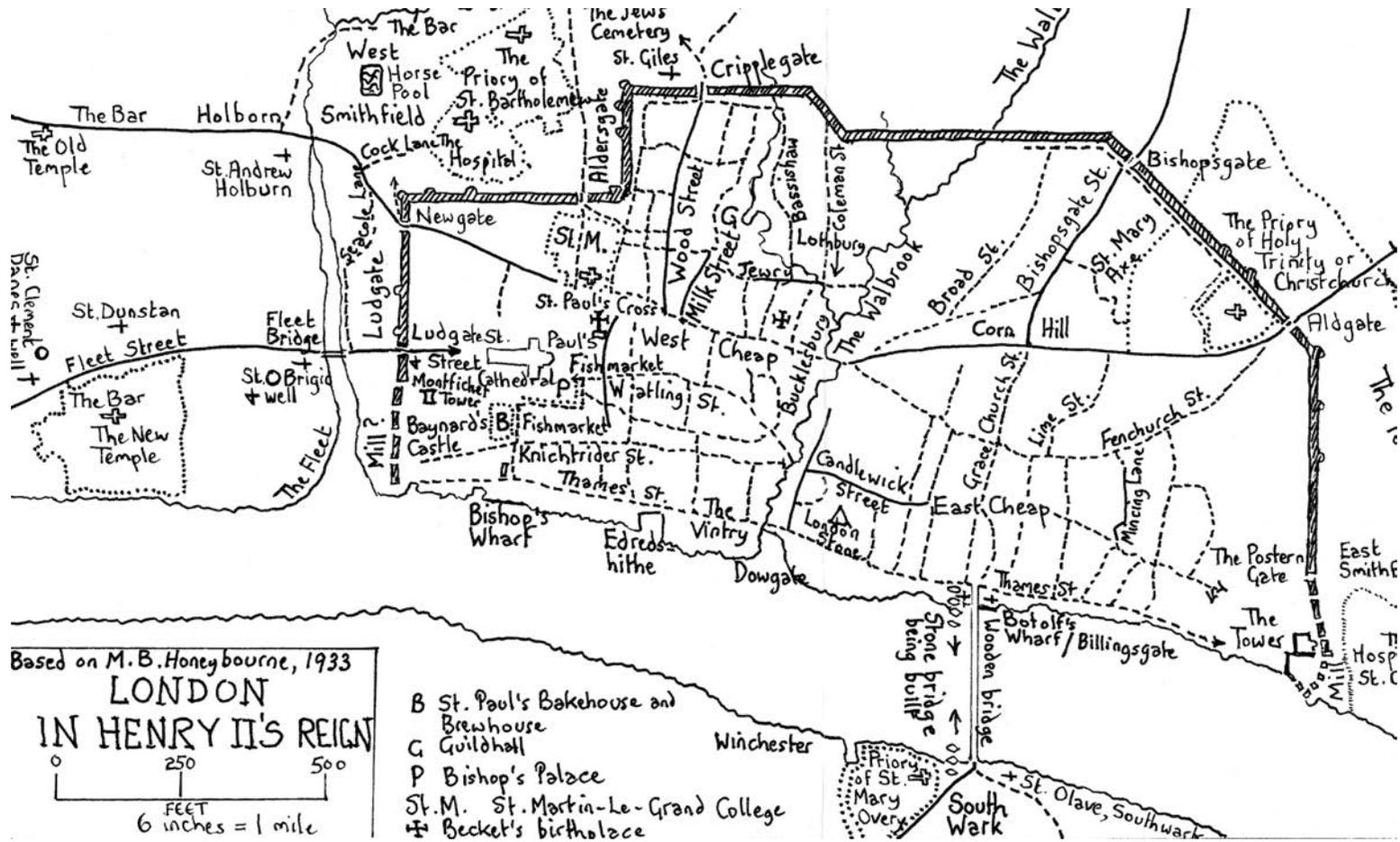
⁷ Hunter-Blair, P. *Roman Britain and Early England*. page 96.

tolls arising from shipping using the port. The municipal authority also had the responsibility to set out and enforce the official weights and measures, supervise the markets, the courts of husting and the appointment of the mayor, sheriffs, aldermen, bedells, constables, rakers, scavengers and watchmen.

The rights and duties of the city magistrates as they evolved is set out in some detail in the manuscripts known as the "*Liber de Antiquis Legibus*" a thirteenth century document, and the "*Liber Albus*" which is said to have been compiled by the first Mayor of London, Henry fitz Ailwyn, dated as being 1189. It is however more positively attributed to the Clerk to the Common Council, John Carpenter during the Mayoralty of Richard Whittington in 1419.

The mortality rate in the city both infant and adult was high, and required constant replenishment from outside the city, in order to maintain a constant population level, let alone to afford an increase. This influx of new blood came from a variety of sources, both indigenous and foreign. The turnover in population is highlighted in the preamble to the *Liber Albus*, which applied as much to the Saxon, as to the medieval period. The preamble states, "*Foreasmuch as the fallibility of human memory and the shortness of life do not allow us to gain an accurate knowledge of everything that deserves remembrance, even though the same may have been committed to writing,- more especially, if it has been so committed without order or arrangement, - and still more so, when no such written account exists; seeing too that when, as not unfrequently happens, all the aged, most experienced, and most discreet rulers of the royal City of London have been carried off at the same instant, as it were, by pestilence, younger persons who have succeeded them in the government of the City, have on various occasions been often at a loss from the very want of such written information;*" it goes on to remark that this information lies scattered without order or classification throughout the books and rolls as well as the charters of the city. There is no indication as to where this information originated or where it was stored. It could be that much of it was from decisions made by the previous Saxon city officials, such as the mayor, sheriffs, and aldermen in their capacity as magistrates, and formed the earliest records of Saxon governance.

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TWELFTH CENTURY, POST NORMAN LONDON

DID THE NORMANS ADAPT THE EXISTING LAW TO THEIR OWN NEEDS?

On invading England, William generally pursued a scorched earth policy. But although this policy was used on entering Southwark, and in a skirmish at the west gate, the Barons of London met the Duke probably at Berkhamsted and made their surrender.⁸ In doing this, the barons sought confirmation of their existing liberties, and these were confirmed. The City was seen by William to be one of the most valuable asset of his new kingdom, and so was allowed to continue with its existing form of municipal government. This tolerance of the City's special status together with that of Winchester, is highlighted by the fact that they were not assessed by the Commissioners when the Domesday Book was being compiled.

The Norman Charters for London are distinct and definite in their formal recognition of existing municipal law.⁹ However these powers or "*liberties*" exercised by the city authorities and citizens before the conquest, arose from gains made by the citizens in their own right. The Conqueror's Charter, whilst confirming these "*liberties*," was also a sign that, from then, on they were granted by the monarch and no longer traditional rights. The construction of the Tower of London on the eastern boundary of the city, and Baynards and Montfichet castles on the western boundary, were of course another statement of Norman power and signalled this change in the source of authority. No longer was the city the originating source of the city liberties, but were existing powers conceded and confirmed by the monarch.

These were the most important and notable changes to the local governance of London, made by the Normans. How this effected the day-to-day running of the city it is difficult to say. There were probably changes of personnel, but because of the commercial and financial importance of the city, even at this date, it was not in the interest of the new regime to drastically disturb the functioning of the City, and in any case the main governors were already well connected with the main principals in other continental commercial centres which were of importance to the Norman nobility. The city was a very important source of finance for the monarch and it was in his interest to

⁸ Rex, P. *1066, A New History of the Norman Conquest*. page 89.

⁹ Gomme, L. *The Governance of London*. page 137.

maintain the city's position in the local and European markets in the Baltic, (Hedeby) and on the continent (Dorestad and Quentovic) so as to ensure that it continued to be able to provide the money necessary, for him to pay his army, and defend his new conquest.

The new Norman monarch appointed a royal reeve or justiciar, based in the Tower to control the City in his absence and to hold a court in which pleas of the Crown were held. This court known as the *Eyre* or *Ita* was held infrequently. The circuits of itinerant Justices at which Crown Pleas were held in the country as a whole, did not include London and was another indication of the special status of the City. The Justiciar also had the duty to ensure that the Royal taxes due from the City and from the movement of commerce via the port of London.

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CONCLUSION

London, before the conquest, was a collection of timber buildings with thatched roofs huddled within the ancient Roman walls, mainly towards the east around Cornhill, in the area where the Roman basilica and forum had been, and probably amongst the remains of these Roman ruins. After the conquest, the Normans began to erect more substantial structures such as the White Tower on the eastern boundary adjacent to the river, and two more castles, Baynards and Montfichet in the west. These were very much symbols of the new royal power and control and signalled the apparent end of the independence of the City from central state control.

There was an expansion of both industrial and commercial activity in London following the conquest as well as an increase in agricultural activity. The influx of new governing and military classes, both in London and the country as a whole, added to the need for more agricultural production and manufactured goods and services, as well as food and luxuries within the city and without, which drew upon local as well as foreign imports from abroad.

It was apparent from the beginning of the Norman occupation of London that the City was to be more closely controlled than it had been in the past. The pre-Norman system of municipal government, relying on traditional citizen "*liberties*", stemming from custom and usage, which had prevailed within the City, was outside the state imposed, regime of the Normans, and was an affront to the centralised system which they sought

to impose. The new monarchs sought however to regularise this situation without disrupting the running of the city and its important wealth creating functions. This they did by granting charters formalising the traditional “*liberties*.” By doing this the Crown was emphasising that these powers of self government were now granted by the monarch, and did not emanate from the citizens themselves, and that they could be withdrawn by the monarch, as they frequently were, at a cost to the City. This tolerance of the special status of London, is highlighted by the fact that it was not assessed by the Commissioners when the Norman Domesday Book was being compiled.

The new Norman regime signalled the beginning of the constant battle to be fought out over the ensuing centuries, between the Crown and City, for control of the City’s rich finances. This battle, was to be most hotly fought during the reign of Henry III, when he took the City back into his own hands no less than eight times, on one occasion for no less than four years. This ploy of interfering in the City government was to be a profitable way of raising money for the royal exchequer, as the City always had to pay the Crown for the privilege of regaining control of the City, by the Mayor and Common Council.

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The Tower of London