Abstract/Résumé analytique

Sacred People, Sacred Spaces:
Evidence of Parish Respect and Contempt
toward the Pre-Reformation Clergy

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Conflicts between parish clergy and parishioners in late medieval England have been described as acts of both anticlericalism and proclericalism (that is, an attempt to compel clergy into living up to the parishioners’ increasingly high expectations of them). This paper hopes to expand our knowledge of parish conflict by turning to an oft-neglected source. In his 2002 book Selling the Church, Robert Palmer contended that we must turn to the king’s courts to better understand conflicts with the church, because both the clergy and the laity frequently preferred the king’s justice to the church’s. This paper also turns to the king’s courts, this time to the courts of equity. Examining a sampling of cases involving parish violence this paper hopes to offer a greater appreciation for the variety of sentiment existing in England prior to the Reformation.

À la fin de la période médiévale on a décrit les conflits entre le clergé paroissial et les paroissiens en Angleterre, comme étant des gestes anti- et pro-cléricalistes (c’est-à-dire une tentative de la part des paroissiens de forcer le clergé à se montrer à la hauteur de leurs espérances qui se voulaient de plus en plus élevées). Nous espérons, avec cet article, élargir nos connaissances sur les conflits de paroisse en examinant une source souvent négligée. Robert Palmer, dans son livre Selling The Church (2002) prétend qu’il faut nous tourner vers les tribunaux du roi afin de mieux comprendre les conflits avec l’Église, parce que le clergé et les laïques préféraient fréquemment tous les deux la justice royale à celle de l’Église. Nous nous tournerons également vers la cour royale, plus particulièrement vers le tribunal d’équité. En examinant un échantillon de cas impliquant de la violence paroissiale, nous espérons offrir une appréciation plus grande pour la diversité de sentiments qui existait en Angleterre avant la Réforme.
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SACRED PEOPLE, SACRED SPACES:
EVIDENCE OF PARISH RESPECT AND CONTEMPT
TOWARD THE PRE-REFORMATION CLERGY*

When John Hikson arrived in the tiny farming village of what is today Wisborough Green (W. Sussex) to take up his post as vicar, he probably felt as if he was one of the lucky ones. Long gone were the golden days in which parish clergy were simply members of the village community; late fifteenth-century England was awash with ordained priests competing for a limited number of benefices in a world in which family and personal connections were everything. Becoming ordained was easy enough; becoming beneficed was "a massive hurdle." Ordained priests in the fifteenth-century could wait as long as twenty-three years for presentation. Although most ordained clergy aspired to the less onerous and better-funded positions as chantry priest or other sinecures, given the obstacles poised against him and others eager for presentation, a position as vicar must have seemed like a godsend. Hikson appeared determined to begin his residence properly, establishing the appropriate pecking order, and adhering strictly to church policy. His parishioners were not so compliant. Hikson’s preliminary request that all officers and ministers of the church swear obedience to him, as dictated by the provincial constitutions, was met with suspicion. Fearing that he “would bring new customs and controversies among them,” his parishioners advised the officers of the church to disregard Hikson’s demand. Undeterred, Hikson responded by having his ministers cited before the ordinary for their defiance, and reminded his community of worshippers that to him “they owe their obedience... as their curate.” They should be

* This research was supported by a grant from the Grants and Leaves Committee at Loyola University New Orleans. Many thanks especially to Margaret McGlynn and Cynthia Neville for their helpful comments on earlier drafts of this paper. For the purposes of this paper, I have modernized all spelling and inserted punctuation where appropriate. When Chancery bills appear in French, I have also translated quotations into English.

ruled by him in all things and obedience concerning the ministering of divine service within the said church” (presumably the Church of St Peter Ad Vincula). While Hikson may have hoped for reluctant acquiescence to his authority, that is not the reaction his self-assurance elicited. As his bill in Chancery later noted, it was at this fateful point that his parishioners turned to “malice,” beginning to “compass things against” him. Their next dispute revolved around a door leading into the chancel, long used by parishioners to enter the church. Chafing at the intrusion into traditional priestly territory, Hikson forbade them from using it, regardless of their insistence “that it had been accustomed before time there so to be done,” pointing instead to the many other doors into the body of the church (parishioner territory). His disregard for community tradition was the proverbial straw that broke the camel’s back. Not long afterwards, Hikson found himself facing a royal indictment claiming he willingly assented to and aided in a recent robbery of the church. Since “no evident proof could be showed,” the jury acquitted Hikson. Despite the humiliation and inconvenience of the trial they had already foisted upon their now dispirited vicar, the parishioners were still not satisfied. They continued to labour county justices of the peace for warrants both of surety of the peace and for suspension of felony. Finding a sympathetic ear among the justices, the parishioners had their day. While Hikson ministered unto them divine service and holy bread on a Sunday and kneeled before the altar in his suffrages and prayers, [the parishioners] laid upon him violent hands and arrested him and entreated him so rigorously that in the same place they drew blood upon him, for which diverse of them were excommunicated, and yet continue in the same and so with outrageous violence drew him out of the said church and incontinently laid him openly and shamefully in the stocks and after that, as a thief with his arms bound, with a cord led him unto the king’s gaol of Guildford [Surrey] where, by their untrue suggestions, he was entreated as a thief and laid in great duress of imprisonment.

Taking pity on the disgruntled vicar, the Lord of Arundel arranged for his gaol delivery and appointed arbitrators who reckoned the vicar deserving of an award to pay for “the manifest injury and wrong that was done unto him.” His parishioners’ stubborn refusal to pay up left Hikson at loose ends. Turning to the chancellor, he requested writs sub poena against the community ringleaders, imploring the chancellor to use his “high wisdom” to devise a “sharp punishment and refor-

3 Presumably, the bill is describing a suspension in the trial for the purpose of gathering more information.
mation” of these men, so that Hikson “may live in rest and peace, according to the laws of the church and of the realm.”

Conflicts such as these between parish clergy and parishioners were familiar in late medieval England. However, where scholars once might have interpreted this episode as evidence of unbridled anti-clericalism laying the groundwork for the English Reformation, today’s historians have adopted a more thoughtful perspective. Following the lead of A.G. Dickens in his 1986 pronouncement that “[a]nti-clericalism has become an unduly capacious word,” current historiography now defends a more dynamic and inspirational view of the late medieval parishioner. R.N. Swanson sums it up best when he argues that late medieval parishioners were not anti-clerical; in fact, they were pro-clerical. Resentment such as that exhibited by Hikson’s uncooperative parishioners was not opposition to the clergy, or even to the church; rather, it is evidence of a progressively more pious and active corporate Christianity, acting out on a deep-seated desire to compel clergy into living up to their increasingly high expectations of parish clergy as “special servants of God.” Not only were late medieval Christians determined to make clergy hold fast to their priestly vows, but also they were intolerant of the clergy’s failure to do their jobs. Swanson’s 1990 study was certainly not the first to stand up for the active Catholicism of English parishioners; but his naming of this phenomenon as “pro-clericalism” makes his perspective stand out from others and presents a useful descriptor to distinguish various approaches to the clergy. In the past thirty years, the pro-clerical perspective has garnered much support. Records of episcopal visitations have been especially supportive of this claim. In the wake of Lateran IV, the 1215 council sporting the motto of “universal conformity,” English clergy were keen to implement Pope Innocent III’s ideal for a moral regeneration of the church starting with the clergy. In an effort to develop a more rigorous method of diocesan supervision, English episcopal visitations effectively made parishioners responsible for reporting their clergy’s moral lapses.

6 T[he] N[ational] A[rchives], P[ublic] R[ecord] O[ffice], Kew, Surrey, court of C[hancery] 1/61/435 (ca. 1480-1483). Please note: Chancery bills are undated. The dates indicated in parentheses are estimations (drawn from the catalogue at The National Archives) based on the title of the chancellor addressed in the bill. For example, if a chancellor was also bishop of Bath, and both titles were used in the bill’s introduction, the date in parentheses indicates a period when the chancellor was also bishop of Bath.


8 Swanson, “Problems of the Priesthood,” p. 868.


11 Birkett, p. 200.
Lists of visitation questions directed at churchwardens reveal a “conceptually invasive oversight by diocesan representatives: extending from the lifestyle of local clergy” to “performance of the sacraments.” Recent analyses of English visitation records maintain that the quality of their priests in both person and office troubled parishioners, who were determined to seek correction. To return to the story of our unfortunate vicar, Hikson’s parishioners were not anti-clerical; rather, they were protesting changes in the practice of local Christianity that, to them, seemed uncharitable. The centrality of the tightly knit parish striving towards communal salvation, what Eamon Duffy describes as “holy neighbourliness,” was central to the late medieval church. “Salvation was social, not solitary,” and the bonds of charity, emphasized so prominently in the mass itself, extended far beyond the parish church to influence communal interactions on almost every level. Parishioners perceived any act that disrupted the nature of communal harmony, especially by an outsider like Hikson who failed to appreciate the parish’s local Christian traditions, as undermining the very community itself. One would expect a priest, having grown up in a similar community, to have understood the precariousness of the situation. Nonetheless, as Susan Brigden has remarked, despite the expectation that the parish priest play the role of “parish peacemaker,” “the clergy themselves were so often at the centre of parish hostilities, engendering rancour rather than reconciliation.”

This renewed perspective of a vigorous and vocal parish laity who perceived the parish church as an “object of local pride and a symbol of a community’s integrity,” is certainly a welcome change. However, there is some concern that the historiography may well now be going too far in the opposite direction. A vision of unified pro-clericalism has seemingly replaced unified anti-clericalism. Eamon

17 Scarisbrick, p. 45.
Duffy’s in-depth study of the minutiae of parish life reinforces this image of parish unity. Although it is hard to fault Duffy’s painstaking research of what he has coined “traditional religion,” Katherine French quite astutely has issued a note of caution, arguing persuasively that he “unduly minimizes conflict in late medieval religion,” preferring instead to focus on parishioner agency rather than coercion by the church.\textsuperscript{18} Duffy is not alone in his optimistic view of the pre-Reformation era. Beat Kümin and Christopher Haigh (among others) similarly have redirected the historiography towards a more positive vision of the active parishioner.\textsuperscript{19} Even scholars who concentrate on conflict between parish clergy and parishioners still leave us the impression that the parish supported the church’s agenda. Daniel Thiery’s brilliant foray into the pollution of sacred space assures the reader that it was “beyond the imagination” of parishioners “[t]o violate the solemnity of the mass and to desecrate the sacred being of the priest.”\textsuperscript{20} Thiery offers up a particularly stunning example of a disgruntled layman who rashly attacked his priest in church. Instantly regretful, he compelled the priest into finishing mass as if nothing had happened, hoping to erase the “polluting” elements of his violence from the minds of his fellow parishioners.\textsuperscript{21} Were all, or even most, late medieval parishioners truthfully that respectful of sacred people and sacred spaces?

Lay-clerical relations on the eve of the Reformation do not fit neatly into the category either of pro-clerical or anti-clerical, or even pro-ecclesiastical or anti-ecclesiastical (that is, if a parishioner did not respect the clergy, did he at least respect the church?). By examining 146 acts of violence involving sacred people or sacred spaces drawn from the equity courts and the patent rolls from the fourteenth- to the early sixteenth- centuries, this study hopes to emphasize the variety of sentiment existing in England prior to the Reformation.\textsuperscript{22} Branching out beyond the ecclesiastical courts is vital to offer a fuller picture of lay-clerical relations. An exclusive focus on the ecclesiastical materials led Christopher Haigh in 1993 to maintain that “[p]arishioners made few complaints about the learning, morals, or


\textsuperscript{22} Please note: 146 cases do not account for all cases of violence between clergy and laity and/or violence in sacred spaces in these records. The sheer quantity of the records makes it impossible to read every case that appeared before the equity courts. The evidence here derives from keyword searches in the library catalogue for The National Archives using variants of the words “clergy,” “monk,” “priest,” “parish,” and “church” that, hopefully, netted most cases.
commitment of their clergy, and paid their tithes and mortuaries without undue protest.”

Priests and parishioners hoping for more active intervention in their disputes and great compensation than mere penance were eminently likely to take their suits to the king’s courts, as Robert Palmer suggested in his critical 2002 study of ecclesiastical disputes in the civil jurisdiction of the king’s court. Parish matters “as varied as tithes, mortuaries, and glebe lands, as well as annual rents, compromises, and parish customs, were regular matters for the king’s court.”

Palmer’s significant investigation, although underappreciated by Reformation scholars, demonstrates the powerful role played by the common law in the regulation of parish life. By focusing specifically on Chancery, another venue of royal jurisdiction overlooked by Reformation historians, this study hopes to add more nuance to the understanding of lay-clerical relations and underscore how parishioner agency can simultaneously be categorized as pro-clerical, anti-clerical and even indifferent.

II. Why these records?

To date, few scholars have examined the court of Chancery for ecclesiastical matters. In his 1971 study on the disposal of benefices, R. Storey issued an invitation to others to revel in the wonders of Chancery for a greater understanding of ecclesiastical causes. His invitation has been largely ignored. Disputes between parishioners and their clergy were ideally suited for equity jurisdiction. As Katherine French has commented, because the common law failed to recognise the legal status of the parish as a corporation, parishioners frequently turned to the equity courts to have their grievances heard. The equity courts also presented great advantages over the church courts. With the infrequency of episcopal visitations and the necessarily cooperative nature of ecclesiastical litigation, the equity courts were a much speedier and effective option for dispute resolution. The court of Chancery, in particular, was a sensible choice for litigants in cases such as these. Chancery rather neatly blurred the line between sacred and secular. While working in their capacity as royal officials, chancellors were usually archbishops or bishops, and the kind of justice they doled out very much reflected their pious callings.

23 Haigh, English Reformations, p. 48.
27 The church had few weapons to compel attendance at court or enforce judgments, unless the litigants themselves cooperated with the demands of the court.
28 Chancellors were also generally the king’s chief chaplain and thus “guardian of the King’s conscience.” H.B. McKnight, “How shall we then reason? The historical setting of equity,” Mercer Law Review 45 (1994), p. 934.
science and a “universal sense of fairness,” rather than legal precedent or statute law, were the overriding determinants in courts of equity, much as one would expect to find in a consistory court. Thus, both clergy and laity alike felt naturally inclined to turn to the chancellor for assistance in a matter concerning the church. The records themselves indicate that litigants turned to the chancellor specifically because of his position in the church. For example, when Robert Norys vicar of North Petherton (Somerset) appealed to the chancellor for assistance with riotous parishioners, he made sure to point out that his church was within the chancellor’s diocese, as the chancellor was also bishop of Bath and Wells. Thomas Smyth, parson of St. Giles’ church in Winchelsea (E. Sussex), also made certain to reference the chancellor’s “holy fatherhood” and note that, as bishop of Bath, he was “patron of the church of Saint Giles.” This is a practical reminder for the reader: although historians of the law tend to divide firmly in their studies between secular and sacred courts, medieval litigants did not readily make that same jurisdictional distinction.

Records from the court of Chancery do have their limitations. Chancery records are weighted towards the complainant. Although one occasionally finds the defendant’s response to a bill of complaint, the bills are generally all that have survived the Middle Ages. As one might expect, the bills cast their complainants in the best light imaginable. Many follow a distinct pattern of strategic embellishment. When John Frygon, parson of St Mary’s Church in Exeter (Devon) was arrested on a “false” indictment of rape, his bill notes that he was “in his church attending his cure,” “being in God’s peace and the king’s” when “evil-disposed persons of their malice and evil disposition not only against your suppliant but against other priests and curates in Exeter and the county” arrived at the church to arrest him and escort him to the prison of Exeter, where he was still resident at the time the bill was written. His self-portrait as the great and pious cleric, victim of terrible evil-doers, does not end there. His bill to the chancellor was motivated less out of a concern for his own wellbeing than it was by the “great heinousness that divine service is not kept ... as it ought to be,” thus endangering the souls of all his parishioners. John Stanpet, parson of Attleborough (Norf.), offered an even more compelling basis for the chancellor’s intercession: after being terrorised by parishioner Thomas Pyrt, Stanpet was so fearful for his life that he had not performed mass for ten weeks; nor had he been able to minister to his parishioners, collect tithes, or visit the sick. How can one fault a man who just wants to tend to the sick? If we were to accept at face value the bills of the clergy, they were all in-

30 TNA PRO C 1/44/150 (ca. 1433-43, or 1467-72).
31 TNA PRO C 1/45/378 (ca. 1467-72).
32 TNA PRO C 1/60/175 (ca. 1475-85).
33 TNA PRO C 1/7/315 (ca. 1426-32).
dustrious models of piety, contrasting starkly with the irreverence and wickedness of their harassers. Thomas Spenser, the vicar of Lanteglos (Cornwall), best exemplifies successful pleading strategies when he describes one of his parishioners as having “a cursed and devilish mind, intending to destroy the said church.”

Although this colouring of the records prevents us from uncovering an entirely truthful account of the dispute, we should see this as a boon not a deficiency. As Tim Stretton notes, the pleading strategies of litigants “offer an understanding of which arguments and statements contemporaries considered to be plausible, convincing, coherent or compelling.” The records of Chancery, then, give us insight into stories that complainants (and their lawyers) constructed to play on the chancellor’s compassion. In order to achieve some balance, this study analyses also pertinent records of the court of Star Chamber and the patent rolls. Because the court of Star Chamber focuses more heavily on disputes relating to land tenure, riot and forcible entry, there are fewer applicable cases. But those cases that do exist are much fuller and more diverse; often they include not only the defendant’s response to the plaintiff’s bill, but also their rejoinders and replications, at times even the interrogatories used for questioning witnesses and the depositions of witnesses themselves. The patent rolls, as evidence of the king’s actions in response to grievances, give us some indication of how the courts acted upon complaints of this nature, a necessary element that otherwise would be missing from this study. Granted, records of litigation tend to highlight abnormal, rather than normal, behaviour. As this paper will suggest, cases in the equity courts, in particular, represent quarrels of an unusual nature. Given the prominence of arbitration in late medieval English society, and the availability of other legal jurisdictions (ecclesiastical, common law, and local), the evidence of the equity courts cannot possibly give us full picture of late medieval attitudes towards clergy and the church. However, it can underscore that even at the extreme end of the spectrum there was no unity in lay attitudes towards sacred people and sacred spaces.

III. Contempt

Certainly most late medieval parishioners did not agree with London brewer Raynold Darrye, who passionately expressed his wish that “all priests were hanged and had lost their heads”; but the abundance of assaults against priests appearing in the equity courts suggest that a vocal and unruly minority did. The records are rife with instances of contempt for sacred people and sacred spaces. Boasting evidence of seventy-eight instances of assaults and/or intimidations of clergy, seventy-five physical attacks in holy spaces, and twenty-six violations of sanctuary,

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34 TNA PRO C 1/363/39 (ca. 1504-1515).
36 TNA PRO C 1/64/178 (ca. 1475-80, or 1483-85).
the records imply that universal respect of the laity for holy people or holy places is a difficult proposition to maintain. At times, hostility towards clergy was egregious. A chancery bill tells how John Squyer, parson of Alderton (Suffolk), was “piteously slain and murdered against all law and justice” by the “rebellion” of his parishioners. More typically, however, clergymen suffered disruptions to the mass, physical and verbal assaults, stalking, theft, and extortion.

The basis of that antagonism is seldom evident given the make-up of the records. Once again, because bills in Chancery record allegations entirely from the plaintiff’s perspective, a victim of an assault may well not want to clarify how he provoked the ire of his parishioners. Nonetheless, it is apparent that changes in the nature of the balance of power between parish clergy and his parishioners were a prime source of friction. By the late Middle Ages, the newly empowered laity were responsible for much of the upkeep and functioning of the church; among other things, they tended to the repairs of the church and any new construction, stocking liturgical items, fund-raising, and even sponsoring visiting preachers. The clergy themselves owed their positions to the laity. Advowson, the right to present clergy to vacant benefices, was a privilege possessed by local lay elites. The income of parish clergy came directly from the tithes paid by his parishioners. Although parish clergy may have felt a sense of ownership over their benefices, with all that parishioners contributed to their parish church, certainly they had a better claim. Despite all that, spiritual hierarchy, superseding any false sense of ownership, was hard to ignore and at times was a potent reminder to the laity of just who was actually in charge. A diplomatic clergyman refrained from constantly reminding his parishioners of his spiritual superiority; others, such as John Hikson above, seemed to spend a lot of time in court. Hikson’s case undoubtedly depicts a parish community resentful of a “foreign” priest attempting to put the spiritual hierarchy into practice. He was not the only one who took this approach. Robert, Abbot of Missenden (Bucks.), in his role as vicar of nearby St Peter’s church, described himself as having a “duty as sovereign of the said place, to which God hath called him.” Given his illusions of grandeur, it is no wonder that local men rebelled against him, breaking open the gate, doors and walls of the Abbey at Missenden, and assaulting the abbot and his servants.

Bitterness over moral correction, the most potent aspect of the parish clergy’s authority, was a common cause for conflict and may have had significant consequences for some Englishmen and women. As Robert Whiting has noted, opposition to the church “would seem to have been inspired less often by a belief in the theology of Luther or Calvin than by a desire to evade the moral — and in particular the sexual — restraints imposed upon the laity by the clergy and its courts.”

37 TNA PRO C 1/19/144 (ca 1452-54).
38 Arnold, p. 111.
39 TNA PRO C 1/75/60 (ca. 1455-62).
40 Whiting, pp. 174-5.
The evidence of the equity courts suggests that some parishioners reacted very poorly to criticism by their priests. When John Wely of Darlingscot marched into the church of Tredington (Worcs.) on Whitsunday and "grievously assaulted" Henry Reve of Tredington, drawing him out of the church, beating him and then imprisoning him, his anger was triggered by the parson’s endeavours to reform his "ungodly disposed rule" with “reasonable penances.”

The assault and imprisonment of William Turnour, parson of Winston (Norf.) happened precisely six hours after he read out a citation summoning his assailant, Nicholas Castell of Raveningham to the consistory court of Norwich. It is hard to imagine the attack was merely coincidental. Similarly, a disagreement between Geoffrey Elys, vicar of Thatcham (Berks.) and John Stanshaw, keeper of Crookham Park, stemmed from the reading of a citation from the bishop of Salisbury, presumably summoning Stanshaw to court to answer for his adulterous behaviour. As Elys reports, Stanshaw was “holding unlawfully one Joan, paramour to the said Stanshaw by the space of sixteen years, and above not suffering [Stanshaw’s] wife in any manner wise to accompany or deal with him, nor to come within 20 miles of his habitation and dwelling.”

In fact, rather than meet with his wife concerning the case in the bishop’s court, Stanshaw engaged Elys to send letters to her while she attended church. Stanshaw’s anger over Elys’s reading of the citation before mass led him to storm into the chancel on a Sunday during evensong with “riotous” people “arrayed in manner and form of war” to assault Elys, “intending there to have cruelly murdered him,” and supposedly would have done so if Elys had not been rescued by his servant. Brandishing his pastoral staff like a weapon, he shook it so hard that one arm of the crucifix broke off, warning Stanshaw “out of my chancel!”

Even this act was not enough to reawaken an appropriately Christian fear in his attackers; Stanshaw’s servant, a man named Thomas Garter, shattered the windows of the chancel, planning to murder Elys with a broad arrow, but local constables attending the mass stepped in to restrain him. Much to Elys’ horror, Stanshaw’s men also cracked the canopy housing the Host, “wherein the Blessed Sacrament upended” and the Host “flew round with manifold turns” and fell to the ground, polluting the church and annulling the mass.

Other cases may well have had their origins in tensions over moral correction. William Russell, vicar of Mere (Somerset) was attacked one Good Friday around

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41 TNA PRO C 1/24/35 (ca. 1454-1455).
42 TNA PRO C 1/6/121 (ca. 1404-07, 1413-17, or 1424-26).
43 TNA PRO STAC 2/14, fo. 114 (ca. 1502-1503). This case is also discussed briefly in Thiery, “Plowshares and Swords,” pp. 201, 209-10.
44 TNA PRO STAC 1/1/9.4 (ca. 1502-1503).
45 TNA PRO STAC 2/14, fo. 114. Of course, Stanshaw’s own response to the accusations are much tamer. He argues that he attended evensong with only two servants and a child, and that as he kneeled down in his stall to hear divine service, Elys apparently stopped mass, gathered his forces (ten servants armed and ready for war with swords and bucklers) and riotously attacked Stanshaw, speaking seditious words. The number of witness depositions presenting evidence as to Stanshaw’s violent character, however, would seem to suggest that Stanshaw’s version of the story lacks credibility.
five o’clock in the evening, after he had been “busily occupied all that day before in hearing of Confessions.” As he wandered home, one of his parishioners, John Totyn, was lying in wait with his “horrible great dog called a lymer” (that is, a bloodhound) and a seven-foot staff with an iron pike on one end. Totyn set the dog on Russell, who bit him in the arm in three places. Russell swears the dog would have killed him, had he not “smote the said dog with the church door key under his ear.” It is not clear whether Russell’s choice of weapons was metaphorical, but the church key plays an important role as symbol of the vicar’s authority. Although Russell gives no indication why Totyn randomly set his dog on the vicar (the senselessness of the act, of course, highlights its barbarity and helps to win sympathy in court); one cannot help but focus on the timing of the event. Was Totyn displeased with the penance Russell awarded him in confession the day before? As an almost ironic addendum to this story, it turns out that Totyn was a servant to the Abbot of Glastonbury to whom Russell appeared the following day in complaint, “showing the wounds” and his “shirt thereof being full of blood, his gown torn, his arms sore beaten... and his hand foul hurt.” Instead of the “due correction and remedy” Russell expected for Totyn, the Abbot instead donned his lordly guise, replying that it was “done in the defence of my man.” The Abbot ordered Russell to pay Totyn forty pounds, or he would see the Abbot in court. 46

The power clergy exerted in their role as court officials was a clear source of tension. Two very different cases from the equity courts highlight the exasperation of the laity when faced with the strong arm of the church. A Leicestershire layman in 1395-6 decided on a bold course of action to express his dissatisfaction with the archdeacon’s court. Either the night previous, or early that morning before the court was set to meet, John Belgrave snuck into the courtroom and laid a forged bill “written in text hand” (thus, looking quite official) in the place where Walter Barnak, the archdeacon’s official, customarily sat. The bill declared that Barnak “might well compare with the judges who condemned Susannah, giving unrighteous judgments, oppressing the innocent, and suffering the evil-doers, and also comparing him to a judge of the devil in iniquity.” Court that day must have had a lively start. Although the bill does not provide sufficient details for the historian cum gossip-monger, surely there is a juicy story behind the grudge held by Belgrave against Barnak. 47 An inquiry into heresy in the diocese of Lincoln in 1433 produced similar bitterness towards a church official. A direct commission commanded Robert Burton to inquire into “all manner of heresy” in the diocese (presumably, Lollardy was the great concern). He did just that. His investigation met with some success: he even discovered a copy of the book of the “great heretic Wycliffe” in the possession of a friar. However, Burton’s incursion into the personal lives of parishioners so infuriated them, that soon after the book burning, Burton found himself up on charges of treason, felony, rape and other crimes. 48

46 TNA PRO C 1/44/213 (ca. 1433-43, or 1467-72).
47 TNA PRO C 1/68/63 (1395-6). This case appears also in Storey, “Ecclesiastical Causes,” pp. 239-40.
48 TNA PRO C 1/12/77 (1433).
The parishioners’ bold response to the inquisitorial methods of the church indicates a powerful anti-ecclesiastical attitude. Although Lollard sentiments may be responsible for this rejoinder, English parishioners may also have been protesting this level of intrusion in their lives and beliefs.

Palmer’s investigation of the common law courts highlights that financial concerns were at the heart of many parish disputes; this is also true of cases in the equity courts. Given the unpredictable nature of the economy, and the often-dire circumstances of life in late medieval England, this should come as no surprise. Resentment over the profits of a benefice was one grievance. Priests were regularly the victims of theft; a sense that priests were swimming in riches motivated some of these acts. Thomas Bateman, a late fifteenth-century London chaplain, apparently the victim of a poultry dealer named Piers Fidyll who broke Bateman’s hedges and gardens, making off with twenty shillings worth of fruit, found himself arrested for trespass on a suit of assault initiated by Fidyll, hoping to avoid penalty for his own fruit-smuggling infraction. The petty jury assigned to deal with the case reportedly assured the poulterer of his chances of success in front of the chaplain, saying “Piers, the priest hath money enough and he may well pay; and therefore doubt not but we shall give him a lift.” Their intent to see Bateman hang (the implication of this colloquialism), just because he was a wealthy priest, indicates a powerful bias against the materialism of the church, especially at a time when many were suffering.

Monetary obligations of various kinds generated discontent. While directed against clergy, the nature of this violence was probably more anti-ecclesiastical than anti-clerical, but to the clergy whose livelihood depended on these funds, withholding by their parishioners may have seemed less like defiance of church materialism than extortion intended to steal the food off their plates. A remarkable case from Chancery highlights vehement parishioner antipathy to mortuary fees, the traditional gifts claimed by incumbents from the estate of deceased parishioners. Mortuary fees were a source of great discontent in late medieval England. Explained by the church as “final payments for tithes and obligatory offerings withheld or forgotten,” mortuaries were a “heavy burden” to a family that had just lost a valued member. Furthermore, that mortuary fees coincided with the payment of the heriot for the unfree, a death-duty owed to the feudal lord often the value of the tenant’s best beast and chattel, merely added salt to the wound. While the nature of mortuaries might vary slightly from place to place, in St Just in Roseland (Cornwall), parsons were due a parishioner’s best garment and second-best

49 For examples of cases where priests were victims of theft, see: TNA PRO C 1/68/334 (ca. 1386-1486), or C 1/493/9 (1518-29).
50 TNA PRO C 1/67/154 (ca. 1475-80, or 1483-85).
beast. Despite the “ancient” provenance of the rite, one parishioner, Alan Bugules, spearheaded a campaign against it. When Desyra, widow of Jakke-John passed away, Bugules stomped into the churchyard with knife and club in hand and carried away her red surcoat rather than permit the parson, Thomas Raulyn, to claim it. When Joan mother of Richard Robyn died, Bugules ordered her son Richard not to deliver her green surcoat to the parson. He adopted a similar approach when anyone attempted to bring the second-best beast to the parson. Even after the archdeacon of Cornwall excommunicated Michael Jakke-John and Richard Robyn, sons and executors of the dead, for their refusal to comply with the rite, Bugules persisted in his insolence. At Bugules’s urging, Jakke-John and Robyn both turned up in church for divine service; because of their excommunicate state and their refusal to depart, Raulyn had no choice but to cancel mass. Bugules ensured their presence at enough services that Raulyn’s disgruntled parishioners had long gone without mass and Raulyn without his offerings. In the end, Bugules’s violence had turned physical: at Christmas, after yet another failed mass, Bugules made convincing public threats on the parson’s life, an act that he repeated on the day of Epiphany. This violence, more than anything drove Raulyn to seek the chancellor’s help. Anger over mortuary fees rarely reached such extreme levels of violence. It is significant that parishioners in Shipston (Worcs.) were moved to riot against mortuaries in roughly the same period (1404-05), suggesting that the state of the economy, more than anything, may have made these unpredictable and onerous fees more than parishioners could handle.

As Christopher Haigh wryly noted in his 1993 study, “enthusiastic taxpayers have always been rare.” Certainly, medieval Englishmen (even if they were pro-clerical and pro-ecclesiastical) were “not joyous tithepayers anxious to impoverish themselves to enrich the church.” Yet, while most parishioners merely grumbled their displeasure, the actions of these parishioners amount to commanding displays of resistance. When Robert Kemp, parson of Bonnington (Kent) pestered William Wykman for the tithes owed to him, Wykman retaliated by suing “many feigned actions of trespass in Dover court afore the Stewards.” He ostensibly went so far as to assume the guise of a beadle and arrest Kemp, who remained in prison for four days until he paid a fine of 13s. 4d. for his release. Wykman also constantly disturbed Kemp in church while saying the divine service. After all this, Kemp must surely have learned not to persist too strenuously when tithes were due.

53 For regional variation, see Harvey.
54 TNA PRO C 1/3/107 (ca. 1386-1411).
56 Haigh, English Reformations, pp. 40-1.
57 Palmer, p. 32.
58 For other examples, see: TNA PRO C 1/3/120b (ca. 1386-1411), or C 1/4/73 (ca. 1406-07, or 1417-24).
59 TNA PRO C 1/11/525 (ca. 1432-43, or 1467-70).
Collecting spiritual dues was a dangerous job. John Abbot of Notre Dame in Langley (Norf.) found this out the hard way. When he tried to collect from Edmund Redesham in Claxton, men armed with swords put him and his fellow canons to flight. They chased the clergymen to the nearby village of Rokeland where the town’s inhabitants rescued them. William Richardson, parson of High Ongar (Essex) was also beaten and “put in fear of his life” when collecting tithes. A demand for tithes might even result in widespread insurrection, as Nicholas Lewys, vicar of Simonburn (Northumb.) discovered. Sir John Heron, described by Lewys as a “troubulous person, a great inquietor of the king’s subjects,” determined to run Lewys out of his benefice, incited parishioners to withhold their tithes, saying “that the duties of the Church shall not in time coming be so largely paid as they in times past have been.” So many parishioners had withdrawn or withheld their tithes and duties that Lewys and his clerk were incapable of paying their annual rent.

On occasion, it is clear that parishioners understood their relationship with the church as one of supply and demand: if they were unsatisfied with their parish clergymen, they felt no need to pay him. A riot in the church at Newark (Notts.) reflects these concerns. As Katherine French has observed in her analysis of monastic-parishioner relationships, when parishes and monasteries shared churches (a normal arrangement at the time), tensions often flared between the two over use of space, scheduling of services, and financial responsibilities. When a member of the convent acted also as vicar, parishioners believed (and not without justification) that their needs were subordinated to those of the monastery. Frustration over this arrangement was the driving force behind Newark parishioners’ demands for a vicar secular and their bold refusal to pay oblations or service fees until that time. As the prior of St Katherine’s lamented in his petition to Chancery, parishioners would not pay for the purification of women, Christian burials, baptisms, or even the solemnisation of marriages. The insubordination of parishioners had escalated far beyond the control of the prior. When the custodian of the church, Thomas Mersh, was in the chancel preparing for mass, a group of armed parishioners ordered him to leave on pain of death and then assaulted him. Unfortunately, what we do not see in this bill is the history of tension festering behind this conflict. In her study of the monastic-parochial church at Dunster (Somerset),

60 TNA PRO C 1/75/53 (ca. 1386-1486).
61 TNA PRO C 1/561/58 (ca. 1521).
62 TNA PRO C 1/465/35 (ca. 1518-29).
63 French, “Competing for Space,” pp. 215-244.
64 TNA PRO C 1/6/166 (ca. 1404-07, 1413-17, or 1424-26). See also Swanson, “Problems of the Priesthood,” p. 850.
French traced hostilities back almost two-hundred years (1357 to 1539). The community at Newark may well have shared a similar past before turning to bloodshed.

Respect for sacred space was a central aspect of late medieval Christianity, highlighted by several distinct features: all churches had to be consecrated; churches and their environs acted as sanctuaries providing refuge to criminals, and any church polluted by lay activity, such as bloodshed, had the sacraments suspended until the performance of reconciliation. As various statutes of local synods stressed, the late medieval church was deeply concerned about the pollution of sacred space by lay activity and hoped to indoctrinate the English masses through not only the public performance of penances, but also the medium of sermon stories. A popular fifteenth-century exemplum makes the point abundantly clear: an amorous couple seeking privacy for a sexual encounter chose a vacant church for their rendezvous. God punished them by having them stuck together mid-coitus. The moral of the story? “And therefore here is an example that nobody should do any such filth in church, but should keep it clean and worship God therein.” Despite the vehemence of the ecclesiastical stance, laymen were more inclined to violate that space than to defend it. Royal officials assigned to arrest felons were the most frequent offenders. The status of the offenders is meaningful. While one might dismiss their violations as dedication to their jobs and respect for the law, the men who filled these positions were prosperous and influential role models for their communities. Their actions probably contributed to a waning of respect for holy spaces among the laity in general. Royal officials seemed to invite sacrilege. Richard Reynold, who was taken “with great force and violence” from the sanctuary of St Olave’s in London, remembers being “beat, wounded and mayhemed” in the church; his bill specifically describes the church as being polluted. The overzealous pursuit of felons, at times, led officials to commit astonishing breaches of the church’s immunity. How might the gaoler of Bristol and his men have thought it acceptable to pursue an escapee who took refuge in the priory by scaling the walls with ladders under the cover of night and shooting arrows at the friars? The attack continued well into the morning when the gaoler ordered the destruction of gates and doors, set fire to the hay in the storehouse, and beat the friars who

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65 French, “Competing for Space,” pp. 214-244. One cannot help but wonder if such a dispute was also behind the indictments of felony initiated by Thomas Burgh of Notton (Notts.) against monks from the Priory of Blyth who, apparently, were too “aged and impotent” to move, and had to be carried by carts so that they might attend the various sessions of court. TNA PRO C 1/44/225 (ca. 1433-43, or 1467-72).


67 Arnold, p. 112.

68 See R. Gorski, The Fourteenth-Century Sheriff: English Local Administration in the Late Middle Ages (Woodbridge, 2003).

69 TNA PRO C 1/159/53 (ca. 1486-93, or 1504-15).
were at prayer in the choir. That the king frequently issued reminders to his officials for the need to respect sanctuary comes as no surprise. In a letter to the sheriff, mayor and bailiffs of the city of York, the king addressed a complaint by the city’s Friars Minor who claimed that officials had abused their authority, alleging them to have often wickedly made ambushes against felons fleeing for sanctuary to the friars’ hospice and church and watches by day and night within their fences, and sometimes nefariously entering the enclosures and rushing upon the fugitives and laying hands and blows upon them have sacrilegiously expelled and dragged them forth in contempt of the friars and their ecclesiastical liberty, breaking their houses and walls and treading down their gardens; whereby their liberty is violated, celebrations of divine service are disturbed, the peace and quiet of the people are injured and the friars dare not come from their close.

Regardless of the king’s commands, the violence committed in sanctuaries sometimes extended to murder. A 1313 commission of oyer and terminer assigned to investigate a riot at the priory of St Mary, Thetford (Norfs.) details a violation of sanctuary reminiscent of Thomas Becket’s martyrdom. During the pursuit of a number of felons fleeing to the priory, the prior and some of his men and servants were beaten, some of them maimed, and the felons themselves were slain by the high altar before the pursuers made off with the priory’s goods. Regrettably, this level of violence was not unique. A pardon from the year 1388 imparts how John Somnour and Edmund Hawe of Coventry dragged Nicholas Walker from the church of St. Mary (Warks.) before beheading him (at the very least, the murder took place outside the sanctuary, suggesting some reverence for sacred space). Laurence Duket, a sanctuary man in the church of St Mary le Bow, London, met his death at the hands of assailants who hanged him by a rope in the church itself.

Even those who owed their lives to the sanctity of holy spaces often had little respect for it. This sentiment seems to have applied particularly to chartered sanctuaries, where felons might live out their lives, rather than the more usual forty-day respite. Certainly, some felons viewed sanctuary as a convenient headquarters from which to carry out their criminal operations. A commission to the mayor of London from the king in 1384 reiterates this notion. The mayor was told to

70 TNA PRO C 1/31/532 (ca. 1465-71, or 1480-83).
71 Calendar of Patent Rolls, 1359, p. 255.
72 CPR, 1313, p. 55.
73 CPR, 1388, p. 416.
74 CPR, 1284, p. 143.
arrest and bring to Newgate gaol all felons and evildoers notoriously suspected of coming nightly out of places ecclesiastically privileged, assembling in the city and suburbs to commit divers felonies, robberies, thefts, murders, etc. and after committing them, retiring by night to the said places for sanctuary. 75

This suspicion was not unfounded. David Steward, a sanctuary man who took refuge in the “hold of Saint John’s called Osyngton” (Notts.), reportedly absconded from sanctuary on several occasions to steal sheep and oxen and then pawn them off to others. 76 Thomas Hadlo, an escapee from Fleet prison, took the same approach to his time in Westminster sanctuary. A commission noted that he “daily issues from the said sanctuary and lurks and is vagrant in diverse places, perpetrating much damage.” He, too, was to be arrested. 77 Despite constant injunctions by the church forbidding the presence of weapons in holy spaces, stories told in court make it apparent that weapons in sanctuary were commonplace. 78 John Raynfford, resident of Colchester sanctuary, tells a chilling story of a spat between sanctuary men that turned fatal. When Michael Brasbrigge and another inmate, referred to only as Humfrey, fell to arguing, John feared the worst. Michael not only hid “diverse stones in his sleeve,” he also had “a dagger by his girdle.” Michael began pitching stones at Humfrey, provoking him into drawing his sword; Humfrey would have run Michael through if John, “intending to see the king’s peace kept” had not interfered. Assisted by a resident monk, he pinned Humfrey down, at which point another inmate, identified as Maurice, entered the scene. Out of loyalty to his acquaintance with Humfrey and the “malice and displeasure” he bore “towards the said Michael for diverse variances and affrays,” Maurice drew his sword and ran toward Michael. The struggling Humfrey broke free, and the three inmates were off. Although John did not see what happened next, Maurice and Humfrey vanished from sanctuary and Michael received a deadly wound. 79 This eye-opening tale presents a startling level of disregard for the holiness of sanctuary by those who should have respected it most.

IV. Respect

Harmonious relations seldom appear in court litigation of any kind. Courts do not exist to regulate harmony; they exist to restore harmony where it is lacking. Even so, the equity courts offer occasional glimpses of a pious parish and its diligent clergy bonding together to tackle the problems vexing their church. St Austin’s of

75 CPR, 1384, p. 424.
76 TNA PRO C 1/145/36 (ca. 1486-93, or 1504-15).
77 CPR, 1367, p. 49.
79 TNA PRO STAC 2/20100 (ca. 1509-47).
London’s parson, churchwardens and parishioners pulled together to put an end to the actions of their aggressive troublemaker. Thomas Ledrede was a nuisance and a danger to his fellow parishioners. At his best, he was menacing; at his worst, he disrupted mass, bursting into the church to assault various parishioners. The mayor’s court indicted Ledrede; but it permitted him to await trial at home on bail, providing he found sureties, a task he achieved easily through intimidation. “Dreading bodily harm” and hoping to return to some semblance of peace in their congregation, the parish implored the chancellor for assistance.

A Culham man’s bullying similarly provided a rallying point for the parishioners and clergy of the Oxfordshire church. Parishioners were understandably incensed when John Drayton and his retainers forcibly prevented their traditional Rogationtide procession from beating the bounds of the parish. Rogation day processions were a big occasion for a parish; the procession’s purpose was to drive out evil spirits from the parish to ensure a good harvest in the upcoming year. In preparation, parishioners fasted for three days in advance. Culham’s hungry parishioners, incensed at the disturbance of such an important ritual, were not going to take Drayton’s strong-arm tactics lying down. They, too, turned to the chancellor. Given the longevity and popularity of the tradition, any chancellor (that is, bishop or archbishop) would have responded compassionately to the complaint by the vicar and his community.

Cases of this type, however, were not the norm in the courts of equity. More often than not, parishioners united to criticize their clergy, not other parishioners. Late medieval parishioners were intensely concerned with the quality of the clergy’s moral behaviour. It has been suggested that this sense of anxiety is a false perception generated by the kinds of questions asked of churchwardens in episcopal visitations; yet, the readiness of parishioners to report their clergy’s faults at visitations and royal assizes indicates that there was more to it. Thomas Richmond’s unorthodox views repeated before a 1426 ecclesiastical court offer potent insight into parishioners’ concerns. The Convocation at York summoned him “for arguing, among other things, that a priest in mortal sin was no priest, and that a lay magistrate who laid violent hands on a sinful priest had not actually acted violently against a true priest.” Although the Lollards popularized this quasi-Donatist attitude in England, by the fifteenth century it was a widespread concern

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80 TNA PRO C 1/45/48 (ca. 1433-1443).
82 TNA PRO C 1/19/144 (ca. 1452-54).
84 Swanson, “Problems of the Priesthood,” p. 860.
85 Donatism was a heresy prominent in North Africa in the fourth and fifth centuries. Among other things, Donatists believed that sanctity was a requisite for church membership.
among mainstream English parishioners. Suspicion of the quality of their clergy may certainly explain some of the assaults in this study. While normally laying violent hands on a priest resulted in excommunication latae sententiae, a sentence that took effect directly after the crime had been committed and without the need of a trial, was that still applicable if the priest was, in fact, a bad priest? While the medieval church did not agree, it is easy to see how the English population might have found Richmond’s argument compelling, and felt the need to take action.

Given the multiplicity of venues for addressing clerical misbehaviour, it is not surprising that equity cases involving clerics in need of moral rehabilitation were usually of an extreme or unusual nature. For example, Thomas Buknale, fifteenth-century churchwarden of Stoke-on-Trent (Staffs.), appealed to the chancellor to reform a parish clerk, a man who oddly was not absentee enough. When their deacon disappeared (regrettably, with the church’s goods in hand), the proctor to the parson did not bother to appoint another. Nor was he around to help shoulder the burden; Buknale noted that he had withdrawn from the community ten years before. Yet, parishioners were constantly reminded of his presence by the path he had worn through the churchyard to “drive his beasts in and out to the parsonage,” the nightly presence of his cows and swine sleeping in the churchyard, the defilement of the yard left in their wake (“full of dung”), and the cow sleeping in the alley blocking parish processions (the proctor suggested that they choose a different route). Thieving deacons, absentee proctors and church decay were minor, however, in light of some of the other clerical transgressions appearing in the courts of equity. Alice wife of Thomas Bridde’s bill in Chancery describes a priest badly in need of moral regeneration. When she rebuffed Sir John Laverys’ sexual overtures, he sent his priest, Herry Bawdyn to threaten and beat her until she changed her mind. Jurors indicted another two priests “falsely” of rape, a euphemism employed by fifteenth-century presentment juries for persistent clerical incontinence. The courts accused two more of ravishing their parishioners’ wives. Thomas Tunley, parson of St Margaret’s Lothbury in London, was among the more worrisome characters in the equity courts. In his plea to the chancellor, he bewailed being

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86 For more information on automatic excommunication, see E. Vodola, *Excommunication in the Middle Ages* (Berkeley, 1986), pp. 28-32. It is also worth pointing out that absolution for attacks on the clergy could only be obtained by appealing to Rome, which meant that it was even more difficult for Englishmen to resolve their excommunicate state. This should have provided even more incentive for Englishmen to maintain peaceful relations with their clergy. See R.H. Helmholz, *The Oxford History of the Laws of England: Vol. 1 The Canon Law and Ecclesiastical Jurisdiction from 597 to the 1640s* (Oxford, 2004), pp. 506-7.

87 TNA PRO C1/44/226 (ca. 1433-43, or 1467-72).

88 TNA PRO C 1/11/112 (ca. 1432-43, or 1467-70).

89 TNA PRO C 1/7/22 (ca. 1426-32); TNA PRO C 1/60/175 (ca. 1475-85); Storey, “Malicious Indictments of Clergy,” pp. 221-40.

90 TNA PRO C 1/240/59 (ca. 1500-01); TNA PRO STA[r] C[hamber] 2/27/31 (ca. 1514-15).
locked up in the Poultry Counter while awaiting trial for a “false” action of trespass in the mayor’s court, sued by a brewer named William Smyth of London. Exam-
ination of the records of London’s commissary court reveals that Smyth was one of Tunley’s former lovers. Although Tunley successfully purged himself of sodomy accusations with Smyth, as well as an additional accusation of the rape of a seven-
year-old girl, his transfer to a secluded rectory in Western Cornwall soon after strongly suggests that he was not as innocent as he made himself out to be in his bill.

Parishioners also had many opportunities to witness irreverent behaviour in disputes between members of the clergy. John, prior of the church of Folkestone (Kent), was apparently at mass Trinity Sunday in the year 1433 about to consecrate the Host, when the parish vicar, William Clerk, made an armed entrance, purportedly with “300 men arrayed in manner of war” (a claim with some credibility is-
sues). How did parishioners react when they saw their vicar threaten to cast the pri-
ior into the sea? Or, when his thugs dragged the prior out of the church, “griev-
ously brak[ing] his heel in diverse places”? Was Clerk worried about polluting his church, only to have it shut down until a bishop could reconsecrate it, poten-
tially endangering the souls of his parishioners? It is hard to imagine.

The Kentish clergy were not uniquely disposed to inter-clerical violence; sim-
ilar cases appear from other counties as well. Thomas Smyth, fifteenth-century
parson of the parish of St Giles (E. Sussex), accused Philip Appowell, parson of nearby St Leonard’s, Iham, of slamming Thomas to the ground, in the process breaking his head against a wall. When the Court of Arches in London removed Henry Bylcok from his benefice as parson of Wootton (Northants.), he did not take kindly to the decision. Rather than gracefully accepting the court’s judgment, he lay in wait for the new parson, a man named John Claypole, and tried to kill him. Even after a “cursing with book, bell and candle” (presumably a ritual of anathema, that is, permanent excommunication from the Christian community) and a warrant for his arrest, he persisted in his harassment of the new parson. Thankfully, the very appearance of these men in the court of Chancery suggests that their behaviour was not representative of the late medieval clergy in general; but surely the damage wrought by these pillars of the community to lay-clerical relations was consider-
able.

The records also reveal a broad diversity of clerical abuses, but parishioners were far more likely to complain of small-scale abuses than the standard ones on which historians have traditionally focused (such as, pluralism, absenteeism, nepo-
tism, simony). For example, pluralism, that is, the holding of more than one office

91 TNA PRO C 1/46/207 (ca. 1467-72).
92 Guildhall Library 9064/1, fols 4 r and 53 r, as cited in McSheffrey, 61.
93 TNA PRO C 1/12/226 (1433) and C 1/12/226 (1433).
94 TNA PRO C 1/45/378 (ca. 1433-43, or 1467-72).
95 TNA PRO C 1/15/30 (ca. 1443-50, or 1455-56).
at a time, an abuse that habitually leads to absenteeism and a failure to do either job well, rears its ugly head a number of times. Thomas Spenser, as master of a hospital in Somerset and vicar of a church in Cornwall, with the county of Devon poised between the two edifices, could hardly have performed passably at either position. But it was not his pluralism or his absenteeism that prompted an attack on him during mass by a parishioner in the Cornish church of Lanteglos. English parishioners were far more concerned about those tangible abuses with a personal or communal impact. Specifically, when the actions of the parish clergy endangered the spiritual or communal well-being of the laity, parishioners were sure to intervene. When parson and parish priest of Ordsall (Notts.) in the year 1528 denied the Host to those who would not pay Peter’s pence, the annual feudal tax owed to the papal see by English landowners, parishioners sued them before the chancellor. Beyond the obvious spiritual punishment implicit in refusing the Host to a parishioner, receiving communion at Easter was referred to by the English as “taking one’s rights”... indicating that to take communion was to claim one’s place in the adult community. Exclusion was a mark of social ostracism.

Thus, being refused communion was an inappropriate penalty, bordering on extortion. A similar sense of righteous indignation emerges from a case in the parish of Grayingham (Lincs.), when the parson hung an image in the church in such a way as to block parishioners’ view of the raising of the Host. A carelessly positioned painting may not seem like sufficient cause to hasten to Westminster, but to the late medieval parishioner communion was the pinnacle moment of the mass, the very reason that English parishioners even bothered to attend mass. Englishmen and women perceived the viewing of the Host as their special means of participation in a mass that otherwise very much excluded them. A derisive observation in a Protestant reformer’s treatise underscores just how seriously parishioners understood this moment. According to Thomas Becon, the enthusiasm of the parishioners inevitably disrupted the ritual of the Eucharist:

“Hold up, sir John, hold up; heave it a little higher”. And one will say to another: “Stoop down, thou fellow afore, that I may see my Maker: for I cannot be merry except I see my Lord God once in a day.”

96 TNA PRO C 1/363/39 (ca. 1504-15).
97 TNA PRO STAC 2/12, fo. 196 (1528). P.E. Hair notes that similar accusations were made against the vicars of Weobley and Eardisley (Hereford Diocese) in the returns of 1397. Hair, p. 326.
98 Duffy, The Stripping of the Altars, p. 94.
As Becon’s account reveals, the Grayingham parson’s love of art had created a crisis for his parishioners. Although they had discussed their concern with the parson, his response was disappointing; he threatened to have excommunicated those parishioners who contradicted his will, and some parishioners had since received summons from the archdeacon of Lincoln concerning the matter. Resolved to see that image removed, the parish joined forces to request assistance from the chancellor. Parishioners’ bold defiance of the ill-tempered Grayingham parson reveals an unwavering determination, shared by many late medieval parishioners, to discipline the clergy when they overstepped the bounds of their authority, particularly when their actions put the laity in spiritual peril.

Parishioners held clerics to high standards. They expected clergy to act like priests, and also to look like priests. The late medieval world was one in which a person’s rank and status were immediately identifiable by the clothes one wore and myriad sumptuary laws existed precisely to maintain this visual standard. When a person dressed outside his rank and vocation, it was to assume behaviours that were otherwise forbidden to him. “Clerical transvetism,” that is, repudiating the garb appropriate to one’s clerical order, is something parishioners were not willing to tolerate. John Kyng’s appeal to the chancellor concerning the conduct of William Roos, a monk from Warden Abbey (Bedfs.), indicates the damage incurred by inadequate enforcement of those rules. Roos’s habit of wandering about in “secular clothing,” behaving as if he was a secular priest rather than a monk of the Abbey, was a “great slander to the house and of the said order.” Kyng’s complaint was not unique. Robert, prior of Holy Trinity (near London), also requested assistance from the chancellor to compel two of his monks, Robert Marshall and John Garland, to dress appropriately. Their behaviour added authenticity to popular fears about clothing. As soon as Marshall and Garland donned lay clothing and armed themselves with lay weaponry, they fell immediately into the sins of the laity. The chancery bill describes them as “ranging and jetting up and down with swords, baselards and with other defensible array,” engaging “in unclean conversation with women and other men’s wives,” climbing walls to sleep with women, challenging men on the street to duels, and being unwilling “to abide no man’s correction,” all this to the “great slander” of the convent.

100 TNA PRO C 1/68/133 (ca. 1386-1486).
103 TNA PRO C 1/44/244 (ca. 1433-43, or 1467-72). A subsequent bill in Chancery demonstrates that Kyng’s motivation may not have been all that altruistic. Apparently, Kyng was disturbed because Roos was suing him in a land dispute; Kyng clearly hoped the disclosure of a vow of poverty might bring that suit to end. TNA PRO C1/10/43 (ca. 1432-43, or 1467-70).
104 TNA PRO C 1/47/256 (ca. 1472-73, or 1475). This case is examined in more depth in Neal, pp. 163-66.
Attacks on priests (especially if those priests shared qualities with the men above!) may well have been acts of pro-clericalism, instances of parishioners taking the law into their own hands to enforce a higher standard of Christian morality. In any case, some parishioners believed an assault was a valuable tool to convince an intolerable priest to abandon his benefice. Thefts of chantry charters and deeds to parsonages, seemingly a common occurrence in the late medieval period, may have been veiled attempts to reassign those benefices to others. Some parishioners feigned indictments or trespasses to have their parish clergy removed. John Middleton, a Worcestershire physician, ostensibly masterminded a plot to remove Oldington’s parson by concocting false allegations about the parson’s behaviour, and informing the bishop of those allegations himself. A Devonshire parishioner seems to have been convinced he could run his parish priest out of town by steady heckling during divine service. Some parishioners took a very hands-on approach to solving the problem. Arthur Newton’s assault on Thomas Botefeld, vicar of the church of Nesse (Salop.), in which Newton’s men broke open the doors of the vicarage and “cast out” Botefeld’s “bedding and raiment into the street,” hints that some parishioners were ready for a change. Richard Tyd, parson of Papworth St Agnes (Cambs.), complained about the ham-fisted practices of one of his parishioners. After a brutal physical attack by Thomas Mallory and his men one night, Mallory coerced him into signing a bond resigning his benefice; if Tyd broke the bond, he was obliged to pay him one hundred pounds. In his bill, Tyd disclosed that Mallory himself was seeking presentation to the church, although Tyd provided no insight into Mallory’s clerical qualifications and did not refer to him as a priest. Violence and coercion were powerful incentives. According to Henry Morgan, rector of St Bride’s in Wentloog (Wales), Walter Harbat, steward of Monmouth, had all but officially effected the process of transfer on his own. Morgan had been repeatedly harassed by Harbat and his retainers; they had stolen corn from him, warned they would “put him out of his benefice,” threatened murder on his way to give mass so that his parishioners missed divine service that day, and then forcibly broke into the church and put his own priest in to say mass. None of these cases provides definitive proof of pro-clericalism, we do see parishioners taking an active role in the ousting of parish clergy who did not meet their satisfaction.

Solemn respect for the symbols of priestly authority is present in the records. The laity did not consider vestments ornamental, that is, mere decoration to emphasise the seriousness of the mass. As Thiery has argued, “[e]very item that a

105 For example, see TNA PRO C 1/31/528 (ca. 1465-71, or 1480-83); TNA PRO C 1/59/17 (ca. 1475-80, or 1483-85); TNA PRO C 1/493/9 (ca. 1518-29).
106 TNA PRO C 1/68/20 (ca. 1386-1486).
107 TNA PRO C 1/134/33 (ca. 1486-93, or 1504-15).
108 TNA PRO STAC 2/5, fos. 130-134 (1527).
109 TNA PRO C 1/26/619 (ca 1456-60).
110 TNA PRO STAC 2/28/132 (ca. 1527-28). This case also appears in STAC 2/28/132.
priest put on before celebrating mass was a symbol of his connection with Christ and his purity of soul.”

Thus, before participating in secular matters, a priest must first remove all liturgical garbs. A case from the court of Star Chamber affirms this point. A peculiar quarrel between two parishioners from the town of Flixton (Suffolk) over the lighting of a candle on the pommel of a stool required the priest performing mass “to put off his clothes and come down from the altar to pacify” the litigants.

William of Egremont, parson of Workington (Cumb.), seems to have envisioned his vestments as almost a protective force field. He swore that if he had not been vested for divine service at the time of Richard Goldsmith’s coercion, he most certainly would have been slain. The bill of David Usque, vicar of the church of Pawlett (Somerset), bolsters this romantic vision. His assailants specifically asked him to remove his vestments before speaking with them; astutely, he refused “until he knew their will.” Complainants appropriated the vestments to add shock value to their reports. For example, John Pokelyngton’s irate bill over the improper arrest of three chaplains in St Petrock’s church (Devon) emphasises the indecency of the act by remarking that, at the time of the arrest, they were “dressed in their surplices” listening to mass. Even worse, they were still vested when their assailants threatened to cut off their testicles.

William Thwaytes’ description of the vicious attack upon him in the church of Marston (Yorks.) during mass is also disconcerting. When William Snyathe and his men grabbed Thwaytes and forcibly carried him out of the church into the churchyard, the parish priest rescued Thwaytes by “running out of his church” and falling upon his attackers while still wearing his vestments. Even in these tales of desecration, there is still evidence of reverence. Respect for the vestments as a symbol of the priest’s close bond with Christ is telling; certain clerics may not have earned their parishioners’ reverence, but the laity had not lost respect for the role of the priest in the Christian religion.

Despite the numbers of violations of sacred space, the purity of holy spaces was not lost on some parishioners who went to great lengths to protect that space. Some parishioners laid their lives on the line to guard that sacred space. John Passheley, a broiderer, was one of several parishioners who stepped in to thwart John Kirkeham, catchpoll of London, from dragging a sanctuary man from St Martin’s; Kirkeham got his revenge by suing a false trespass against Passheley. Thomas Wodell, a tailor from Canterbury, was also involved in the rescue of a

111 Thiery, “Plowshares and Swords,” p. 218.
112 TNA PRO STAC 2/8, fo. 153 (1522).
113 TNA PRO C 1/3/39 (ca. 1386-1411).
114 TNA PRO C 1/3/41 (ca. 1396-97). This case is also mentioned in Thiery, “Plowshares and Swords,” p. 219.
115 TNA PRO C 1/68/7 (ca. 1440-86).
116 TNA PRO C 1/26/114 (ca. 1456-60).
117 TNA PRO C 1/45/144 (ca. 1433-43, or 1467-72).
sanctuary man drawn out of the church of St Cross of Westgate by royal officials. In fact, Wodell claimed “the whole parish” rose up to defend the felon. Wodell was also the victim of a malicious action of trespass.118 The churchwardens of St Sepulchre’s without Newgate fell prey to similar revenge tactics by the jailer of Newgate after rescuing one of his escapees who took refuge in their church. The churchwardens were not alone: upon realising the violation of sanctuary, a cleric rang the church bell, awaking the parishioners and alerting them to the problem. Even though it was after midnight, they rushed to the church en masse to aid the sanctuary men.119 Cases of this nature indicate that some parishioners internalised ideas about the sanctity of consecrated spaces and strove to protect it to the utmost of their ability, regardless of the consequences to their own wellbeing.

V. Conclusion

Hugh Neweton, parish priest of St Mary Magdalen’s in Bermondsey (Surrey) had a predicament that to readers today would surely sound bizarre. The far wall of the church of Bermondsey also supported a house owned by a man named John Serle. Sharing walls in this manner was not that remarkable in the cramped living of late medieval urban life; but it did present some serious problems. Whether through Serle’s own devising, or simply natural decay, at some point, a hole appeared in the shared wall next to the high altar; and Serle refused to fix it. He may have felt that he had simplified his life: with the perfect view of the consecration of the Host, he no longer needed to leave home to get the benefits of mass. Neweton, though, was not as content. With all the noise issuing forth from Serle’s house, he found it well nigh impossible to concentrate on saying mass. Consulting with the parson, the clergymen decided to take action: they stopped up the hole. Fuming, Serle over-reacted; he sued an action of trespass against Neweton and had him arrested, and Neweton turned to the chancellor for help.120

The feud between Neweton and Serle encapsulates so many of the difficulties of assessing the attitudes towards the church and its clergy in the pre-Reformation period. Very little of the evidence is straightforward. Was Serle anti-clerical? Was Serle anti-ecclesiastical? Revenge-suing a cleric certainly seems anti-clerical; at the same time, his attachment to the hole may mean he was attending more of Neweton’s divine services than ever before and he was clearly enjoying it, otherwise he would not have reacted so vehemently once the hole was stopped up. As much as we would like to pigeonhole Serle into a category to understand how his actions contributed to the impending Tudor dismantling of the Catholic church, it is just not that easy. Pre-Reformation Englishmen and women exhibited a vast

118 TNA PRO C 1/46/471 (ca. 1433-43, or 1467-72).
119 TNA PRO C 1/226/44 (ca. 1493-1500).
120 TNA PRO C 1/151-90 (ca 1486-93, or 1504-15).
array of sentiments towards the church. Records of the equity courts reveal cordial relations between parish clergy and their parishioners; they also draw attention to devout parishioners determined to make the clergy live up to their vows. But this pro-clerical image of late medieval piety is only one side of the story. Even well meaning priests seem to have earned the contempt of some parishioners, and laypeople regularly desecrated sacred space. At least the records offer some guidance to understanding parishioner concerns: changing power relations, clerical materialism, financial exactions, heavy-handed moral correction, and the pursuit of justice were all sources of antagonism between late medieval clergy and laity. Yet, even this angle does not complete the story. Others, like Serle, seemed both contemptible and respectful all at the same time. None of this gets us any closer to understanding the Reformation; but it does help us to relate to the late medieval parishioner. As Katherine French has very perceptively explained, for the late medieval Englishman, “[c]onflict was part of their present, not something looming in someone else’s future.”  

Serle had no idea the Reformation was just around the corner. He did not seem to care about the moral state of the clergy, theological debates about transubstantiation, the primacy or availability of the Bible, or ecclesiastical materialism. He just wanted his hole back.

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