

Mapping the Early History of Common Law Education in England, 1292-1500

Authors : Malcolm Richardson, Gabriele Richardson

Abstract : This paper illustrates how historical problems can be studied successfully using GIS even in cases in which data, in the modern sense, is fragmentary. The overall problem under investigation is how early (1300-1500) English schools of Common Law moved from apprenticeship training in random individual London inns run in part by clerks of the royal chancery to become what is widely called 'the Third University of England,' a recognized system of independent but connected legal inns. This paper focuses on the preparatory legal inns, called the Inns of Chancery, rather than the senior (and still existing) Inns of Court. The immediate problem studied in this paper is how the junior legal inns were organized, staffed, and located from 1292 to about 1500, and what maps tell us about the role of the chancery clerks as managers of legal inns. The authors first uncovered the names of all chancery clerks of the period, most of them unrecorded in histories, from archival sources in the National Archives, Kew. Then they matched the names with London property leases. Using ArcGIS, the legal inns and their owners were plotted on a series of maps covering the period 1292 to 1500. The results show a distinct pattern of ownership of the legal inns and suggest a narrative that would help explain why the Inns of Chancery became serious centers of learning during the fifteenth century. In brief, lower-ranking chancery clerks, always looking for sources of income, discovered by 1370 that legal inns could be a source of income. Since chancery clerks were intimately involved with writs and other legal forms, and since the chancery itself had a long-standing training system, these clerks opened their own legal inns to train fledgling lawyers, estate managers, and scribes. The maps clearly show growth patterns of ownership by the chancery clerks for both legal inns and other London properties in the areas of Holborn and The Strand between 1450 and 1417. However, the maps also show that a royal ordinance of 1417 forbidding chancery clerks to live with lawyers, law students, and other non-chancery personnel had an immediate effect, and properties in that area of London leased by chancery clerks simply stop after 1417. The long-term importance of the patterns shown in the maps is that while the presence of chancery clerks in the legal inns likely created a more coherent education system, their removal forced the legal profession, suddenly without a hostelry managerial class, to professionalize the inns and legal education themselves. Given the number and social status of members of the legal inns, the effect on English education was to free legal education from the limits of chancery clerk education (the clerks were not practicing common lawyers) and to enable it to become broader in theory and practice, in fact, a kind of 'finishing school' for the governing (if not noble) class.

Keywords : GIS, law, London, education

Conference Title : ICGG 2018 : International Conference on Geography and Geosciences

Conference Location : Vienna, Austria

Conference Dates : June 14-15, 2018