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Ending Civil Wars: Constraints & Possibilities

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The Last English Civil War

Francis Fukuyama

Abstract: This essay examines why England experienced a civil war every fifty years from the Norman Conquest up until the Glorious Revolution of 1688 – 1689, and was completely stable after that point. The reasons had to do with, first, the slow accumulation of law and respect for the law that had occurred by the seventeenth century, and second, with the emergence of a strong English state and sense of national identity by the end of the Tudor period. This suggests that normative factors are very important in creating stable settlements. Rational choice explanations for such outcomes assert that stalemated conflicts will lead parties to accept second- or third-best outcomes, but English history, as well as more recent experiences, suggests that stability requires normative change as well.

> In establishing the rule of law, the first five centuries are always the hardest.
>
> – Gordon Brown

Following the Norman Conquest in 1066, England experienced a civil war roughly every fifty years. These conflicts, often extremely bloody, continued up until the great Civil War of the 1640s. The issues underlying the latter conflict were not finally resolved until the Glorious Revolution of 1688 – 1689, bringing about a constitutional settlement that established once and for all the principle of parliamentary supremacy. The last battle to be fought on English soil was the Battle of Sedgemoor in 1685; from that moment up until the present, England itself has been peaceful and internally stable.[1]

Why was England so unstable in the nearly six centuries following the Conquest, and so stable thereafter? To answer this question, we must look at the history of those earlier civil wars, and compare their causes and resolutions with the last civil war in the seventeenth century. We can then compare this record against existing general theories of civil conflict and against specific interpretations of English history.

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To anticipate the bottom line of this analysis, the durability of the 1689 settlement proceeded from two primary factors: first, the slow accumulation both of law and respect for the law on the part of English political actors; and second, the emergence of an English state and a strong sense of English national identity. These explanations depend heavily on normative changes that took place in English political consciousness during the late Middle Ages and, particularly, on innovative ideas about political sovereignty that took hold in the second half of the seventeenth century. Rational choice explanations that assume that all elites are maximizing predators, and see stability as the result of elite bargains, are insufficient to explain these outcomes.

This interpretation has important implications for our approach to the settlement of civil wars today. The rational choice interpretation suggests that settlements occur as a result of stalemated conflicts in which the warring parties recognize that their second- or third-best outcome – a negotiated political agreement – has become more appealing than continuing to struggle for their first-best choice (total victory for their side). Economists Douglass North and Barry Weingast have argued that the Glorious Revolution produced a "self-enforcing" equilibrium due to the fact that two monarchs had been removed by Parliament, forcing future monarchs to accept limits on predatory behavior.[2]

There are several contemporary examples of fragile stalemated settlements. In Cambodia, the United Nations sponsored elections and then a power-sharing arrangement including Prime Minister Hun Sen, who succeeded, as soon as he was strong enough to do so, in overturning the arrangement through a coup in 1997. In Angola, the peace accords negotiated in the early 1990s between the People's Movement for the Liberation of Angola and the National Union for the Total Independence of Angola

fell apart after Jonas Savimbi decided he was strong enough to resume the civil war. In Bosnia, the 1995 Dayton Accords finally brought an end to the civil war, with each side accepting what, for them, was a second-best outcome. The Bosniaks had to accept a semi-autonomous Republika Srpska, while the Serbs did not succeed in either separating or joining Serbia. While this has brought stability to the Western Balkans for more than twenty years, the Accords appear to be fraying in 2017 as the weakening of the European Union and the emboldening of Russia have increased the self-confidence of the Serbian community.

The problem with the rational choice interpretation is that several prior English civil wars had produced a similar outcome: the dethroning or effective political neutering of a king by other elites, followed by a political settlement that put the monarchy under clear constitutional constraints. Yet, unlike the results of the Glorious Revolution, none of these earlier settlements were "self-enforcing": the king immediately sought to break free of legal constraints once the balance of power shifted back in his favor. Second-best outcomes were not preferable to maximal ones if the latter seemed feasible. Two other things are needed for durable settlements: a normative belief in the intrinsic value of constitutionalism and the rule of law, and state institutions that have some degree of autonomy from the competing political factions. Paradoxically, the emergence of a constrained state required the prior evolution of a state made strong by its underlying legitimacy and capacity. Absent these factors, political settlements are likely to be nothing more than truces in prolonged competitions for power, as they were for the English over the span of many centuries. This suggests that we need to lower our expectations for the sustainability of postconflict settlements and focus more on bringing about normative change.

During the Middle Ages, the English fought an extraordinary number of civil wars, here defined as a violent conflict in which organized groups within a single society seek to gain political power and, ultimately, dominance. In the English case, these wars occasionally involved tens of thousands of combatants on both sides, and led to the deaths of equal numbers of people, especially when we include collateral civilian casualties.

In this section, I present a brief overview of English political history, together with an analysis of the common characteristics of English civil wars.[3] Many of these conflicts had a structure like the last civil war of the seventeenth century: they involved a struggle for power between a king and his "barons," that is, powerful elites who sought to limit the king's power. Several of these wars produced constitutional settlements in which the parties agreed to a formal legal specification of the rights and duties of both the crown and its subjects. Yet none of these earlier settlements, including the Magna Carta, proved enforceable over a prolonged period of time.

England's medieval history was punctuated by its conquest in 1066 by a foreign, French-speaking dynasty from Normandy led by William the Conqueror. The Norman Conquest itself was one of the causes of subsequent instability: the Norman kings had to manage territorial possessions in both England and France, which gave the French and other actors multiple opportunities for meddling in English affairs. In an age well prior to the rise of modern nationalism, this situation nonetheless produced enduring problems with legitimacy, as French lords ruled over English subjects and English kings fought for French territory with money raised in England.

The first major post-Conquest civil war occurred in the 1140s and 1150s. Henry I (1100–1135), William's son, died without a male heir, and a struggle ensued between his daughter Mathilda and her husband Geoffrey Plantagenet of Anjou, on the one side, and Henry's nephew Stephen of Blois, on the other. This civil war eventually led to the establishment of the Angevin Plantagenet dynasty and the coronation of Geoffrey's son as Henry II. Henry II and his son Richard I were strong authoritarian rulers who provided domestic stability.

The second civil war occurred less than a generation later in 1173, when Henry II's three oldest sons and wife took up arms against him and, in effect, sought to seize the crown from him. The rebellion was put down in about a year.

The next civil war involved King John. While he is popularly remembered as a great tyrant, he was not necessarily more cruel or tyrannical than his two Angevin predecessors.[4] However, he exacted large payments from his barons to fight an unsuccessful war to expand his French possessions, which he subsequently lost after defeat at the Battle of Bouvines. In May 1215, a group of barons took up arms; the conflict was stalemated and the two sides negotiated, producing the charter at Runnymede that came to be known as the Magna Carta.

The Magna Carta contained a large number of specific provisions to regulate behavior on both sides and embodied general principles that played an important role in the development of property rights in England. Since the time of Henry II, only subtenants enjoyed the benefits of the Common Law through the royal courts. The tenants-in-chief, however, were subject to the direct feudal jurisdiction of the king. The Magna Carta brought these elites under the jurisdiction of the Common Law, and thus constrained the king from making arbitrary exactions.[5]

The Magna Carta was thus the prototype of a constitutional settlement that laid out in formal legal terms the rights and responsibilities of the king and barons, particularly the former's right to take property. It has

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been regarded, properly, as the bedrock of English liberties, and came about as the result of a civil war in which neither side won an overwhelming victory. The specific provisions constituted second-best outcomes for both sides, who would have preferred to win a crushing victory and impose their will unilaterally.

The Magna Carta did not, however, create a "self-sustaining equilibrium"; it was more like a truce in an ongoing civil war. Less than two months after its signing, King John sought and received an annulment of its terms from Pope Innocent III, and the civil war continued until John's death in 1216. His son Henry III did not secure the kingship without further violence, culminating in the Battle of Lincoln in 1217; the Magna Carta was, for him, far from an established law.

The next civil war broke out in the 1250s. Henry III proved to be a weak king who alienated his court by bringing in a series of foreign courtiers. It was again a foreign policy debacle that triggered the uprising: Henry's failed and expensive attempt to conquer Sicily. In 1258, he was confronted, as was his father John, by his barons, who demanded that the king cease further taxation, and that he be constrained by a council of twenty-four and a parliament.[6] This charter was known as the Provisions of Oxford, and was as wide-ranging, if less well-known, than the Magna Carta. It was seen by its authors as an effort to, in effect, re-impose the latter charter on a recalcitrant king.[7]

Like his father, Henry III immediately tried to wriggle out of the constraints of the Provisions of Oxford, and overt conflict broke out six years later as Henry's brother-in-law, Simon de Montfort, launched an attack on the king at the head of a baronial coalition. He defeated Henry and his son Edward at the Battle of Lewes, and reinstated the Provisions of Oxford in a peace known as the Mise of Lewes. De Montfort

was soon thereafter defeated and executed by a resurgent Edward, who secured the kingship as Edward I. Mopping up the rebels required Edward to accede to a new charter, the Dictum of Kenilworth, which reaffirmed the Magna Carta and restored lands to Montfort's rebels.

Edward went on to become one of the greatest kings in English history; great because, as a strong and vigorous military leader, he provided stability throughout his long reign, incorporated Wales, and subdued Scotland. (This obviously was not necessarily the perspective of the Welsh or the Scots.) It was becoming something of a pattern, however, that every other king would prove weak or incompetent, and hence trigger a new civil war. Such was the case with Edward I's son Edward II. From the moment of his coronation in 1308, he was widely despised as a degenerate, and suspected of having a long-term homosexual affair with the Gascon knight Piers Gaveston. Parliament sought to impose a new set of legal restrictions on him, which he evaded; by 1321, the conflict degenerated into civil war. Edward won the war and launched a bloody retribution on his enemies, tearing up any prior constitutional understandings about the limits of his power. His reign ended when his queen, Isabella (sister of Charles IV of France), defected back to France and, together with her lover Roger Mortimer, launched an invasion of England. Edward was forced to abdicate in favor of his young son Edward III, who himself had to launch a palace coup to gain effective power from his mother and Mortimer.

Edward III was a strong king; like his grandfather, he maintained stability in England and launched what came to be known as the Hundred Years War to regain Plantagenet territories in France. The crown eventually passed to Edward's grandson Richard, who, as Richard II, would prove to be a weak king and poor military leader. In 1386,

interelite conflict returned as the Wonderful Parliament stripped him of his authority. In 1397, the king staged an internal coup that consolidated his rule and led to a period described by many as "Richard's tyranny." Opposition to his rule coalesced around Henry Bolingbroke, who, from exile on the continent, launched an invasion of England and deposed him to emerge as the first Lancastrian king, Henry IV.

Henry suffered from a crisis of legitimacy and had to fend off several violent revolts early in his rule. His son Henry V, crowned in 1413, proved to be a strong ruler, able to maintain stability in England and expand, in the Battle of Agincourt in 1415, English rule in France. The same could not be said of his son Henry VI, who gained the throne as a child on his father's untimely death in 1422. The kingdom fell into a prolonged civil war, known as the Wars of the Roses, between two branches of the Plantagenet family, the Lancasters and the Yorks, that lasted almost into the sixteenth century. Observing this protracted conflict, the Milanese ambassador Sforza de' Bettini wrote: "I wish the country and the people were plunged deep in the sea, because of their lack of stability."[8]

The nature of civil conflict in England began to shift in subtle but important ways during the Tudor dynasty, which encompassed the reigns of Henry VII (1485 – 1509), Henry VIII (1509 – 1547), Edward VI (1547 – 1553), Mary I (1553 – 1558), and Elizabeth I (1558 – 1603). The kinds of large noble uprisings that culminated in the Wars of the Roses became much less common as the English state grew in size and authority, especially during the reign of Henry VIII. With the arrival of the Reformation, political conflict increasingly centered on religion, with Henry and his son Edward VI establishing England as a Protestant country, Mary pulling it back into Catholicism, and Elizabeth reestablishing Protestantism. In addition, class conflict, which had emerged in Wat Tyler's rebellion, became a more common source of violence. These religious and class issues were exploited by elites in their struggles over power and resources, yet it was also the case that ideas themselves were autonomous sources of conflict, with obscure matters like the doctrine of transubstantiation leading countless individuals to be tortured, beheaded, or burned at the stake. Overall, however, the Tudor century was much more stable than the three preceding it.

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The great English Civil War of the 1640s began in 1641 and was fought on and off for a decade, leading to the beheading of the Stuart monarch Charles I in 1649 and the monarchy's replacement by a quasirepublican form of government under the Protectorate of Oliver Cromwell. The restoration of the monarchy in 1660 did not resolve the underlying conflict, however, especially with the accession of the Catholic James II in 1685. The conflict ended when William of Orange invaded England from the Netherlands and deposed James, leading to the constitutional settlement known as the Glorious Revolution of 1688 – 1689. This entire chain of events is here referred to as the last English Civil War.

We can thus count at least nine major interelite civil wars during the period from the Norman Conquest to the Glorious Revolution. While some were brief, others like the Wars of the Roses lasted for two generations and involved many separate subordinate conflicts. In addition, there were at least three large popular uprisings: the Wat Tyler rebellion in 1381, the Pilgrimage of Grace under Henry VIII, and the uprisings under Edward VI. This list does not include dozens of individual armed conspiracies and attempted and successful coups that took place over this period. If the England of that time were a contemporary developing country, we would not regard it as particularly stable.

We can make several broad generalizations about the causes of these conflicts. Whig historians have often argued that the broad underlying issue from at least the Magna Carta on was the effort to force despotic kings to abide by the law and to make them ultimately accountable to Parliament, and thereby to the whole English people.

While there is truth in this account, it is also clear that Whig history gravely distorts the record. In the end, virtually all the civil wars in England were triggered by a loss of legitimacy by the monarch. But that loss was not necessarily tied to tyrannical or excessively predatory behavior. The most significant common cause for the civil wars was the king's perceived weakness or incompetence, particularly in foreign policy: John's loss of Normandy, Henry III's debacle in Sicily, Edward II's travails in Scotland, Richard II's failures in Scotland and France, and Henry VI's loss of the French territories acquired under his father and great-great-grandfather. Charles I found himself with a bankrupt state and was forced to turn to extraordinary measures like demands for ship money (a tax that skirted parliamentary review). By contrast, a level of taxation that had triggered a rebellion in earlier times was grudgingly borne if the monarch put those resources to good use by expanding the realm, as in the case of Edward III's extended wars in France. In other cases, the loss of legitimacy was tied to domestic issues, such as the courtiers kept by Henry III and Edward II, or Henry VI's general incompetence.

By contrast, England experienced great stability under strong and often tyrannical kings, especially those who achieved foreign policy success: Henry II, Richard I, Edward I, and Henry V. Each imposed ruinous taxes on the realm and yet maintained their legitimacy. Henry VIII was not particularly successful overseas, but over his long reign he centralized power dramatically, extracted onerous taxes, and carried domestic tyranny to new heights. Yet Henry VIII died peacefully in his bed, without provoking an armed backlash from other elites. The history of these conflicts was therefore not, contrary to Whig history, a struggle to achieve ever-higher levels of liberty.

The conflict of the seventeenth century bore some resemblances to previous civil wars, insofar as it pitted a monarch – alternatively Charles I and James II – against various elite opponents centered in Parliament. As in the case of the Magna Carta or the Provisions of Oxford, it led to a formal political settlement that imposed greater accountability on the king. And as in the case of the military confrontation surrounding the Magna Carta, the outcome was ambiguous: while the parliamentary side initially prevailed and managed to depose Charles I, Cromwell's Protectorate became increasingly dictatorial and unpopular. By the time of the Restoration, the two sides were disenchanted both with the idea of absolute monarchy and of republican government. The Glorious Revolution produced neither outcome, but rather a state that was constitutionally limited in its powers, under the principle of "no taxation without representation." Sovereignty was vested in the "king in Parliament," though, in practice, the Glorious Revolution maintained the principle of parliamentary supremacy and remained a durable political settlement for the next four centuries.

Critical to the durability of the 1689 settlement was the growth in the belief by all English political actors in the sanctity of constitutional government and, more broadly, that the sovereign should be "under the law." North and Weingast have suggested that the Glorious Revolution was critical to the establishment of English property rights and contract enforcement, and therefore to the economic growth and material prosperity that emerged in the next two centuries.[9]

But English property rights had been firmly established centuries earlier. The Stuarts attempted to turn back the clock on law; their failure was the product of deep normative changes in the way the law was understood.

European political development was different from other parts of the world because, of the three basic political institutions – a modern state, rule of law, and accountability – it was law that emerged first.[10] Of all European countries, England saw the most precocious development of the rule of law. But it also began to create a modern state early on, and the histories of the two were closely intertwined.

Henry II laid the basis for what would come to be known as the Common Law and a centralized English state in the twelfth century. Contrary to a line of interpretation that stretches from Edward Coke to Friedrich Hayek, the Common Law did not emerge in an evolutionary fashion out of Anglo-Saxon or Anglo-Norman customary law.[11] Rather, "the custom of the king's court is the custom of England, and becomes the common law."[12] In regard to secure property rights, as historian Joseph Strayer has pointed out, the king would frequently take the side of the tenant against the lord in a society in which cases had been typically tried in seigneurial courts, through institutions like the assize of novel disseisin ("recent dispossession").[13] The ability to dispense impartial justice helped establish the legitimacy of Henry's kingship; it also earned the crown substantial revenue in an age before any form of centralized taxation.

In the centuries after Henry II's reforms, institutions gradually took shape. English judges and lawyers began to receive specialized training and recognized themselves as a separate profession beginning in the twelfth century, and there was steady codification of informal rules and the centralization of case law under the principle of *stare decisis* (precedent).[14] Edward I, in

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particular, was critical in establishing a number of major statutes, including the first Statute of Westminster (1275), the Statute of Gloucester (1278), and the Statute of Mortmain (1279).[15]

By the early seventeenth century, the role of law in English life had changed beyond recognition. As historian J. G. A. Pocock has pointed out, the first decades of that century saw the emergence of what he labels the "common law mind," which held that English law was not legislated but had existed from time immemorial.[16] The parliamentary side did not see itself innovating with respect to the law, but taking a profoundly conservative position in defense of law and tradition.

Moreover, there was a dramatic shift in the understanding of the nature of rights and liberties between the early seventeenth century and the Glorious Revolution. A medieval right or liberty was a particularistic privilege that was either customary or legally defined in feudal law as the result of a contract between parties of unequal power and social status. These were the sorts of rights defended at Runnymede: although the barons claimed to be speaking on behalf of the whole realm, they were most interested in their own privileges as a social class.

This understanding changed dramatically in the second half of the seventeenth century, in part as a result of the experience of the Civil War itself. Thomas Hobbes's treatise *Leviathan*, written in the immediate aftermath of the first phase of the Civil War, was critical to this transformation. Hobbes argued that human beings are fundamentally equal because they are equally vulnerable to violent death; the state is a social contract that protects the right to life in a way that cannot be accomplished in the state of nature. While he argues in favor of absolute monarchy, that monarchy exists only to protect the right to life. Hobbes thereby upended completely the medieval understanding of rights: they are

not inherited or contractual, but rather inhere in human beings qua human beings, and become the basis for state legitimacy.

These ideological changes were critical to understanding why the parliamentary side was willing to abide by a constitutional settlement that limited its own ability to extract rents and violate the restrictions it had agreed to in the settlement. The state was no longer seen as a form of private property that could be seized by elites for private benefit; it was sovereign, but only because it "represented" the whole community and it exercised that sovereignty as a public trust. The elites represented in Parliament, in other words, had come to recognize in principle the modern idea that private and public interests are sharply separated, and that the state only existed to serve the latter. While previous civil wars were fought to defend the diverse "rights of Englishmen," the great Civil War was fought under the banner of the "rights of man."

Parallel to the growth of law and respect for the law was the slow consolidation of a modern English state to which all citizens owed loyalty, and which was powerful enough to maintain a legitimate monopoly of force throughout the territory of England. This kind of state did not really emerge until the late Tudor period at the end of the sixteenth century.

A modern state began to consolidate under Henry VIII, and particularly during the period from 1532 – 1540 under Henry's powerful secretary Thomas Cromwell. The view that there was a "revolution in government" at this time is associated with historian Geoffrey Elton, who argued that, prior to this period, the realm was run like a large private estate;[17] after Cromwell, it became bureaucratic, national, and uniform with direct consequences for stability.[18] The specifics of the Elton thesis have been much debated, but it is clear that England participated in a process of modern state-building that was taking place all over Europe in that period.[19]

In England, the primary driver of this transformation was the English Reformation. The Catholic Church owned perhaps one-fifth of the land in England at the beginning of the sixteenth century; that land and the Church's moveable wealth were confiscated by the crown and the substantial taxes sent to Rome went to the Exchequer instead. Cromwell created a bureaucratic system for managing this wealth and shifted the system of taxation to more regular levies not linked to the revenue needs of specific wars. The king and his immediate circle of courtiers became increasingly detached from the day-to-day administration of the government, and were replaced by a Privy Council with regular membership that controlled access to the king.[20]

Just as important as these administrative changes was the creation of a distinctive English national identity as a result of the break with Rome. Medieval kings did not regard themselves as sovereign; God was sovereign, and kings shared authority with God's vicar, the Pope. Henry's Reformation made the English monarch sovereign over all aspects of his subjects' lives, both material and spiritual; the shift from Catholic ritual to Protestant worship through the promulgation of works like Thomas Cranmer's *Book of Common Prayer* established a distinctive English national language and culture. This was reflected as well in English foreign policy, where Tudor England became the dominant Protestant power balancing would-be Catholic hegemons in Spain and France. The normative belief in the existence of a single English community was reinforced by events like the defeat of the Spanish Armada, and by the material interests of the nobility and gentry that had profited from the sale of confiscated Church lands.

The creation of a unified sovereignty by the end of the sixteenth century then laid

the basis for the novel theories of the seventeenth century: after Hobbes, sovereignty came to mean a social contract in which absolute power was vested in the monarch only insofar as he was representative of the whole community. Kings, and particularly the early Stuart monarchs, could no longer rely on their personal wealth and had to seek money either from bankers or by cajoling the elites in Parliament to pay taxes. The various Stuart monarchs sought to return to the situation in which kings ruled rather than reigned, but found they did not have the resources to do so. After the Glorious Revolution, the monarch became an increasingly ceremonial figure attached to Parliament and a large bureaucratic machine; capturing the kingship, which had been the object of civil wars before the Tudors, was much less of an elite objective. The often incompetent Hanoverian kings of the eighteenth century did not provoke civil conflicts because their prime ministers and Parliaments were the effective rulers of a Britain that was becoming territorially consolidated.

English stability after 1689 was the by-product of several slow-moving political conditions: increasing respect for the law and constitutionalism, and the growth of a modern state that could administer the realm even if the king were weak or incompetent.

English stability was the result of an elite bargain, but it was a pact that took hold only over the course of six centuries. Beginning with the Magna Carta, such pacts were seen by elites as no more than momentary truces that could be upended the moment they felt they could get the upper hand. The stability of the settlement coming out of the Glori-

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ous Revolution, by contrast, was rooted in normative or ideational commitments by those elites to constitutionalism and legal tradition, to a clearly perceived English national identity, and to a new understanding of sovereignty that was vested in the equal rights of all citizens.

This suggests that there can be no stable democracy without a normative commitment to democracy and to the rule of law; indeed, there cannot be a stable state unless there is a shared understanding of national identity underpinning the state's legitimacy. Elite bargains will buy time and temporarily reduce conflict, but they will not necessarily result in either a stable state or liberal democracy.

Many contemporary conflicts will therefore continue until greater normative commitment to state, law, and democracy come about. Both Afghanistan traditionally and Iraq since the American invasion in 2003 have suffered from weak states and weak national identities. While U.S. assistance could help create certain visible institutions of government (such as armies and police, schools and clinics), these initiatives alone did not foster a new sense of national identity, commitment to the law, or states that could command authority throughout the territory of these countries. It is not necessarily the case that building such normative commitments will take six centuries, as in the English case, but the ability to effect such changes within the short time frame dictated by the patience of American and European taxpayers is questionable. This means that the burden of sustainable institution-building necessarily will fall on the local elites themselves, who will have to draw upon their own traditions to create legitimacy and political order.

[1] This does not count the violent conflicts of the twentieth century in Ireland (the Easter Rebellion of 1916) or in Northern Ireland (prolonged conflict with the IRA and its offshoots); while occurring under British sovereignty, they did not take place on English soil.

[2] Douglass C. North and Barry R. Weingast, "Constitutions and Commitment: The Evolution of Institutions Governing Public Choice in Seventeenth-Century England," *Journal of Economic History* 49 (4) (1989): 803 – 832.

[3] This historical account deliberately leaves aside several other major categories of violent conflict. I am not covering pre-Conquest England for simple lack of space and knowledge. In addition, I am not going to deal with the innumerable wars and rebellions connected with England's incorporation of Wales, Scotland, and Ireland. For much of England's premodern history, these were regarded as foreign conflicts and belong in the domain of international relations.

[4] Ralph K. Turner, "England in 1215: An Authoritarian Angevin Dynasty Facing Multiple Threats," in *Magna Carta and the England of King John*, ed. Janet S. Loengard (Woodbridge, United Kingdom: Boydell Press, 2010).

[5] James C. Holt, *The Northerners: A Study in the Reign of King John* (Oxford: Clarendon Press, 1961); David Carpenter, *The Reign of Henry III* (London: Hambledon Press, 1996); and Caroline Burt, *Edward I and the Governance of England, 1272 – 1307* (Cambridge: Cambridge University Press, 2013).

[6] F. M. Powicke, *King Henry III and the Lord Edward: The Community of the Realm in the Thirteenth Century* (Oxford: Clarendon Press, 1947).

[7] R. F. Treharne, *Simon de Montfort and Baronial Reform: Thirteenth Century Essays*, ed. E. B. Fryde (London: Hambledon Press, 1986).

[8] Dan Jones, *The Wars of the Roses: The Fall of the Plantagenets and the Rise of the Tudors* (New York: Viking, 2014), 235.

[9] North and Weingast, "Constitutions and Commitment."

[10] Francis Fukuyama, *The Origins of Political Order: From Prehuman Times to the French Revolution* (New York: Farrar, Straus and Giroux, 2011); and Francis Fukuyama, *Political Order and Political Decay: From the Industrial Revolution to the Globalization of Democracy* (New York: Farrar, Straus and Giroux, 2014).

[11] J. G. A. Pocock, *The Ancient Constitution and the Feudal Law: A Study of English Historical Thought in the Seventeenth Century* (Cambridge: Cambridge University Press, 1957); and Friedrich A. Hayek, *Law, Legislation and Liberty* (Chicago: University of Chicago Press, 1976).

[12] Frederic W. Maitland and Frederick Pollock, *The History of English Law Before the Time of Edward I*, vol. 1, 2nd ed. (Cambridge: Cambridge University Press, 1898), 163.

[13] Joseph R. Strayer, *On the Medieval Origins of the Modern State* (Princeton, N.J.: Princeton University Press, 1970); and Frederic W. Maitland and Frederick Pollock, *The History of English Law Before the Time of Edward I*, vol. 2, 2nd ed. (Cambridge: Cambridge University Press, 1898), 29 – 79.

[14] Maitland and Pollock, *The History of English Law Before the Time of Edward I*, vol. 1.

[15] Michael Prestwich, *Edward I* (London: Methuen, 1988); Jones, *The Wars of the Roses*; and Dan Jones, *The Plantagenets: The Warrior Kings and Queens Who Made England* (New York: Penguin Books, 2014).

[16] Pocock, *The Ancient Constitution and the Feudal Law*.

[17] Geoffrey R. Elton, *The Tudor Revolution in Government: Administrative Changes in the Reign of Henry VIII* (Cambridge: Cambridge University Press, 1953); and Geoffrey R. Elton, *England Under the Tudors* (London: Methuen, 1974).

[18] Penry Williams, "The Tudor State," *Past and Present* 25 (1) (1963): 39 – 58.

[19] See Joseph S. Block, "The Rise of the Tudor State," in *A Companion to Tudor Britain*, ed. Robert Tittler and Norman Jones (Malden, Mass.: Blackwell, 2004).

[20] Roger Schofield, *Taxation Under the Early Tudors, 1485 – 1547* (Malden, Mass.: Blackwell, 2004).