

Early Uses of "Parliamentum"

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MISCELLANEOUS NOTES.

EARLY USES OF 'PARLIAMENTUM.'

The student of mediæval institutions is to-day becoming keenly aware of the neglect of language study as a means of arriving at historical truth. No less an institution than the English Parliament has thus far failed to profit, in any important way, from philology. Such words as *concilium*, *consilium*, and *curia*, as used in England, have never been subjected to comprehensive, painstaking investigation. Even early uses of *parliamentum* itself, as it is the object of this note to show, have passed unnoticed.

Speaking of central assemblies in England, Stubbs has said that the name of parliament was first applied to them 'by a contemporary writer in 1246, namely by M. Paris, iv., 518¹.' Dealing with the same period and subject, Gneist says: 'Shortly afterwards,...the name "*parliamentum*" occurs for the first time (*Chron. Dunst.*, 1244; *Matth. Paris*, 1246),...².' And both writers note Henry III's 'retrospective' use of the word, in 1244, in connection with the assembly which extorted Magna Charta from John³. On this point, one or other of these classical authorities has been followed by later writers, practically all of the standard manuals and text-books reproducing the substance of the statements just cited⁴. It is, I believe, worth while to point out that there were in England several earlier uses of the word in the connection under consideration⁵.

¹ *Const. Hist.* i, § 159.

² *Hist. of the English Constitution*, i, 316.

³ 'Parliamentum Runimede, quod fuit inter Dom. Joh. Regem patrem nostrum et barones suos Angliæ (Rot. Claus. 28 Hen. III.).' *Ibid.*

⁴ The *New English Dictionary* adds nothing. Its citation of a use of the word for 1237 in M. Paris's *Historia Minor*, ii, 393 is of no value, for the minor chronicle was a revision and abridgment of the *Chronica Majora*, and was begun as late as 1250.

⁵ An instance occurs between the two dates pointed out by Gneist, viz. in 1245: 'Henricus rex tenuit parliamentum suum Londoniæ xv. kal. Aprilis de tributo Papæ.' *Ann. Winton.*, 90. The term is applied to an ecclesiastical assembly in 1240: 'Dominus Otto legatus tenuit magnum parliamentum, cum episcopis et abbatibus apud Londoniam in octavis Omnium Sanctorum.' *Ann. Theokesb.*, 116.

Matthew Paris used it in 1242: 'Convocatur generale parlamentum Londoniis die Martis ante Purificationem beatæ Virginis¹.' There is no doubt as to the nature of this assembly; a few sentences further on, it is referred to in these words: 'De concilio magno quod cum indignatione magnatum solutum est.' Later in this year is to be found an official use of the word in those same Close Rolls in which Stubbs and Gneist found the first instance two years later. Furthermore this is not a 'retrospective' use, but refers to a meeting to be held the next month: 'Mandatum est G. de Segrave, justiciario foreste, quod permittat J. de Nevill habere balliam suam de Sothour' et Stawd' usque ad parliamentum regis quod erit Lond' a die Sancti Johannis Baptiste in unum mensem, quo tunc venire nullatenus omittat².' To cite Matthew Paris again, we find him using the word in an interesting way in 1239. The Pope was dismayed by the outcry which his monetary demands had occasioned in England, and, as a concession, had recalled his legate. 'Rex vero, cum audisset, timens sibi de parlamento futuro in octavis Paschæ, in quo adventum speraverat electi Valentini, et confidens de præsentia legati, coepit nimium contristari et timere,...³.' The King took strenuous measures to the end that the legate's stay might be prolonged. He was successful, and that the *parliamentum* actually assembled is evidenced by the statement 'Quod comperientes nobiles, qui Londoniis infecto negotio suo et timentes legati muscipulas venerant, et comperientes vulpina diverticula regis, recesserunt indignantes, et regis verba sicut sophismata detestantes⁴.' There is no reason to suppose that Matthew Paris' use of *parliamentum* for 1246 was more strictly contemporaneous than for 1242 and 1239. His independent work as chronicler at St Albans is well known to have begun in 1236. The earliest case which I have yet found of this kind of use of the word is in the Worcester Annals for the year 1223: 'Henricus rex tenuit magnum parliamentum apud Wygorniam cum magnatibus Angliæ, inter quos fuit rex Scotiæ cum baronibus suis⁵.' This description leaves no doubt of the kind of assembly to which the chronicler applied the name; but the contemporaneousness of this part of the Worcester Annals cannot be proved.

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MINNEAPOLIS.

¹ *M. P.* iv, 180. *The Flores Hist.* (ii, 252), which is here closely following Matth. Paris, varies the language: 'Imminente autem Purificatione et die generalis parlamenti, convenit tota Angliæ nobilitas'.... It is likely, however, that this was written a few years later.

² The letter is dated June 30. Close Rolls (1237—1242), p. 447.

³ *M. P.* iii, 526.

⁴ *M. P.* iii, 531.

⁵ *Ann. Wigorn.*, 415.