

I - The Treaty of Windsor (1386) in a European context

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In the early evening of Monday 14 August 1385, between 6 and 7 p.m., a crushing defeat was inflicted by a Portuguese army on a numerically far superior and better-equipped Castilian force. In the short space of just over one hour, the royal standard of Castile was overthrown, and the 20,000-or-so-strong army of King Juan I disintegrated under a hail of arrows and crossbow bolts, accompanied by hewing and cleaving with swords and axes, from about 7,000 troops under King John I of Portugal. Many of those who managed to flee the field were soon to be murdered, as they tried to escape overland, by the Portuguese peasantry, so Castilian casualty figures were very high. Although the setting sun that evening was in the eyes of the Portuguese and their allies, it was also to set, metaphorically, on the ambitions of the kingdom of Castile-Leon to crush its western neighbour. The victory at Aljubarrota has been described as among the most decisive engagements of medieval warfare.¹ The independence of the small kingdom of Portugal was thereby preserved, in the face of aggression, and probable annexation, by its larger and mightier neighbour.²

Now it is an interesting feature of fourteenth-century warfare that, in many respects, small was - if not beautiful - at least effective. Chains of command and the most basic forms of battle discipline were notoriously poor in the larger armies of the period. Many of the most decisive victories of the age were won by armies which were numerically much inferior to their opponents, raised by powers which were smaller, sometimes far smaller, than their enemies - Courtrai (1302), Bannockburn (1314), Crecy (1346), Poitiers (1356), and the final crowning achievement at Agincourt (1415). Small kingdoms and small principalities could therefore be

¹ It will be obvious that in this paper I have relied heavily on the magisterial work of the late Sir Peter Russell. See P.E. Russell, *The English Intervention in Spain and Portugal in the time of Edward III and Richard II* (Oxford, 1955), p. 397.

² For what is still the best account of the battle, its prelude, course and consequences, see Russell, *English Intervention*, pp. 357-99.

useful allies to the greater fish in the later medieval pond - and Portugal is no exception to this rule. They - the smaller, lesser powers - could, in turn, benefit from the resources, influence and protective capacities of the greater. They could sometimes, as did the smaller despotisms of northern Italy, determine the balance, or imbalance, of power. Hence the origins of the treaty of Windsor and of the Anglo-Portuguese alliance which are our subjects today must be sought in the confused and confusing politics of the later fourteenth century, and in the mutual benefits which might be conferred - political, economic, and dynastic - by what contemporaries referred to as *confoederationes* between those essentially unequal powers.³

To set the treaty into its context we must go back two decades before its making, namely to the autumn of 1367, when Edward the Black Prince began to think in terms of gaining the contested throne of Castile for himself and his heirs.⁴ Such plans as were considered did not materialise or bear fruit, but by 1371, Edward's brother, John of Gaunt, duke of Lancaster, had married Constance, eldest surviving daughter and heiress of Pedro I of Castile. This gave Gaunt a claim to that throne which he spent much of the rest of his life attempting to realize. It is, in part, in this light that we must see the making of the treaty of Windsor. What have been called the buccaneering instincts of Edward III of England's many sons are in play here, as well as issues of national advantage and security. It is perhaps ironic that Portugal was never intended to be the natural ally of England in this respect - it was towards Aragon, Castile's eastern and more powerful neighbour, that so many English overtures were made. But the Portuguese readiness to back English claims to Castile, to seek English military and diplomatic aid against their Castilian enemies, and to provide badly-needed naval support to English war aims, contrasted with Aragonese reluctance to be wooed by English suitors. Gaunt himself, initially committed to pursuing an Aragonese alliance, had ultimately come to accept the fact that it was to Portugal that he had to turn in order to advance his cause. And it is in the context of Gaunt's plans in the mid-1380s, as well as that of the Anglo-French war which had been waged since the late 1330s, that we must now place the Anglo-Portuguese alliance of 1386.

³ For a description of the treaty of Windsor and other agreements as *confoederationes* see T. Rymer, *Foedera*, vii (London, 1709), pp. 510, 515, 525. Rymer's collection of diplomatic and other documents remains the prime source for all studies of England's external relations during this period.

⁴ For what follows see Russell, *English Intervention*, pp. 357-69. John of Gaunt's Spanish policy is analysed by Russell, pp. 524-5 and by A. Goodman, *John of Gaunt* (London, 1992), pp. 137-8. For a recent account of these years of Richard II's reign see, in general, N. Saul, *Richard II* (New Haven & London, 1997).

In 1377, the under-age Richard II had ascended to the English throne and a royal minority ensued. The king's uncles, as was common in such circumstances, in effect took charge of the realm. Gaunt and Thomas of Woodstock, duke of Gloucester, began to call the tune; and this remained a constant for the rest of the reign, even when the king came of age. A background of largely unsuccessful prosecution of the English war with France also characterizes this whole period – England's glory days in the war were thought to be in the past, and the 1380s and 1390s were marked not only by attempts to achieve something more than short-term truces with France, but by an active search for new allies against the French, after the collapse of some older alliances.⁵ The manifest decline of English fortunes in the Low Countries, for instance, had to be offset in some way. In 1384, for example, the rich and prosperous counties of Flanders and Artois became possessions of Philip the Bold, duke of Burgundy, at that time a pillar of support for the Valois crown of France, worn by Charles VI, with no love for the English. Brabant, Holland and Hainault - firmly within the English orbit earlier in the century - had also moved away and it was left to the small duchy of Guelders to act as England's sole reliable ally in the Low Countries.⁶ Support against France was recruited wherever it could be found - among minor German princes, Italian city-states (especially the maritime powers), even among Italian *condottieri* or mercenary captains, including the Englishman Sir John Hawkwood, captain-general of the Florentine republic. England was not completely desperate for allies in 1386, but it could not be claimed that Richard II was in a position in any way comparable to that of Edward III from the 1340s to the 1360s. One area, however, in which there was scope for manoeuvre was the Iberian Peninsula. English intervention had already been present there at an earlier date - in the Black Prince's expeditions of the mid-1360s, embroiling England in the chaotic and savage dynastic politics of Castile, Aragon and Navarre.⁷ Support for pretenders and rival claimants to the Castilian throne, among whom a dominant party supported a French alliance, became a way of life for English diplomacy, often followed by direct military intervention.

⁵ For a recent, critical account of the decline of England's fortunes during this period see G.L. Harris, *Shaping the Nation. England 1360-1461* (Oxford, 2005), pp. 411-19.

⁶ For a survey of English relations with other European powers, including Italy and the Low Countries, during the later years of Richard II's reign see J.J.N. Palmer, 'English Foreign Policy, 1388-99' in *The Reign of Richard II. Essays in Honour of May McKisack*, (London, 1971), pp. 79-107, especially (for the Low Countries), pp. 79-86. For the alliance with Guelders see Rymer, *Foedera*, vii, pp. 556, 564.

⁷ See Russell, *English Intervention*, pp. 83-148.

It was therefore no cause for surprise that John of Gaunt's invasion of Galicia in 1386-7, in pursuit of his claim to the throne of Castile, should have been preceded by smaller-scale instances of English military intervention. In October 1384, Richard II wrote to John (later King John I), regent of Portugal, reporting on negotiations, conducted in England, with John's envoys - Dom Fernando, master of the order of Santiago, and Laurence Fogaça, chancellor of Portugal.⁸ Agreement had been reached, wrote the king, that an English force was to be sent to Portugal, to defend what Peter Russell called the small but virile kingdom against the threats, both real and imagined, of its Castilian neighbour.⁹ In return, Portuguese naval strength, in the shape of war-galleys, with their seasoned and battle-hardened crews, were to be put at English disposal; and Portugal was to be included in all agreements and truces which might be made with England's French enemy and its Castilian ally during the diplomatic conferences currently taking place at Calais. The groundwork for the treaty of Windsor was here being laid down. The terms of the agreement were to be implemented during the summer and autumn of 1384 by a recruiting drive conducted by Portuguese agents in England.¹⁰ By December, a motley crew of career soldiers, foreign mercenaries, criminals and other ruffians had been assembled from eleven English counties, ready to voyage to Portugal, and to inflict as much damage as only seasoned English raiders and pillagers could on their hapless opponents (and in some cases, their allies). This was the force, which also included a contingent of Gascon subjects of the English crown under the Bordelais noble, Guilhem de Montferrand, which was to serve in the Portuguese ranks at Aljubarrota and to assist, but in no way to determine, the successful outcome of that battle.¹¹ Four English esquires, all with battle and campaign experience in the French war, commanded the English company which, on the field of Aljubarrota, probably totalled only around 700 men-

⁸ *Diplomatic Correspondence of Richard II*, ed. E. Perroy (Camden 3rd series, xlvi, 1933), pp. 28-9.

⁹ Russell, *English Intervention*, p. 397.

¹⁰ The documentation of what follows is set out in Rymer, *Foedera*, vii, pp. 436, 450-1, 452-5, 462, 472.

¹¹ This endorses Russell's scepticism, as expressed in *English Intervention*, pp. 396-7. Montferrand was killed in the battle at Aljubarrota. The Anglo-Gascon contribution to the outcome of the fight was clearly important, though not determinant, and Russell notes that the two Portuguese leaders [Nun'Álvares and Antão Vasques] had already shown themselves masters of the new developments in methods of warfare, i.e. the use of archers and dismounted men-at-arms (*English Intervention*, p. 396, n.3).

at-arms and archers. These were men serving for personal gain and profit with little or no interest in the cause for which they fought.

That made the incentive for a Portuguese alliance all the stronger in 1386 was an imminent threat of invasion faced by England from the coastline of northern France and the Low Countries. A Franco-Burgundian force was gathering at the French and Flemish Channel ports and the scare had become a real enough threat by March 1386, - two months before the sealing of the treaty - for writs to be sent out to English coastal towns and harbours ordering the arrest of ships, barges and balingers to counter the expected invasion.¹² Now medieval England lacked a permanent naval force, which might have been retained to patrol and protect the narrow sea and the western approaches.¹³ English kings had traditionally demanded the not always reliable service of the shipowners and mariners of the so-called Cinque Ports for this duty. Unlike other powers, such as France, Castile, Aragon, Genoa or even Monaco, England had always placed its reliance on land, rather than naval, forces and on the possession - or at least neutralization - of a number of strongpoints on the northern French and Flemish coastline. In 1347-8 Calais had been besieged and conquered, and was to be held by the English for the next 200 years. These land defences - the barbicans-, or fortified outworks, of the kingdom, as they were called - were deemed sufficient to protect England from invasion and to allow at least the possibility of controlling the narrow sea.¹⁴ That was one reason why Henry V was so determined to recover the duchy of Normandy and to sustain an alliance with the Burgundian power which held the Low Countries. But he did so, in part, by commissioning a fleet of 37 warships, and ensuring the elimination of French naval power. After 1420 there was no French war fleet of any kind - it had been destroyed by English warships in the Channel or in their own harbours. There was thus no further need for Henry V's ships and they were - in the event unwisely - broken up, scuttled or

¹² See Rymer, *Foedera*, vii, pp. 539-40 (11 July 1386). For the invasion scare see R. Vaughan, *Philip the Bold* (London, 1962, reprint 2003), pp. 35-8; J.J.N. Palmer, *England, France and Christendom, 1377-99* (London, 1972), pp. 74-80.

¹³ For what follows, and on English naval organization and strategy in general at this time, see N.A.M. Rodger, *The Safeguard of the Sea. A Naval History of Britain, 660-1649* (London, 1997), pp. 109-16.

¹⁴ For a contemporary description of England's overseas possessions as barbicans see the Chancellor Richard Scrope's speech to the Commons in the Parliament of October 1378: *Rotuli Parliamentorum*, iii (London, 1783), p. 36b; and for Gascony as a barbican and defence of England, see TNA (ex-PRO), SC1/37, no. 94 (late Edward II or early Edward III).

left to rot.¹⁵ But in 1386, Richard II had no fleet apart from impressed, armed merchantmen. It was to the Iberian Peninsula that his government turned for support. In 1372, English shipping had been disastrously defeated in a sea fight off La Rochelle, by Castilian galleys in French service. Castile was clearly unwilling to provide England with naval aid, as was Aragon, preoccupied with its Mediterranean sea-borne empire. But all the Iberian kingdoms, under the influence of Genoese shipbuilders, had developed the galley - a vessel rowed by about 150-180 oarsmen, of shallow draught, with sails to be used when needed, a small crew of as little as eight sailors, and a contingent of archers or crossbowmen, usually numbering about 30 or 40.¹⁶ By the 1370s they were also carrying small cannon. These vessels were suitable for operation only in coastal waters and they tended to patrol by hugging the coastlines, already charted on the early Portuguese and Genoese portolans, engaging with their enemies almost as if they were waging land warfare on the seas. Their main tactic lay in boarding enemy galleys, transports and other vessels, ramming them, or sending fire-ships and barges among them. They also proved valuable for hit-and-run raids, taking advantage of the tides, particularly - in the case of Castilian galleys in French service - on the English south coast, and the good burgesses of Southampton, Sandwich, Rye and Winchelsea felt their sting repeatedly in the 1370s and 1380s. A gallery was to some extent a floating castle, combined with a kind of sharp battering ram at its prow which could have devastating effects on both merchant ships and other galleys, as witnessed by the Castilian action against the becalmed English fleet, stranded by the tides, at La Rochelle in 1372.

It was therefore to the remaining Iberian kingdom - Portugal - that the English turned in 1386. The terms of the treaty of Windsor can be briefly summarized.¹⁷ It fell into twelve clauses, ranging widely over the full gamut of Anglo-Portuguese relations. John I of Portugal was represented during the negotiation of the treaty by the same pair of proctors or envoys who had raised the English force which had sailed to Portugal in 1385. Richard II's interests were represented by two English knights - Richard Abberbury and John Clanvowe, and by a legist, Master Richard Rouhale, doctor of laws. The treaty was said to be one of perpetual alliance, binding both sovereigns and their heirs, their lands and their subjects, to offer mutual aid and

¹⁵ Rodger, *Safeguard*, pp. 143-52.

¹⁶ For the building and deployment of galleys in naval warfare of this period see Russell, *English Intervention*, pp. 229-35; Rodger, *Safeguard*, pp. 64-9, 92-3, 139-40.

¹⁷ See, for what follows, Rymer, *Foedera*, vii, pp. 515-20: Regis Portugaliae Confoederatio.

succour against all men except pope Urban VI and what were described (during that Schismatic period) as his canonical successors, Wenceslas, king of the Romans (i.e. of the German empire), and John, duke of Lancaster, in his capacity as rightful king of Castile-Leon. All vassals and subjects of the two sovereigns were to enjoy free and safe passage, so that they might freely travel, trade and reside in the two kingdoms and their dependencies, including (in the English case) Gascony and Calais. The appropriate customs and other dues would be paid, except when and where special exemptions were granted. No aid or counsel was to be provided to the enemies of either power, and the Portuguese were particularly enjoined not to provide naval support to anyone hostile to England. Further clauses regulated the responsibilities for meeting the costs of such assistance, and established conventions for the distribution of captured goods and the ransoms of prisoners taken during such operations. All immovable goods - lands, castles, forts and towns - were, however, to be surrendered to the relevant sovereign. Neither power would negotiate any truces or abstinences from war on land or sea unless they were both included in the terms of such agreements. Breaches of the terms of the alliance would be repaired by bringing the delinquents to justice, on both sides. Finally, it was mutually agreed that all heirs and successors to both kingdoms would, within one year of their coronation, swear publicly to adhere to the terms of the alliance, confirming such acts under their respective great seals.

The treaty was a product of some weeks of negotiation, beginning with the issue of full powers to the envoys and proctors of each side on 12 April (at Westminster) and 15 April (at Coimbra) respectively.¹⁸ The formal treaty was drawn up and witnessed in the chapter house of the collegiate church of St George within the castle at Windsor on 9 May 1386 in the presence of a distinguished body of witnesses. These included three bishops, including the founder of New College, one duke, two earls, one king's knight and chamberlain, two canons of St Paul's, and a high-ranking king's clerk. One week later, the seals of the Portuguese representatives were appended to the document in the chamber called the Star Chamber - in the palace of Westminster - so the treaty might more accurately be called the treaty of Windsor/Westminster.¹⁹ To add weight to the agreement, a more specific set of articles was also agreed at Windsor on 9 May, known as *conventiones*, between the two powers. These related to the recompense of costs

¹⁸ Rymer, *Foedera*, vii, pp. 519, 520.

¹⁹ Rymer, *Foedera*, vii, p. 520 and, for the following specific articles prescribing the terms, costs and conditions of the agreement see pp. 524-5: 'Conventiones cum prefato Rege, [of Portugal] super auxilio praestando'.

incurred by Richard II for Gaunt's Galician expedition, and to the promise that John I of Portugal would send 10 galleys at his own expense to cruise and patrol in English waters for 6 months, well armed and fully manned, to destroy and harm the king's enemies. If the term of six months were to be exceeded, Richard II would pay the sum of 1,200 francs per month (a sizable figure) for their continued service. This was in fact what happened, as we find payments of this kind in the Exchequer accounts, meeting the costs of between 6 and 10 Portuguese galleys permanently stationed at English Channel ports from 1386 to 1390. The detailed articles also provided for the distribution of the spoils of war at sea and on land (because galley crews would form raiding parties) according to which sovereign was bearing the costs at a given time. The English practice of surrendering to the crown one-third of the value of all movable goods and chattels taken in war was to be observed. Immovable goods taken in lands which belonged by hereditary right to the said king of England, such as Gascony, Calais, Ireland, or any other of his lost French possessions, were to be surrendered to him if operations were being conducted at English expense.

The treaty and the additional articles were confirmed at Coimbra by John I of Portugal on 12 August 1387, in the presence both of the two Portuguese envoys who had negotiated the treaty in England, and of Richard II's representatives - Sir William Faringdon, an experienced soldier and diplomat in Iberian and Gascon affairs, and Sir William Elmham.²⁰ Faringdon's commission from the crown in January 1387 expressly included the all-important objective of securing Portuguese galleys to serve in English waters at Portuguese costs.²¹ The extant original treaty, incidentally, is an interesting example of contemporary diplomatic practice (in both senses) for it is written in three hands, two English and one Portuguese, suggesting that the document was prepared at Westminster, by English chancery clerks, and taken to Coimbra by Faringdon and Elmham, where the corroboration and dating clauses were added by a Portuguese notary. The treaty was then returned to England, where it can still be found among the Diplomatic Documents in the National Archive.²² The treaty's terms seem to have broadly been

²⁰ Rymer, *Foedera*, vii, p. 520. Faringdon was later to become constable of Bordeaux (1401-1413) and was very experienced in matters relating to England's continental possessions in south-west France.

²¹ *Diplomatic Correspondence*, pp. 47-8.

²² See P. Chaplais, 'English Diplomatic Documents, 1377-99' in *The Reign of Richard II*, pp. 31-3.

honoured and observed by both parties - in December 1389, for instance, Richard II was careful to inform John I that Portugal was to be included in all and any agreements relating to Anglo-French truces, currently under negotiation at Leulinghen, near Calais.²³ Richard welcomed the conclusion of a Portuguese-Castilian truce, in which England was included, no doubt with an eye on the safety and security of the seas. If war was to break out between England and France, however, the Portuguese were exhorted to aid and abet their English ally to the utmost of their power. Similar consideration for Portuguese interests was shown in 1391 and 1393, when Richard told John I that all cases relating to the debts of Portuguese merchants in England and its possessions were to be promptly settled.²⁴ English officers at the coastal ports were also ordered not to arrest, nor to impose customs duties upon, any Portuguese ships driven ashore or into their ports by storms at sea. Within the normal limitations of the time, the alliance appeared to be working.

It could then be argued that the treaty of Windsor, and the events leading up to it, had a significant effect upon the course of both English and Portuguese history. The ensuing Anglo-Portuguese alliance was clearly mutually advantageous to a number of parties - to the two crowns, to the pretender to the Castilian throne, though his ambitions were soon to be thwarted, to the English military aristocracy and merchant class, and to the traders and shipowners of Portugal. Success in naval engagements had already been achieved by a squadron of Portuguese galleys sent to England by John I, as regent, in 1385, and this offered the hope of countering the French employment of Castilian warships in the Channel and Western Approaches.²⁵ In 1386, England perhaps came closer to foreign invasion than at any time since 1066 and Portugal contributed its share to the elimination - at least temporarily - of that threat. John of Gaunt's Iberian dynastic adventures were to come to nothing, although a marriage had been secured between his daughter Philippa and John I in 1387. Yet it was to Gaunt's house of Lancaster that the future of England was to belong. The Portuguese alliance also lived on, and England's role as a continental European land power could only be enhanced by that fact. As we have seen, smaller kingdoms and principalities still had a part to play in the ebb and flow of power-politics. Their independence and sense of identity, whereby they defined themselves, often against their

²³ *Diplomatic Correspondence*, pp. 72-3.

²⁴ *Diplomatic Correspondence*, pp. 91-3, 141-3.

²⁵ Rymer, *Foedera*, vii, pp. 524-5; Rodger, *Safeguard*, p. 127.

neighbours, was in part moulded, shaped and sustained by the alliances which they made with larger and greater powers. And, as the subsequent centuries were to prove, small countries could achieve a wider, extra-European role quite out of proportion to their size. Small can be, if not beautiful, at least powerful.