Books of advice for princes in fifteenth century England with particular reference to the period 1450-1485

Thesis

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Version: Version of Record

Link(s) to article on publisher’s website:
http://dx.doi.org/doi:10.21954/ou.ro.0000dec0

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Chapter 5

Sir John Fortescue (i) the 'De Laudibus Legum Anglie' and the 'Governance of England'

One of the major problems in making an accurate estimate of the place of the work of Ashby and the Boke of Noblesse in the history of books of advice to princes is that there is a paucity of modern scholarship on the subject. To attempt an assessment of the work of Sir John Fortescue is to embark on a veritable sea of editions, monographs and interpretative articles. In comparison with Ashby, Worcester and even Fastolf, the life and career of the Lord Chief Justice are relatively well known and the authorship of his main works is not in question. Yet two problems remain: it has never conclusively been proved whether Henry VI or Edward IV was the original recipient of his last constitutional treatise, the Governance of England. The other problem is to define the exact relationship between the De Laudibus Legum Anglie and the Governance and the traditional corpus of books of advice to princes. It is proposed initially to engage the second problem by giving a brief account of Fortescue's career in relation to the production of his various writings including an outline of the nature and contents of the De Laudibus and the Governance. In the course of the discussion of the latter, an attempt will

1. The Works of Sir John Fortescue Knight, and A History of the Family of Fortescue, 2 vols., was published by Thomas (Fortescue), Lord Clermont in London, 1869. C. Plummer edited a revised text of the Governance of England, Oxford, in 1885. He provided a much more extensive introduction and notes and printed several minor pieces as appendices including the Articles sente by my Lorde prince to therle of Warrewic which were unknown to Lord Clermont. S.B. Chrimes edited the De Laudibus Legum Anglie (Cambridge, 1942) with an introduction and copious notes as well as a general preface by the editor of the series, Cambridge Studies in English Legal History, H.D. Hazeltine. Ten earlier versions and editions of the De Laudibus and three of the Governance had been brought out but only those of Clermont, Plummer and Chrimes have been consulted. All the useful monographs, books of political theory and articles known to me on the subject are listed in the bibliography. Specific reference has been made to only a few of these below.
be made to indicate a solution to the question of which prince Fortescue was intending to advise.

Fortescue, like Ashby, Worcester and Fastolf, already had the experience of a long career behind him when he started to produce political treatises. He cannot have been born any later than 1400 as he was made a Sergeant-at-law in 1429/30 and by 1442 he was Lord Chief Justice, King's Bench; he received a knighthood at approximately the same time. He seems to have conducted himself with reasonable impartiality but, by the late 1450s, it was impossible for any public person to remain unaligned and Fortescue was a loyal Lancastrian. During 1461-63 he followed the king and queen into exile in Scotland and was rewarded with the title of Lord Chancellor. At this time he seems to have written most of the short English and Latin tracts on the question of the succession to the English throne as well as the much longer Latin De Natura Legis Naturae.

The tracts on the succession contain the kind of polemical material familiar in the propaganda of the political conflicts of mid fifteenth century England. For example, in the De Titulo Edwardi Comitis Marchie, serious legal questions such as whether the right of succession could be passed on through a woman and the practical difficulties of a woman acting as head of state were

1. Chrimes, op.cit., Introduction, pp.lxxvi-lxxvii, lists them as follows:
   Defensio Juris Domus Lancastrie. A Defence of the Title of the House of Lancaster or A Replication to the Claim of the Duke of York.
   He additionally cites two works that have not survived: The Genealogy of the House of Lancaster and, presumably an offering to their Scottish hosts, Genealogia Regum Scotie ab Adamo usque ad Jacobum Secundum.

2. Ibid., pp.xcii-xciii, n.2, raised doubts about this and suggested that it could have been written later on the Continent. The references to it in De Laudibus Legum Anglie firmly establish that it was written before that work which is the main concern for the present study.
intermingled with innuendos that Philippa, the daughter of Lionel of Clarence, was illegitimate.

The De Natura Legis Naturae was produced for the benefit of the prince of Wales according to Fortescue: "Opusculo, quod tui contemplacione De Natura Legis Naturae exaravi..." It cannot be deemed to constitute part of the canon of books of advice to princes. There are elements in the first part, a philosophical justification for the use of natural law as a determinant in questions of the right of succession, which were revived in both the De Laudibus and the Governance. The second part, however, is a straightforward account of a dispute held before the personification of Justice concerning the rival claims to the right of succession by the brother, daughter and grandson of a dead king. Throughout the argument predictably favoured the king's brother and at the end Justice found that, by both natural and divine law, a woman could neither succeed to a kingdom nor pass on the right to succession. The treatise ended with an appeal from Fortescue to the Pope to put an end to false claims by sanctioning the findings of his treatise:

"Error iste eam interius dissipat et infirmat bello intestino, qualiter hucusque non gravavit eam peceatum aliud quod unquam a Christianis erupit."

1. Chrimes, De Laudibus, op.cit., p.26: "...a small work Of the Nature of the Law of Nature which I wrote for your consideration." p.27: The inception of the work may well have been a consequence of the Lords' request to the Chief Justices in 1460 to find reasons to refute the duke of York's claim to the succession. At that time they protested that such high matters were beyond their competence (Rot.Parl., op.cit., vol 5, p.376). Later when he was in exile and irrevocably committed to the Lancastrian interest, Fortescue clearly had second thoughts.

2. Clermont, op.cit., De Natura, p.184. "This error is wasting her within, and weakens her by intestine war, so as no other sin that hath ever yet broken out among Christians hath oppressed her." Trans. by C. Fortescue, p.333.
Even if prince Edward was the original recipient of the De Natura, he was unlikely at the age of seven or eight to have been much enlightened by it. The work was certainly not a polemic for popular consumption despite the strongly Lancastrian nature of its conclusions. The final appeal to the Pope together with the formal, Latinised nature of the composition, ornamented with copious references to the Bible, the Fathers, later theologians and canonists and respectable classical authorities, make it likely that the main purpose of the work was diplomatic. It looks like an attempt to attract the support of the Papacy which the pro-Yorkist activities of the legate, Coppini and the hostility of Pius II to the family of Rene of Anjou had hitherto rendered unfavourable to the Lancastrian interest.

Fortescue spent the remainder of the 1460s in exile on the Continent, mostly with queen Margaret in St Mihiel in Bar: king Henry, even before his capture by the Yorkists, showed no initiative and the prince of Wales was still a child, so he was greatly occupied, together with the other leaders of the little band of nobles and gentlemen, in assisting the queen in her search for support for their cause. There is no evidence that he undertook any literary


2. Ross, Edward IV, op.cit., pp.25-27. In 1462 Pius II wrote to congratulate Edward and mentioned that he had inspected his genealogical claims to the throne and was satisfied that they were valid. C. Head, 'Pius II and the Wars of the Roses', Archivum Historiae Pontificiae, vol.8, pp.139-78, 1970, p.172.

3. See correspondence of Margaret of Anjou, Edward of Lancaster and Fortescue with the earl of Ormonde in Portugal in December, 1464. Clermont, op.cit., pp.22-28 taken from Bibliothèque Nationale, MS Fonds Français, 4054, ff.172-175. In his letter Fortescue referred to a visit he had made to Paris: "My Lord of Somerset that now is and his brother came frome Britayne by Parys thorghe Fraunce unto the quene withe vi. horses, and no man resonyd ham in there way. And so did I from Parys into Barroys." p.24.
compositions until a real prospect of a Lancastrian restoration appeared. The
estrangement of Warwick from Edward IV did not initially present such an
opportunity as the earl's first ally was a viable royal candidate, George of
Clarence. The combination of their forces was, however, outmanoeuvred by Edward
in 1470 and they fled to Warwick's friend, Louis XI. At this stage the advisers
of Margaret of Anjou and the king of France combined to persuade her that the
only realistic chance of a triumphant return to England lay in an alliance
between the Lancastrians and their former arch enemy. She eventually overcame
her reluctance and prince Edward was betrothed to Anne Neville, Warwick's
younger daughter, in Angers in July.

At some point between the beginning of the Lancaster/Neville alliance and
the departure of Margaret and Edward for England, accompanied by Fortescue, in
April 1471, he seems to have produced three works. Clermont printed a notice
from the Bibliothèque Nationale, Paris, probably dating from 1470, of several
memoranda addressed by Fortescue to Louis XI. They dealt with the danger to
France of allowing Edward to remain king of England and the benefits to be
derived from a marriage alliance between the house of Lancaster and the earl of
Warwick and made various requests for trading concessions to English merchants
in France.

The Articles sente by my lorde prince to therle of Warrewic represented an
attempt by the Lancastrians, waiting for the earl to subdue England before

1. Some slight account of the condition of the exiles at St Mihiel can be
derived from C.E. Dumont, Les Ruines de la Meuse, Nancy, 1869-75 vol II,
pp.318 & 337-41. I visited the villages of Koeur, outside St Mihiel, in
March, 1986. It was possible to identify the original site of the castle
which was occupied by the exiles from Dumont's map, p.318. Nothing from
the fifteenth century remains above ground but the later stables, shown on
the map, survive and their relationship to part of the castle ditch and the
village fountain provide a location.

1930, pp 303-5.
risking the prince in person in that dangerous land, to control events. Like the memoranda Fastolf addressed to Henry VI and his council in the middle of the fifteenth century and the Active Policy of a Prince which Ashby probably wrote at about the same time as those articles were produced, a determined attempt was made to avoid the mistakes of Henry's first reign. Although the piece is short, it is very important as it embodied much that was later to go into the Governance of England. In the first place the Chancellor recommended that all requests for rewards for services rendered to the house of Lancaster:

"...be deferred, unto the tyme that ther be a counseill stablisshed; and thanne the supplicacions of alle such persones mow be sende by the kyng to the seide counseile, where as every man his merite may be indifferently examyned."  

This council was to be composed of twelve laymen and twelve clerics to which four lords spiritual and four lords temporal should be added:

"And thanne shall the king not be counseled by menn of his Chambre, of his housholde, nor other ... but the good publique shal by wise men be condute to the prosperite and honoure of the land, to the suretie and welfare of the kyng, and to the suretie of alle theyme that shal be aboute his persone, whome the peopull have oftyn tymes slayne for the mysconceling of Soueraigne lord."  

1. Plummer, *op.cit.*, Appendix B, pp.348-353. This was unknown to Clermont.  
Against the objection to the cost of such a new council, Fortescue suggested that great savings could be made by more efficient government and by the encouragement of commerce. Clerical members who had no families to support would not need such high salaries as lay members. Very severe restraints should be imposed on grants from the king's livelihood and even these should be controlled by parliament or the Chancellor or the council. Those to whom the king gave offices would serve only him to ensure their undivided loyalty. Finally Fortescue suggested that, since the king was in great poverty, he should manage with a severely limited household for the first year of his reign to minimise expense.

The main purpose of these articles was undoubtedly to limit the capacity of Henry VI to repeat his earlier mistakes. This was "dominium politicum et regale" with a vengeance; not only was he to observe the laws of the land but he could take no decisions of any consequence and, in particular, dispense no patronage without consulting parliament or his council or the Lord Chancellor. Fortescue's long experience of political life during Henry's first reign had demonstrated that the king could be controlled by any strong influence - Suffolk, the Beauforts, Margaret of Anjou or even Richard, duke of York. By this scheme the effects of such influence could be eradicated.

The date of the composition of the *De Laudibus Legum Anglie* must lie between the second half of 1468 and May 1471. The reference to the case of Sir Thomas Cook provides the first limitation on the date, the battle of Tewkesbury the second. Since it is unlikely that Fortescue would have heard of the details of the Cook case before 1468 and since he referred to the case of Richard Heron, adjourned in the court of the parlement of Paris for ten years,

i.e. since 1461, the likely date of composition can be further confirmed as lying in the period of 1468 to early 1471. The optimistic tone of the piece and the writer's obviously sincere belief that Edward would rule England make it very probable that the work was completed after the Lancastrian restoration in October 1470. The queen, her son and their following waited another six months before embarking for England. Part of that time was spent at St Mihiel and that is the context that Fortescue very firmly established for his dialogue with the prince, both in the Introduction and Edward's remark in chapter xxviii. It is unlikely, however, that a scholarly and well considered work such as the *De Laudibus* could have been produced swiftly, even by a writer of the calibre of Fortescue. He may well have had it in mind for some time to produce a short introduction to English law for his young master, if only to counteract the baneful effects of his long experience of the alien laws of France. Earlier drafts of the *De Laudibus* might well have been made but, given the circumstances of the author from early 1471 to his release by October of that year, it would be surprising if they had survived. The earliest manuscript of the work dates from the late fifteenth century but the text is so imperfect that it cannot have been the source of the two sixteenth century manuscripts or the early printed edition.

The form in which the *De Laudibus* was cast is original. The dialogue between a young knight and an aged wise man, usually a hermit or a philosopher, was a common enough device in medieval didactic literature. The novelty resides in the subject matter – the respective merits of continental Roman law

1. Chrimes, op.cit., "Nosco namque ego certius que iam aguntur in Anglia quam que fuerit hic in Barro ubi sum modo conversatus." p.66. "I myself know more certainly what is now done in England than what has been done here in Bar where I at present reside." p.67.

2. Cambridge University Library, Ff.V.22; the sixteenth century manuscripts are British Library, MS Harley 1757 and Oxford, Bodleian MS Digby 198. Whitechurche's edition dated from 1545/6.
and English Common Law and the need for the prince to know and observe the latter. As suggested above, there can be little doubt that Fortescue feared that Edward's long sojourn in France under the influence of his mother would have made the prince even more remote from the character and wishes of the English people than was the usual fate of a political exile. Failure to meet the needs of his subjects by making a show of martial splendour and retaining the loyalty of the peerage by taking their leaders as his closest associates had led to the troubles of Henry VI's reign and his eventual overthrow.

The De Laudibus is far too general in its approach simply to be classed as a treatise on law. The dialogue in which Fortescue persuaded Edward of the need to rule politically rather than regally puts it firmly in the genre of books of advice to princes. This should be demonstrated by the following brief account of the contents.

The introduction rehearsed the unhappy circumstances which had led to the queen and her son taking up their residence in Bar. It continued with a precious account of Edward at that time which is worth quoting for what may be inferred about his education and disposition:

"Princeps ille mox ut factus est adultus, militari totum se contulit discipline, et sepe ferocibus et quasi indomitis insedens caballis eos calcaribus urgens, quandoque lancea, quandoque mucrone, aliis quoque instrumentis bellicis, sodales suos iuvenes sibi servientes, bellancium more, invadere ferireque iuxtia martis gignasii iudamenta delectabatur. Quod cernens, miles quidam grandevus predicti regis Anglie

Fortescue congratulated the prince on his martial exercises but regretted that he did not devote equal energy to the study of the law. With a vigour and ingenuity familiar to anyone who has attempted to put a teenager to an onerous task, the prince queried the need to study human as opposed to divine law. Overwhelmed by the weight of Fortescue's reasons substantiated by numerous biblical quotations, the prince had agreed by chapter 7 to the necessity of what the chancellor was urging. He raised two further obstacles, however, enquiring whether he might not be required to spend an inordinate length of time in legal studies and whether it might not be better to study continental rather than English law. Fortescue's answer to the first question showed his grasp of the role of courtier as well as his knowledge of the law:

"Nosco namque ingenii tui perspicacitatem, quo et audacter pronuncio quod in legibus illis licet earum peritia qualis iudicibus necessaria est vix viginti annorum lugubris adquiratur, tu doctrinum principi congruam in uno anno sufficientur nancisceris. Nec interim militarem disciplinam ad quam tam ardenter anhelas, negliges, sed ea recreacionis

1. Chrimes, *op.cit.*, p.2. "The prince, as soon as he became grown up, gave himself over entirely to martial exercises; and, seated on fierce and half-tamed steeds urged on by his spurs, he often delighted in attacking and assaulting the young companions attending him, sometimes with a lance sometimes with a sword, sometimes with other weapons, in a warlike manner and in accordance with the rules of military disciplines. Observing this, a certain aged knight, chancellor of the said king of England, who was also in exile there as a result of the same disaster, thus addressed the the prince." p.3
The reply to the prince's second question occupied the remainder of the treatise which consisted of a comparison of the merits of continental and English law with the latter invariably being found superior. The first part of the reply dealt with the general question of the difference between kings who ruled regally, without the constraint of the law which they could change at will, and the English monarchs who were obliged to observe the laws agreed by their predecessors with their subjects. The prince had objected, perhaps feeling the attraction of the unfettered rule of his French cousin, that kings who ruled regally enjoyed more power than those who ruled politically. After an historical account of how both types of rule arose, Fortescue led the prince to concede that the only power a king who ruled regally enjoyed in greater measure than a political monarch was the power to do evil.

Fortescue then proceeded to comparisons, having first allowed that the law of nature was universal in its application and that it was in the customs and statutes of the realm that England was superior. He cited an instance in which the English law was found to ensure a greater degree of justice to the parties concerned in the establishment of evidence. At this point the prince, possibly with some irony, expressed his surprise that, despite the excellence of the English law, some of his predecessors had tried to repudiate it. The chancellor

1. Chrimes, op. cit., p.24. "Indeed I know the perspicacity of your mind, and I dare say that in these laws, though the experience of them necessary for judges is scarcely attainable in the labour of twenty years, you will adequately acquire a knowledge fitting for a prince in one year. But in the meantime, do not neglect the military exercises but enjoy them at pleasure as a recreation even during that year."
rejoined a shade irascibly:

"Non admireris, princeps, si causam huius conaminis mente \[1\] sollicita pertractares."

He then reiterated what he had already said and what he had written in the De Natura that the greatest freedom and security both for a prince and his subjects lay in political government. In contrast the kingdom of France had suffered many evils which were largely due to the regal rule of the kings. Fortescue then embarked on an encomium on the benefits of the regal and political government of England. His description of this as a mixed rule rather than a purely political regime represented a development from the earlier part of the treatise. He had, however, referred to this type of government in the De Natura \[2\] and was to do so again in the Governance.

The prince was apparently again overwhelmed by the force of the chancellor's arguments as he apologised humbly for causing him to digress and asked him to proceed in his description of the difference between continental and English law. Fortescue went about this with great thoroughness always emphasising the superior quality of the latter. In the course of a description of the English laws of wardship for minors the prince made an interesting interjection in which he eulogised the English system of educating noble orphans

"...non infime domus regie opulenciam magnitudinemque collaudo, dum in ea gignasium supremum sit nobilitatis regni, scola quoque strenuitatis probitatis et morum

1. Chrimes, op.cit., p.78. "You would not wonder, prince, if you considered with an alert mind the cause of this attempt." p.79.

2. De Natura, chapters xvi, xxii, xxiii, xxiv, xxv, xxvi. Governance, chapters 1-3.
quibus regnum honoratur et florebit, ac contra irruentes
securatur, eciam formido ipsius inde erit inimicus et amicus
regni."

From chapter xlviii to chapter liii Fortescue gave a description of the organisation of the English legal system: of the way in which the law was learned in the Inns of Court rather than in universities on the continental model; of how sergeants at law and justices were created and the justification for the delay in litigation in the courts. The treatise ended at chapter liv with the prince declaring himself to be convinced of the need to study English law and justifying his decision with a welter of quotations remarkable in one so young and so devoted to martial exercises. He begged Fortescue to begin immediately to instruct him and concluded with a brief prayer of thanks and praises.

The De Laudibus ran to twenty one editions brought out by nine different publishers and editors between the sixteenth century and Chrimes's edition of 1942. Such popularity can be accounted for partly by reason of the glowing account it rendered of the English legal system and the brief introduction it furnished to the same. Yet undoubtedly the greatest appeal the work held for later generations, especially in the seventeenth century, was the useful ammunition it provided for anyone who wished to prove either that the king should hold supreme authority in the realm under the law or that, because he was subject to the law, his rule must inevitably be limited. Any temptation to

1. Chrimes, op. cit., p.110. "I praise highly the magnificence and grandeur of the king's household, for within it is the supreme academy of the nobles of the realm, and a school of vigour, probity and manners by which the realm is honoured and will flourish, and be secured against invaders, and will be made formidable to the enemies and friends of the kingdom." p.111.
regard it simply as a book on the English law and the constitution must, however, be resisted. The probable circumstances of its production outlined above show it to have been much more a piece of specific advice offered to a particular prince to enable him successfully to rule a kingdom which had rejected his father. This impression is further reinforced by a survey of the sources Fortescue used. Many of the authorities quoted had been used before in the De Natura and that book itself was referred to five times. He possibly had a small library of about twelve books which he had somehow managed to transfer from Scotland to St Mihiel. The work contains fifty two quotations from the Bible, eight references to Roman law and three to canon law. None of these was essential to his purpose, ornaments of erudition rather than an integral part of the structure. There were frequent references to a number of books by Aristotle including the Politics and Ethics but Plummer and Chrimes agree that most of them and other quotations from Augustine, Boethius, etc., were taken from medieval compendia such as the Auctoritates Aristotelis and the Compendium Morale. The references to two contemporary works by Poggio Bracciolini and Leonardo Bruni are interesting in having a place in such a traditional array of reading matter, but make no significant contribution to the argument.

Three authors may be distinguished who made a crucial impact on the contents of the work. Aristotle, via one of the compendia, was the originator of the theme of chapter 5 that ignorance of the law caused contempt for it. The theory of mixed political and regal dominion was imputed to St Thomas in the

1. Chrimes, English Constitutional Ideas, op.cit., pp 324-28 investigated the possible influence of earlier English legal authorities on Fortescue's political ideas. He concluded: "...though in a few points Fortescue's doctrines are paralleled in the texts of Bracton, Fleta and Britton, there is no evidence of direct relation between them. But all of them, of course, had a common background - the principles of the common law." p.328.

De Regimine Principum although it is likely that Fortescue simply used a convenient phrase that occurred in the book, describing how the Imperial succession was decided by election rather than by primogeniture, but adapted its meaning to his own purposes. Most significant of all, the De Morali Institutione Principis of Vincent of Beauvais exercised an influence on the whole scheme of work and supplied a number of his ideas and illustrations. This would further support the present contention that the De Laudibus should be seen primarily as a book of advice for a prince. The approach of the two writers was, however, different in a crucial respect. The main preoccupation of Vincent was the eternal salvation of the prince and his subjects, not the achievement of strong rule on earth. Although Fortescue, like Ashby and his other lay contemporaries, paid due respect to Christian susceptibilities in his works, his main concern was that his prince should gain success in this world rather than in the next.

The battle of Tewkesbury during which prince Edward was killed, and the suspicious death of his father, king Henry, a few weeks later, deprived Fortescue of any good reason to persist in his opposition to the house of York. Edward IV had, after all, shown his usual politic clemency in imprisoning rather than executing the former Chief Justice. He was released and pardoned by October 1471 but the reversal of his attainder and the restoration of the family property could only be earned if he published a recantation of his views on the respective legitimacy of the royal Lancastrian and Yorkist lines. Since his petition to parliament in October 1473 for the reversal of the attainder on the grounds that he had done so was successful, that period of two years must have seen the production of his Declaracion upon Certayn Wrytinges. He had

1. For example chapters xii and xiii. A quotation from Vincent's De Eruditione Filiorum Regalium also occurs in chapter vi.
already been a member of the king's council for some time and, in that capacity, had doubtless offered him much advice. The Declaration, although interesting from many points of view, cannot be described as a "mirror for a prince". The purpose was intensely practical and the method somewhat poignant as the aged lawyer attempted to refute many of his former arguments and opinions without appearing excessively hypocritical. He could not avoid a recantation on the central issue of whether women could or could not rule and pass on the right to succession. He attempted to save his face in the matter by pointing out that all women were still under the authority of a man, the Pope, and the necessity for that had been the point of his original argument. A sentence in the tract, coincidentally, supplies some evidence as to the access Fortescue may have had to his earlier writings during the 1470s. To the expostulations against his former views voiced by a "Lerned Man", Fortescue replied that he might have made some errors but objected that not all works attributed to him were of his authorship. He went on to ask....

"I wolde fayne in all thoo wrytinges declare the effectes of thayme after my reason and larnynge, yf I myght have the copyes and doubles of thayme, which I have not, nor have seen any minute of them, sythen I come into Englande."

A much more satisfactory exercise than a recantation that probably occupied Fortescue at about the same time was a summary of his long experience of political affairs of the realm and the conclusions he drew from it. These he offered to his new king under the title De Dominio Regale et Politico or the Difference between an Absolute and Limited Monarchy or, as it is more generally known today, the Governance of England.

Like the *De Laudibus* the *Governance* may be viewed primarily as a late manifestation of the traditional genre of books of advice to princes rather than as a piece of constitutional and economic theory. Again a brief rehearsal of the contents is necessary to make this clear. The first three chapters, a justification of political and regal rule, seem to have been necessitated by the following section of the book in which Fortescue was deploving the low revenue of the king. He wished to explain how the position could be rectified but did not want to fall into the trap of simply suggesting he should make his people pay higher taxes. He obligingly named his sources for the political and regal dominion theory:

"This diversite is wel taught bi Seynt Thomas, in his boke whic he wrote *ad regem Cipri de regimine principum*. But yet it is more openly tredid in a boke callid *compendium moralis philosophie*, and somewhat bi Giles in his boke *de regemine principum*." 

Controversy has arisen about the degree of originality shown by Fortescue in his definition of regal and political government. The terms certainly occurred in


2. Plummer, characteristically for a nineteenth century commentator, portrayed Fortescue's theory as one of constitutional monarchy. C.H. McIlwain, *The Growth of Political Thought in the West*, London, 1932 pp.354-63 and Chrimes in the 1930s and 40s preferred to portray political and regal dominion as a limited monarchy. In other words the royal prerogative was supreme except where it was circumscribed by the laws and customs of the land. D.W. Hanson, *From Kingdom to Commonwealth*, Cambridge, Mass., 1970, pp. 240-52 has suggested the alternative concept of "double monarchy". The collective competence of the king and his people, the latter not clearly defined as parliament, peers or any other single group, was assumed but not specifically delineated.
Ptolemy of Lucca's continuation of the De Regimine of St Thomas Aquinas but as a good follower of Aristotle he used them to describe the historical difference between various types of regime. He believed that circumstances and national characteristics best dictated the most suitable government for a country and did not envisage both types coexisting in the same kingdom. In the De Natura Fortescue was using the argument primarily to distinguish various kinds of royal succession and their justification under natural law. For that purpose the thirteenth century treatises served very well; by the time he wrote the De Laudibus and the Governance his interpretation of the phrase "dominium politicum et regale" had changed. He was no longer simply concerned with a legal dispute but was attempting to convince Edward of Lancaster and, probably, Edward IV of the merits of ruling within the limitations of English laws and customs. To achieve this he imputed to St Thomas, Roger of Waltham and Egidio Colonna views which they did not entertain although, in one respect, he was their heir. The legal/dynastic and political/constitutional implications of his theory were thoroughly discussed in the middle decades of this century but the moral dimension, the major concern of the medieval philosophers, was largely ignored. It was exactly this preference for political and regal rule on the


2. See bibliography for works not referred to in the text. Klieneke, op.cit., is somewhat of an exception as he recognises this aspect of the Governance. In his chapter devoted to books of advice to princes in prose in fourteenth, fifteenth and sixteenth century England, he writes: "Aber auch er stellt die Forderungen seines Werkes noch in einen ethischen Zusammenhang." p.145.
grounds that it was morally as well as pragmatically desirable, both for the
king and his subjects, that Fortescue stressed:

"Quia, ut dixit Bocicius, 'Potencia non est nisi ad bonum',
quod posse male agere ut potest rex regaliter regnans
liberius quam rex politice dominans populo suo, pocius eius
potestatem minuit quam augmentat."

"(the Children of Israel) were ruled bi hym (God) undir
Judges regaliter et politice, in to the tyme that thai
desired to have a kynge, as tho hade al the gentiles, wich
we cal peynymes ... With wich desire God was gretly offendyd,
as wele for thair folye, as for thair unkyndnes."

This element in his developed theory ties the De Laudibus and the Governance
firmly into the traditional genre of books of advice for princes.

Fortescue devoted several chapters to establishing that the best government
was for a king to observe the laws and customs of his realm:

1. Chrimes, op.cit., De Laudibus, p.34. "For, as Boethius said, 'There is no
power unless for good', so that to be able to do evil, as the king reigning
regally can more freely do than the king ruling his people politically,
diminishes rather than increases his power." p.35.

"But blessyd be God, this lande is rulid undir a bettir lawe (than the French 'Ius regale'); and therfore the peple therof be not in such peynurie, nor therby hurt in thair persons, but thai bith welthe, and have all thinges nescessarie to the sustenance of nature. Wherfore thai ben myghty, and able to resiste the adversaries of this reaume, and to beete other reaumes that do, or wolde do them wronge. Lo this is the fruyt of 'Ius politicum et regale', undre wich we live."

He could then with greater safety undertake the delicate task of suggesting how the royal revenue might be increased. The king of France enjoyed a greater income than the king of England, but he extorted it by oppression and weakened his subjects in the process, so he was not to be emulated. Yet the expenses of government were great and a poor king could not rule well. He went on to suggest an orderly arrangement of the royal finances: he divided the necessary ordinary expenditure into five categories and suggested that it should be met out of the king's regular income. The king would be justified, however, in asking his subjects to supplement this income when faced by extraordinary expenditure, such as the cost of foreign embassies and the erection of new buildings. Fortescue recognised that he was, perhaps, over optimistic in assuming that the king's regular revenue would equal or exceed his expenditure. He also feared that great danger to the realm would arise if the king's income dropped below that of some of his powerful subjects, so he next inquired how these two evils might be avoided. The effectiveness of the taxes on salt and wine enjoyed by the French king were noticed but they were firmly stated to be unsuitable for England. The best solution would be for the king to build up his

1. Plummer, op.cit., p.115.
estates, especially by resuming alienated land for the Crown on the death of the original beneficiary. The alternative was for parliament to levy a new subsidy and this would expose the realm to the risks attendant upon the creation of an impoverished population:

"For nothyng mey make is people to arise, but lakke off gode, or lakke of justice. But yet sertanly when thay lakke gode thai woll aryse, sayng that thai lakke justice."

The only reason why the French failed to rise was their contemptible lack of spirit. The English were made of sterner stuff, proved by the fact that far more English thieves were hanged each year. Such gifts as the king gave to his subjects should be in money and privileges rather than land. His council would advise him who should receive such rewards.

The introduction of the subject of government in co-operation with a council led Fortescue, in chapter 15, to make very detailed recommendations as to how it might be organised. Councils composed entirely of great men tended to be preoccupied with their own affairs rather than with the interests of the king. Humbler councillors had little chance of urging their own views against the wishes of the magnates. He proposed that a new council should be formed of twelve laymen and twelve clerics chosen from the best and wisest in the land; they should be joined by only four lay and four spiritual lords. They should swear loyalty to the king alone and receive payment only from him. One of their number would act as leader and a book of rules would regulate the conduct

1. See B. Wolffe, 'Acts of Resumption in the Lancastrian Parliaments, 1399-1456', English Historical Review, vol. 73, 1958, pp.583-613. Fortescue, as a trier of petitions, was a prominent member of the parliaments of 1450, 51 and 55 when acts of resumption were passed in an attempt to put the finances of Henry VI on a sounder footing.

2. Plummer, op.cit., p.140.
of affairs. These excellent recommendations seem to have owed little or nothing to the authorities consulted by Fortescue. They represented a pragmatic reaction to the long years of misrule under Henry VI by his household and favourites and possibly, more recently, the accounts Fortescue had heard of the rapacity of the Woodvilles. He clearly felt the need to support what he had said by reference to tradition, so the next chapter was devoted to an account of how the Greeks and Romans had prospered whilst they ruled through a council.

Fortescue continued with further caveats concerning the granting of lands and pensions. Once the Crown had resumed grants of land it should not alienate them again without the consent of parliament. This would not harm the royal prerogative as there was no power to be gained from granting them away, only weakness. At this point Fortescue promised that all the king's subjects would send up perpetual prayers of thankfulness for such enrichment of the realm. Finally he forecast that the distribution of favours through the council would protect the king from much wearisome importunity, and yet, should he ever choose to do so, he could summarily abandon the arrangement. In view of the question of how limited a form of monarchy Fortescue wished to promote, it is interesting that the very last sentence of the treatise should vindicate the exercise of the arbitrary will of the prince. This was not incompatible, however, with the view he had expressed at the beginning of the work that English government was both regal and political.

1. See, for example, the parliamentary petition to Henry VI of 1453 referring to the Lord Chancellor's promise that..."ther should be ordeigned and established, a sadde and a wyse Counsaille of the right discrete and wise lorde and othir of this land, to whom all people myght have recours..." Rot. Parl., V op.cit., p.240. In outline this anticipated the recommendations Fortescue made in both the Articles to Warwick and the Governance.
The range of sources used in the Governance was very similar to that in Fortescue's other major works. As has been suggested above, he may well have kept a small collection of volumes with him throughout the 1460s and at least up to 1471. He specifically referred to the De Regimine Principum of St Thomas Aquinas and Egidio Colonna and the Compendium Morale of Roger of Waltham in chapter 1. He made extensive use of Aristotle but, as before, most of his quotations were derived from intermediary works such as the Auctoritates Aristotelis rather than from the originals, although Latin versions of the Ethics and Politics were readily available in England and the Continent during his day. The same situation obtained with St Augustine, although he may have been directly acquainted with at least the De Civitate Dei as well as the translation of Diodorus Siculus by Poggio Bracciolini. As in his previous works he used the De Morali Principis Institutione of Vincent of Beauvais and, fortuitously, his personal copy still survives. The various other classical writers and incidents from ancient history which occur in the Governance were probably taken from medieval encyclopaedias and chronicles.

A general point should be made here about the sources used by Fortescue in all his authenticated works. There is no evidence that he used any French works of a later date than the reign of Philip the Fair. Unlike contemporaries such as John Shirley and Sir John Fastolf, he showed no desire to use the writings of Christine de Pisan or Alain Chartier to illuminate his views on contemporary government. Blayney has given a very impartial account of the claims of a fragment known as a Dialogue between Understanding and Faith to be a translation.

by Fortescue. She shows this to have been a translation of part of Alain Chartier's *Traité de l'Espérance* which also survives complete in another manuscript. No contemporary or internal evidence links the translation to Fortescue; the main reason for the attribution is that it was so recorded in Thomas Smith's early catalogue of the Cotton Library. Fortescue certainly had plenty of opportunities for access to such literature both in the English court and in France. Yet the evidence of *De Laudibus* and the *Governance* shows that he had a marked disinclination for French ideas and institutions. Whether or not he was acquainted with the French court literature of the past eighty years, he chose not to use it in his writings. This would seem to undermine the theory that he was the author of the *Dialogue*. It is most unlikely (and William Worcester can furnish a useful comparison here) that he would have produced three major works without showing any knowledge of a famous near contemporary whose book he had translated. There is, of course, the alternative possibility that he translated the *Traité* after he had completed the *Governance* but, if he did so, the influence on his moral and political writings was still negative.

The most interesting aspect of Fortescue's use of sources in the *Governance* is that of biblical quotations and allusions. In contrast to his previous works they are very scanty; only eleven have been counted altogether. Yet this is not a very surprising situation when one considers the purpose of the treatise. It would have been an ingenious writer indeed who could produce appropriate quotations to justify the detailed recommendations concerning the structure of

the royal council and the organisation of the royal finances which constitute
the main part of the work. Few references of any kind, other than to
contemporary practices, are to be found there.

The main problem to be considered concerning the Governance is that of its
date, for that must determine whether it was originally intended for Henry VI
and Edward of Lancaster or for Edward IV. Plummer listed ten manuscripts and an
epitome, but thought that none of them dated from an earlier decade than the
1480s and indeed most belong to the sixteenth century or later. Much of the
confusion arises from the fact that four contain a passage in praise of
Edward IV and his government, four stop short of it and in two "Henry VI" is
substituted for "Edward". The passage reads as follows:

"I blissed be oure lord God, for that he hath sent kyng Edward
the iiii to reigne upon us. He hath don more for us, than ever
dide kyng of Inglond, or myght have done before hym. The
harmes that hath fallen in getyng of his Realme, beth now bi
hym turned into our altheyr goode and profite. We shul nowe
mowe enjoye oure owne goode, and live undir justice, which we
have not don of longtyme, God knowith. Wherfor of his almesse


2. British Library, Cotton MS Claudius A viii, which also has on the top of
folio 175 recto "was wrighten to King Henry the Sixt by Sr John Fortescue,
Lord Chancelor", Oxford, Bodleian MSS Digby 145 and Rawlinson B 384,
Cambridge University Library, MS LL.III.11.

3. Oxford, Bodleian MS Digby 198, Bodleian MS Laud 593, British Library,
MS Harley 1757 and Lambeth MS 262.

(London, 1874), p.42. Now British Library, Additional MS 48031, ff.149r-
164r, British Library, MS Harley 543.
Fortescue was not praising Edward or Henry for past achievements but making the thanks of the English people conditional upon the establishment of a firm financial basis to the royal government which would pre-empt the need for much future taxation. Plummer offered alternative explanations for the variations in the manuscripts. The Governance might have been written for the Readeption in 1470 and later changed to suit the situation created by the Yorkist victory. On the other hand, it might have been written under Edward IV, in the early 1470s. The name of "Henry VI" could have been intruded into two manuscripts written under the Tudors when it was thought safer to refer to the Lancastrian rather than to the Yorkist dynasty. Fortescue mentioned the War of the Public Weal (1465) in chapter 9 which provides a date before which the Governance in its present form could not have been written. If the reference to Edward is to be accepted as original, it cannot be earlier than the summer or autumn of 1471; if Henry was the recipient it could have been about a year earlier. The assumption that the advice was intended for a reigning monarch rather than a landless exile, which seems justified in the light of the tone and contents of the book, preclude an earlier date than the summer of 1470.

Wolffe provided a tantalising alternative to the possibilities just discussed:

"...the sentiments of critics of Henry VI's policies in the 1440s were expressed at length in his (Fortescue's) Governance of England. This work is alleged to have been finally

2. Ibid., Introduction, pp.95-6.
3. Ibid., p.129.
presented to Edward IV sometime between 1471 and 1476, but numerous modifications and inconsistencies reveal that the text must by then have already passed through several recensions. The malaise of English government which it describes really only fits the 1440s."

Wolffe gives no details of the textual evidence that might support his theory but he is probably right in his belief that Fortescue's view of good government was formed by his experience of its antithesis in the decades before 1460.

(ii) The date and purpose of the 'Governance of England'.

The next section will examine the text of the Governance in an attempt to achieve a firmer view of the date when a recognisable version of what survives was produced. The internal evidence will be considered in the following order: references which seem to locate the author in England or on the Continent, the use of examples drawn from recent decades, other references to contemporary circumstances, overlap with other works by Fortescue, an analysis of the advice in relation to the political circumstances from the fourth to the seventh decade of the fifteenth century and an analysis of the structure of the treatise.

The references in the course of the Governance of England consistently locate it in England rather than in Lorraine or France. The treatise is quite short - twenty two folios in Cotton MS Claudius A viii, only fifteen in Harley MS 542 and forty eight pages in Plummer's printed edition. Yet ten references which indicate that the author was writing in England have been counted. Examples from chapter III, which is particularly rich in such allusions, are typical of the rest of the work: Constantine was "made kynge here", "this lande", "this reaume" and "lo this is the fruyt of ius politicum et regale

undre wich we live". Conversely Fortescue was treating an identical theme in the De Laudibus, when he was almost certainly either in Lorraine or France, wrote: "qualiter rex Anglie dominatur in sibi subiectos populos." In both works Fortescue compared the French system unfavourably with the English but his criticism of the French monarch was much stronger and more personal in the Governance where he was described as a tyrant and, by implication, as a Herod. The Chancellor of the Lancastrian monarchy was hardly likely to have adopted such terms whilst he was negotiating on behalf of his French queen for the support of Louis XI in the Readeption. On the other hand, in the early seventies when Edward IV was contemplating an invasion of France, such anti-French sentiments could have been a passport to his favour and attention. It might be objected that these references could equally well have been made by the author before his flight from England in 1461. Taken in conjunction with other forms of internal evidence, however, it seems unlikely that the treatise in its present form existed before the early 1470s.

Some of the examples used by Fortescue to illustrate his argument refer to the middle decades of the reign of Henry VI. In chapter XIII he mentioned the rebellion in Caux which probably represented an incident which took place in 1435. The notorious selling of Chirk and Chirk's lands in 1440 was used as an example of the prodigal alienation of royal property. This particular case probably made a strong impression on contemporaries, Gloucester specifically

1. Plummer, op.cit., p.115
2. Chrimes, op.cit., p.80. "such as that with which the king of England rules over his subject people". p.81.
3. Plummer, p.117.
condemned it in his manifesto later that year. In 1450 the king's advisers exempted the heirs of the purchaser, cardinal Beaufort, from the parliament's Act of Resumption.

Chapter IX is rich in allusions to near contemporary events. The War of the Common Weal in France, 1465, the civil wars (although it is not clear whether the 1450s or 1469 to 1471 were intended) and the death of James II of Scotland at Roxburgh in 1460 were mentioned in rapid succession. All were examples of the danger to a king of "over myghtye subgettes". Two references to the "his moste worshipfull brotheryn" and "kynges bretheryn" in chapters XI and XVII can be more precisely attributed. The first made the point that it was reasonable to make gifts of lands to the king's brothers in recompense for their services to him and as a recognition of their relationship to the Crown. This could equally well apply to the half brothers of Henry VI, Edmund and Jasper Tudor in the 1440s or 50s and to Edward IV's brothers George of Clarence and Richard of Gloucester. The second reference can be shown to be more specific. Earlier in chapter XVII Fortescue, recommending that no man should in future receive more than one office from the king, remarked of the current situation:

"The kynge givyth mo than M offices, be sydes tho that my lorde the prince gevyth, off wich I reken the officers, as the the kynges officers."

4. This could equally apply to Edward of Lancaster or Edward of York.
5. Plummer, p.151.
Later he mentioned the king's brothers amongst those who, exceptionally, might be allowed to hold two offices. If Fortescue was referring to the reign of Henry VI he could only have been writing between October, 1453, the month of the birth of prince Edward of Lancaster and November, 1456, when Edmund Tudor died. The fact that this whole chapter is closely related to articles 4 and 6 of *The Articles sent from the Prince to the Earl of Warwick* increases the likelihood that it was written after that document and was all composed at the same time. In particular the corresponding passage in article 6 reads:

"And yit shalbe good that no manne have ii offices, excepte the servauntes and officers of the kynges how(s)e, whiche may have, whanne they deserve it, a parkirship or suche a nother office..."

The absence of any reference to the king's brothers here would be appropriate to Henry VI in 1470 as only Jasper Tudor, in exile with Fortescue, survived. After the Readeption the rival claims of George of Clarence and Richard of Gloucester for lands and offices presented a major problem to Edward IV which would make such a suggested limitation timely.

Fortescue was quite clearly writing his advice for a reigning monarch but the evidence for whether he intended Lancaster or York is ambivalent. If it were the former the material must either predate April 1461, after Towton Henry could in no sense be thought to rule in England, or have been produced during the Readeption, October 1470 to May 1471. If the treatise was intended for Edward IV it is unlikely to have been produced earlier than the autumn of 1471.


2. Ibid. for example p.117 "the revenues wich the kynge oure soverayn lorde hath off us".
Fortescue's great age, he was probably born between 1385 and 1395 and died at the end of the 1470s, and the lack of references in the Governance to specific political events in the 1470s means that he is unlikely to have written it after the early years of the decade.

Passages can be cited from the Governance which seem to refer more appropriately to Henry VI than to Edward IV, for example:

"Yff this ordre be kept, the kynge shalnot be grieved be importunite of suytors..."

This extract is close in content and wording to article 1 of the Articles to Warwick which implies that the sentiments were originally intended to apply to Henry VI. The nature of Edward's rule, in any case, had not been such as to lead to expectations that he would be an easy prey to the importunities of suitors.

Several references in the text could be aptly applied to Edward IV:

"And I can suppose, that some kynges be ffor this tyme, have gyven to some on man that hath served hym, also moche livelod yerely, as the said wages wyll come to."

Fortescue was careful here to put such a scandalous situation firmly in the

2. Plummer, op.cit., p. 144. Several similar quotations could be given from other parts of the treatise but they all make the same point.
3. Ibid., p.147.
past. The equivalent passage in the Articles to Warwick read:

"And trewely ther hath bene gevun in late daies to somme oon lorde temporell much mor lyvelode in yerly value than woll paye the wages of alle the newe counseill".

No attempt is made here to dissociate these matters from the reign of Henry VI. There is a strong implication, therefore, that the passage in the Governance had been adapted to the circumstances of the restored Yorkist regime. In chapter XIX, in the course of his plea for the king to put his finances on a sound footing, Fortescue said:

"Ffor ther as other kynges have ffounded byshopriches, abbeys, and other howses off relegyon, the kyng shall than have ffounded an holl reaume..."

This was hardly an argument likely to appeal to the pious Henry VI. Indeed such a course of action as he was presumably recommending to Edward IV might be seen to be contrasted favourably with the religious bequests of his predecessor.

Finally there is the debatable passage in the same chapter in which four surviving manuscripts refer directly to Edward IV, two to Henry VI and three stop before the sentence occurs. The evidence offered by the six manuscripts which do contain specific references would seem to be weighted in authenticity as well as numbers in favour of Edward. The earliest manuscript which bears his name is certainly the British Library Cotton MS Claudius A viii. The

1. Plummer, op.cit., p.351.
2. Ibid. p.155.
handwriting dates from the late fifteenth century, probably the reign of Henry VII. There is no sign that the passage has been altered in any way. The hand is of a later date which wrote at the top of the first page that it was intended for Henry VI. MS Digby 145 in the Bodleian Library is securely dated by an autograph inscription at the end of the treatise:

".... scriptus manu propria mei adriani ffortescu militus
1532."

The fact that this was transcribed by his great nephew less than sixty years after the author's death indicates that the work was almost certainly taken from a volume which was still in the family's possession. This version is clearly and accurately copied and there is no reason to believe that a mistake was made in this crucial matter. A reference to Henry VI would have been more politically acceptable in the 1530s. Sir Adrian was clearly aware of such factors as, uniquely, he added "God save the kyng" after the last sentence of chapter XX.

The two remaining manuscripts which bear the name of Edward IV date from the seventeenth century and have not been examined.

The earliest volume in which the name "Henry VI" occurs is British Library Additional MS 48031. Plummer was inclined to assign the hand to the first half of the sixteenth century, although a case could be made for a late fifteenth century.

1. See above, p. 245.
2. Fol. 159, recto.
3. He was, however, executed in 1539 for his persistent fidelity to communion with Rome.
4. Folios 149 recto - 164 recto.
5. Plummer, op.cit., Introduction, p.89.
century date. There is no sign that the sentence has been tampered with. The volume contains several other accurate versions of Fortescue's works including the *Articles to Warwick*. The other manuscript dates from the second half of the sixteenth century and was copied from the previous manuscript by John Stowe. This fact clearly deprives it of any individual significance for the present enquiry. If 'Henry' was substituted for 'Edward' in Additional MS 48031, the reason for doing so was presumably that suggested by Plummer.

Apart from the other evidence which will later be rehearsed the passage under consideration contains another sentence which indicates that Edward was intended to be the recipient of the treatise:

"The harmes that hath fallen in ge tyng of his Realme, beth now bi hym turned into our altheyr gode and profite."

"getyng" would be an unsuitable description of Henry's resumption of the throne in 1470 but could appropriately be applied both to Edward's original seizure of power and his recovery of it in 1471. His good government is implicitly assumed to justify the unpleasantness of the civil wars. To a loyal Lancastrian Henry's rule would require no such apology.

Some intimation of the possible stages in the composition of the *Governance* may be gained by a consideration of the extent to which other, presumed or demonstrably earlier works were referred to by Fortescue. The first point is that he made no acknowledgment of these in the course of the treatise, a deviation from his practice in the *De Laudibus* in which he mentioned his *De Natura* several times. There is an explanation for this fact if the *Governance* was intended for the Yorkist monarch, as all his previous works were produced for

1. See below, chapter 6 and appendix 5. This manuscript could be a rich source for the study of mid fifteenth century political thought and propaganda.
2. British Library, MS Harley 543.
3. See above p. 246.
the Lancastrian dynasty and were mostly partisan in content. Indeed in the Declaracion upon Certayn Wrytinges he had denied that he had, at that time, a copy of De Natura in his possession.

Chapters I and II of the Governance are very similar to chapters IX and XIII of De Laudibus which in turn refer to the discussion of the same matters in De Natura. In the De Laudibus Fortescue went into more detail concerning the origins of political monarchy than in the Governance as to do so would be an appropriate didactic approach for its intended recipient. In chapter III the content is close to the subject matter of chapters XXXV and XXXVI of the De Laudibus although the thrust of the argument has changed. Political and regal government is shown to provide a stronger, better defended state, well able to deal with external enemies, than purely regal government could achieve. This could have been an alteration in the original intended to refer to Edward's desire to invade France:

"...(the people) ben myghty, and able to resiste the adversaries of this reaume, and to beete other reaumes that do, or wolde do them wronge."

The degree to which Fortescue relied on his earlier writings in the first three chapters may be illustrated by the fact that of the thirteen quotations he used six occur both in the De Natura and De Laudibus and five in one or other of those works. Material which seems to have been taken from De Laudibus occurs in later

1. See above p. 236
chapters of the Governance but, after chapter III, it cannot be said to provide a model for the argument. The last time in which any significant use of the earlier work can be identified is in chapter XII. The sentiment expressed there, the relationship between poverty, injustice and insurrection is partly echoed in the Dialogue between Understanding and Faith. The latter, however, only dealt with the likelihood that unjust kings would be overthrown, it did not consider the main preoccupation of the Governance argument, heavy taxation.

There is a very close correspondence between the principal pieces of advice offered to a king in the Governance and the tenor of most of the Articles to Warwick in 1470. Several chapters of the former are virtually expanded versions of the Articles. The overlap of the two works commences at chapter V when the reliance on the models provided by De Natura and De Laudibus has ceased. This enumerated the evils of paying a fifth or a quarter of the royal revenues to creditors. Article 5 advocated the advantage of paying for goods in advance, sound credit would enable them to be purchased at a discount. Article 4 dealt with the ordinary charges of the king's government and how it should be paid for from the revenues of part of his lands. These were also the themes of chapter VI but the next chapter marks a divergence from the advice offered in the earlier document. Whereas the final Article 7 had urged extreme economy on the king, even to the extent of refraining from convening his whole household for a year, chapter VII dealt with the king's extraordinary expenditure. This would be incurred by items such as the reception and dispatch of ambassadors, progresses jewels, clothes, horses and household furniture. Again it looks as if a document originally intended for Henry VI and his following was adapted for the very

different style and requirements of Edward IV.

Chapter XIV contains one of the closest parallel passages to the Articles to Warwick. The theme is the resumption of royal lands and the control of gifts of money, marriages, privileges etc. by the council:

"...in what reste shall than his people lyff, havynge no colour off grochynge with soche as shall be aboute is person, as thai were woned to have, ffor the gyvynge away off his londe..."

Article 1 contains a very similar passage, although the subject under discussion is the giving of rewards rather than resumption

"yif this order be kepte, no man may grugge with the king's highnesse nor with the lord's nor with any other manne about his personne as they were wonned to doo."

The next chapter also seems to be an amalgamation of points made in Articles 2, 3 and 6. Chapter XVII is little more than an expanded version of Article 6. The sense of XX, the last chapter, is closely related to advice in Articles 1 and 4.

The suggestion might be made that the ideas in the Governance could have been written down before 1470 and that the Articles represent a shortened version of the earlier treatise. Such a theory would give rise to several difficulties. Some of the advice contained in the Articles was not appropriate to any circumstances other than the period of the Readeption. In particular the situation outlined at the beginning of Article 1 and the suggestion for the

2. Ibid, p.349
maintenance of a curtailed household in Article 7, could hardly have been written at any other time. There is no trace of a manuscript or of any reference to the existence of a treatise such as the Governance before the 1470s. Finally since other work, such as ideas from the De Natura, known to have been composed before 1470, was incorporated in it, the Articles may be assumed to predate rather than post-date its production.

Chapter XVI of the Governance is very close in content to a short, separate piece by Fortescue known as Example what good connseill helpith which survives in several manuscripts including the relatively early Additional MS 48031. It does not seem to have been intended to stand on its own as the first sentence refers to "suche a counsell" which assumes mention in a previous section of the work. Chapter XV of the Governance deals with the choice and establishment of the king's council. The following chapter constitutes an extended illustration of the benefits of ruling with the advice of a great council. The Romans and, more briefly, the Greeks were cited as examples of people who prospered whilst they used a council. It differs from the Example in providing no brief history of the Roman state, this had probably been derived from the De Natura but was considered too lengthy for the requirements of the theme of the Governance. The most important differences between the two versions, however, are those which may indicate their respective dates. One sentence, unique to the Governance reads:

"... is hyghnes shalbe myghty, and off poiar to subdue his ennemyes, and all other that he shall liste to regyne uppon."

1. Folio 148 verso.
2. Clermont, op. cit., p.77.
This would be a most acceptable sentiment to Edward IV, especially in the years preceding the French campaign of 1475. Conversely the Example contains three phrases not repeated in Chapter XIV which could appropriately be applied to the rule of Henry VI:

"...sythen our Kyngs have been reuled by private Connselloures, suche as have offered their service and counseile and were not chosen therto, we have not be able to kepe our owne lyvelode, nor to wiren hem that have take it from us"..

"... we have had by that occasion civile werrys amonges us selfe"

"...our Reaume is fallen thereby in dekeye and povertie"

Example what good connseill helpith seems to have been a preliminary draft for part of a treatise which was intended to extend and illustrate the advice given to Warwick in the Articles of 1470. It was probably written soon afterwards, before Fortescue returned to England in 1471, and was later incorporated in the Governance which became the elaborated version of the Articles that he had intended to write.

There may be one other reference to an earlier work by Fortescue in chapter XI of the Governance:

"..I holde it for undoubted, that the people off his lande woll be well wyllunge to graunte hym a subsidie, upon suche comodites off his reaume as bith befor specified"

1. Make war upon.
3. Ibid, p.137.
A few commodities were mentioned earlier in the chapter but these were the goods that were not taxed by the French king. At no point in the earlier part of the treatise did Fortescue provide such a list although in the following chapter he mentioned a generous parliamentary grant of a tax for five years on wool and grain. One possibility might be that he intended to attach a little tract which he may have written much earlier, before the loss of Guyenne in 1451, which is known as The Comodytes of England. This follows the Governance in Bodleian MS Laud 593 which it will be suggested below, seems to be the earliest surviving manuscript containing Fortescue’s works. His interest in commerce and the keeping of the sea will be discussed subsequently and the tract certainly voiced sentiments that were later expressed in the Governance:

"the comune peple of thys londe are the beste fedde, and also the best cledde of any natyon crystyn or hethen."

One advantage to Fortescue in putting it with the Governance for presentation to Edward IV would be that it was the only work from his Lancastrian past which had absolutely no controversial political content.

The next aspect of the Governance to be considered with a view to dating its final form is the nature of the advice offered in relationship to the political circumstances of the decades covered by Fortescue's own experience and

1. Plummer, op.cit., p.140. He could find no parliament which granted the taxes mentioned by Fortescue, note, pp.288-9. They could, however, represent a version of the grants made by the first parliament of 1449, since those subsidies on wool were granted for five years. Rot. Parl. V, op.cit., pp.135-6. The most generous of all Henry's parliaments, however, was that of 1453. See Wolffe, op.cit., Henry VI, pp.264-5. Fortescue could have been conflating their grant with that of 1449 in his memory.

2. Clermont, op.cit., pp. 547-554. ".. our contre of Gyan, and of Gascoyn; whiche bothe countreys longythe to oure Soverayne Lord Kyngge"...

3. Ibid., p.552.
involvement. This is a hazardous undertaking as many of the frequent references to conditions in England are too general to be safely attributed to a particular period. For example the following could refer to any stage in the civil wars up to 1471:

"whereoff hath comyn and growen many gret troubels and debates
in dyverse contraes off England."

Some attempt will, however, be made to apply a chronology to the background of the advice.

Chapters X to XIV of the Governance show signs of incorporating some policies which Fortescue may have developed as early as the 1440s and 50s. From the time of his appointment as Chief Justice, Kings Bench in 1442, he had been in a position to observe the royal administration closely and to exert some influence on the Crown. He was also a member of the parliaments which met during this period. In 1457 he was named with eight clerics and nine other laymen as a commissioner to investigate the possibility that within a few years the king might ..."satisfy his creditors in good mone of gold and silver..."

Fortescue could well have produced memoranda for his fellow commissioners which dealt widely with the origins of the financial difficulties of the Crown and have suggested remedies which would enable the debts to be discharged. The earliest contemporary references in the Governance, to Caux, Chirk and the generous grant, occur in the middle section, far more appropriate illustrations in the 1450s than in the 1470s. This part of the work does not

impinge to any great extent on the contents of the Articles to Warwick. Fortescue had stated in the Declaracion that he had no access to his embarrassing polemical works on the succession. There is no reason to assume, however, that once he was reunited with his family and thereby with at least some of his goods, he had no contact with the legal and administrative papers which had been generated by his long years of service in the 1440s and 50s. At the very least it is reasonable to suppose that his memory of that period informed what he wrote in this section of the Governance.

The advice offered in the first three chapters of the Governance which owes so much to the De Natura was presumably conceived in Scotland and during the years in France in the 1460s. Fortescue had the opportunity to study two contrasting forms of princely rule at first hand. As he made clear in both the De Laudibus and the Governance this led to the development of his theory of the superiority of political and regal over purely regal government. It had reached its final form by 1470 when he presumably wrote the former work. Yet if he had been anxious to convince his Lancastrian prince of the advantages of English common law, he would have been equally desirous in the early 1470s to wean the formidable Edward away from any temptation to rule his people without the safeguards of a strong, broadly based council. The anti-French feelings and enthusiasm to wage a war to recover Continental territories which were prevalent in the court and country at the time could be exploited. A series of comparisons, all of them prejudicial to French institutions, national character and economic strength were drawn which also were derived from parallel passages in the De Laudibus.

During 1470 Fortescue produced the Articles to Warwick which were intended to influence the restored government of Henry VI. To a large extent these were evidently informed by his practical experience of the administration which had foundered in 1460-61 but they also produced solutions to current problems. Much
of this document was amalgamated with the Governance. The use of the phrase: "whiche the writer hereoff can nowe remember" as a prelude to enumerating first the king's ordinary and then his extraordinary charges, which do not occur in the Articles, imply that like the Example, these chapters may have emerged at some intermediate stage in the preparation of the treatise. Fortescue's apparent ignorance of current governmental needs would put it before he became a member of the king's council. The choice of these words implies a certain humility and reticence appropriate to a once influential statesman endeavouring to work his way into favour with the Yorkist monarch.

The final question to be answered in an analysis of the advice offered in the Governance is what, if any of it, can be seen to be applicable to the circumstances of the early 1470s. The point must first be made that the elderly are usually prone to see their contemporary world in terms of the past. Most of the contents of the Governance indicate that Fortescue was no exception to this generalisation and most of the advice from the central sections of the treatise could have been beneficially applied in the political circumstances of the 1440s and 50s.

In some respects Fortescue does seem to have advocated policies which were particularly appropriate to the second reign of Edward IV. His interest in commerce and seapower was, if the Comodytes of England was truly written by him, longstanding. It was not an aspect of affairs, however, that had been of much concern to pious, peace loving Henry VI and his advisers. The Articles to


Warwick touched on the subject in number 3:

"this councell shall...studye...the good politike wele of the londe, as to provide that the money be not borne oute of the reaume, and how bolyon may be broughte inne, how merchandizes and commoditiees of the londe may kepe theire prices and valiwe, how estraungeres caste not downe the price of the commodites growing in the londe..."

In chapter XV of the Governance Fortescue ran through exactly the same list of conciliar concerns but added: "How owre navy mey be mayntened and augmented". This was presumably intended to reinforce the point which he had already stressed in chapter VI:

"...though we have not alway werre uppon the see, yet it shalbe nescessarie that the kynge have alway some ffloute apon the see, ffor the represynge off rovers, savynge off owre marchauntes, owre ffishers, and the dwellers uppon owre costes; and that the kynge kepe alway some grete and myghty vessels, ffor the brekyng off an armye when any shall be made ayen hym apon the see".

Earlier in the chapter Fortescue had listed the keeping of Calais amongst the king's ordinary charges. Significantly this again had not been mentioned in the Articles to Warwick although the copy of Fortescue's letter to Louis XI had raised the possibility of enabling the French to trade in wool at Calais in return for the cession of comparable liberties to the English in their old lands.

in the South West. He had also proposed both countries should take measures to maintain a perpetual peace.

Fortescue seems to have been consistently protectionist and bullionist, a typical attitude of his time but encapsulated in the Libelle of Englyshe Polycye which he may well have known. When advising the Lancastrians he laid no stress on the necessity for a strong force at sea, indeed it would have been inconsistent with his wish for economy to do so. The particular needs of 1470 lead him to cultivate a pacific and economically liberal approach to Louis XI. The Lancastrians were habitually prodigal with national resources when attempting to placate foreign powers. Henry's marriage to the dowerless Margaret of Anjou and alienation of Maine and the cession of Berwick and tracts of northern England to the king of Scots in 1461 were other such cases. Fortescue seems to have adapted swiftly to the new situation under Edward IV. Richmond has shown that Edward, like Henry V, was a king who took the maintenance of seapower seriously. This also coincided with one of the other main features of royal policy, the preparation for a war of aggression against France. It has been suggested above that there are several instances where the Governance could be thought to be lending support to that enterprise.

If the final version of the Governance was prepared by Fortescue for presentation to Edward IV, the compilation of the treatise from his previous writings must have presented enormous difficulties. It was one thing for the venerated Chancellor to lay the law down to the inexperienced and dependent

3. Richmond, op.cit
prince, Edward of Lancaster in 1470. How could a recently pardoned renegade who had served a discredited monarchy throughout the worst years before its eventual downfall, presume to advise the intellectually competent and materially successful Edward? How could all the numerous signs that the De Natura, De Laudibus, Articles to Warwick and Example were intended for Lancastrian consumption be eradicated? The profound doubt expressed by most commentators on the treatise as to the prince for which it was intended is a testimony to the success with which Fortescue overcame both these obstacles. He only did so, however, by sacrificing one of the most useful devices of the political theorist. Examples drawn from the 1450s and 1460s were far too dangerous for a man in his position to employ. The activities of the dukes of York and Warwick, the policy of Edward IV towards the Woodvilles, the rising of Robin of Redesdale and the ambitions of Clarence were only hinted at in the most general terms. The absence of more specific allusions, although logical in terms of the situation, is surely one of the factors which has led to doubts as to whether the Governance could have been composed as late as the 1470s.

Perhaps it was the sense that a hard task was drawing towards a successful completion that enabled Fortescue to adopt an almost euphoric tone in his penultimate chapter. Plummer was the first to notice that the passage containing hypothetical praises of Edward IV which has been quoted at length above, could be compared in tone to some political songs laudatory of the monarch. The chapter has very little textual relation to any preceding Fortescue works except in the general principle that the Crown should be well and permanently endowed. The main themes were praise for Edward (albeit conditional on his acceptance of the advice), implied condemnation of the policies of Henry VI and assurance that no

harm would be done to the royal prerogative. The implied disparagement of the usefulness of gifts to religious foundations has been mentioned above, another sentence appears more generally to condemn Henry VI and all his works:

"it is no prerogatyff or power to mowe lese any good, or to mowe wast, or put it away. Ffor all such thynges come off impotencie, as doyth power to be syke or wex olde".

This chapter is one of the most eloquent and memorable parts of the whole corpus of Fortescue's works. This could be accounted for by the possibility that he felt temporarily liberated from the contraints of his own former writings and the need to be judicious in his choice of phrases. He always seems to have been stimulated to write by the urgent needs of a situation. The requirement to rebuild the national fabric after civil war and prepare it for the recovery of the French lands provided such a catalyst in the early 1470s.

Chapter XX which ends the treatise reverts to some extent to the themes of the Articles to Warwick, parliamentary and conciliar safeguards to royal gifts were advocated and the merits of protecting the king from importunate suitors rehearsed. Plummer thought the limitation of two years placed on the patents for gifts issued by the advice of the council, could be an extension of the policy of article 7 for the temporary curtailment of the royal household. Conversely it could be a realistic and more moderate adaptation of that policy for the circumstances of the early 1470s. Edward had acquired vast resources as a result of the deaths and forfeitures that marked the end of the Readeption. In that context a policy of moderation and limitation was eminently sensible.

A final recognition of the ultimate power of the royal prerogative ended the treatise:

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"...yit he may leve this ordre whan that hym list".

This section will conclude with an analysis of the structure of the Governance, a procedure which should also produce a summary of the principal factors which have indicated a possible date for the work. Although the discussion so far has suggested that the treatise incorporates material from at least four earlier works by Fortescue, an examination of its composition will show that it is much more than a mere compilation. A logical plan emerges which was adroitly suited to the requirements of the author and its intended recipient.

There can be little doubt that Fortescue envisaged writing a book of advice for a prince which owed much to the traditions of the genre. The first four chapters are full of references to authorities and historical precedent which had common currency from the time when the canon was established by writers such as Vincent of Beauvais and Egidio Colonna, who were both quoted in this part of the work. There seems to have been a deliberate attempt to assert the respectability of what was being suggested through the use of that tradition. Once this had been achieved the incidence of quotation of any kind declined remarkably. Four in chapter I and III, five in chapter II and IV are followed by one or no quotations in all except chapter VIII which has four and XII which has two. This bears out the hypothesis that, from time to time, Fortescue wished to pause in the general drift of his argument and reassert the traditional ethical character of what he was advocating. The reference to Solomon and Rheoboam in chapter X, to biblical precedent in chapter XI and the whole of chapter XVI which leans

heavily on the Valerius Maximus brand of ancient history are further instances of his plan. He probably saw the more detailed advice which constituted the major part of the work primarily as elaborations of the generally accepted principles of good government which were frequently advocated by traditional authors. The need to maintain justice, defend the realm, employ wise, altruistic counsellors, shun extravagance, keep appropriate royal state, reward the worthy and keep taxation to a minimum were inherent in such literature.

Despite the indications that Fortescue was basing much of his detailed advice concerning administrative reforms on one or more earlier documents, a coherent and well balanced argument emerged. After the first four chapters had established the work as belonging to the respectable genre of books of advice for princes and had provided some contemporary comparative material from the regime of the king of France, different kinds of chapters were alternated to promote Fortescue's argument. Chapters V, IX, XII were mainly devoted to describing certain evils which could prevent good government. These were the dangerous consequences of either the king or his commons becoming too poor and the perils of his magnates becoming too powerful. The administrative measures, mainly fiscal, required to avoid these dangers were the main subject of chapters VI - VIII, X and XI, XIV and XV and XVII - XX and these constituted the major part of the treatise. Chapters XIII and XVI were entirely illustrative and anecdotal and made no specific recommendations. Similar passages also occurred in other chapters where they were more successfully integrated into the author's main theme. What seems to be missing is an unambiguous dedication to a particular monarch. Chapter XX ends very abruptly. The provisional encomium of Edward IV in the previous chapter might have been thought to have supplied a fitting substitute for a dedication which would have formed a traditional conclusion to such a work.

The Governance in the form which survives seems to have been composed as a
coherent entity, probably in a limited space of time. An educated guess would be between the autumn of 1471 when Fortescue was again at liberty and October 1473 by which time he was a member of the king's council. Indications that he was not a participant in the king's government at the time of writing have been rehearsed above. The documents he had at his disposal were probably the Comodytes of England, state papers from the 1440s and 50s and the Example. He had presumably drafted the latter in the period between October 1470 and his departure for England. Despite the impression he gave in the Declaracion, the fact that so many of his polemical writings remain, including the De Natura, indicates that he may also have had access to copies as well as to his later Lancastrian works, the De Laudibus and the Articles to Warwick. Even if none of these did survive the turbulent months of 1470-1471, he must have had an excellent memory, a common characteristic in the middle ages and, even today, an attribute of lawyers.

Bodleian MS Laud 593 breaks off in the middle of chapter XIX. It was dated 1480-90 by Macray but a recent examination of the script yielded no reason to assign it to a later decade than the 1470s. Uniquely this manuscript has no divisions for chapters II and III which exist in all other known copies. The

1. Clermont, op.cit., Declaracion, p. 533 "ye be the Kyngs liege man, and of his counsell".
3. Coxe's Cat, op.cit., p. 421 described it as sixteenth century. Many of the pages bear a watermark.

Laud 593 Briquet 4726

I have been unable to find an exact parallel but Briquet identifies a group of four very similar marks with a Piedmontese provenance nos. 4726-4729. The archives in Turin possess a record by the ducal notary of a grant of the right to put a watermark of such a crown, and appended a drawing, to Thomas de Canapicio in 1447. This paper has been found in archives in Provence and Switzerland in documents ranging from 1437 to 1467. C.M. Briquet, Les Filigranes, Dictionnaire Historique des Marques du Papier, vol 2, Paris, London etc., 1907, pp. 287 and 290.
other fifteenth and sixteenth century manuscripts of the Governance have all

distinguished the quotations by putting them in bolder letters and, in some
cases, employing ink of a contrasting colour. Laud 593 resorts to no such
editorial devices. It is indeed a very unprepossessing book, small and
unornamental. The sixteenth century owners, the Bedingfields, scribbled
exuberantly in the margins and seem to have allowed their children to use it
for writing practice. Since the destruction of the much lamented Cotton MS Otto
El in the fire of 1731, "Desiderantur" is all that the catalogue can record,
Laud 593 seems to be the earliest version. The appearance of the script puts
it, in my opinion, at least a decade before either Claudius A VIII or Additional
48031, the only others to have any pretensions to a fifteenth century date.

Plummer based his edition on it with the caveat that:

"It is not however Fortescue's autograph, for it has some small
omissions and mistakes, which could hardly be made by a man writing
down his own thoughts, though quite possible to a copyist".  

The suggestion is here made that, although the work was probably written
down by a professional scribe, what survives in Laud 593 could be no less than
Fortescue's first surviving draft of the Governance, dating from the early 1470s.
The second part of chapter XIX and chapter XX were either drafted separately or
added later. There is no substantive difference in what survives, chapter I to
the middle of chapter XIX, from the remarkably uniform texts of the other early
copies. It seems that either Fortescue or a member of his family circle, before
or soon after his death, improved the draft by splitting up the long first
chapter into three. It would be an easy matter to adapt some of the passages in
the succeeding paragraphs to make suitable titles. Similarly the scribe or member

of the family who wrote out the definitive version decided or was told to make
the text more attractive and easier to follow by distinguishing the quotations
from the rest of the script. It is unlikely that this manuscript survives,
Claudius A viii is a possible candidate but some declaration of a connection with
the Fortescue family, surely the original owners, would be expected. On the other
hand, the Governance seems to have been written by a scribe who contributed
nothing else to the volume which has, in any case, been rebound. The only
relationship of which there can be reasonable certainty if this hypothesis is
correct, is that Sir Adrian Fortescue's copy of 1532 represents quite accurately
the definitive version of the Governance. Laud 593, if it was superseded by a
more attractive and readable copy, would not have been of much value to the
Fortescues. It passed out of their possession into insouciant hands.

Fortescue did a masterly job in consolidating and summarising his theories
of good government, practically obliterating any clumsy anachronisms or errors of
the kind which mar the Boke of Noblesse. His view of what would bring order,
stability and security to the realm had been succinctly expressed in the
Lancastrian Articles to Warwick and that view, in essence, was retained in the
Governance. As Ferguson put it, one of the great virtues of the advice contained
in both the De Laudibus and the Governance was that it was not heavily dependent
on the moral fibre of individual princes:

"in his awareness of impersonal causes and his preference for
institutional remedies, he avoided not only the helplessness of
the Christian moralist, painfully aware that only spiritual
regeneration could effect lasting reform, but also that
glorification of the princely personality which marks the work of
Machiavelli and to some extent Fortescue's English contemporary,

1. A.B. Ferguson, "Fortescue and the Renaissance: a Study in Transition",
Studies in the Renaissance, Publications of the Renaissance Society of
There need be no inconsistency between this account of Fortescue given by Ferguson and the claim that he was consciously writing within the tradition of books of advice to princes. Few innovations came about in England before the eighteenth century, whose perpetrators did not claim on their behalf that they were reasserting the good old practices of the past.
Chapter 6

The Language of Government

The first five chapters have been devoted to defining the corpus of books of advice which were available to Yorkist and Lancastrian princes in the third quarter of the fifteenth century. A distinction has been drawn between those which were English translations or versions of existing authorities in the genre such as Lydgate's Secrees of Old Philisoffres and treatises such as the Boke of Noblesse which contain sufficient new material to justify a claim to originality. With the exception of the anonymous De Regimine Principum which was produced for Henry VI, all the books considered are in English. In many cases, however, the works of Christine de Pisan, for example, or the Secretum Secretorum, it is clear that the princes also had access to the Latin and/or the French versions. The purpose of this final chapter is to assess the degree to which the precepts contained in these books appear to have related to government policies and statements during the period. In the terms of Hanson this could be defined as a consideration of: "... operative political thought, the ideas and assumptions which accompany and inform the actual political life of the age". ¹

The nature of the "ideas and assumptions" which it is hoped will be shown to have been inherent in the pronouncements of the princes, their advisers and parliaments during the later fifteenth century were to some extent determined by the literature which has been discussed above. There were, of course, other strong influences which shaped

¹. D.W. Hanson, From Kingdom to Commonwealth; The Development of Civic Consciousness in English Political Thought (Massachusetts, 1970), p.12.
contemporary perceptions of good government. Theologians who were not primarily concerned to advise rulers how to conduct themselves had, since the time of the early Fathers, formulated precepts referring to the role of princes, heavily laced with Alexandrian Neoplatonism and Roman Stoicism, which had been assimilated into the consciousness of literate Europeans. The history and traditions of individual countries were a potent force in determining how their monarchs would wish to govern and the criteria by which success or failure would be assessed. This was one of the reasons why contemporaries judged Henry V to have been an outstanding monarch:

"In law-keeping, finance, council, parliament and the church, he avoided institutional innovation, preferring to breathe life and effectiveness into the old forms... A revitalizing of traditional kingship was what men looked for."¹

The law was an equally important factor in shaping attitudes to government. Fortescue's *De Laudibus Legum Anglie* demonstrated how inextricably it had become involved in the political destinies of the nation. Undoubtedly geographical features, climate, socio-economic structures and other non-ideological elements also influenced ideas and assumptions about good government but the brief of the present study is to concentrate on the literary contribution made by the genre of books of advice.

By the end of the fourteenth century a corpus existed of widely known works on the conduct of princes which enjoyed the approval of the Church and of lay rulers. Scholastics frequently found it convenient to arrange the precepts they contained under the headings

of Christian virtues. Egidio Colonna, for example, devoted the thirty two chapters of book 1, part 2 of *De Regimine Principum* to a discussion of princely ethics headed by the four Cardinal virtues followed by lesser attributes such as Magnanimity and Humility. Most of the characteristics of sound government can be conveniently grouped in this way.

Prudence embodied the very quality which would lead princes to rely on the advice contained in "mirrors for princes". A knowledge of and respect for the past, a lively appreciation of the challenges and problems of the present and a careful provision for the future of the realm were highly valued. Ancillary virtues which were sometimes treated separately by the moralists such as Generosity and the use of good counsel could be subsumed under this inexhaustible area of princely practice. The aspects of government which would be particularly affected by the absence or presence of Prudence were the composition and management of the royal household and the choices exercised by the prince concerning those in whom he put his trust and the way in which he dispensed his revenues and patronage.

Justice or its absence was one of the principal preoccupations of contemporary political commentators. From this virtue stemmed the order and security which could ensure peace and prosperity in a realm. Injustice was often linked to tyranny in the books of advice: Dionysius of Syracuse, Nero and Attila were regularly cited as cases which led to

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1. This aspect of advice is best encapsulated in George Ashby's *Active Policy of a Prince*, see above chap. 2. The approach dated back to Cicero but it also occurred in the scholastics, notably in Egidio's *De Regimine*, especially book 1, part 2, chap. VIII.
personal and national disaster. One essential part of the prince's obligation to safeguard justice in medieval Christendom was the protection of the rights and property of the Church and the strict enforcement of orthodox catholic beliefs. Fortescue's De Laudibus Legum Anglie is the most obvious example of a political theorist's preoccupation with this theme but it was not neglected by any of the writers or translators. The central issue was a concern for the enforcement of the law to protect the rights of individuals and communities but commentators were also anxious to stress that the exaction of excessive amounts of money in taxation was also an abuse of Justice.

Fortitude was recommended to rulers as warmly as the more peaceful virtues. Without the ability to defend his realm from external enemies effectively or the moral courage to undertake policies which might be unpopular with his subjects no prince could reign successfully. The original purpose of the Boke of Noblesse had been to advocate the exercise of this virtue to Henry VI. Even the long delay which led to its presentation being made to Edward IV some twenty years after it was first conceived did not seriously impair its character as an encomium of Fortitude.

Temperance was a more personal virtue, not so obviously linked to the attributes of a good ruler as the other three. To possess at least the appearance of it was, however, necessary as Egidio ominously remarked:

"Et por ceu que li rois et li prince doivent mult douter que li pueple ne se mueve encontre eus, il apiert a eus que il soient atemprez a ensuivre les
Apart from the use of restraint in indulging in sensual pleasures, this virtue could have more public manifestations. Restraint in expenditure on unnecessary grandeur or pleasures, restraint in enforcing the full penalties of the law, in other words Clemency, brought Temperance manifestly into the domain of political conduct.

There is considerable scope for debate about the relative importance princes attached to the various attributes of good government suggested above; others could be enumerated. The ceremony of the coronation oath, however, repeated several times each century before the assembled nobles, prelates and knights of the realm, affirmed unambiguously what the ruling classes and their sovereign agreed to be the main objects of government. Firstly peace was promised for the Church and to all the king's Christian subjects. Secondly robbery and other lawless acts were condemned. Finally the king promised to combine Justice and Mercy in his dealings with all classes. It will be seen below that it was in the terms of these oaths that the princes and their critics tended to make statements about government in the later fifteenth century.

This chapter will examine the extent to which the Lancastrian and Yorkist princes and their associates recognised the virtues mentioned above as attributes of good government in their public pronouncements.

1. Li Livres du Gouvernement, op.cit., p.59: "Kings and princes should take care that the people do not rise up against them should it appear that they are intemperate in following bodily delights".

Any sign that they were developing additional or alternative objectives will be recorded. Any evidence that they paid regard to the pragmatic considerations raised in the works of Fortescue and, to a lesser extent, Ashby and Worcester, will be reviewed. The main sources of this material are enrolled official documents, printed collections of state papers and royal letters, surviving records of parliamentary sessions, reports of manifestos, proclamations etc. in chronicles, contemporary records of foreign observers and collections of private letters. The statements and policy documents which can be attributed to princes, their families, leading supporters and royal officials will be taken as indivisible. The views of Edward of Lancaster during the 1460s, for example, cannot be separated from those of Sir John Fortescue and other members of the court in exile. Similarly the chancellors who addressed parliament in the name of Edward IV might have imposed their own clerical style on their homilies but the policies they proclaimed emanated from their master.

The time span chosen for a consideration of books of advice in this study is a wide one. An investigation into the language of government over a period which concentrates on the civil wars but which also incorporates, to some extent, the reign of Henry V and the earlier years of Henry VI, would be an impractical undertaking. An alternative was to make two case studies which would discuss the "ideas and assumptions" of the Lancastrian and Yorkist governments and opposition during the two periods of most intense conflict: 1458 to 1461 and 1467 to 1471. A few pages of less detailed commentary attempt to establish continuity between the two studies.

A claim could be made that 1458 was the last full year in which some semblance of normal relations was maintained between the monarchy and the Yorkist magnates. It also constituted the first part of a
twenty month period in which Henry VI appears to have attempted a policy of reconciliation, a policy which finally foundered with Ludford Bridge and the attainters passed by the Coventry parliament in late 1459. Benet's Chronicle specifically excluded Henry from the deliberations leading to the agreement that the Yorkists should compensate the relatives of the Lancastrian nobles killed at St Albans:

"Rex tenuit magnum consiliium apud Westmonasterium, rege absente et consilio laborante circa pacem inter dominos."\(^1\)

The writer did, however, allow a more prominent role to the king in the "Love-day" which was held on March 25, 1458:

"... in exemplum concordie Rex et regina et omnes proceres, fuerunt in processione in ecclesia sancta Pauli Londonis."\(^2\)

An English Chronicle accorded a more distinctive role to Henry in the actual peacemaking process:

"...after long trete bothe partyes submitted theym

1. John Benet, Chronicle for the Years 1400 to 1462, ed.G.L. and M.A. Harriss, Royal Historical Society, Camden Miscellany, xxiv, 1972, p.221. "The king held a Great Council at Westminster and in the king’s absence the Council worked for peace between the Lords".

2. Ibid., p.221. "As an example of concord the king and the queen and all the nobility went in procession to the church of St. Pauls in London".
Flenley's London Chronicle, Bodleian Library MS, Rawlinson B355, influenced perhaps by memories of the entertainments involved, awarded the king an even more prominent part in the peace making:

"Et rex videns tantam malitiam inter istos dominos accitis dominis suis tam spiritualibus quam temporalibus et eorum sano politus consilio ipse tanquam rex pacificus fecit omnes dominos suos pacis filios in pacis osculo confirmatos. Et in signum huius concordie ipse rex cum regina et omnibus dominis praedictis in festo annunciacionis dominice transierunt in processionem apud sanctam paulam. Et post hoc in ebdomada pentecostes magnum hastiludium fuit coram rege et regina apud turrim Londonii. Et iterum in festo sancte trinitatis coram rege et regina apud grenewych. Et tertio in ffyket felde."  


2. Six Town Chronicles of England, ed. R. Flenley, (Oxford,1911) p.112. "And the king seeing such great malice between those lords summoned his lords spiritual and temporal and overcame them by wise advice. Like a peacemaking king he made his lords sons of peace, confirming this with the kiss of peace. And to seal this concord the king himself with the queen and all the aforesaid lords at the feast of the Annunciation on Sunday passed in procession to St Paul's. And after that in the week of Pentecost a great joust was held before the king and queen at the Tower of London. And again at the feast of the Holy Trinity before the king and queen at Greenwich and the third at Ffyket Field."
This episode as related by the London chronicler not only showed Henry carrying out one of the traditional moral functions of the prince as peacemaker. It also illustrates that at this stage he could appreciate how an effective way in which to persuade his politically volatile subjects in London and the turbulent nobility to accept the accord was to launch it with displays of pomp, ratify it by a religious ceremony and confirm it by financing a series of entertainments. The whole episode emerges from Flenley's pages as an impressive exercise of the princely virtue of Magnanimity.

The most persuasive evidence, however, that the policy of peacemaking emanated from the king himself is to be found in the Registrum of Abbot Whethamstede of St Albans. He stated that Henry formed the conclusion, after reading in books and revolving the scriptures in his mind, that the establishment of concord amongst his nobility was the only way in which to achieve peace in his realm. He decided to call a great council in January, 1458 and addressed a speech to it laced with biblical and classical references, in which he advocated the advantages of reaching an agreement:

"....experientia teste, in unione et concordia solent res parvae semper crescere, in divisione vero, et discordia, decrescere maximae, ac usque in nihilium ire.

...quomodo Deo nihil est acceptius virtute concordiae et discretionis, diabolo vero nihil desiderabilius

extinctione concordiae et caritatis."  

Eloquent and flowery speeches abound in the Registram and the authenticity of Henry's harangue may well be questioned. The abbot seems to have welcomed opportunities to display his erudition but he is unlikely to have fabricated the whole episode which he presumably recorded soon after the council had met. He was not a partisan royalist, Humphrey of Gloucester had been his patron and shared humanist interests with him. It would be claiming too much to suggest that a centre party existed in the late fifties but there is certainly some evidence that a number of prelates and possibly magnates such as Arundel and Buckingham still hoped that the rift could be healed. The sequel to the peace initiative of 1458 as reported by Whethamstede; the decision to attaint the Yorkists at the end of the following year, still stressed the prominent role of the king as conciliator and dispenser of mercy. The quotation from Henry's address to the council in the previous year may have contained his own words, the result perhaps of his reading in books, have been the creation of a clerical speech writer or have emanated largely from the abbot's imagination. The fact remains that this policy which seems to have been the king's own, formulated in opposition to the wishes of the queen and her supporters, was presented by one chronicler in the style of the advice offered in "mirrors for princes."

1. Whethamstede, op. cit., p.297 "By the testimony of experience small things always increase through unity and concord. Truly through division and discord the greatest matters diminish and eventually go to nothing. ...how nothing is more acceptable to God than the virtue of concord and discretion, truly nothing is more desirable to the devil than the extinction of concord and charity."


No comparable account exists of the alternative policy of the queen during the following year although its fruition was briefly reported by Benet's Chronicle when he wrote of the great council which was held at Coventry from late June to July 1459:

"...per consilium regine indictati sunt omnes Predicti domini per consilium apud Coventriam."¹

There could be no doubt that this decision was achieved by the legitimate government of the realm headed by the king and no rationale was required beyond what was laid before the magnates at Coventry. This was echoed in the preamble to the subsequent bill of attainder and the Somnium Vigilantis.²

The Yorkists, on the other hand, produced a manifesto which justified their opposition to the royal power and, in the process, gave a resumé of the antithesis of good government which they believed it embodied. The sixteenth century copy by John Stow bears no date but may well have been produced at their meeting at Worcester in late September.³ The first article of the document was a preamble in which the lords justified the action they proposed by declaring that the state of the realm had degenerated into lawlessness. The four following articles dealt more particularly with the manifestations of this crisis: the king's substance had been drained by his unscrupulous household

1. Benet, op.cit., p.223. "...through the advice of the queen the aforesaid lords were indicted by the Council at Coventry."

2. See below p.290-294.

3. Griffiths, op.cit., pp.817-18 & no.280 on p.847. As far as I know this manifesto has never been printed. It has been transcribed and is attached as Appendix 4. It is taken from British Library, MS Harley 543, fols. 164r to 165r. An earlier and virtually identical copy of the manifesto has since been noticed in Additional MS 4803, fols.137v - 138r.
officials who had also harmed trade and oppressed the poor by their extortion. Murder, robbery and other crimes were allowed in the country and no regard was paid:

"... unto the kynge to his lawes or commaundements to his presence in his counsyle ne to the lords spirituall or temporall in his counsell to his juges or officers in his law settinge in execution of the same."

Covetous people about the king deliberately obscured from him the state of the kingdom entertaining only malice towards those who wished for reform. Security and prosperity could only decline whilst this state of affairs continued. The lords concluded that the best remedy would be for them to go into the king's presence, if it was his wish, and without pursuing personal interests or feuds, to work for the reformation of the evils they had listed and the restoration of the kingdom to order and prosperity. This advice for the restoration of good government was couched in respectful terms with compliments on the king's "noble disposicion" and several appeals to the will of God and what was fitting in a Christian kingdom. No direct references were made to traditional books of advice for princes but the assumptions inherent in the manifesto were founded on the ethical code contained in them. Special emphasis was laid on the virtue of Justice and policies of Prudence. Indeed the central argument proposed by the Yorkist lords was that bad counsel from malicious and covetous persons had led to the present crisis and that their good advice, if followed, could extricate the king and his subjects.

1. This could be a specific reference to the flouting of Henry's personal policy of reconciliation.
Henry VI's desire for reconciliation was probably genuine but no evidence indicates that he preferred the tutelage of the Yorkist lords to that of his wife and her following. He responded to the Yorkist initiative described above by taking the field against them. Again it was abbot Whethamstede who specifically referred to traditional authorities in presenting the king as a wise and resolute ruler. At Worcester:

"... coepit revolvere res gestes varias, annaliamque multa praecipue tamen, inter alia, illud quod sententiat Vegetius in libro suo "De Dogmatibus Rei Militaris"; quomodo, videlicet, docta exercitataque paucitas solet plerumque de inerti inermique multitudine vincere..."¹

Yet the Yorkist victory at Blore Heath persuaded the king that mediation rather than force of arms might still be the best way of achieving a settlement. His offer of a pardon to all the insurgents, through the agency of Richard Beauchamp, bishop of Salisbury, was not given verbatim by the abbot. The reply made to the bishop by Warwick was fully reported, indeed the final flowery paragraph likening the general pardon to a shield of glass or a staff of reeds sounds suspiciously like Whethamstede preferring an aureate style to accurate reportage. The first three points made by Warwick, however, which were

1. Registrum, op.cit., vol. 1, p.338. "He began to reflect upon various accounts of noble deeds and many annals and among the rest those most excellent ideas aired by Vegetius in his book The Principles of Military Affairs. Namely how one who is well instructed may with a small army defeat an ignorant and unskilled multitude."
briskly businesslike, related to incidents verified by other chronicles and were close to the style of Harley 543. He gave three reasons for not accepting the general pardon; the fact that previous pardons had not guaranteed access to the council or parliament, had not stopped the unreasonable conduct of their enemies and not even ensured his personal safety. Warwick had nearly been killed by Lancastrian supporters when last called to Westminster by authority of the Privy Seal. The term used to condemn the Yorkists' enemies was redolent with the overtones of books of advice:

"Gens enim est sine prudentia, et abseque consilio."\(^1\)

If the account given by Whethamstede is to be believed both the king and the Yorkists from June to October, 1459, strove to observe proper standards of princely conduct. This is particularly true of the letter of excuse which he related was sent by the latter during their bloodless encounter at Ludford. In begging the king's understanding for their appearance in arms before him they protested that they had attempted to avoid a confrontation by retreating across England as he advanced.\(^2\) There is some independent corroboration for this claim in Benet:

"Et videns dux Eboraci regem venientem abiit retro usque Wigorniam quia nollet pugnare contra regem. Et insequens rex usque Wigorniam abiit dux Tewkysburiam, et illuc veniens

1. Registrum, op. cit., p.340. "For the race is without Prudence and far from good counsel."
2. Ibid., p.341-2.
rex, dux transivit Sabrinam et ivit usque Ludlowe, Cum veniens rex ibi dimicarent."

Such a protest from the men who, a few weeks before, intended to come into the king's presence to achieve a reform of government seems strange. It could simply have been a delaying device reflecting their military weakness but, since they had already rejected a general pardon, it also seems to have been an attempt to assert their moral superiority once again.

The king meanwhile used his prerogative of mercy to deadly effect. A pardon was offered to the Yorkist host and many, including the formidable Calais captain Andrew Trollope, took it, leaving their leaders hopelessly weak. Had the conflict of 1459 to 1461 finally ended in the royalists' favour this would surely have been cited by commentators as a masterly application of the art of governance.

The strength of York, Warwick and Salisbury had been so undermined by the issue of royal pardons that they would have been unwise to risk a battle at Ludford. They left what remained of their forces and dispersed to Ireland and Calais. Before parting they issued a letter for Henry VI which the English Chronicle aptly described as an "excusacioune". They first referred to previous communications:

"Oure trewe entent to the prosperyte and augmentacione of youre hyghe estate, and to the commone wele off this reaume,

1. Benet, op.cit., p.224. "And the duke of York seeing the king approaching retreated as far as Worcester because he did not wish to fight against the king. And as the king followed to Worcester the duke left for Tewkesbury and the king arriving there, the duke crossed the Severn and went to Ludlow and there when the king arrived they encountered each other."
hath be showed un to your hyghenesse in such wrytyng as we made thereof."¹

This may well refer to the articles transcribed by Stow which have been discussed above, especially as this "wrytyng" is associated in next line with an indenture the lords had signed in Worcester cathedral:

"...comprehendyng the preef of the trouthe and deute that, God knoweth, we bere to youre seyde estate and to the preemynence and prerogatif thereof."²

They went on to state that since that time they had affirmed by word of mouth and through Garter, king of arms, their good intentions both to the king and to the worthy lords who accompanied him. This presumably referred to the Ludford letter of humble excuse as well as similar verbal messages. Apart from the preliminary reference to the "commone wele", the lords in this letter addressed their attention solely to their own grievances. The threat to their offices and estates, the malice and misrepresentations of their enemies and their protestations of innocence and loyalty made up the remainder of the communication. What could they hope to achieve at this stage for it was quite clear

2. Ibid., p.81.
that the royalists, if not the king they dominated, were irreconcilable?
The conclusion must be drawn that they were primarily concerned to
present themselves in a favourable light to those they hoped to
influence. The unaligned lords and prelates of the great council and
parliament and their own considerable following in the West, the North,
London and Kent could be expected to receive some version of the
Yorkists' excuse. This would prepare the ground for the time when
conditions allowed them again to approach the king in force.

Queen Margaret and her supporters at court now seem to have
undertaken finally to convince the king and the uncommitted nobility
and prelates that the only option remaining was confiscation of the
Yorkists' property and their attainder for treason. It seems that
before parliament met at Coventry in November, 1459, a document, the
*Somnium Vigilantis*, had been composed for that purpose.\(^1\) It had few
pretensions to literary merit although it adopted two popular late
medieval allegorical forms: the dream and the trial. The strongest
influence on the work was probably Guillaume Deguilleville's *Pilgrimage
of Man and of the Human Soul* which was reasonably well known through the
translation of Lydgate.\(^2\) The first part of the unique manuscript\(^3\) of
the *Somnium Vigilantis* is missing but it apparently set the scene, using
Latin, to establish that the action took place in the context of a
dream. The reporter described a debate held before an assembly presided

1. J.P. Gilson, *op.cit.*, C.L. Kingsford, *English Historical
   Literature in the Fifteenth Century*, (Oxford, 1913), p.168,
   M.L. Kekewich, 'The Attainder of the Yorkists: Two
   Contemporary Accounts', *BHR*, vol iv, 1982, pp. 25-34.

2. *Catalogue of Romances in the Department of Manuscripts in the
   British Museum*, compiled by H.L.D. Ward & J.A. Herbert, (London,

over by Henry VI. A "nefaustus lurco" demanded a hearing for the grievances of the Yorkists and was given permission to proceed. In six brief articles in English he defiantly demanded that Clemency should be shown to the lords as it was an attribute expected of princes. Less harm would be done by pardoning them than by destroying them; they did not deserve punishment as they were acting for the public good; there was no intention to hurt innocent people only malicious ones; many external enemies threatened the realm, this was no time to break these lords; finally, given the support they enjoyed in the country, the king would probably not be able to overthrow them. These articles contain several of the points made by the Yorkists in the Stow transcript although the more specific charges against the royalists were, understandably, omitted. Since the tract then gave the royalist orator ample opportunity to refute all these points it may be seen as the first surviving attempt made by that party to counter the volume of propaganda that the Yorkists had been launching on England since their indictment at Coventry. Only one copy of the manuscript survives and there is every indication in its style and content that it was intended for a specialised audience, probably only for the king and a few of his prelates and nobles.

The refutation of the Yorkist claims occupied a considerable part of the tract; the terms used to condemn them were close to those employed in the earlier opposition articles:

1. Ill favoured fellow.
2. For a full discussion of the date and authorship of the Somnium see Kekewich, op.cit.
"they dyd thaire utterly devoure to undo him, and proceded as farre tharin as they myght, sauynge the couvertenes of thaire pernicious entent."¹

The king would be unjust and cruel rather than clement if he were to show mercy to the lords for a third time; similarly it would be more harmful to the realm to allow them to survive than to destroy them. The third response catalogued the many crimes they had committed dating from nearly a decade before and is particularly interesting because of its similarity to the list of treacheries given in the parliamentary petition for a bill of attainder which was probably drafted soon afterwards.² There would be no profit in recalling the Yorkists to grace under the delusion that they would defend the realm. The orator conceded that some people did support them but this was another good reason to take the opportunity to break them. The final part of the tract contained the speech of an arbitrator who was immediately revealed as an ardent royalist. In the guise of an impartial judge, and the use of French emphasised that character, he delivered the coup de grace to Henry's policy of reconciliation:

"il ne faut que diligence en ceste matiere et laboure pour union avoir entre ceulx aux quelx appartient ladressement de cez choses. Mey savoire fault que par concorde petite choses cressent et par divicion tres grandes et puissans riches vent a nyant. Il ne fault point du tout espere en Die. Il convient mettre la

¹ Royal MS D XV fol. 303.
main a leure et pris de Dieu donra son ayde".¹

He satirically quoted the words attributed to Henry VI by Whethamstede at the council meeting at Westminster in early 1458 almost verbatim and so underlined the apparent intention to discredit the king’s policy. Instead of the exercise of royal clemency he advocated the application of strict justice, the enforcement of rigorous penalties against his enemies and malicious gossips and the provision of generous rewards for those who had remained loyal.

The Somnium Vigilantis cannot be assessed in terms of the impact it had on the opinion of the king since evidence for this does not survive although the policy it advocated was successfully implemented in the parliamentary bill of attainder. Henry did specifically retain his right to exercise clemency, however, in a proviso at the end:

"The Kyng agreeth to this Acte: so that be vertue therof he be not put fro his prerogatyf, to shewe such mercy and grace as shall please his Highnes, accordyng to his Reglie and Dignitee, to eny persone or persones whos names be expressed in this Acte, or to eny other that myght be hurt be the same..."²

The most interesting aspect of the tract for the present purpose is the manner in which the royal virtue of Justice was shown to be superior to

1. Royal MS 17 D XV, fols. 309 r – v. "...it is officious to work in this matter to achieve accord with those to whom the reform of these affairs appertains. But it is a fallacy to believe that by concord small things increase and by division very great, powerful and precious matters diminish to nothing. It is no use at all trusting in God. It is best to take action at the right time and then God will give his support."

the kind of Mercy that the king had cultivated. The vehemence with which the case was put mark it as a document which was produced at speed for a particular purpose. The moral, allegorical debate form of the work, however, and the appeal to traditional concepts of good princely conduct show that the authors clearly recognised that such a presentation would make their arguments more acceptable.

Abbot Whethamstede may have been one of the prelates who had wished Henry to make a compromise between the rival factions. His Registrum is the main, but by no means the only, source of evidence that this was the king's own inclination. The account he gave of the attainters of 1459 constitutes a last attempt to portray Henry as a prince of peace and to show that his policy was not entirely bankrupt.\(^1\) It was by no means a straightforward report of the parliamentary proceedings. The king presided as a judge and the advocate Justice and the mediatrix Mercy\(^2\) made cases before him respectively in favour of the condemnation or pardoning of the Yorkist lords. This is a more refined literary composition than the Somnium, written in Latin and abounding in flowery phrases and classical and biblical references. The theme and its treatment, however, are close to Somnium, indeed there are some signs that it was influenced by the tract.\(^3\) The purpose of the Registrum episode, which constituted a small part of a much wider history of St Albans abbey and its times, was not polemical. The author tried to preserve a balance between the interests

2. "Mediatrix misericordiae" was a phrase commonly used to describe the Virgin Mary in the late middle ages.
of the two sides, not presenting the Yorkists as inveterate rebels but as well intentioned, misguided people who deserved pardon. Much more space was devoted to the merits of their case than to the opening speech of Justice who condemned them on the following grounds: the danger to the law if it were undermined by the exercise of unmerited clemency; many precedents were cited for the need to enforce the law vigorously; there would be no security if these malefactors escaped punishment. Mercy then launched on an extended plea for clemency based, not on any justification the lords might have had for their actions, but on the premise that it was a principal virtue of kings to temper justice with mercy. Apart from several biblical quotations the authority of Valerius Maximus, Aeneas and Trajan were cited in support of this claim.\(^1\) The passage concluded with a recognition that Henry, against his own inclinations, agreed to the bill of attainder but stressed that he specifically reserved to himself the right to exercise the royal prerogative of pardon. By ending on this note the author managed to convey the impression that Henry’s policy had been at least a partial success and that he had retained some initiative in the matter. The whole passage was redolent with the sentiments of books of advice and there seems to have been a firm intention to present the king’s policy in those terms. Contemporaries would have been quick to recognise that Henry, by exercising his prerogative of mercy, was observing one of the tenets of his coronation oath.

The drafters of the petition for a bill of attainder also seem to have wished to present the king in as positive light as possible. Again this was done in terms that would be recognisable from the books of

advice. They probably felt that the catalogue of occasions when he had been in danger of insult, injury or even death gave a dangerously passive impression of his capacities. When describing the encounter at Ludford they used phrases that implied that he possessed considerable quantities of the cardinal virtue of Fortitude:

"... after exortation to all the Lordes, Knyghtes and Nobely in youre Host, made by youre owne mouth, in so witty, so knyghtly, so manly, in so comfortable wise, with so Princely apporte and assured maner, of which the Lordes and the people toke such joye and comfort, that all their desire was oonly to hast to fulfill youre corageous Knyghtly desire". ¹

There are grounds for assuming that until his capture by the Yorkists at the battle of Northampton in July, 1460, the king did retain some capacity for taking initiatives. It may, of course, have been that the numerous letters patent issued in the early part of the year urging vigorous action against his rebels were entirely the work of his advisors:

"... ad omnes Persones, Partem praedicti nuper Comitis Warrewici seu aliorum Rebellium nostrorum Verbis vel Operibus Defendentes et Tenentes, vel aliqua Verba contra Magestatem nostram Regiam habentes et dicentes, similiter Capiendum et Arestandum, et in Prisonis Nostris, in

They are reminiscent, however, of the vigorous action Henry took against the disaffected counties after Cade's revolt. The wording of some letters does seem to bear the imprint of the king's own views. One addressed to the prince of Wales, for example, contained the sentiment:

"...Gratiam et Misericordiam rigori Justitiae in primo Accessu et Adventu vestris in Principatum Wallie anteferre volentes, vobis, ac cuicumque alii per vos sub Sigillo vestro Deputando, plenam et sufficientam Postestatam et Auctoritatatem, Tenore Praesentium, Damus et Committimus..."  

Yet the moral superiority which had enabled the royalists to present the Yorkists as self-seeking rebels in 1459 had passed to the opposition. The very success of the act of attainder and the disappearance of its victims into exile had alarmed much of the propertied interest. There seemed to be a danger that the excesses of Henry's officials would no longer be curbed by the criticisms of Gloucester, a parliament or a York and that any man's estate could

1. T. Rymer, Foedera, Conventiones, Literae et Acta Publica, (London 1739-45), 20 vols, vol. v, p.91. "...all persons of the party of the aforesaid late earl of Warwick or other of our rebels defending or maintaining by word or deed against our king's majesty shall similarly be taken and held in custody and constraint in our prisons in the aforesaid manner."


3. Rymer, vol.V., p.93. "...wishing to prefer Grace and Mercy to the vigour of justice at your advent and arrival in the Principality of Wales we give and commit to you and to any deputed by you under your seal full and sufficient power and authority by the contents of these orders."
arbitrarily fall prey to their rapacity. No justice or temperance was seen to have been exercised by the king in the aftermath of the Coventry parliament and this was the departure point for the next phase of Yorkist propaganda:

"... thes fore sayde lordys sende letters unto many placys of Inglonde howe they were a vysyde to reforme the hurtys and myschevys and grevys that raynyd in thys londe; and that causyd them moche the more to be lovyde of the comyns of Kent and of London; and by thys mene the comyns of Kent sende hem worde to ressayve hem and to go with them in that a tente that they wolde kepe trewe promys, and as for the more parte of thys londe hadde pytte that they were attaynte and proclaymyd trayters by the Parlement at was holde at Covyntré."¹

At this stage Ross identified Warwick as the most effective advocate for the exiles' cause: "Skilled in the use of propaganda, vigorous and open-handed..."² On the other hand York had shown himself to be well aware of the utility of gaining public support as early as 1450 before he was allied with the Nevilles. In that year on his return from Ireland he presented two bills to Henry VI. The first was mainly preoccupied with personal grievances but the second addressed such aspects of the government as failure to administer justice and the need to provide for


tranquility and peace in the realm. The dissemination of copies of the bills indicate that they were always intended, at least in part, as a propaganda device.¹ Warwick may have been the principal author of the articles which were addressed to the archbishop of Canterbury and the commons of England and which bore his name together with those of York, Salisbury and March which seem to have been issued shortly before their landing in England in June, 1460.² They repeated many of the sentiments voiced in earlier manifestos, petitions and letters. Yet their length and the comprehensive review they provided of past government failures give invaluable evidence of a programme for good princely rule. This had started to evolve in the declarations of Gloucester, had re-emerged in the parliaments of 1449-50 and the Cade manifestos and had been ever more clearly voiced by York and his followers throughout the previous decade.

Abstract concepts such as Fortitude and Mercy had little place in articles of Calais. The many charges of misgovernment it contained were specific and those advisers of the king who were thought to be responsible were named. A view of what constituted good government again emerged clearly from the way in which its antithesis was described. The financial and physical oppression of the king's subjects together with the poverty to which the rapacity of his advisers had reduced Henry and his household were the first points to be made. The neglect of impartial justice and contempt shown for the king's law by the same miscreants caused further sufferings to the people. The king's failure to live of his own led to other oppressions such as purveyance:

"whycho nouther accordethe wyth Goddes nor mannes lawe".¹

These problems had been compounded by the loss of the French territories, the jeopardizing of Calais and the appeal to England's enemies in Ireland. The first part of the manifesto concluded with the warning that:

"... it ys ... to be doubted ... that the same lordes wolde put the same rewle of England, yef they myghte have theyre purpos and entent, in to the handes and governaunce of the seyde enemyes".²

These articles, although dealing explicitly with various kinds of misrule, were implicitly underpinned by a recognition of the four Cardinal virtues of princes or rather, in this case, their absence. The concluding paragraphs abandoned any pretensions to political altruism and named the prime offenders responsible for misleading the king, the earls of Shrewsbury and Wiltshire and Lord Beaumont. Not only had they conspired to destroy the royal line represented by York and his children and, to a lesser extent, the Nevilles but this was a policy which had existed since the murder of the duke of Gloucester. All had been victimised for their committment to:

"... the profyte of the kynges estate, to the common wele of the same reame, and defens therof".³

1. English Chronicle, op.cit., p.87.
2. Ibid., p.88.
3. Ibid., p.88.
The king's evil counsellors misled him into letting the attainders pass against the Yorkist lords at Coventry and then gratified their covetousness and malice by robbing their estates and persecuting their followers.

The remedy proposed for all the evils enumerated was the usual one. The lordes would humbly and dutifully go into the king's presence and reveal to him the true state of affairs and beg him to redress the wrongs done. They appealed to the archbishop and the commons for assistance assuring them that they were:

"... doying alwey the deute of ligeaunce in oure personnes to oure sayde souverayne lorde, to hys estate, prerogatyf and preemynence and to thassuerte of hys most noble persone, whereunto we have ever be and wylle be trew as any of his sugettes alyve".¹

It is to be doubted whether the final lines quoted above were, by mid 1460, entirely sincer. The king had probably irrevocably alienated the loyalties of the Yorkists by permitting the Coventry attainders. They knew from experience that mere access to his presence was futile whilst either the Queen or numbers of the royalist magnates remained at large. The manifesto seems to have been primarily intended to attract popular support and make possible the effective conquest of the realm and capture of the whole royal family.²

The high opinion Ross had of the abilities of Warwick as a propagandist is born out by two other pieces of evidence which show his

appreciation of the importance of winning influential support. The first is the letter addressed to the papal legate, Francesco Coppini, which was sent in the names of Warwick, March, Salisbury and Fauconberg. The legate was probably in Calais with the lords at the time as he had already abandoned the impartiality he was meant to show as a peacemaker. He subsequently acceded to the invitation to accompany the lords to England. The first few lines of the letter, this time benefiting from the resonant formality of Latin phrases, reiterated in general terms the theme of earlier Yorkist propaganda:

"... videmus magnam ruinam et crudelissimam caedam preperabam in regno Angliae propter injurias quam-plurimas contra Rempublicam perpetratas..."¹

Warwick, who was probably the author of this letter, realised the great moral advantage that would be gained if the invasion force were to be accompanied by a papal legate. The letter was peppered with high minded allusions to Justice, Charity and many specifically religious sentiments. The purpose was presumably to provide Coppini with an apologia which could be sent back to Rome to justify his abandonment of his original mission. There was no requirement to resort to the detailed list of malpractices or of remedies which the Calais manifesto had contained.

¹ H. Ellis, Original Letters Illustrative of English History, Third Series, (London, 1846), vol 1, p.85 "... we see the great ruin and most cruel carnage perpetrated in the kingdom of England on account of the many injuries that have been carried out against the public interest..."
It may have been at about this time that the "Kyngs true liegmen of Kent" issued fifteen articles enumerating the grievances which had caused them to rise in sympathy with the Yorkist invaders. The earliest known copy, British Library Additional MS 48031, dates from the late fifteenth century. The manifesto is identified by its first words:

"1460 articles of the comons of Kent at ye coming of therle of march warwike and Salisbury with ye lords Fauconbrigs and Wenloke from Calies to the battayle at northampton".2

Apart from this superscription, however, it scarcely differs in content from one of the 1450 manifestos issued by Cade's rebels, probably whilst they were camped Blackheath.3 Appendix 5 contains Article 5 of the Cade document for comparative purposes, it is typical of the virtually identical content of the manifestos. It could be that an early copyist mistook the nature of the "1460" manifesto and attributed it wrongly to a popular movement ten years later than its actual date. Since the Additional MS, which contains copies of several dated documents, the latest referring to the nineteenth year of Edward IV's reign, may have been produced in that year or soon afterwards, such a mistake is

1. Fols. 138r - 139v, originally Yelverton xxxv. John Stow made a copy about a century later either from this or a similar manuscript, British Library, Harley 543, fols. 165r - 166v.

2. See Appendix 5 for a transcript of Additional MS 48031.

3. Griffiths, op.cit., p.635. The version of the 1460 manifesto in the White Rose of York, op.cit., pp.lxxiv-lxxvi is a paraphrase taken from Stow and thus makes the document look more different from the Cade manifesto than it really is. The latter is printed in the Eighth Historical Manuscripts Commission, Appendix 1, section 2, pp.266-7. It is taken from Oxford, Magdalen College, Misc. Doc. 306.
unlikely, especially as it occurs chronologically in a whole sequence of such political documents. It seems more probable that one of those who was a sympathiser with the Cade rising and had retained one of the original manifestos, decided that it would be appropriate to use it again. Since the main theme is a condemnation of the king's evil counsellors it fits the situation quite well, except possibly for article 7 where the indignation against Suffolk was rather redundant by 1460. The whole programme remains of interest, however, because there is a radicalism in some of the strictures not encountered in the propaganda issued by the Yorkist lords. Article 2 demonstrates the view that the royal power was limited and that this was recognised in the coronation oath.

Article 6 accused the king's advisers of preventing any persons from coming into his presence except on payment of a bribe. In Article 14 it was proposed that any official of the king who took bribes should be punished by death. This was a much more specific accusation and remedy than the generalities about corruption and misrule in which earlier manifestos dealt. Article 8 again condemned the arbitrary use of royal power:

"...they whome the kynge will shalbe traytors and whome he will not shalbe none."¹

The insurgents went on to protest that they were not traitors or robbers but were in arms out of righteous indignation at the threat to gentlemens' lands and goods in Kent. They would return home peacefully once their grievances were amended. The use of the word "gentlemen" indicates the origins of the document reasonably securely. Article 13 conceded that not all those who surrounded the king were guilty of the

¹. Harley 543, fol.165v.
charges. Those who were could be identified by a "iust and a true enquirie by the lawe".

The men of Kent were one of the most politically active, non-noble, sections of fifteenth century English society. The Articles of 1460 indicate that some of the gentry who led them had developed a programme for limiting the royal power to misgovern which contained several recommendations which were more specific than anything that the Yorkist lords had produced. It was an entirely logical position for the king's ordinary subjects, seeking stability above all, to adopt. Although most of the articles dealt with practicalities, several of them suggested remedies which implied long term constitutional developments not dissimilar to those advocated by Ashby and Fortescue. The need to employ good counsellors who would command proper respect, the resumption of royal lands and achievement of solvency, financing a French campaign, free access to the king's presence and the guarantee of impartial justice were all recommended in the manifesto. The lords, on the other hand, were hoping to replace the king's advisers or, in the case of York by 1460, the king himself. There was no incentive for them to seek a limitation of the royal prerogative.

Warwick's third appeal to the ecclesiastical hierarchy (if the manifesto addressed to the archbishop and commons is counted as the first in the series), survives only through the reportage of the Englis Chronicle. He made a speech to Convocation soon after the Yorkists were admitted to London in which he explained:

"... the causes of theyre commyng in to thys lond: and mysrewle and myscheves therof; and how with grete vyolence thay had be repeled and put from the kynges
presence, that they myghte nat come to hys hyghenes forto
excuse thaym of suche fals accusaciones as were layde
ayens thaym; and now were come ayene, by Goddys mercy,
accompanyed with peple for to come to hys presens, there
to declare and excuse thayre innocence, or ellys to dy
in the felde".  

The lords then took an oath on the Cross to bear true allegiance and
faith to the king. The whole episode seems to have been a well managed
set piece, calculated to allay the fears of the citizens as well as the
church leaders concerning the intentions of the invaders. The king was
still assumed to be wise and good with an unquestioned right to loyalty
and obedience; in this the speech was in line with all the earlier
public statements by critics of royal government.

The crisis of the years 1458-61 entered a new phase after the
battle of Northampton in July, 1460. For the first time since York’s
second protectorate his party was in a predominant position. Many of
their greatest enemies had died on the field and Henry was in their
custody. The continued freedom of Margaret of Anjou and the prince of
Wales probably had little impact on the dilemma now posed by York’s
assertion of his claim to the throne. The estates of parliament, chief
justices, sergeants and king’s attorney were required to decide on the
proper location of sovereignty. This would inevitably lead them beyond

1. English Chronicle, op.cit., p.95.
the minutiae of the laws of succession which Fortescue discussed at length a year or so later in his *De Natura Legis Naturae*. To take a decision was, as the justices recognised, a high matter and could have led to fundamental changes in the balance of authority exercised in the government of the realm. Henry had already seemed to abdicate any responsibility to protect his own line in the succession when he made the request in response to the Lords' plea for guidance:

"It pleased hym to pray and commaunde all the seid Lordes, that they shuld serche for to fynde in asmuch as in them was, all such thyngs as myght be objecte and leyde ayenst the cleyme and title of the seid Duc."¹

The unwillingness of all the constituencies of the realm that were consulted to commit themselves led to the compromise, which at least had the reassuring precedent of the 1420 Treaty of Troyes: that Henry should continue to reign but would recognise the house of York as his successors. In practice the accommodation had little to do with any agreement about what constituted good government; it was merely a recognition of the prevailing opinion amongst the magnates that they owed allegiance to Henry VI as their king but that the competence to rule belonged to York.² Even these pragmatic advantages of the settlement were swiftly undermined by Wakefield, Mortimer's Cross and Towton.

The parliament that met at Westminster in November, 1461, was to be confronted with none of the difficult decisions which had exercised its predecessor. Henry had reneged on the solemn undertaking concerning the succession agreed in the previous year and, eventually, fled to the North with his family. These circumstances justified the transfer of allegiance which most of his subjects now made. The Commons welcomed the accession of Edward IV in a motion which also recounted the events which had led to it. They ended with a plea that he should:

"... preferre all thing that may serve to the seid Commyn wele, to the exercise of Justice and rightwisnes, and to punyssh the grete and horrible Offendours, Extorcioners and Riotours, and have pite, compassion and mercy upon the Innocents, to Godds pleasure..."¹

This neatly combined a recognition of several of the major objections the Yorkists had raised for the past decade against Lancastrian rule with the requirements for a king which were encapsulated in the coronation oath Edward had recently taken. The events in the previous year had undermined the traditional image of Henry VI as a wise and just ruler loved and supported by God. Edward's victory enabled his subjects to revert to the conception of their ruler purveyed by writers such as pseudo-Aristotle, Egidio Colonna and Christine de Pisan, endowed with the virtues of prudence, justice, fortitude and temperance. Indications survive that he was aware of these requirements and went to some trouble to foster suitable public attributes.

¹. Rotuli Parliamentorum, op.cit., vol v, p.463.
The following six years of Edward's rule went a considerable way towards fulfilling the promises of good government that had been made in the Yorkist manifestos and his coronation oath. He showed Prudence in the way in which he organised his own royal household dispensing offices and controlling revenue to exploit its potential as a centre of power and patronage.¹ The Black Book which recorded one aspect of that process specifically referred to the authority of Aristotle and Egidio Colonna on the need for a prince to combine good management with magnificence.² Similarly the gifts of property and office he made to his principal supporters and particularly to his brothers were reasonable and sensible if the new dynasty was to be soundly established.

Plentiful testimony survives in the patent rolls of Edward's early determination to uphold Justice and repress all signs of possible disaffection.³ George Neville's text as chancellor to the 1463 parliament was:

"Qui judicatis Terram diligite Justitiam; et sic procedens sermonizando notabiliter declaravit, qualiter Justitia esset observand."⁴


4. Rotuli Parliamentorum, op.cit., vol V, p.496. "If you would judge the earth choose Justice and thus proceeding to sermonize notably declaring how Justice should be observed."
The vigorous pursuit of traitors and wrongdoers was closely associated with another of the great princely virtues, Fortitude. Much of the early part of the decade was devoted to eradicating Lancastrian influence on the Welsh and Scottish borders of the kingdom. In this process the king was successful. Despite the possible insincerity of his declaration of intent to make war on France, his diplomatic alignment with Burgundy was a tangible achievement. Confirmed by the pageantry of the Smithfield jousts and the marriage of his sister to Charles the Rash, it did much to ensure that the residual English territory of Calais should remain in his possession.¹

In two respects Edward’s failure to exercise the princely virtue of Temperance led directly to the crisis at the end of his first decade as king. In many cases the restraint he showed towards former Lancastrians after Towton was rewarded by their unequivocal allegiance. Yet to show clemency to such committed royalists as Somerset and Oxford was a naive exercise of magnanimity. The Woodville marriage was an act of intemperance which not only involved the king with her large and increasingly unpopular family ² but also publically humiliated Warwick who had lent his prestige to the promotion of a French marriage for the king.

The Lancastrian government in exile benefited from the guidance of a statesman who was cooler and more experienced than Edward and less self seeking than Warwick. Chapter 5 has sought to demonstrate the

¹ Calmette & Perinelle, op.cit., chap V, pp.78-98.
² J.R. Lander, 'Marriage and Politics in the Fifteenth Century: the Nevilles and the Wydevilles', Bulletin of the Institute of Historical Research, vol. xxxvi, 1963, pp.129-43. He makes it clear that the marriage was not only an error of judgment on Edward’s part but was seen as such by contemporaries.
close involvement of Sir John Fortescue in the policies of the dynasty between 1461 and 1471. The large number of supporters who were killed or captured in the process of the dethronement of Henry VI and the king's apparent loss of any capacity for independent thought or action created a vacuum round the queen and her son. This was eventually partly filled by some of the returning lords such as Somerset, Ormonde and Jasper Tudor but Margaret does also seem to have paid serious attention to the counsels of Fortescue and, possibly, lesser characters such as Dr Morton.¹ The French National Archives contain several pieces of evidence of the efforts the queen, Fortescue and Ormonde made to attract support from European monarchs. A letter composed by Fortescue for the prince of Wales to send to the king of Portugal, for example, resounded with praise for the princely virtues he displayed:

"In vobis igitur, illustrissime princeps, optima mihi reposita spes est, qui justitia, prudentia, fortitudine, temperantia, magnanimitate, ac omni tandem virtute et gloria, adeo polletis, ut nulli nunc orbe principum humanitate fecundus videamini, sicque polletis uti cum vires hauserim et in viriles evaserim omnos, cacteros inter mundi principes vestri similem fore in re militari, probitate, et gloria summe exoptem."²

1. C.J.M. McGovern, 'Lancastrian Diplomacy and Queen Margaret's Court in Exile, 1461-71', (Keele B.A. Dissertation, 1973)

2. Paris, Bibliothèque Nationale, MS Fonds Francais 4054, fol.172. "Most illustrious prince my best hope lies therefore in you since you are endowed with justice, prudence, fortitude, temperance, magnanimity and, finally, all virtue and glory. For no other prince is seen in the world so endowed, I choose to take you as my example in manly vigour and shun all other, amongst the princes of the world you excel in military skills, worth and glory."
This constitutes a recognition of a kind of freemasonery of Christian kings who were bound by honour and morality to render aid if one of their number was harmed by an evil usurper.

The ability of Henry VI, prince Edward or Margaret of Anjou to exercise the cardinal virtues was strictly limited by the incapacity of the first, the youth of the second and the powerlessness and poverty of the third. The series of negotiations, however, which culminated in the accord between the Lancastrians and Warwick in alliance with Clarence, show a masterly exercise of diplomacy. The surviving record of a series of memoirs sent by Fortescue to Louis XI\(^1\) leave little room for doubt that he was the architect on the Lancastrian side of an arrangement that was personally repugnant to the queen.\(^2\) The size of this achievement and its sequel, the reinstatement of Henry VI, has perhaps been overshadowed by the subsequent defeat and obliteration of Warwick and the Lancastrians. Uniquely during this period a political theorist was in a position to act on his own advice. Combining a respect for the traditional virtues with a grasp of contemporary political realities, Fortescue harnessed the Fortitude of Warwick to the Prudence of Louis XI, enjoined Temperance on Margaret of Anjou and achieved the Justice of the restoration of his king to the throne of England.

The last few pages have given a brief review of the ethical dimension of the policies followed by Lancaster and York between 1462

\(^1\) Paris, Bibliothèque Nationale, MS Fonds Francais, 6964, fol.27.

\(^2\) Griffiths, \textit{op.cit.}, pp.890-1.
and 1470. It remains to subject the years of crisis for both dynasties, 1467 to 1471, to closer scrutiny to investigate whether the language of government responded to or developed popular and noble expectations.

The first recognition given by Edward IV to the degeneration of his relations with Warwick was in June, 1467, when he personally relieved George Neville of the Great Seal and, thereby, his office as Lord Chancellor. This emergence from Neville tutelage had, to some extent, been anticipated a few days earlier on June 3 when Edward had addressed the new session of parliament in person. He was doubtless well aware that the Commons had come to the session, the first since his marriage had been made known, full of disquiet. Reservations about the Woodville connection were compounded by disillusionment at the amount of royal lands that had been alienated since 1461, despite all former strictures about the practice, and the lawlessness which still afflicted many parts of the realm. Edward recognised the last two problems in his promises to live of his own and to give of his uttermost in the defence of his people. This royal guarantee was not in itself sufficient to calm the anxieties of the Commons. The problem of disorder was raised during the session and in his speech at the prorogation of parliament on July 1 the new chancellor, the bishop of Bath and Wells, Robert Stillington, confirmed that:

"Certerumque, quoad executionem Legum, Statutorum et Ordinationum, ante ea tempora editorum, pro punitione Malefactorum; idem Dominus Rex, de avisamento Dominorum Spiritualium et Temporalium, ac Justic' suorum, ea Equitati

2. Ross, op.cit., pp. 118-120.
Both the speeches of Edward and his chancellor demonstrated the king's understanding of the need to reaffirm before the community of the realm the undertakings of his coronation oath. The chancellor's speech at the session of May 12, 1468 specifically linked royal conduct to the literary genre of advice to princes in his preamble:

"... Justice was grounde well and rote of all prosperite, peas and pollityke rule of every Reame, wheruppon all the Lawes of the world been grounde and sette, which resteth in thre; that is to say, the Lawe of God, Law of nature, and posityfe Lawe; and by seying of all Philosofers, felicite or peas in every Reaine, is evermore caused by Justice, as it appereth by probabill persuacions of Philosofers. Wherfore first he asked, what is Justice? Justice is, every persone to doo his Office that he is put yn accordyng to his astate or degre; and as for this
Lond, it is understond that it stondeth by III estates, and above that oon principall; this is to witte, Lordes Spirituell, Lordes Temporell, and Commons, and over that, State Riall above, as oure Soverayn Lorde the Kyng, which had yeven unto hym in commaundement to sey unto theym, that his entent fynall was to ministre Lawe and Justice, and to plante, fixe, and sette peas through all this his Reame, by th'advis of his Lordes ... and also entended to provyde an outward pease for the defence and suerte of this Reame.¹

He went on to recall the lawless state of the country before Edward had assumed the Crown and enumerated the measures that had since been taken to acquire foreign allies, assist merchandise and move against his great enemy, Louis of France. The speech reads partly as an apologia for the king’s recent policies, many of them deprecated by Warwick and his following, partly a justification for the appeal he made at the end for the support of the three estates in his undertaking to recover the French lands. The grant of two tenths and two fifteenths may in part show the success of couching his appeal in traditional language recognised by the ruling classes as being based on the precepts found in 'mirrors for princes'.

His dealings with the 1467-8 parliament show Edward's political instincts at their sharpest. His judgement seems to have been defective in his estimate of the gravity of the crisis in which he became embroiled in the following year. He apparently realised neither the depth of Warwick's humiliation at ceasing to be the principal arbiter of royal policies nor Clarence's frustration at the refusal of permission to marry Isobel Neville. Prominent Lancastrians, Courtenay and Hungerford, were arraigned and executed for treason in early 1469 though little evidence survives that they were engaged in sedition.¹ The king seems to have been taken unawares, on the other hand, by the rising of Robin of Redesdale later in the year and by the defiance which Warwick and Clarence then showed openly for the first time.²

Following a pattern of behaviour strongly reminiscent of the manoeuvres of the Yorkist lords in the late 1450s, Warwick, Clarence, George Neville and Oxford retreated to Calais. There Clarence married Isobel Neville, thus making his rebellion against the king and alliance with Warwick's faction irrevocable. True to the formula set up largely by Warwick himself a decade before, the next stage was to attract the maximum support from public opinion. Both the complaints in parliament the previous year and the testimony of Warkworth suggest that it had swung against Edward for his failure to provide what was perceived to be good government:

"... whenne Kynge Edward iii regned, the peple looked after alle the forseide prosperytes and peece, but it came not; but one batayle aftere another, and moche

trolle and grett losse of goodes, and thanne ane hole xv,
at yett at every batell to come ferre oute there countreis
at ther owne coste; and these and suche othere brought
Englonde ryght lowe, and many menne seyd that Kynge Edwarde
hade myche blame for hurtynge marchandyse, for in his dayes
thei were not in other londes, nore withein Englonde, take
in suche reputacyone and credence as thei were afore...."¹

The lords at Calais were quick to exploit the situation and on July 12
issued an appeal to all potential sympathisers to join them at
Canterbury so that they might go into the king’s presence and lay before
him the abuses in government which had caused them to take action. They
named Lord Rivers, his wife and sons and several other royal advisors as
the malicious and avaricious people who had misled the king and caused
various abuses of power:

"... to estrainge his goode grace from the Councelle of
the nobile and trewe lordis of his blood, moved hym to
breke hys lawes and statutis, wynshed his lyvelode and
housold, chaunchyng his most richest coyne, and chargyng
this lond with suche gret and inordinat imposicions ...;
to the grete appeirement of his most Royalle estate, and
enpowerisshyng of hym and alle his true Commons and
subjettis, and only to the enrichyng of themself; may be
punysshed accordyng to theire werkes and untrouethes, So
that alle other hereafter shall take ensample by thayme."²

1. Warkworth, op.cit., p.12
2. Ibid., p.50.
The phrasing and argument of the articles are strongly reminiscent of the manifestos issued against the misrule of Henry VI’s advisers ten years previously and this is hardly surprising given the leading role played by Warwick on both occasions. There is also an interesting similarity between some of the suggestions made for the reform of Edward’s government and the recommendations contained in the advice sent by Fortescue to Warwick, probably about a year later in 1470. Ultimately both Warwick and Fortescue must have derived their criticisms of the improvident rule of royal favourites from the same sources, the parliaments of 1449-50 and the strictures of Cade’s followers. It was logical that they should agree that the king should keep:

"... a sufficiente of lyvelode and possescions, by the whiche he and alle his heires aftir hym may mayntene and kepe theire most honorable estate..."¹

and that none but the king’s children and brothers should be allowed to take any of the king’s livelihood and, if they did so, they should be punished.²

The main theme of this manifesto was concerned with the need for the king to receive good advice. The circumstances of its composition hardly permitted the use of learned or pious references but the concept of the Cardinal Virtues or their absence as determinants of good or bad rule was implicit in every clause. The absolute requirement that the king should rely on wise and moral counsellors was explicitly stated in several places. Personal ambition, Edward’s dilatory responses, French

1. Warkworth, op.cit., p.50.
2. Ibid., p.51.
intrigues and popular volatility all played their part in the two years of upheaval that were to ensue. The mode in which the differing assessments of Yorkist and Lancastrian rule were expressed throughout, however, was invariably in terms which coincided with the traditional criteria for determining good or bad government as they were defined in books of advice for princes.

Warwick and Clarence arrived in England in mid July, 1469. Their victorious progress was marked by a series of summary executions of their enemies including Pembroke, Rivers and Devon. Warkworth, the fullest source for this period, recorded them laconically, but the fundamental illegality of these and other acts was to constitute a major problem for the allies. Edward fell into their hands and remained a virtual prisoner for two months. Eventually, however, as Warkworth reported with apparent approval:

"... by fayre speche and promyse, the Kynge scaped...
and came unto Londone, and dyd what hym lykede".

Warwick had encountered the same problem that he and York had experienced nine years before when, after Northampton, they had custody of Henry VI's person but no legal justification for acting against his wishes. The necessity to observe the popularly accepted criteria for good government: to act in accordance with the tenets of Justice was even stronger than the need to retain the political initiative. The third continuator of the Croyland Chronicle well incapsulated the situation just before Edward’s liberation. Warwick, encountering

2. Ibid., p.7.
disturbances on all sides:

"... aliter resistere non valebat, nisi faciendo publicas proclamationes nomine regis, ut omnes regis ligei in defensionem regis adversus rebelles suos assurgerent. Populus autem videns Regem suum captivam, non prius edictis ejusmodi parere voluit...."¹

During the ensuing months both sides behaved with circumspection, Edward took no punitive actions although he did re-allocate some of the lands Warwick and Clarence had seized from the estates of those they had illegally executed.² The king's intervention in a feud in Lincolnshire in March 1470 and the consequent defiance of his authority offered by Lord Welles and Willoughby and his following provided the allies with an opportunity to make another attempt to seize the initiative. Kingsford describes the *Chronicle of the Rebellion in Lincolnshire* as a piece of Yorkist propaganda issued by Edward IV to implicate Warwick and Clarence.³ Ross also voices doubts originally raised by Oman as to the chronicle's credibility but concludes that it possesses "substantial accuracy".⁴ For the present purpose the most interesting aspect of the account is the manner in which the writer took great pains to attribute moral superiority to the king:

1. "... could only cope with the rising by issuing public proclamations in the king's name, that all his liege men should come to the king's defence against the rebels. However, while the king was still manifestly a prisoner people were not ready to obey such commands..." *The Crowland Chronicle Continuations, 1459-86*, ed. N. Pronay & J. Cox, Richard III & Yorkist Trust, 1986, pp.116-7.


"... a prince enclined to shew his mercy and pite to his subgettes rather then rigure and straitnesse of his lawes ... "¹

This was even more marked in the account of the summons Edward was reported to have sent to the duke and the earl on March 18 by Garter King of Arms, commanding them to come into his presence:

"... And if ye soo doo, indifference and equite shalbe by us wele remembred, and soo no resonable man goodly disposed shall more thinke but that we shalle entrete you according to your nyghenes of oure bloode and oure lawes."²

Here an appeal was actually made by the author to reasonable, well disposed public opinion, a sign that it was of great importance to the monarchy that Edward should be seen to be combining the essential royal virtues of Justice and Clemency. The false, dissimulating conduct of Warwick and Clarence were contrasted with the king's "most noble and rightwise courage."³

A potent reason for the withdrawal of the allies to the Continent in April 1470 may have been, not only their lack of military support, but their failure to provide a convincing moral justification for their hostility to Edward. Ten years previously they had been part of a faction which possessed plenty of ethical objections to the Lancastrian

2. Ibid., p.13.
3. Ibid., p.9.
government. It had been a simple matter to convince popular opinion that Henry VI had been mislead by bad advice into financial irresponsibility and unjust and cowardly policies. Such charges were harder to substantiate against Edward, especially as they had succeeded in executing several of his "evil counsellors" in 1469. A realignment of Warwick's policy based on a dynastic link with the house of Lancaster, and the consequent demotion of Clarence from the position of heir apparent to that of a mere member of the Neville following, suited the case well. He could inherit all the moral credit accumulated by Henry V and his pious son and acquire the services of the able apologist for Lancastrian legitimacy, Sir John Fortescue.

The accommodation between Queen Margaret and Warwick which took place at Angers in July and August, 1470, was made possible by the good offices of Louis XI. Copies of the letter which Warwick and Clarence then addressed to the commons of England were distributed about the country and set up in several places in London. ¹ Warwick, who was probably its author, deliberately stressed the continuity of his policy with earlier attempts to defend the common weal. The catalogue of abuses of government and their suggested remedies was, as before, redolent with prevailing ideas of the virtues which characterised good rule:

"We, therefore, established and stedfastly persevering
in our olde custome, beringe and havynge feythefully
ward the seyd Crowne and comon wele of England as
fervent zeale, love, and affection as evar we had,

agrudgynde of the greate enormyties and inordinate
ympositions, contrary to lawe and all good customes,
newly layd upon yow, and also greatly sorowinge and
abored of the cruall and detestable tirany, the
vengeable moodar and manslawghtar reignynge amonge
yow, wherefore we entend, by the grace of God, and
the helpe of every well disposed man, in right shorte
tyme, to put us in deboare to the uttermoste of our
poweres, to subdwe and put under falshood and oppressyon;
chastice and punishe the seyde covetous persons in
perpetuall example to all other; and to set right and
justice to theyr places, to se them equally ministred
and indifferently .... and to reduce and redeeme for evar
the sayde Realme from thraldome of all outward natyons,
and make it as fre within it selfe as evar it was
heretofore."¹

These letters were soon followed by the confederate lords
themselves who landed in England in early September. Opinion is divided
as to how far Edward IV might have taken action to avoid a successful
invasion. Ross believes that he was well aware of the parallels the
situation presented to the circumstances of 1460: for example he took
measures to safeguard Ireland and Calais so they would not be used as
departure points by his enemies. This view contrasts with the
contemporary verdicts of Continental chroniclers, Commynes and
Chastellain, who charged the king with lack of foresight and bad
judgement, in other words, lack of Prudence. ² There seems to have been

no clear moral distinction between the opposing sides up to this point. The strength of Edward's position during the troubled times which preceded his flight to Burgundy in early October, 1470, was that he was de facto monarch. Warwick's acquisition of the pious Henry VI, hallowed with coronation oil, gave him the edge in the conflict and brought about a popular reversal of support which is a not unfamiliar phenomenon to the student of English history:

"Et essendo partito il re Eduardo, tuta la sua gente se misse con Varvich, e dicto Varvich se ne ando a Londra e li fu visto voluntara como se fusse stato uno Dio. Puoy, con consentimento de popoli, ando a levare de prexone il re Henrico, e fatolo re de novo, et tuta quanta la Ingilterra cridava Henricho e Varich".1

A parliament, whose records do not survive, was summoned to confirm the legality of the new regime. Warwick was, however, in a position of great difficulty for, in some respects, it was impossible for him to retain the moral initiative. He was ruling in the name of a king whose public appearances during the next months ultimately did nothing to increase popular loyalty.2 The potentially more attractive Lancastrian prince of Wales delayed on the Continent until it was too late for him to have any significant impact on public opinion.3 The

1. Calmette and Périnelle, op.cit., p.317. Letter of Blaise de Birago to the marquis d'Este: "And after the departure of king Edward, all his people joined with Warwick, and the said Warwick went to London and was spontaneously greeted as if he were a god. Then, with the consent of the people, he went to free king Henry from prison and again made him king and almost all England cried for 'Henry and Warwick'"

virtues of Fortitude and Prudence which Fortescue attributed to him in Koeur were never displayed. A much more evident characteristic of Lancastrian policy, confirmed in the alliance with Warwick, was the friendship with France. In a xenophobic society, conditioned by over a hundred years of war to a particularly acute hatred of the French, this aspect alone of the Readeption increased the probability that the regime would not last. Edward’s favourable trading arrangements with Burgundy and unpopular quarrel with the Hansa merchants were minor problems in comparison to the baleful memories that Margaret of Anjou’s activities aroused of the loss of the English possessions in France in the 1440s and 1450s:

"...before that, at he was putt oute of his reame by Kynge Edwarde, alle Englonde for the more partye hatyd hym, (Henry VI) and were full gladde to have a chaunge; and the cause was ... (various factors) and also France, Normandy, Gascoyne, and Guyane was lost in his tyme."¹

The Lancastrian alliance with France also convinced Edward’s brother-in-law, Charles the Rash, that it was worth supporting an attempt to restore him. The relatively short time span in which this policy was undertaken, Edward was back on English soil again by mid March, 1471, contrasts with the long years of intrigue and negotiation which prefaced the Readeption of Henry VI. The Historie of the Arrivall of Edward IV in England was written by a servant of the king² and showed the bias such a circumstance was likely to produce. The advantage of the account, however, is that it displays a quantity of apparently


accurate knowledge of the events of the first half of the year. It is also valuable for the evidence it provides of the qualities it was thought important that Edward should display. His fortitude in the face of the hostility he encountered when he first landed was graphically recounted:

"The Kynge, seeing so ferfouthly he was in his iorney that in no wyse he might goo backe with that he had begone, and that no good myght folowe but only of hardies, decreed in hymselfe constantly to purswe that he had begun, and rathar to abyde what God and good fortune woulde gyve hym, thoughe it were to hym uncertayne, rathar than by laches, or defaulte of curage, to susteyne reprooche."¹

So little support was offered to Edward in Yorkshire and so suspicious were those who encountered him that he resorted to the device employed by Henry of Lancaster in 1399, swearing that he had only returned to claim his inheritance as duke of York.² It could be argued that if he had taken the time to attract the support of influential opinion in advance, such a device would have been otiose. As has been suggested above, Warwick characteristically prepared the way for each policy departure, each new campaign, by issuing letters or manifestos justifying the conduct of himself and his allies. He showed that it co-incided with generally accepted principles of good government or "politik reule". Richard, duke of York seems to have failed to consult with Warwick or to prepare noble and legal opinion for the assertion of his claim to the throne in 1460. This may well have been one

1. Arrivall, op.cit., p.5.
of the reasons why it proved a hard objective to achieve and that, eventually, he had to accept an unsatisfactory compromise. Similarly in 1471 Edward, by neglecting to mount a propaganda campaign and relying solely on his strength of arms, jeopardized the success of his enterprize and was forced into humiliating prevarication. His claim to his ducal inheritance struck the right note, however, as he was appealing to one of the criteria of good rule most prized by his contemporaries, Justice.

The Arrivall, albeit retrospectively, attempted to make good some of Edward's earlier propaganda omissions. Several copies of this account were made, one at least in French, and distributed on the Continent and in England. The first version could have been produced by late May, 1471. Determined assertions were made throughout of the moral superiority of the king to his opponents. The following extract, relating to his appeal to Warwick at Coventry, shows him exercising the virtues of Prudence, Temperance and Clemency and, by doing so, paying due regard to the public good:

"the Kynge, by the advise of his Counseylors, graunted the sayd Erle his lyfe, and all his people beinge there at that tyme, and dyvers othar sayre offers made hym, consythal his great and haynows offenses; which semyd resonable, and that for the wele of peax and tranquilitie of the Realme of England, and for ther-by to avoyde th'effusyon of Christen bloode, yet he ne woulde accepte the

Edward's victory at Barnet on Easter Day was presented by the
author of the Arrivall in the same terms of moral propaganda. The
personal role of the king in planning his strategy and, during the
battle, leading his men in a valiant and resolute manner was stressed. The
Fortitude he had shown in the previous month persevering in the face
of dangerous and discouraging circumstances, was here demonstrated in a
more militant mode.

The long delay waiting for favourable winds in France might well
have provided Margaret of Anjou and her party, which included Sir John
Fortescue, with an opportunity to prepare for their invasion with some
justificatory letters or proclamations. There is no indication that
they did so; they probably relied on their partisans who were already in
England. When they finally landed in the West Country in mid April they
were joined by the duke of Somerset and the earl of Devonshire. The
Arrivall states that Margaret and the prince gathered many supporters
because:

"The cuntrie had bene so longe laboryd afore by th'Erle
of Warwike, and such as he for that caws sent thethar to
move them to take the same entent, and thereunto the more
lyghtly enduced, by Edmond, callyd Duke of Somarset, and
Thomas Courtney, callyd th'Erle of Devonshire, for that
they reputyd them old enheritors of that contrie." 3

2. Ibid., pp. 18-21.
3. Ibid., pp. 23.
Although there are no more specific indications of the arguments employed by Warwick and, subsequently, Somerset and Devonshire the records which survive of the many earlier letters and proclamations issued by the former provide a good idea of their nature. The main thrust would probably have been a condemnation of the evil rule of Edward IV contaminated by the avarice and ill will of those who surrounded him. The virtues and legitimacy of the line of Henry VI would almost certainly have been cited as a favourable contrast to what it had superseded. Queen Margaret knew by now that the defeat of Warwick had returned Henry and the moral claims he represented to the custody of king Edward. At this stage her following may have made some appeal to West Country opinion on their own account as Warkworth states that they:

"... made oute commaundementes, in the Quenes name and the Prynce, to alle the weste countre, and gaderet grete peple."¹

The Arrivall is less specific that these commands were in a written form:

"... they arayesd the hoole myghte of Cornwall and Devonshire."²

It is probable that, at this crucial stage, the queen emulated her late ally by adopting an approach which was uncharacteristic for Lancaster; enlisting support by making some reference to her enemies' moral shortcomings and the virtues of her own party.

Edward IV's final victory at Tewkesbury on May 4 and the death of so many Lancastrians, on and off the field, including prince Edward, presented a propaganda problem to the king. The twelve years of internal peace subsequently enjoyed by the Yorkist dynasty, only terminated by strife which was largely self inflicted, indicates that he struck the right balance between those who were killed and those, like Sir John Fortescue, who were spared. The royal virtues of Justice and Mercy were both exercised in a manner of which most contemporary commentators seem to have approved:

"... licet hac duplici victoria insignitus Rex Edwardus, omnium judicio justitiam causae suae sufficientissime declarasse visus fuerit."¹

The death of king Henry in the Tower on May 21 was a harder political fact to persuade the people of England to accept. The Croyland continuator who had been complacent about the carnage at Tewkesbury, treated this episode in a tone of moral outrage:

"Taceo hoc temporum interstitio, inventum esse corpus Regis Henrici in Turri Londoniarum exanime: parcat Deus,

¹ Crowland, op.cit., p.126-7 "...that king Edward, distinguished by the double victory, seemed in everyone's judgement, to have most adequately demonstrated the justice of his cause."
et spatium poenitentiae ei donet, quicunque tam sacrilegas manus in Christum Domini ausus est immittere, Unde et agens, tyranni patiensque gloriosi martyris titulum mereatur." 1

The final sentence in this extract and a reference further down to the miracles which were being performed through Henry's intercession indicate the dangers of the decision which was made to kill the deposed monarch. The variant accounts of the event from the Arrivall which attributed the death to natural causes to the Chronicle of London and Great Chronicle which blamed Richard of Gloucester are too well known to justify detailed repetition. 2 The main point to stress for the present purpose is that Edward rapidly realised the unfavourable impact that the news would have on opinion both in England and on the Continent. His solution was to incorporate a refutation of the surmise that Henry could have been murdered in the Arrivall which, as has been noted above, could have been circulated as early as the end of May, 1471. Had the most effective forms of opposition to restored Yorkist rule not been suppressed by that time, the moral opprobrium which Henry's death certainly provoked might well have provided a rallying point for Edward's enemies. As it was, it left a propaganda weapon which proved invaluable to the Tudor dynasty in justifying their seizure

1. Crowland, op.cit., pp.128-131. "I shall say nothing, at this time, about the discovery of King Henry's lifeless body in the Tower of London; may God have mercy upon and give time for repentence to him, whoever it might be, who dared to lay sacrilegious hands on the Lord's anointed! And so, let the doer merit the title of tyrant and the victim that of glorious martyr."

of power as the rightful heirs to the martyr king. 1

The last threat to the re-establishment of Edward IV's authority throughout the kingdom came, characteristically, from Kent. The bastard of Fauconberg, a kinsman of Warwick, brought over a number of ships laden with men-at-arms from Calais. With the support of some influential men of Kent he attempted to storm London, 2 professedly with the intention of passing peacefully through the City to seek an encounter with Edward. This enterprise was frustrated by the vigorous action of Lord Rivers and those citizens who were hostile to the rebels. The Croyland continuator, however, managed to impute most of the credit to Edward himself despite the fact that he was not in London at the time:

"In vigilia (of the Ascension) autem ipsius festi Rex Edwardus cum tertio comitatu majori aliquo praecedentium exercituum, Londonias ingressus, vexilla explicata ante se et omnem nobilitatem exercitus sui portari fecit. Super quo multi in stuporem et admirationem versi sunt videntes non superesse hostem cum quo confligeret. Sed providus princeps satis intelligens mutabilitatem vulgi Cetensis, statuit non


Some scholars have made out a convincing case for the attribution of the authorship of the major part of the continuation to a former member of Edward's administration, possibly John Russell, bishop of Lincoln. Most of the account has a strong pro-Yorkist bias, although the reaction to the death of Henry VI discussed above sounds rather more clerical than political. Whether or not the author was a cleric, his approach to summarising the achievements of Edward IV in May, 1471, is reminiscent of the line taken by abbot Whethamstede in the late 1450s in giving an account of the policies of Henry VI. As in the Registrum, Prudence and Fortitude were demonstrated to have been displayed by the king in the way in which he brought the long crisis of his reign to a successful conclusion. Much of the material in the Croyland continuation overlaps with the Arrivall and it is possible that they were written by the same

1. Crowland, op.cit., pp.128-9,"On the eve of that feast King Edward made his third entry into London with a larger company than ever before, ordering his standards to be unfurled and carried before him and the whole nobility of his army. Many people were shocked and surprised at this, knowing that there was no enemy left to fight. This farsighted prince, however, aware of the fickle nature of Kentish folk decided not to lay down his arms until he had punished those virtuous people according to their deserts and in their own homes. He therefore rode into Kent in warlike array and returned a conqueror of renown and a monarch whose praises resounded everywhere throughout the land, for so many remarkable successes so quickly and so smoothly achieved."

person. The author of the Arrivall certainly adopted a similar approach to reviewing the qualities which enabled his prince to triumph:

"... by his wysdome, and polyqure, he escaped and passyd many great perills, and daungars, and difficulties, wherin he had bene; and by his full noble and knyghtly courage, hathe optayned two right-great, crwell, and mortall battayles; put to flight and discomfeture dyvars great assemblies of his rebelles, and riotous persons, in many partyes of his land; the whiche, thouwgh all they were, netheles, so affrayde and afferyd of the verey asswryd courage and manhod that restethe in the person of our seyd sovereigne lord, that they were, anon, as confused." 2

He concluded his account by stressing that Edward had received divine help in achieving peace and stability in his realm to the joy of his friends and the confusion of his enemies. Again the cardinal virtues of Prudence and Fortitude were those which led him to this achievement. Their manifestation was given a prominent position in the last part of this consummate piece of Yorkist propaganda.

How far do the Lancastrian and Yorkist princes of this period seem to have paid any regard to the new ideas contained in the books of advice which were specially prepared for them? It is unlikely that any member of Henry VI's family ever saw Ashby's Active Policy of a Prince. The king very probably did, however, peruse the Tractatus de Regimine Principum and found much to agree with. Even the advice to take good

counsel was unlikely to have been interpreted by a prince, expecting praise and support from such a source, as more than reinforcement of traditional ideas. Edward IV may well have received a copy of the Boke of Noblesse but he did so in 1475 when he had already determined to follow the policies it advocated. It did not prevent him from abandoning the campaign before he had made any worthwhile gains. Fortescue's works intended severally for Edward of Lancaster, Warwick and, probably, Edward IV were almost certainly all seen by their recipients.

No convincing evidence survives that Edward of Lancaster had the intellectual capacity for the independent political action which would have enabled him to follow the advice contained in the De Laudibus Legum Anglie. Some preliminary propaganda released from France and a few symbolic acts once he landed in England showing a respect for native tradition and distancing himself from his French mentors would have been worth several thousand men at arms. His Yorkist counterpart, on the other hand, five years younger in 1483, made a spirited independent defence of Rivers's party when Richard of Gloucester proposed to liquidate them. 1 Warwick, who had first hand experience of Fortescue's statesmanship may well have taken his Articles seriously. Circumstances during his rule hardly promoted a literal implementation of the conciliar controls they proposed but he certainly made no attempt to re-establish a full household for the king. Ironically this was one of the factors which contributed towards the impression of isolation and poverty the Londoners received when they had to decide between Henry and Edward in April, 1471.

Edward IV probably received a copy of *The Governance of England* from Fortescue in the early 1470s. He showed no inclination to introduce the limitations on the royal power to dispense patronage which it contained. The sentiments concerning the superiority of English institutions to French, however, were surely welcome although the underlying message that a good king ruled with the consent of his subjects, through advisers who they found acceptable, was ignored. The king may have seen that it reflected an old man's long experience of a weak regime which could have little relevance to the Yorkist style of government. In the short term he was right but his failure to recognise the wider issues it presented for his attention contributed to the ultimate downfall of his dynasty. In the 1450s and 1467-71 the Yorkists' espousal of the traditional Cardinal virtues played a crucial part in their success. By the 1480s popular opinion may have concluded that the exercise of those virtues alone provided no guarantee of the security and prosperity of the realm.

Explicitly or, more frequently, implicitly the traditional royal virtues were cited by many contemporary observers and official documents to explain the absence or presence of good government. Occasionally one of the authors of books of advice was named: Whethamstede's reference to Vegetius or the quotations from Egidio Colonna in the Black Book of the Household, for example. More typically references to the Cardinal virtues and other princely attributes were made as part of what Skinner calls the "normative vocabulary" of an age.¹ The political documents of the middle and later decades of the fifteenth century assumed a common ethical basis for the perception by the nobility, gentry and burgesses of what constituted satisfactory princely rule. There are some signs,

however, that this perception was not necessarily static: conventional terms and descriptions could be used to apply to remedies which represented a modification of the prince's role.

The assumption was invariably made by contemporary commentators that English kings enjoyed a supreme power to dispense justice, make war or peace, raise taxes and choose their advisers, although the manner in which these policies were carried out was often criticised. This assumption should not, however, mask the fact that the remedies which were offered for the deficiencies in government would often necessarily curtail the royal prerogative: the capacity to choose between the exercise of a virtue or its antithesis. The anonymous *Tractatus de Regimine Principum* dating from the middle years of Henry's reign, did not go as far as to suggest any formal limitations on royal power. Yet the need to take good counsel was asserted in a manner which implies that the author was disquieted by the deteriorating political situation. The parliaments of 1449 and 1450, the manifestos of Cade and, later, the duke of York, and their followers went much further towards a vindication of the interests of the king's subjects which could be asserted from the laws and customs of the land and stood independently of the royal will. The king's right to choose his own advisers, to tax his people at will and to dispense patronage were all questioned. There was nothing particularly original in the nature of these strictures, similar criticisms could be traced back at least to the reign of John. Hanson has suggested that English late medieval sovereignty was based on a notion of "double majesty". The predominant elements in society, Crown and nobility, were thought independently to possess title to authority. ¹ The nature and extent of these titles were determined by

1. Hanson, *op.cit.*, pp. 41-70.
the laws and customs of the realm. At times of conflict in the partnership one solution would always be a proposal to curtail the ability of the monarch to enfringe the rights of the nobility and by the later middle ages this was often presented in the ethical terms to be found in books of advice to princes.

The departure represented by the manifestos, proclamations and treatises from the 1450s to the 1470s was that they emanated from a more broadly based literate and politically conscious laity. Richmond encapsulates this tendency in a comparison of popular political activity in the south of England at the beginning and end of those two decades:

"... in the 1450s, when the magnates were so hesitant to act for the welfare of the kingdom, it was the gentlemen who spurred them on..."¹

Participants in popular risings and commotions, members of the lower house of parliament when it was not packed and non noble political writers, such as Ashby, Fastolf, Worcester and Fortescue, all advised Henry VI and his family to abandon their long standing policies and to shun the advisers who had promoted them. The first three writers hoped this would come about by the exercise of the royal will. Some insurgents, such as the men of Kent in 1460, some parliaments and Fortescue advocated measures which, however they might be presented, effectively controlled the exercise of the prerogative. Had these measures been adopted, either parliament or the royal council or a combination of the two could have exercised a limitation on the king's power irrespective of his capacities or moral calibre. One result of

¹ Richmond, 'Fauconberg's Kentish Rising', op.cit., p.691.
this would have been that the requirement for the prince to embody all the Cardinal virtues would have been diminished and, with it, the importance of the traditional books of advice which advocated them. The strong rule of the early Tudors deferred the introduction of a limited monarchy. It is significant that the gradual erosion of the royal prerogative during the late sixteenth and seventeenth centuries was accompanied by a revival in the study of the constitutional ideas of Sir John Fortescue.
CONCLUSION

The Conclusion will review the evidence which has been assembled for the character of the works in the genre of books of advice which were available to princes in England during the later part of the fifteenth century and the impact they had on the language of political propaganda and official statements.

The Introduction suggested criteria by which books in the genre should be defined in this study. Only those which were associated in some way with a contemporary prince have been considered in detail. They have been approached with a view to assessing their originality, political commitment and the influence that they might have exercised on princes and other readers. Their place in the history of political philosophy has not been a major consideration since a rigorous approach to that topic would have required an entirely different methodology. Works which offered a very specialised type of advice, such as the various versions of the Physiognomy, have been excluded. The main sources of evidence for the extent to which these books were known and used in mid fifteenth century England are the manuscripts and incunabula which have survived from the period and contemporary records of ownership. 1

The genre had been, until the late fourteenth century, almost entirely created by clerics. Even works which owed some of their contents to classical antiquity or Islam had been adapted and glossed so thoroughly that they fitted into the tradition of

1. See Appendix 1.
Christian morality:

"(Socrates) seith that ... the good reward that men receiveth of God is whanne a man obbeyeth him entierly unto him and kepith hymself from synne."¹

The result of this fusion of traditions was that, by the fifteenth century, the generally accepted blueprint for good princely government combined purely personal qualities such as continence and piety with public attributes such as restraint in taxation and the employment of wise and worthy counsellors. The most comprehensive statement of these requirements in the later middle ages was to be found in the De Regimine Principum of Egidio Colonna. His work encapsulated the main aspects of good princely government which had been advocated in a less systematic fashion by earlier writers in the genre.

In England Lydgate brought an eloquence and telling use of imagery to his condemnation of bad counsellors which suggested that he was not simply copying pseudo-Aristotle but commenting on a current abuse in the court of Henry VI:

"Whysperyng tounges/ of taast moost serpentyn, Silvir scalyd/ whoos mouth is ful of blood, Smothe afore folk/ to fawnyn and to shyne, And shewe two facys/ in Oon hood;

Ther sugre is soote/ ther galle doth no good,
Alle suych shulde/ be voyded from Counsayl:
A bee yevith hony/ and styngeth with the tayl."¹

Books such as Hoccleve's Regement of Princes and the translation of the Secretum Secretorum by James Young still displayed a considerable amount of originality despite the authors' protestations of heavy reliance on their texts.

Most of the writers of books of advice, in common with the conservative readers who were their patrons, were firmly attached to the concept of the prince's unlimited right to exercise his prerogative. The books of advice which were translated and adapted from Latin and French originals in the mid and later fifteenth century consistently took that view of monarchical authority. The choice of these authorities, which originated in some cases as far back as classical antiquity or the heyday of the Islamic Empire, was extremely conservative. Yet on occasions, the interpolations in Caxton's Game and Playe of Chesse, for example, or passages in Shirley's translation of the Secretum Secretorum do show contemporary scholars taking their opportunity to comment on weaknesses they perceived in the government. Such views, however, were invariably expressed by those who were loyal to the regime. Indeed it was remarked at the end of chapter 3 that their main purpose could be interpreted as being the support of the existing hierarchy within English society. This was achieved both by stressing traditional values and by equipping princes and the

¹. Lydgate and Burgh's Secrees, op.cit., pp.21-2.
nobility to rule successfully within the authority structure:

"Worthy men in estatis ben the addition and the multiplicacion of thy reame in their degrees."¹

Five original works which were intended to advise contemporary English princes had been considered. The anonymous Tractatus de Regimine Principum deviated sufficiently from the contents and structure of Egidio Colonna's treatise to echo the preoccupations of the advisers of Henry VI in the late 1440's. It was not critical of his regime but advocated strongly a policy of peace with France, the encouragement of education and reliance on good counsel. Ashby's Active Policy of a Prince and the De Laudibus Legum Anglie of Fortescue were almost certainly produced as a response to the possibility that the house of Lancaster would permanently regain the throne in 1470/1. Ashby couched his criticisms in the careful phrases of a court official, but it was clear that he was aware of the abuses which had weakened the government of Henry VI and was anxious to show how they could be avoided in the future. As a relatively humble and obscure person, however, he lacked the resolution to press his points strongly or the intellectual capacity to present them in a logical or convincing structure.

Fortescue probably conceived his plan for the De Laudibus some time before 1470 to provide a corrective to the baneful influence of the Continental law to which his young prince was

¹. Manzalaoui, op.cit., Ashmole Secretum, p.85
exposed. The structure of the work is symmetrical and its tone measured; there is no feeling of an imminent crisis. Yet the whole treatise was informed by an expectation that the prince would be in a position to implement the Lord Chancellor's recommendations:

"...actus convenit namque tibi taliter delectari nedum quia miles es, sed amplius quia rex futurus es."

"...te adiuro ut leges regni patris tui cui successurus es addiscas." ¹

Despite its references to recognised authorities such as Aristotle and Vincent of Beauvais, the De Laudibus is essentially an original work. The major influences which formed it were the English Common Law and Fortescue's strong belief in its superiority over the Continental law which was derived from the Imperial jurists of late antiquity. Linked with this was his interpretation of the nature of royal sovereignty which, although absolute, was strengthened by the voluntary limitation that it should operate within the law.

The Governance of England by Fortescue, like the Boke of Noblesse, was probably prepared over a long period. It seems to have summarised his lifetime experience of law and politics, particularly of the mistakes which led to the first downfall of the Lancastrians. He reiterated his belief in a monarchy limited by

¹. De Laudibus, op.cit., pp.2, 16. "(military exercises) which are fitting for you to take such delight in, not merely because you are a knight but all the more because you are going to be king." p.3. "I adjure you to learn the laws of your father's realm, to which you are to succeed." p.17.
the law and by a strong council and spelt out the implications of this in the key areas of executive government and taxation. Again, despite paying lip service to traditional books of advice, his work was almost entirely original. There are some parallels, however, with advice which had been offered to the dukes of Burgundy in the late 1430s.¹

Potvin demonstrated to most people's satisfaction that the first treatise was written by Hughes de Lannoy and dated from 1437 and the second by Ghillebert de Lannoy and dated from 1439.² The former recommended an early end to the war with England and pointed out that Burgundy would then be in a position to act as peacemaker between England and France. The duke should only make moderate demands for taxation once the war was over, live economically and not undertake new wars except by the advice of his Estates. The central emphasis was that he should rule by consent rather than by coercion:

"Après la grâce de Dieu, la vraie seureté et deffence à mondit seigneur est en ses subjès,


The second treatise, written after England and Burgundy were at peace, concentrated on establishing a constitutional form of government. The duke should choose a council of eight to ten sober, prominent men and bind them to him by solemn oaths. Under their guidance he would be able to reform his finances and live economically. His expenditure would be divided into six parts: ordinary expenses, the household of the count and countess of Charolais, extra-ordinary personal expenses, extraordinary expenditure by the duchess, count or countess, ambassadors and messengers and pensions and payments to friends and servants.

These treatises are remarkable not only for the bluntness and practicality of the contents but also for the complete absence of the usual references to the Bible, laws or ancient writers. Christian morality and Justice were given as desirable standards of conduct but, otherwise, there were no references external to the problems being dealt with. They are right outside the tradition typified by the Secretum Secretorum and the De Regimine Principum. In some respects they anticipate the Governance of England by Sir John Fortescue as they contain some recommendations that are close to his suggestions concerning the composition and mode of operation of the council and the way in which finances should be organised.

1. Lettenhove, p. 223. "After the grace of God, the true security and defence of my said lord is in the loyalty of his subjects who he should govern by reason and justice."
No evidence links the Governance to these treatises or any other contemporary books of advice, but it is quite possible, given Fortescue's many contacts with European diplomats, that he was influenced by the Lannoy's particular version of an ideal form of limited princely government. Fortescue is the only thinker of mid and late fifteenth century England to have been given serious attention by historians of political theory. He occupies a unique place in the development of books of advice to princes for the vigour, coherence and originality of his ideas and for the prominent part he played in the events which he assessed.

The Boke of Noblesse is an anomalous work for several reasons. It was presented to Edward IV at the time of his invasion of France in 1475 to exhort him to an undertaking on which he had in fact decided several years previously. The contents are an amalgamation of reminiscences of the Hundred Years War, classical anecdotes and bursts of rhetoric. The project was almost certainly initiated by Sir John Fastolf in the 1450s as a response to the final loss of the English lands in France. It was not completed until over a decade after his death when Worcester took his opportunity to present it to the king together with the 'codicil' of Fastolf's war papers. Traditionalist in the references to a large number of recognised authorities such as Cicero's De Senectute and Bartholomeus Anglicus, it nevertheless belonged to no recognisable type of treatise of advice. The importance of the work lies to a great extent in the fact that it contains the views of war veterans such as Fastolf and his following about one of the major aspects of royal policy: the decision whether or not to re-engage in war with France. The other interesting and unique
aspect of the Boke is that it was the only original work in the genre extensively to use near contemporary French court literature: the works of Pisan and Chartier.

Few traces of contemporary Continental writers may be discerned in English "mirrors of princes". Poor communications and a conservative taste in reading matter may account for the fact that only the royal families and a few of the clergy and nobility seem to have shown much interest in Italian scholarship and Burgundian literature. The work of Weiss has made it clear that Humphrey, duke of Gloucester, was only the first and most assiduous of the scholars of the Italian Renaissance. Edward IV and Richard III seem to have regarded humanist attainments as positive advantages in holders of high office. This was probably seen as a component of the magnificent estate they chose to maintain. Edward also collected a number of opulent Burgundian manuscripts. Their contents were not remarkable: the Bible, histories and romances, but the provision of these works linked the English Royal library to the Anglo-Burgundian alliance which was such a major feature of the Yorkist period. Finally, it may not be entirely accidental that the advice contained in Fortescue's Governance of England echoed much that writers such as the Lannoys and Fillastre had proposed to Philip the Good in the 1430s and to Charles the Rash in the 1460s. Their advocacy of a princely power voluntarily limited


by a strong council and a regard for the rights of the subject coincided with the views of Fortescue.

No exact account can be given of the knowledge of or commitment to "mirrors for princes" of any member of the royal families. They all certainly possessed or had access to the major works in the genre and were very probably aware of most of the books which were specially produced for them. The more traditional works of advice enjoyed esteem not for the novelty of their recommendations but precisely because they described the generally recognised attributes of good princely government. They did not propose new or impractical modes of conduct but were handbooks for princes who wished to rule successfully. Chapter 6, however, has attempted to show that the values and precepts contained in the books of advice were generally accepted by politically active subjects as well as by their rulers. The speeches and writings of educated men such as the author of the Black Book of the Household, the Lord Chancellor, Robert Stillington, abbot Whetehamstede and Sir John Fortescue included actual references to Egidio Colonna, the sayings of philosophers, Vegetius and Vincent of Beauvais. The virtues that these writers recommended, especially Prudence, Justice and Fortitude (normally referred to as 'courage'), were specifically mentioned in a number of official documents, parliamentary speeches and insurgent manifestos. Yet like other traditional authorities such as the bible, the use made of these precepts might represent a departure from custom. Prudence for the men of Kent might in practical terms mean a forcible intervention to prevent the king from exercising his prerogative to consult the counsellors of his choice. Justice for Sir John Fortescue could
safeguard the property owners of the realm from exorbitant taxation by obliging the king, through a system of conciliar controls, to maintain the integrity of the Crown lands. Some of these political programmes were no less radical for being couched in familiar and respectable terms.

The long established favourites in the genre of books of advice were to lose much of their authority in the early modern period. The strong, centralised monarchies of the Renaissance still required handbooks but those redolent with scholasticism were rejected. Sixteenth century writers produced a large number of books of advice; probably the most renowned are Machiavelli's *Prince*, Erasmus and Bude's *The Education of the Prince*. These were composed by humanists for readers who expected that they would reflect the values of their age yet the contents were invariably conservative as Gilbert pointed out.¹ Machiavelli and Erasmus structured their works in a manner remarkably similar to that adopted by the earlier writers in the genre. The former's choice of classical examples for illustration also demonstrates his dependence on tradition as does the stress the latter laid on the importance that the prince should develop a good moral character.²

The translations and original books of advice to princes, which have been the subject of this study, occupy an intermediate position between the high age of scholasticism and the Renaissance.


They were examples of the lasting popularity of a tradition of didactic literature which stretched back into the middle ages and, via Islam and Alexandria, into the classical period. Yet some of the most faithful translations contained interpolations or included prefaces which related them to contemporary political preoccupations. Five original works were dedicated to the solution of the problems of government in England of the mid and later fifteenth century. The author of the Tractatus was generally supportive of the regime of Henry VI. Ashby and Worcester were unable to break from their reliance on traditional authorities and were insufficiently equipped intellectually to devise a new system that would avoid the evils of contemporary administration.

Sir John Fortescue emerged not only as an outstanding legal and political theorist but as a distinguished author of books of advice to princes. His eloquent case for a monarchy limited by an ethical regard for the laws and customs of the land and the constitutional safeguard of a strong council was probably the greatest intellectual legacy left by fifteenth century England to posterity. Such a book could only emerge from a genre that had been established in the course of the previous hundred years and which was still flourishing in Fortescue's time. There are also signs in the manifestos of the Yorkists and some of their supporters that the experience of the misgovernment of the middle years of Henry VI had attracted a significant section of the population to programmes of reform. Since these were made in reaction to precisely the same problems identified by Fortescue, they inevitably showed similarities to the Governance of England.
There is considerable irony in the possibility that the very wide dissemination and popularity of the traditional books discussed in Chapters 1 to 4 circumscribed the opinion of monarch and subject alike and made them potentially less receptive to the innovatory ideas of the one great English political thinker of the fifteenth century.
APPENDIX I: EVIDENCE FOR THE POPULARITY OF THE BOOKS OF ADVICE TO PRINCES WHICH ARE GIVEN DETAILED CONSIDERATION IN CHAPTERS 1-3, 1440-1490

I. Books which still survive

a) Books containing internal evidence which links them to an English person or institution from the fifteenth century or earlier, e.g. dedications, prayers, ex libris.

b) Books probably or certainly of English workmanship dating from before 1490.

c) Books printed in England.

d) Books dating from the fifteenth century or earlier which show no signs of having been in another country before reaching an English collection.

II. Books which cannot be proved to have survived

a) Books mentioned in contemporary letters, wills, book-binders' accounts etc.

b) Contemporary library lists and inventories.

The period covered by this thesis has been extended by fifteen years for the purpose of listing as many books as possible that were probably or certainly in use in England, 1450 to 1485. A number of manuscripts now in collections which contain indications that they were in Europe in the fifteenth or sixteenth centuries have been omitted. Reference is first made to the collection title and number of the manuscript or to the publisher of the book. This is followed by its probable or definite date, the folio number at which it commences and any connection it contains with a contemporary person or institution. Two numbers indicate that it is the only item contained in the volume. If it is incomplete this is noticed. Other works contained in the volume are only referred to if they seem relevant to the theme of this study, the same policy is adopted in the provision of other information. Surviving works are first listed in their original language, then in French.
(if appropriate), then in the English translation(s). Finally those referred to by contemporaries which do not necessarily survive are listed. No claim is made that this is a comprehensive list of books. With the exception of some items in London, Oxford and Cambridge collections, most of the information has been derived from printed descriptions rather than personal examination. It has been compiled from references in the main authorities on the books and these are indicated below. Other references have been taken from the indexes of the major national collections, from literature devoted to the fifteenth century and from the works of Savage and Ker:


**Secretum Secretorum**


The *Physiologus* is not included in the following list when it occurs as a separate work. No attempt has been made to distinguish between different versions of the Secretum.
Latin
LONDON
British Library
Royal Manuscripts
5 F XIV, 14c, f.159. On f.89, in 15c. hand "Iohannes Moren, Clericus Eboracensis," belonged to John Theyer.
9 B II, 14c, f.137, Old Royal pressmark 1308.
12 C XX, 15c, f.66, in 15c hand on f.124 "Amen quod Iohannes Robynson", belonged to John Theyer.
12 D III, 15c, f.1, belonged to Henry Fitzalan, earl of Arundel and Lord Lumley.
12 D XV, 15c, f.2, abbreviated. Also contains anonymous early fourteenth century Liber de administracione (or informatione) principum.
12 E XV, 14c, f.19, on f.2 "Iste liber constat Edwardo comiti Marchie primogenitus filius ducis Eboraci".
13 C VI, 14c, f.130.
Harley Manuscripts
399, 15c, f.3.
1008, 15c, f.82.
2584, 14c, f.141.
Sloane Manuscripts
1128, 15c, f.1, beginning of one prefatory letter missing. Also contains medical works and notes on signs of Zodiac.
1934, 14c, f.84.
2413, 14c, ff. 1-45.
3469, 14c, f.1. Also contains pseudo-Aristotle's and Philemon's Physionomia.

3554, 15c, f.37. Also the Physionomia compiled from the works of Loxi(?), pseudo-Aristotle and Philemon.

Additional


OXFORD

Bodleian Library Manuscripts

Bodley 67, 14c, f.1, Also contains the Regimen Sanitatis.

Bodley 181, 15c, f.98. Also contains Egidio Colonna's De Regimine Principum.

Bodley 495, 15c, f.1. Also contains some medical recipes.

Bodley 520, 15c, f.43, wanting some leaves at the end.

Canon. Misc. 67, 15c, ff.1-89.

Canon. Misc. 562, 14c, f.46.

Auct. F.5.23.14c, f.87, in fifteenth century hand on f.109, "Istum librum concessir(?) hinc ecclesias frater Robertus Everdone."

Canon.Auct.Class.Lat.174, 14c, f.234. Also contains Ethics, Politics and Rhetoric.

Canon.Auct.Class.Lat.271,15c,f.198. Also contains history, letters and education of Alexander the Great and the Ethics.

Digby 28, 14c, f.32, imperfect.

Digby 170, 14-15c,f.129, once the peculium of J.Woode. Reference to several English clerics of mid-fifteenth century date in the other items.

Digby 228, 14c,f.75.

Douce 95,15c,f.29, first twenty chapters.
Douce 128, 14c, f.32.
Hatton 62, 14c, f.3. Also contains part of Hispalensis version of Secretum.
Laud Misc. 645, 15c, f.74, imperfect, belonged to John Blacman. 1528 peculium of Everard Digby.
Rawl. A 273, 14c, f.1.
Rawl. B 149, 14c, f.207.
Rawl. C 133, 14c, ff.1-100, on f.100 "J. de Chalon", "Ja. de Spence".
Rawl. D 358, 15c, f.3, "e (x dono) magistri Johannis Whethamstede olim abbatis."
Tanner 116, 13c, f.16, version glossed by Roger Bacon. Also several commentaries on Aristotle by Simon of Feversham.
All Souls' College Manuscript
XXXI, 15c, f.201.
Balliol College Manuscripts
CCXLV, 14c, f.152, "ex dono Will. Gray."
146 A, 15c, f.20. Also contains Vegetius.
Corpus Christi College Manuscripts
XXXIX, 15c, f.85, incomplete.
LXXXVI, 14c, f.16.
St. Johns College Manuscript
CLXXXVIII, 13c, f.220, formerly St. Peter's, Westminster.
CAMBRIDGE
University Library Manuscripts
Ee III 58, 15c, f.89.
Gg IV 25, 15c, f.13.
Gg IV 29, 14c, f.2.
Mm III II, 15c, f.161. Also contains arithmetical, geometrical and astronomical works.
Oo VII 48, 14c, f.35, fragment.
Trinity College Manuscripts

R 14 28, 15c, f. 4, after Regimen Sanitatis, f. 95
"Expl. tract. quinuncupatur regimen sanitatis etc. corporali Smyth".
R 15 35, 13-14c, f. 25.
0 1 12, 15c, f. 25, Roger Bacon version.

Corpus Christi College Manuscript

407, 14c, f. 129, original owner Simon Bozoun, prior of Norwich, 1344-5.

Fitzwilliam Museum Manuscript

McLean Bequest, 153, 15c, ff. 1-167, Roger Bacon version.

DUBLIN

Trinity College Manuscript

436, 14 or 15c, French

LONDON

British Library

Royal Manuscripts

16 F X, 15c, f. 7. Also contains les dis moraulx.
20 B V, 14c, f. 136, abridged, Old Royal pressmark 1043.
Harley 210, 15c, f. 80. Also contains l'Epistre d'Othea.

CAMBRIDGE

University Library Manuscript

Ff i 33, 15c, f. 1. John Shirley's original for his translation into English. Also contains le livre de bonnes moeurs and de Vignoy's translation of le livre d'echecs.
Royal Manuscript


Additional Manuscript

5467,15c,f.211, John Shirley’s translation printed by Manzalaoui, Secretum Secretorum, Nine English Versions, op.cit pp.226-313.

Lambeth Palace Library Manuscripts

501, 15c,ff.1-44, mutilated, Printed by Steele, op.cit, pp.41-118.
633, 15c,ff.1-85, copy of Yonge version. On f.85:

"Gracia nulla perit nisi gratia Blakmonachorum
Est et semper erit litill thanke in fine laboruin. Per me R."

"Per me Robert Rawson of Carr?b...merchant. Thomas Allyn."

OXFORD

Bodleian Library Manuscripts

Ashmole 396, soon after 1445, f.1. Printed by Manzalaoui, op.cit.,pp.18-113. Also contains mathematical and astronomical treatises.

Laud 685,15c.f.5.

Lyell 36,15c,f.85, copy of Ashmole 396. Inside back cover a fifteenth century list of names: "Ihon Wyght(?) Marvyne(?) Mownford/Ihon Payne Lewis Payne Eward Byddyl/Raffe(?) Barton". A John Payne and a Ralph Barton were respectively chaplain and organist at Magdalen College, Oxford, 1486-7 and 1491-2. Also contains a collection of scientific works.


University College Manuscript

U.S.A. CALIFORNIA


Contemporary References

Oxford, Bodleian Library, University of Oxford Archives, Registrum F, ff.52r-53r, first gift of books by Humphrey, duke of Gloucester, in 1439: no.116:"Item bellum Troie cum secretis secretorum secundo folio eius..."


Cambridge Antiquarian Society, vol.i, 11840, pp.1-11. In 1475 St Catharine's College owned one hundred and four books including: p.4: "Liber raticorum (sic) Aristotilis iconomicorum de secretis secretorum cujus 2m fo. 'de illo'".

Dıcts and Sayıngs of the Philosophers.


Latin

LONDON

British Library Manuscripts

Royal 10 A XII, 13c, f.139. On f.8 librarian's inscription "Liber Theoderici monachi super Ioel de claustro Roffensi". Old Royal pressmark 880.
Arundel 123, 14c, f. 81. Also contains letter of Aristotle to Alexander.

Additional 16, 906, 15c, ff. 1-81. On ff. I and 7 coat of arms bend gules on azure dexter and or sinister. Could be early version of a Howard escutcheon.

**OXFORD**

Corpus Christi College Manuscript

CCXLI, 15c, f. 127.

**French**

Buhler remarks in his Introduction, p. xv, on the difficulty of making a certain identification from a catalogue title since a number of other works had similar themes. This is also true of Latin manuscript titles.

**LONDON**

British Library Manuscripts

Royal 16 F X, 15c, f. 23. Also contains *le livre des secrets*.

Royal 19 A VIII, 15c, f. 1. Also contains *le livre d'echecs*.

Initials of either Henry VII or VIII on f. 1. Old Royal pressmark 223.

Royal 19 B IV, 15c, f. 3.

Lambeth Palace Manuscript

456, 15c, f. 147.

**OXFORD**

Bodleian Library Manuscript

English

LONDON

British Library Manuscripts

Additional 22,718,15c, ff.18-85. A copy of Woodville's translation without his preface but it contains Caxton's epilogue and additions concerning Socrates on women. Inscriptions of various births, in early sixteenth century, of members of the Hill family.

Additional 34,193,15c,f.137. Scrope version used in Buhler's edition.

Harley 2266,15c,ff.1-58, first part of Sedechias wanting .f.46 wanting.f.23 amongst many other early inscriptions: "Willyam athertoun and ayme his wife and fried being a vitteler to the masters of the Quinies maiesties wyne with in the tower of London."

Lambeth Palace Library Manuscript

265,1477,ff.1-107. Belonged to Edward IV, probably the presentation copy from earl Rivers,f.105 "Apud sanctam Jacobum/in campis per haywarde" (the scribe).

CAMBRIDGE

University Library Manuscripts

Dd IX 18,15c,f.1,begining missing. Scrope version.

Gg I 34, after 1472, f.3. Scrope version corrected by Worcester: "Nomen scriptoris: Johan.Fermour".

Mm IV 42,15c,f.19. Ashby version, printed by Bateson, op.cit., incomplete. Preceded by the Active Policy of a Prince.

Emmanuel College Manuscript

1.2.10,15c,ff.1-78. Scrope version. Imperfect at beginning.

F.44: "whi old peple enforceth thevm to kepe theire Ritchesse...bicause that aftier theire dethe thei had leuer leue it
to their ennemyes than to be in danger of their freendes.pro
J.ffastolff." f.72 in reference to the injunction not to make great
buildings which others will inherit:"pro Johanne
ffastolff(mili)te ditissimo qui (egi)t contra istud concilium."

Trinity College Manuscript
1287, after 1472,f.38. Scrope version corrected by Worcester. Also
contains Sidrac and a one page tract on Good Governance.

OXFORD

Bodleian Library Manuscripts
Bodley 943, 15c, ff.1107, Scrope version.
Rawl.Poet.32, 15c,f.194. Scrope version abbreviated. Printed by
Buhler, pp.297-320. f.205,c.1500 "Rychard Turnowre".

Helmingham Hall, Lord Tollemahce's Manuscript, 15c, anonymous
version.

William Caxton, Westminster, printed editions of Rivers version
First edition, November 18 1477
Second edition, c.1479
Third edition, 1488/9

Contemporary Reference

Historical Manuscripts Commission, Eighth Report, part i,
p.629a, books delivered to Ewelme Almshouse, Oxford, in 1466:
"...Item, a frensh boke of the tales of philosophers, covered in
black damask..."

Egidio Colonna, De Regimine Principum
Bruni, G., 'Il "De Regimine Principum" di Egidio Romano',Aevum,
year 6, 1932, pp.346-354.
Latin

LONDON

British Library Manuscripts

4 D IV, 15c, f.262, on f.1: "Iste liber est de conuentu fratrum minorum London", Old Royal pressmark 1215.

5 C III, 15c, ffs. 11 and 22, abbreviated version. Belonged to archbishop Cranmer and Lord Lumley.

6 B V, 15c, f.127, abbreviated version. F.186 six verses on battle of Northampton in 1460. In fifteenth century belonged to John Broughton, lord of Todynton, later to John Theyer senior.

10 C IX, 15c, f.32. Also contains abridged version of Aristotle's Politics. Old Royal pressmark 928.

Harley 3022, 14c, f.1.

Harley 4802, 15c, ffs. 1-142.

Lambeth Palace Library Manuscripts

150, 14c, f.1. Commences: "Istum librum legavit Mr Johannes Lechi ecclesie Louth.iuxta Glouc. cuius anima per misericordiam dei requiescat in pace. Amen. Qui eum alienaverit a dicta domo anathema sit fiat fiat. Amen."

Sion College Manuscript


OXFORD

Bodleian Library Manuscripts

Bodley 181, 15c, f.1. Also contains Secretum, Regimen Corporale and "Liber Aritolelis, sive de Pomo". May have belonged to Sir Robert Cotton.

Bodley 231, 14c, ffs. 1-252, Thorp coat of arms on f.1.
Bodley 544, 15c, ff.1-236. "Iste liber constat magistro... (names erased) cuius pretium xxxs.


Auct. F. 3. 2., 14c, f. 2. On f. 117 in early fifteenth century hand: "edita a frate Thoma Abendon".

Auct. F. 3. 3., 14c, f. 1. Also contains Vegetius, gestis Alexandri and Librum ethicorum. Probably once at Reading Abbey.

Hatton 15, 14c, f. 5. Also contains Aquinas's commentary on the Ethics, and Egidio Colonna's commentary on Aristotle's De Anima. Was three times deposited in Oxford University chests, 1461-5.

Laud Misc. 645, 15c, f. 84. Peculium of Everard Digby, 1528.

Laud Misc. 652, 14-15c, f. 1.

Laud Misc. 702, 14c, ff. 1-206. On f. 1 "Hunc librum contulit dominus Henricus Percy, inquisit comes Northumbric, fratri Willelmo de Norham confessori ejusdem domini et sacre theologie doctori, xiii die Aprilis, 1419".


Balliol College Manuscripts
123, 15c.
146 A, 15c.

Jesus College Manuscript
XII, 1415 and 1416, f. 84. Also contains de ludo scacchorum. In time of Henry VIII belonged to a priest, David Rice.

Lincoln College Manuscript
69, 15c, f. 132, tables and preface only.
CAMBRIDGE
University Library Manuscripts
Dd III 47, 15c, f.1.
Ff III 3, 15c, ff.1-214, at top of f.1 inscribed: "John Meayleman, est ita vocatus."
Ff IV 38, 15c, ff.1-136, tables only. "Amen, 1436". "Ex dono honorandi domini Thome Edpiscopi Eboracensis domini Rotheram".
Ii II 8, 14c,f.59. Also contains Burley on the eighth book of Aristotle's Politics.
Ii IV 22, f.1, name of scribe, John Swantoun mentioned several times. Also contains Aquinas, De Regimine et Regno.
Ii IV 37, 14c, ff.1-113.
Kk II II, 15c,f.63.
Corpus Christi College Manuscript
283, 15c, ff.1-161. On a fly leaf: "liber de dono fratris henr...cuius anime propicietur deus". Possibly from Norwich cathedral.
Gonville and Caius College Manuscripts
113, 15c,ff.1-152. At end "Liber mag. Johannis Gauwys".
508, 13-14c, f.153. Also contains commentary on Aristotle's Ethics.
Peterhouse Library Manuscript
208, 15c,f.201, tables only.
St. John's College Library Manuscript
12, 14-15c,f.1. Belonged to John Dee in 1573.
Sidney Sussex College Library Manuscript
98, 15c, f.1.
Trinity College Library Manuscript
B 15.20., 14c, f.337, fragment.
DURHAM
Cathedral Manuscripts
B III 24, 14c, f.1. At front of book: "de coi lib. Mo³chorum Dunelm".
B IV 31, 14c. On first leaf: "Liber Sci Cuthberti assignatus coi armariolo de Dunelm".

HEREFORD
Cathedral Library Manuscript
P 5 VII, 14c, ff.1-129. Inscription by former canon of Hereford, Owen Lloyd, flourished in mid and later fifteenth century.

MANCHESTER
John Rylands Library Manuscript
141, 1303, ff.1-175. Written in Italy by: "Johannem quondam Mathei militis de civitate castelli not(arianum).

U.S.A. CALIFORNIA
San Marino, Henry H. Huntington Library Manuscript
EL9 H9, 15c, f.1. Also contains Nicholas Trivet's commentary on Boethius, De Consolatione philosophiae.

French

LONDON
British Library Manuscripts
Royal 15 E VI, 1445, f.327, presented to Margaret of Anjou by John Talbot, earl of Shrewsbury, also contains Bouvet's Arbre des Batailles. 101 in 1535 Richmond catalogue.
Harley 4385, 15c, ff.1-168. In margin of f.51 "M ANE DURE M M".

Lambeth Palace Library Manuscript
266, 13c, ff.1-234. On flyleaf "Magri.Joh.de mona..."
"Cest libre est a moy Homfrey duc de Gloucestre du don Moss. Robert Roos chevalier mon cousin."

Contemporary References

1440 'Testamentum Magistri Roberti Alne Persone in Choro Ecclesia Cathedralis Ebor. ac Curae Eboracensis Examinatoris Generalis:
"Item Egidium de Regimine Principum"', Testamenta Eboracensia, Publications of the Surtees Society, ed. J. Raine, part II,
vol.XXX, 1855, p.78.

Ebescham's letter to Sir John Paston, "Item for 'De Regimine
Principum' which conteyneth xlvth leves, ...", British Library
Additional Manuscript 43491, ff.12-13 (may refer either to Egidio
or Lydgate/Burgh).

An account of the King's Great Wardrobe, 1481, "Piers Baudwyn, Stationer ... for binding gilding and dressing of a booke called
le Gouvernemento of Kyngcs and Princes-xvis", British Library
Harley Manuscript 4780, f.21r.

Sir Thomas Charleton, Speaker of the House of Commons, d. 1465,
left "... an engelische booke calde Giles de regimeie
principum...", Westminster Abbey Muniments, 6625 and 6630. Ref.
K.B. McFarlane, The Nobility of Later Medieval England (Oxford,

Gift of Humphrey, duke of Gloucester, to Oxford University in 1443:
"Item Egidium de regimine principum secundo folio magnam."

Bodleian Library Manuscript, University of Oxford Archives,
ff.52r-53r, no. 271.
Record in 1458 of one hundred and seventy one books at St Paul’s Cathedral: "Item Egidius de Regimine Principum, cum tabula praecedente, 2o folio 'Videtur enim natura'. Item Egidius de regimine Principum, 2o folio, 'Dicitur quod amicabilia'." W. Dugdale, History of St Paul's, with additions by H. Ellis, 1818, p.393.

Recorded in Cambridge University Library in 1473, 'Egidius de regimine principum', Cambridge Antiquarian Society, Communications, ii, 1864, two copies on pp.260 and 261.


Epistle of Othea


French

LONDON

British Library Manuscripts

Royal 14 E 11, f.295, executed for Edward IV between 1473 and 1483.

Richmond catalogue no. 35.

Royal 17 E IV, 15c, f.272. Also contains pseudo-Bernard’s letter of advice to prince Raymond and Chartier’s Breviaire des nobles.

Richmond catalogue no. 57.
Harley 219, 15c, f.106. Also contains *le secret des secrets*.

Harley 4431, 15c, f.97, contains a number of works by Christine de Pisan.

**OXFORD**

Bodleian Library Manuscript

Laud Misc. 570, 15c, f.24. Also contains the *Traittie des quatre vertus cardinaux*. Belonged to Sir John Fastolf. Inside cover: "Honny soit, qui mal y pense. Me fault faire, 1450".

**English**

**LONDON**

British Library Manuscript Harley 838, 15c, f.67. The Babyngton version. Contains a variety of material some heraldic and genealogical as well as the Prophecies of Merlin.

**CAMBRIDGE**

St John's College Library Manuscript 208, 15c, ff.1-61. Scrope version. Miniature on f.1 of him presenting volume to duke of Buckingham. f.60 various records of births in Bremshot family commencing in 1486.

**LONGLEAT**

Collection of the Marquis of Bath, Longleat Manuscript 253, 15c. Scrope version.

**U.S.A. NEW YORK**

Pierpoint Morgan Library Manuscript 775, 15c, fol.200. Scrope version, owned by Sir John Astley, died 1486. Also contains English version of Vegetius and Lydgate's *Secrees*. 
Contemporary References


From Ebesham's letter to Sir John Paston, "Item, for 'Othea pistill, which conteyneth xliii leves-viis iid". British Library Manuscript, Additional 43491, f.13. This may well be the same volume as that referred to above.

The Game and Play of Chess


Latin

LONDON

British Library Manuscripts

Royal 12 B XXIII, 15c, ff.1-65, inscription "M. Boston" on f.1 in fifteenth century hand. Belonged to John Theyer.

Royal 12 E XXI, 14c, f.79, belonged to archbishop Cranmer and Lord Lumley.

Additional 22,002, 14c, ff.1-55.

OXFORD

Bodleian Library Manuscripts

Bodley 58, 15c, f.51. On f.1 erased inscription: "Liber sancti Swithinii Wyntoniensis ecclesie".

Digby 31, 15c, f.1. Inscriptions: "...domini Thome Jakcom and Willielmus Manwoche". On f.86 "Anno domini M°ccc°lxxxix° hoc infra scripta in studiis scolarium Wintonie Oxon. reperta sunt". A list of devotional works follows.
Hatton 105, 15c, f.6. Also contains Breviloquium de vertutibus antiquorum principum et philosophorum.

Jesus College Library Manuscript
XII, 1415 and 1416, f.1. Also contains De Regimine Principum.

Magdalen College Library Manuscript
XII, 1456, ff.1-71. At end: "Symon Aylward scripit hunc librum anno Domini mcccc.lvi."

St Johns College Manuscript
CXXXV, 15c, f.1.

Cambridge
Gonville and Caius College Library Manuscript
388, 14-15c, f.85, two leaves only. f.125 early sixteenth century hand: "liber Roberti Tomsun", f.128 in fifteenth to sixteenth century hand" Thorleby".

Sidney Sussex College Library Manuscript
56, 15c, f.330. At Durham in time of prior, John Aukland, 1484-94.

Trinity College Library Manuscript
B 14 12, 15c, ff.1-46. "Transferatur Summa(?) pro Suda(?) pro anno Stephano Scrope".

Manchester
Chetham Library Manuscript
Collection of Latin tracts of 15c, no. 8003. Also contains extracts from tabulae hanging in Winchester cathedral so may have that provenance.

French
London
British Library Manuscripts
Royal 19 A VIII, 15c, f.73, also contains de Tignonville Dits. Jean Ferron translation. H R on fol.1 (Henry VII or VIII) Old Royal pressmark no. 223.
Royal 19 C XI, 15c. f.1, trans. Jean de Vignay, belonged to John Theyer.

CAMBRIDGE
University Library Manuscript
Ff 1 33, 15c, f.209, also contains Secretum Secretorum.

English

Contemporary Reference

De Re Militari by Vegetius

Latin
LONDON
British Library Manuscripts
Royal 5 E XXI, 14c, f.127, belonged to archbishop Cranmer and Lord Lumley.
Royal 7 C I, 14c, f.281. On f.2 "Liber domnpi Willelmi de Keturing monachi Rameseye". In Westminster inventory of 1542.
Royal 12 B XXI, 15c, f.80. Also contains Egidio Colonna’s De Regimine Principum. Belonged to John Theyer.
Royal 12 E XXI, 14c, f.5, excerpts. Also contains De Scaccario by de Cessolis. Belonged to archbishop Cranmer and Lord Lumley.
Royal 15 C IV, 13c, f.89.
Harley 2476, 13c, f.219, written in Paris by Peter de Pass in 1297.
Harley 2551, 10-11c, ff.1-79.
Harley 2667, 14c, f.2. Also contains *De eruditione puerorum* of Vincent of Beauvais.
Harley 3859, 10-11c, f.1.
Cotton, Cleopatra D 1, 10-11c, f.83, originally from Canterbury or Dover.

**Oxford**

Bodleian Library Manuscripts
Auct. F 3 2, 14c, f.125. Also contains *De Regimine Principum* by Egidio Colonna. On f.117 index in 15c hand "edita a frate Thoma Abendon".
Auct. F 3 3, 14c, f.106. Also contains *De Regimine Principum* of Egidio Colonna, *Ethics* and *Liber de gestis Alexandri*.
Douce 117, 15c, f.1. Partly written by Thomas Beaulieu.

**French**

**London**

British Library Manuscripts
Royal 17 E V, 1470-80, f.205. De Vignay translation. Also contains Vasque de Lucene *Cyropaedeia*.
Royal 20 B XV, 15c, ff.1-110. De Meun translation. On f.1:
"Mercy lesu Caudray. This boke calde Viegece made of knighthode translated out of Latin into Frenshe
by that excellent poete maistre Iohan de Meheune at
thinstance of that noble prince the eorlhe of
Eve". "ma ioye - Shirley".

OXFORD

Bodleian Library Manuscript
Douce. 149, 11c, translation of De Meung. In fifteenth century
hand; "Iste liber est Guillermi(Bry)di".

CAMBRIDGE

University Library Manuscript
Ee 11 17, 15c, f.2, translation by De Vignay. Also contains a
fragment of Egidio Colonna's De Regimine Principum. Belonged to
duke Humphrey of Gloucester.

English

LONDON

British Library Manuscripts
Royal 18 A XII, 1483-5, ff.1-123. Contains arms of Richard III and
Anne Neville.
Additional 4713, 15c, ff.1-93.
Additional 14408, 1473, f.49. First book only. Also contains
Lydgate's Secrees. f.30: "Nycholas sayntlo", f.73, the last page,
"Nycholas de Saint lo chevalier". Early fifteenth century hand.
Sloane 2027, 15c, f.1, imperfect.
Lansdowne 285, 15c, f.84. Belonged to Sir John Paston, copied by
William Ehesham. Contains much heraldic material and Lydgate's
Secrees.

OXFORD

Bodleian Library Manuscripts
Digby 233, early 15c, f.183. Also contains unique English

Douce 291, 15c, f.121.


Magdalen College Manuscript
30, 15c, ff.1-115.

Gollanz family, 15c.

U.S.A., NEW YORK

Pierpoint Morgan Library Manuscript
775, 15c, f.25. Made for Sir John Astley. Also contains *Othea* and *Secrees*.

*Contemporary Reference*

British Library, Additional 43491, f.13. Ebesham's account: "Item for the tretys of werre in iii books which conteyneth lx levis afor iid a leeff - xs."

*The Regement of Kings and Princes* by Thomas Hoccleve

LONDON

British Library Manuscripts

Royal D XVIII, 15c, ff.1-101, fifteenth century inscription on f.1: "Nicholas Wites, John, William, Edward, Thomas, Francis and Morice Wites, Izabell Powys and Marget, Katheryn, Izabell, Mary, Jane & An Powys."

Royal 17 C XIV, 15c, ff.1-90, on f.90 fifteenth century inscription:"Constat Iohanni Treglystyn". Belonged to Lord Lumley.
Royal 17 D VI, 15c, f.4. Belonged to William Fitzalan, earl of Arundel, 1438-87, also to Lord Lumley.


Harley, 116, 15c, f.1. Also contains verses on Prudence etc.

Harley, 372, 15c, f.71, first part missing.

Harley, 4826, 15c, f.84. Also contains Lydgate’s Secrees.

Harley, 4866, 15c, ff.1-95, envoy missing.

Harley, 7333, 15c, f.204, just proem.

Arundel, 38, 15c, f.1.

Arundel, 59, 15c, f.1. Also contains Lydgate’s Secrees.

Additional, 18632, f.34, given to monastery at Amesbury in 1508 by Richard Wygynton.

Sloane 1212, 15c, f.5.

Sloane 1825, 15c, f.2.

Society of Antiquaries Manuscript 134, 15c, f.250.

OXFORD

Bodleian Library Manuscripts

Dugdale 45, 15c, ff.1-99, seventeen stanzas missing.

Douce 158, 15c, f.36.

Rawl. Poet. 11, 15c, ff.1-69. Inscription of about 1500:

"Cest livre est asture a John Lyle".


CAMBRIDGE

University Library Manuscripts

Gg 6 17, 15c, f.1.

Wh IV 11, 15c, ff.1-97. Various coats of arms including f.68 Roscarrock of Cornwall.

Kk 1 3, 15c, f.1, fragment.
Corpus Christi College Manuscript
496, 15c, ff.1-60. At end: "Expi. liber qui vocatur Occl yffe de
regimine principum et constat magro. Willelmo Wilflete socio aule
de clare Cantabrig qui eum scribendo propriis manibus laboravit."
(Master of Clare, 1436-55).
Queens College Manuscript
12, 15c, f.1.
St Johns College Manuscript
223, 15c, f.1.
Trinity College Manuscript
R3 22, 15c, f.111, title written in John Stow's hand.
Fitzwilliam Manuscripts
McClean 182, 15c, f.54. Also contains Lydgate's Secrees.
McClean 185, 15c, f.1.

COVENTRY
West Midlands Corporation Record Office Manuscript
Acc.325/1, 15c.

EDINBURGH
Advocates Library Manuscript
19.1.11., 15c, f.80.

U.S.A. CALIFORNIA
Huntingdon Library Manuscripts
EL 26.A.13, 15c, f.23. Owned by Margaret and Beatrice Shirley
(c.1450), "Alvredus Corneburgh de camera Regis" (fifteenth
century), Elizabeth Gaynesford (c.1500).
HM 135, 15c, f.1.

U.S.A. BALTIMORE
Library of John and Alice Garrett, Maryland
137, 15c, ff.1-83.
The Secrees of Old Philisoffres by John Lydgate

LONDON

British Library Manuscripts

Harley 2251, 16c, f.214. Stow's copy of a Shirley MS. Contains much poetry by Lydgate.

Harley 4826, 15c, f.52. Also contains Hoccleve's Regement.

Additional 34360, 15c, f.78.

Additional 14408, 1473, f.1. Also contains book 1 of English translation of Vegetius.

Sloane 2027, 15c, f.53. Also contains Vegetius.

Sloane 2464, 15c, f.90. Belonged to T. Wall, Windsor Herald and then to Sir Robert Cotton.

Arundel 59, 15c, f.1. Also contains Hoccleve's Regement.

Lansdowne 285, 15c, f.155. Also contains English translation of Vegetius, written by Ebesham, belonged to Sir John Paston.

OXFORD

Bodleian Library Manuscripts

Laud 416, 15c, f.235. Also contains English translation of Vegetius written by John Newton in Rhodes in 1459.

Laud 673, 15c, ff.1-73. On back cover "John Bevyn of Stroud Inne for my master Poulet, or ellis enquere for Thomas Warreyn of Tauntoun."

Ashmole 46, 15c, f.155.

Balliol College Manuscript

329, 15c, f.78.
CAMBRIDGE

Trinity College Manuscripts
599, 15c, f.49 - extract. Also contains other works by Lydgate and Chaucer and Ashby's 'Complaint of a Prisoner'. Belonged to John Stow.
1212, 15c, ff.1-44.

Gonville and Caius College Manuscript
336, 15c, f.104. Also contains medical treatises.

Fitzwilliam Manuscripts
McClean 182, 15c, f.12. Also contains Hoccleve's Regement.
McClean 183, 15c, f.1.

U.S.A. NEW YORK

Pierpoint Morgan Library Manuscript
775, 15c, f.139, imperfect. Written for Sir John Astley. Also contains Vegetius.

U.S.A. PHILADELPHIA

John Frederick Lewis Collection, Free Library
304, 15c, f.1, fragment.

Contemporary Reference

Ebesham's account: "Item for de Regimine principum which conteyneth xlv (leves).... iis ix d."
### APPENDIX 2: A COMPARISON OF THE ORDER IN WHICH REFERENCES TO PHILOSOPHERS OCCUR IN THE STANDARD VERSIONS OF THE 'LIBER' (FRANCESCHINI) WITH ASHBY'S 'DICTA'

<table>
<thead>
<tr>
<th>Liber</th>
<th>Dicta (with verse references)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sedechias</td>
<td>Hermes, Aristotle and some Plato, 1 - 35</td>
</tr>
<tr>
<td>Hermes</td>
<td>Plato with one Hermes, 36-58</td>
</tr>
<tr>
<td>Tac</td>
<td>Hermes, 59-68</td>
</tr>
<tr>
<td>Saquannin</td>
<td>Mixture of major and minor philosophers, 69-89</td>
</tr>
<tr>
<td>Homer</td>
<td>Hermes, 90-96</td>
</tr>
<tr>
<td>Salon</td>
<td>Mixture of major and minor philosophers, 97-134</td>
</tr>
<tr>
<td>Zabion</td>
<td></td>
</tr>
<tr>
<td>Ipocras</td>
<td>Aristotle, 135-143</td>
</tr>
<tr>
<td>Pitagoros</td>
<td>Tholomeus, 144-5</td>
</tr>
<tr>
<td>Diogines</td>
<td>Asseron, 146-154</td>
</tr>
<tr>
<td>Socrates</td>
<td>Aristotle, 155-7</td>
</tr>
<tr>
<td>Platon</td>
<td>Plato 158-60</td>
</tr>
<tr>
<td>Deeds of Alexander</td>
<td>Socrates, 161-6</td>
</tr>
<tr>
<td>Aristotle</td>
<td>Homer, 167-9</td>
</tr>
<tr>
<td>Tholomeus</td>
<td>Hermes, 170-2</td>
</tr>
<tr>
<td>Asseron</td>
<td>Socrates, 173</td>
</tr>
<tr>
<td>Leginon</td>
<td>Pitagoras, 174</td>
</tr>
<tr>
<td>Onese</td>
<td>Socrates, 175-7</td>
</tr>
<tr>
<td>Magdarge</td>
<td>Pitagoras, 178-9</td>
</tr>
<tr>
<td>Thesile</td>
<td>Diogenes, 180</td>
</tr>
<tr>
<td>Saint Gregore</td>
<td>Socrates, 181</td>
</tr>
<tr>
<td>Galien</td>
<td></td>
</tr>
</tbody>
</table>

Sayings of numerous philosophers, including some already quoted, in no discernible sequence.
APPENDIX 3: THE AUTHORS/BOOKS QUOTED IN THE 'BOKE OF NOBLESSE' BY CATEGORY

Numbers indicate the frequency with which they were mentioned.

<table>
<thead>
<tr>
<th>Biblical</th>
<th>Classical</th>
<th>Patristic</th>
<th>Medieval</th>
<th>Fourteenth/Fifteenth Century</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jeremye the Prophet 1</td>
<td>*Boetius</td>
<td>4 Austyn 2</td>
<td>*Bartholomeus,</td>
<td>*Alanus de Auriga 3</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>de Proprietatibus 2</td>
<td>(Chartier)</td>
</tr>
<tr>
<td></td>
<td>*Cato</td>
<td>3 Jerome 1</td>
<td>Ralph de Diceto 1</td>
<td>Christina, Arbre</td>
</tr>
<tr>
<td>Job</td>
<td>3</td>
<td>1 Orosius 1</td>
<td></td>
<td>de Batailes 6</td>
</tr>
<tr>
<td>Machabeus</td>
<td>1 Josephus</td>
<td>1</td>
<td>Gildas 1</td>
<td>Froissart 1</td>
</tr>
<tr>
<td>Paralipomenon</td>
<td>1 Kayus son</td>
<td>1</td>
<td>*Wallensis 1</td>
<td></td>
</tr>
<tr>
<td>(Chronicles)</td>
<td>*Titus Livius</td>
<td>4</td>
<td></td>
<td>Walter Malexander 2</td>
</tr>
<tr>
<td></td>
<td>Novius Marcellus</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>*Ovid</td>
<td>2</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Acts of king Philip</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>*Ptolomey</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Socrates</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>*Tully</td>
<td>11</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(4 from Senectute)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>*Vegetius</td>
<td>3</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

+ Mentioned in Fastolf's 'stewhous' inventory.

* May have been derived from Worcester's collections (British Library MSS Cotton Julius F VII and Royal 13 C 1).
APPENDIX 4

British Library, MS Harley 543, fols. 164r-5r

"Articles(?) of ye erle(?) of Warwike comync fro Cales before ye fild of ludlow anno 1459.

1. Ffor as moche as the comon regale and the good politique lawes afozren notably and vertuously ordeyned for the kepinge and maynteyninge of the seyde comon regle, the rest and peax of the realme the cource of marchandyse, the dewe and evenly minystringe of justice and rightewysnesse within the land bene pitiouslye avarturned and as who saythe forgotten.

2. Also for that the myghty crowne of our souerergne lord is so unmesorably and outragiosly spoyled and robbed from his lyvelods and pocessyons pertyninge there unto wherasthoghe his astate shuld be susteyned in as grate honor and might as his noble progenitors have bene here afore so that in these dayes unnethe groundes may be found all onle for the sostentacion of his howshold thoroghe all many othar greate charges of necessitie be recognized for his estate lost by unlefull meanes deseyvablye and agaynst all good lawe be sowght by covetrias by one way unto the grete hurte of marchants and by an othar waye upon the pore people grete extorcion of theyr goods and cattalls by the ministris of the kyngs howsholde without payment contrary to gods pleasure and the lands lawe.

3. Also for that the greate abhominable mordars, roberies, periures and extorcions in many wyse with weynteynaunces of the same openly used and continued in the realme with greate violence be not punished but favored and cherished fro drede there in had unto god ne the churche ne the ministers here in there of spared or obeyed in
the verray and dewe regarde yeunve unto the kyng e to his lawes or
commandements to his presence in his counyle ne to the lords
spirituall or temporall in his councell ne to his juges or officers
in his law settinge in execution of the same.
4. Allso that where our soveraigne lord of his blesed conversation
is of his owne noble disposition as graciously(?) applied to the sayd
comon wele and to the reformynge of those premises as ane prince
christen yet certeyne parsones for theire owne covetise there
singuler reule and there propre wille they have to shewe theyre
uttermost malice agaynst such as god knowithe bene the verray lovars
of the sayde comon wele and of the profite that therby showd growe
unto the kinge subtilly and crafitely shadowe and hyd all thise
premises from his knowlege.
5. Also for so moche as no land christen (?) may longe endure in
prosperity where of the prince is so robbed of his lyvelod and
knowethe not the wretchednese of his land and subjects
thovarthrowng of his lawes and good rules thexile of justice out of
it the greate hurte of marchandyse ne the continuall murders
robberes periueyes extorcions and maynteynances there of ne the
violent malice of parsons so rigorously disposed but that neds it
moste fall to greve and not may be holpen without that the
sufficiante and convenient remede be the hastlyar founden and
purveyed therfore.
We threfore seyne these myscheves so perilous and therto kom (?)
unto our enemeyes out of this land were upon it is demed they take
oo rage tenterprise the subduinge and losse of all the land for the
tendar loute that we bere unto the comon welle and prosperite of this
reame and proudly to the kynges estate dispose us with lords of lyke
disposicion with the grace of god to go unto the presence of our seyd sovereign lord and as true subjects and liegmen lovers of the seyd comon rege and lovers of the honor of his estate showe there unto the inconvenients above rehearsed and there upon to beseche his good grace as lowly as we can that he will vouchsafe to redeem his land and subjects from the jeopardy of the seyd mischeves and by thadwise of the great lords of his blood that it will like him to put his moste trust noble persons in devour to the redresse of the same and to puneshe evenly the causers of the seyd mischeves after theyre defawltes and demerities in example of all other here after and that it will please his good grace toredyne suche pervernaunce (sic?) for thobservynge of his lovers here after reste of his land subjects for supportinge of his seyd royall estate for the course of merchandize and for the chastisynge of such errorors and mischeves afore rehearsed to thentent that his subjects love obey and drede his estate and lawes as evar aforne they have done and, and his enemies be put in as grete fere of his might as evar they were of any of his progenitors wherby he his land and people may growe to as greate worshipe and profete as they have bene holden of afores amongs all crysten realmes where upon we notifie unto yow that to this entente we woll employ owr persons and labours about the kyngs most noble person and there to be assysan(?)t yf it be his pleaseire not presuminge to take upon us any private rule or entre into eny mattar for owr owne profite or to call to mind eny old debate or agrugenient betwene eny estate of this land and eny of us or to eny greazell or revengement othar then lawe well but only entendynge with gods mercy to the performinge and accomplishinge the causes afore seyde."
"Tharticles of the comones of kente at the coming of the erlz of marche Warrewic & Sarlsbury with the lords Facobrigge & Wenlok from cales to the batell at northampton ano 1460. These bene the points mischeves & causes of the gadering and assembling of us the kings trewe liegemen of kente the which we truste to god for to remedie with thelpe of hym the kyng oure souveraigne lorde and alle the pover communes of englande and ellys to deve therfore.

1. Ffirst we considering houghe that the kyng our souvraigne lorde by thensaciable covetouses malicious pourpouse & false broughte up of noughte certayne persones daily & nightly aboute his highnesse the same dayli is enfourmed that good is evull and evull is good ageinst whom scripture seith VE VOBIS QUI FACITIS DE BONO MALUM.

2. Item they seye that our sovargne lorde is above his lawe & that the lawe ys made but to his pleasure & that he may make & brcke it as oftyn as hym lust withouten eny distinction the contrarie is trewe and ells he shulde nat have be sworne in his coronacon to kepe it. Whiche we conseyve for the higheste pointe of threason that ene subgiet may do ayenist his prince to make hym reigne inperiurie.

3. Item they sey how that the king shulde lyve uppon his comones so that all theire bodies and goods bene his. The contrarie ys trewe for thanne nede hym never to sett parliament taske one goodcs of hem."
4. Item they enfourme the king how that the comones wolde firste destroy the kinge frendes & afterward hym selve & thenne they to bringe inne the duc of yorke to be tharre king. So that by here fals meanes and lesings they make hym to hate & destroye his verray frends and tenclyne & love his fals traytores that calle hem selve his frends. And yif ther were no more reason to knowe afrende by he may wele knowe hym by his covetyse.

5. Item they seye hit were agrete Reprove to the king to Reasume that he hath yeven awaye of his lifelode. So that they nouther will suffre hym to have his owne ne to kepe landes or good forfeited ne noon other goodes but that they wol aske it anoono of hym. Or ells they wol take money of other persones to get it for hem.

(For comparison, Oxford Magdalen College, Misc. Doc. 306, Fastolf Papers, from Eighth Report of Historical Manuscripts Commission, Appendix I, section 2, pp. 266-7, Article 5: "Item, they seyne hit were a grete reprofe to the Kynge to resume that he hath zevune of his lyvelode, so that they neythur wille suffur hym to have his owne nor to kepe londes or tenementes fforfetid nor none odur goodes but that they aske hit from hym, or elles they take money of odr to gete hyt hem.")

6. Item it is to be Remembred how that the fals Traytoures will suffre no manne to come into the kings presence for no cause with outen he will yeve a brybe where as they oughte to take no maner of bribe but that every man shulde have his free comyng in due tyme to him taske Justice or grace like as the mater requireth.
7. Item it is an hevy thing how that the good duc of gloucester was empeched of threason by oone fals traitor aloone how sone was he murdred & never mighten come to his aunswer and that fals traitor pole empeched by all the comonaltie of england the whiche number passed a queste of xxiii mil mighte nat be suffred to dye as the lawe wolde butt rather these seide traitoures of the seid poles affineite that was as fals as Ffortiger (Vortigern?) wolde that the king our sovraigne lorde shulde holde bataill in his owne Reaume in the destrucion of all his peopull & of hym selfe bothe.

8. Item they whome the king woll shalbe traytours & whome he wyl not shalbe noone & that apperith wele hiderto for yf they the same traitors sobeyng aboute hym maligne ageinste any man highe or lowe they will anoone fynde fals meanes that he shall dye as a traytor to that entente that they may possede & have his londes & goodes but they wil not in suche caase suffre the king either to paye his detts or fore his howsholde vitailles therewith nor be the richer of oon peny.

9. Item the lawe semethe of noughte ells in thise daies but oonly for to doo wronge for nothing almoste is spedde but fals malice by coloure of the lawe for mede dreede or favoure & no remedye is had in the courte of conscience nor otherwise.

10. Item they seye that our soveraigne lorde may wele understande that he hathe had fals counsaile for his lawe is loste his marchaundise is loste his comones bene destroyed. The see is loste. Fraunce is loste. hym selfe is made so pouar so that he may not paye for his mete ne drynke he oweth more and
gretter in dette thanne ever was king in englande this
notwithstanding yette daile these seide traitours that bene
aboute hym awayteth where any thing shulde falle & come to
hym & to his profite by his lawe they bene redy a noone to
aske it from hym.

11. Item they aske gentilmennes landes & goodes in kente & calle
us riseres and traitoures & the kings enemyes but weshalbe
founde his true liegemen & his beste friends with thelpe of
almighti Ihesu to whom we crye dayle & nightly with many
thowsands mo.that god of his high might and rightwisnes may
take venueaunce & to destruye these fals gouvarnoures &
rulours of this roiall reaume that hathe broughte us alle
into grete mischeefe and miserye.

12. Item we will that all men knowe that we nether robbe ne stele
but these defaultis to be amended we will goo home wherfore
wee exhorte alle the kyngs trewe liege menne to helpe and
supporte us for what some evur he bee that wolde nat these
defaultes were amended he is falser thanne enye Jewe or
Sarasyn and we shall with as good will lyve and dye uppon hym
as uppon a Jewe or Sarasin And who som evre that wilbe
ageniste this we shall marke hym for his is not the kynges
trewe liegeman.

13. Item we wil that itbe knowen that we blame not all the lords
nor al thoo that bene aboute the kings persone nor all
gentilmen nor all men of lawe nor all bishoppes nor all
prestis but oonly such as maybe founde gilty by a juste & a
trew enquerr bi the lawe wherfor we move & desire that some
treu juge with certain justices may be doone hem who so ever
thei be & that our souvaraigne lorde may directe his lettres patents tall his peopull ther openly to be redde & cried that it is our souvaraigne lords will & that he desireth all his peopull truly tenquere of eny mannes gouvernaunce of the defaults that reigneth not lettyngc for love for favour for drede ne for hate but that due justice bee doone forewith and therupon the kyng stille in his owne handis tharre landes and goodis and not to yeve hem awaye teny other personne but to kepe hem oonly for his owne richesses or ells to make his iournye into fraunce or ellys to paye ther with his detts. By our wryting ye may conseyve whether wee bee the kings frendis or his enemves.

14. Item these seici iaischeves thus duly remeded & that from hens forthe noman upon payne of dethe being abouts the kings persone take eny bribe for eny bill of peticion or cause speding or letting our sovaraigne lorde shal reigne with grete worship love of god and of his peopull that he shalbe able with godds helpe to conquere where he will & as for us we shalbe rede at all tyme to defende our countree from all naciouns at our owne costs & for to goo with our sovaraigne lorde where he will command us.
15. Item he that is gilty & will wrye ageniste this doughten nat
god shall bryngc hym down & he shalbe uttuly shamed to speke
ageniste reason. They wil peraventur seye to the kyng that
and thei be takyn awey from hym that we wolde thanne put
downe the king for theves wolde lyve longe and yf wee were
disposed ageinst the kyng as godforbède we shulde what
myghte his traytors helpe hym.

God be our guyde                      Who so evur say nay
than we shal wele speede            God send us afair day
fals for the mene pillith(?)          Amen.
throuch the for his talis spillith
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