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To be a King: changing concepts of  
kingship during the reign of Henry VI,  
1422-1461

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**‘To be a King: changing concepts of kingship during  
the reign of Henry VI, 1422-1461’**

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**Words: 9,987**

## Introduction

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‘[Henry V]...This Star of England. Fortune made his sword, by which the world’s best garden he achieved, and of it left his son imperial lord. Henry the Sixth, in infant bands crowned King of France and England, did this king succeed; whose state so many had the managing that they lost France and made his England bleed.’<sup>1</sup>

The life of Henry VI was not a particularly happy one. The young king was plagued first by inanity and then, later, insanity throughout his life to such a degree that it has been claimed that England suffered under ‘forty years of [a] virtual minority’.<sup>2</sup> Unable to fulfil the duties expected of the one who held the crown he failed to measure up to the archetypal image of a late medieval king: that of a capable, vigorous and militaristic individual.<sup>3</sup> In a system which had come to increasingly rely upon the personal qualities and abilities of the monarch that sat at its head the ascension of an incapable heir would prove to have very dire consequences not only for Henry himself, but also for the very fabric of ideals and beliefs which defined and networked the fifteenth century polity.<sup>4</sup> His forays into politics were often counter-productive in nature and proved dangerous to the stability of his government: he showed himself to be both easily captivated by the influences of the few and open to abuses at the hands of those who sought to further their own aims at the expense of the crown which they claimed to serve.<sup>5</sup> Despite these consistent displays of inability, which should have made him unsuitable to hold the crown and the inherent responsibilities of a monarch, his reign, starting with the minority government in 1422, was to last some thirty-eight years in total: most of them peaceful, several of them even effective; he would face little serious opposition to his reign until as late as the 1450s and the rebellion of Richard, duke of York. The questions we must ask ourselves at this early juncture, considering the nature of the debate, is why this king was able to persevere for so long on the throne despite his infirmities? Was the concept of usurpation, for that is what it was, so unthinkable, perhaps even abhorrent, to the political community of Henry’s England that they preferred a reign in inability

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<sup>1</sup> W. Shakespeare, *Henry V*, Epilogue, lines 6-12

<sup>2</sup> K. B. McFarlane, *The Nobility of Later Medieval England: The Ford Lectures for 1953 and Related Studies* (London, 1973) p. 284

<sup>3</sup> G. L. Harriss, *Shaping the Nation: England, 1360-1461* (Oxford, 2005) p. 609

<sup>4</sup> M. Hicks, *English Political Culture in the Fifteenth Century* (London, 2002) p. 50

<sup>5</sup> Hicks, *English Political Culture*, p. 50

and instability to that of an able bodied, capable and yet illegitimate king who would be capable of providing the strong governance England needed? The answer to this, in a formative context, requires an analysis of both the nature of fifteenth century royal government and the place of the king in that system.

The expanding predominance of central government machinery as a means of governance for the realm throughout the fourteenth and early fifteenth centuries in England meant that by the opening years of the reign of Henry VI, as we have already mentioned, the fortunes of England and the welfare of her government rested increasingly upon the whims, actions and personal capabilities of the king himself.<sup>6</sup> This is not to suggest that in matters of domestic and international policy the king was expected to act, and rule, as a lone decider, separate from the opinions and factional interests of its' inhabitants, or that he wielded unchecked power and authority. It will be shown that there existed a complex framework of relationships and expectations in which he operated: a 'political culture', constituted by both the formal and informal elements, to which the monarch was expected to adhere, and uphold and that served to define and regulate the nature of his personal power and the ways in which it should be wielded for the common good.<sup>7</sup> Ideologically, the role of a perfect monarch in a fifteenth century context was one that served as a conduit for the plethora of factional interests, grievances and demands of his kingdom and subjects, those whom constituted the 'political community' or 'polity', and acted '[as a] single voice louder than the voices of those who spoke for its constituent parts'.<sup>8</sup> The term 'political community' will prove to be of great significance in this dissertation; and appreciation of the balancing act which the practical rule of such entailed will prove to be particularly important to the reign of Henry VI; for it is his reign, more than any other, in this later period of the middle ages that has been associated with the idea of 'weak' kingship, both on a practical and theoretical level. It was during his reign, and the great turmoil of the 1450s in particular, that the established system of royal governance, and the ideas which had fuelled it; definition, eventually warped under the strain of the crises facing it and in which the national polity found itself unable to

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<sup>6</sup> C. Carpenter, *The War of the Roses: Politics and the Constitution in England, c. 1437-1509* (Cambridge, 1997) p. 27

<sup>7</sup> J. Watts, *Henry VI and the Politics of Kingship* (Cambridge, 1996) p. 363

<sup>8</sup> Watts, *Henry VI*, p. 27

adapt to the imbalances that were the rest.<sup>9</sup> Faced with the collapse of the old structure, political commentators and philosophers struggled to define the ways in which the system might adapt to the new challenges it was facing. This is not to suggest however that such models were entirely divorced from that which preceded it: indeed, there is much that we can, and will, learn from the concepts which predated and followed our chosen periods of investigation and how they meld with the ideas of the polity of Henry VI.<sup>10</sup> In light of this, I will explore contemporary perceptions of monarchy that existed during the later middle period, looking in depth at the ways in which kingship was defined and the alterations in thought that the reign of Henry VI would cause. I also intend to explain the various ways that these changing concepts challenged, defined and potentially prolonged the reign of Henry with the intention of proving that in order to depose of an ineffective king there had to be a challenge to the traditional concepts of society and monarchy upon which his rule rested and from which it drew its' authority.

The materials upon which is dissertation will be based will be comprised of a wide collection of political commentaries, poems and tracts that cover a wide range of concepts on the nature of kingship, and the expectations of a monarch. Some, such as Hoccleve's tract 'Regiment of Princes', belong to a medieval genre of writing commonly referred to as 'Mirrors for Princes' that have their origins before the reign of Henry VI. Others, notably the works of the fifteenth century political commentator Sir John Fortescue, will have chronological relevance to the reign of Henry in particular and will serve to contextualize the debate within our chosen period of study. These were works that had a wide audience amongst the English aristocracy of the time, and will be useful in defining some of the prevalent opinions held by the political community at this time and the language with which they express those opinions.<sup>11</sup> Further to this, I will also analyse a collection of popular poetry, notably the works of George Ashby, himself a fifteenth century contemporary and political figure, and a selection of parliamentary documentation dealing with the perceptions, allowance and attitudes towards models of late medieval kingship. Such a body of

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<sup>9</sup> E. Powell, *Kingship. Law and Society: Criminal Justice in the Reign of Henry V* (Oxford, 1989) p. 270

<sup>10</sup> M. Keen, 'Chivalry and the English Kingship in the Later Middle Ages' in *War, Government and Aristocracy in the British Isles, c 1150-1500: Essays in Honour of Michael Prestwich* (Woodbridge, 2008) pp. 265-6

<sup>11</sup> D. Lawton, 'Dullness and the Fifteenth Century', *English Literary History*, 54 (1987) pp. 771-3

material covers a wide range of the constituent parts of the polity that we are attempting to understand and can therefore be adapted to several different lines of thematical approach within this dissertation. Although there has been some debate about the extent of the proliferation of written texts through fifteenth century English society in the wake of sketchy record keeping, particularly when comparable to their continental cousins France and Burgundy, and the degree to which the ‘producers of political thought had a wide impact upon the ‘consumers’ of their writing, these texts are ones which saw wide circulation amongst educated, literate circles in England during both our period and after it and can therefore be considered a suitably representative body of material when looking at the framework in which fifteenth century political discussion was undertaken.<sup>12</sup>

The historian J. R. Lander once stated that in order for a fifteenth century historian to grasp the narrative thread of his chosen period he has to first reconstruct it from ‘a web of shreds and tatters, pieced up from meagre chronicles and from a few collections of letters in which exaggerated gossip and wide rumours have been, all too often, confused with facts.’<sup>13</sup> Whereas it has now been accepted that it is entirely possible to provide that essential chronology from the scattered and somewhat discursive elements of the fifteenth century writings, although it is consistently stressed by scholars of the fifteenth century that much of the material is fragmentary and imperfect in nature, it does serve to highlight an important methodological issue facing a historian using these types of sources: that of partisanship and factional bias in the sources that we read.<sup>14</sup> The 1450s onwards in particular gave rise to increasingly factionalism amongst the English nobility and the sources written for that audience and at that time inevitably reflect that. Sir John Fortescue has been consistently accused of Lancastrian sympathies in his works in much the same way that the author of the tract ‘Somnium Vigilantis’ of 1459 displayed support for the royalist cause. The use of this material does not necessarily make it impossible to draw from it an analysis of wider, mainly neutral, concepts but it does require that as historians we strike a balance between opposing interests and agendas. We must also seek to strip away later analysis of these works that would attempt to provide a sense

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<sup>12</sup> R. F. Green, *Poets and Princepleasers* (Toronto, 1989) p. 91; McFarlane, *Nobility of Later Medieval England*, ch. 6; Watts, *Henry VI*, p.54

<sup>13</sup> J. R. Lander, *Crown and Nobility, c. 1450-1509* (London, 1976) p.94

<sup>14</sup> A. J. Pollard, *Late Medieval England, 1399-1509* (Harlow, 2000) p.10

of consensus that does not exist within the material: for, as Lander put it, ‘rumours have been, all too often, confused with facts’.<sup>15</sup> These are concerns that are equally applicable to the other types of material that will be considered in this dissertation: although, for example, parliamentary documentation has proven to be invaluable to historical dialogues about the nature of kingship, the over emphasis in historical narratives of Victorian models of constitutionalism, particularly in the late nineteenth and early twentieth century works, have afforded them more attention than they perhaps deserve, once again requiring that we approach them with a healthy degree of scepticism.<sup>16</sup> Ultimately, although each of the proposed branches of primary works has its’ own requisite and inherent difficulties, as a collection the body of material provides a broad base that should serve to mitigate the weaknesses of any individual constitutive strand.

In terms of the established historiography there exists an extensive wealth of secondary literature, and relevant schools of thought, concerning the fifteenth century as a whole and the kingship of Henry VI in particular. Our overview of such begins with the introduction of the ‘Stubbsian Framework’, named for its’ author William Stubbs, in the nineteenth century. It was this model of thought that can be seen as the progenitor of the broadly negative aspersions concerning the fifteenth century English polity: to Stubbs and his supporter it was concluded that the fifteenth century contained ‘little else than the details of foreign wars and domestic struggles’.<sup>17</sup> Later-period historians, notably K. B. McFarlane, himself heavily influenced by the methodology employed by Sir Lewis Namier, built upon this model in the early twentieth century, although they took issue with the confines of the debate outlined by Stubbs; his conclusions were seen as ‘unnecessarily narrow and legalistic’ in nature.<sup>18</sup> This negative analysis continued to hold sway throughout the first half of the twentieth century, both in historical academia and wider popular culture: Stellar and Yeatman, authors of the famous 1930 satirical historical play ‘1066 and All That’

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<sup>15</sup> Lander, *Crown and Nobility*, p. 94; J Fortescue, *On the Laws and Governance of England*, ed. S Lockwood (Cambridge, 1997) xvi

<sup>16</sup> Hicks, *English Political Culture*, p. 37

<sup>17</sup> Watts, *Henry VI*, p. 4; W. Stubbs, *The Constitutional History of England in its Origin and Development*, vol. III (Oxford, 1878) p. 2

<sup>18</sup> For further details concerning the specifics of the refutation of the ‘Stubbsian Framework’ see; McFarlane, *The Nobility of Later Medieval England*, pp. 279-99; for more on the methodological approaches of Lewis Namier see; L. Namier, *Structure of Politics on the Accession of George III* (London, 1929) passim.



reflect this opinion when stating that the fifteenth century was an era of ‘Sackage, Carnage and Wreckage’; at the time this was very much the prevalent opinion: the reign of Henry VI was *the* exemplar of the pitfalls of bad government.<sup>19</sup> The persistence of these negative opinions concerning the constitutional failings of the English state in the build up to the outbreak of the War of the Roses in early period historiography had a broadly negative impact on the study of wider political issues and the application of important cultural and social models within the fifteenth century.<sup>20</sup> Instead the scholarship of the early twentieth century focused on the role of factional interests and the role of private connections and backroom deals between the leading members of Henry’s aristocracy; this was to prove to be only one side of the wider argument. It is only in the last forty to fifty years that the fifteenth century has seen serious revision from the orthodox interpretations of the nineteenth century and their twentieth century successors: societal and political models have arrived in the dialogue. A new generation of historians, notably John Watts, Christine Carpenter, Quentin Skinner and others have taken issue with the attitudes expressed by the products of the McFarlane legacy. The detachment of the Victorian emphasis on the importance of constitutional facets as means of measuring the successes or failures of a period within the discussion of the political realities of the time has been completed.<sup>21</sup> Sceptical of a historical interpretation that provided for the existence of an entirely unprincipled and unconstitutional society Christine Carpenter commented that ‘all societies have a constitution, even if...it consists largely of the unspoken assumptions of the politically aware about what may or may not be done’.<sup>22</sup> In searching for the indications of, and the specifics of, these common principles and commonly accepted practices there has been a great deal of success in attempting to link theoretical ideas and underlying realities within the politics of this period. What we learn is that just because there were no stated boundaries and order to the polity does not mean that such did not exist: when established traditions were challenged and proven insufficient fifteenth century society, to a large extent, can be shown as capable of self-governance and regulation.

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<sup>19</sup> Pollard, *Late Medieval England*, p. 1; W. C. Sellar and R. J. Yeatman, *1066 and All That* (London, 1998) p. 54

<sup>20</sup> C. Carpenter, ‘Introduction: Political Culture, Politics and Cultural History’ in *The Fifteenth Century IV: Political Culture in late Medieval Britain*, eds. L. Clark and C. Carpenter (Woodbridge, 2008) p.8

<sup>21</sup> Watts, *Henry VI*, p. 4; Carpenter, ‘Political Culture, Politics and Cultural History’, p. 9

<sup>22</sup> Carpenter, *War of the Roses*, p. 5

It is upon the last of these points that I will seek to build the analytical framework of this dissertation. How did English political society adapt itself to the problems of the reign of Henry VI and manage to last thirty-eight years of his kingship despite the orthodox interpretation of his reign as one of unmitigated disaster? What will be shown is that the ideology of kingship, in response to the pressures placed upon it, underwent a series of fundamental changes between the years of 1422 and 1461 and this would have impact the politics of the reign in various different ways. In order to achieve this the dissertation will be broken into two chapters, each following a loose chronological order. The first will consider the predominant model of kingship as it existed upon the accession of Henry VI to the throne in 1422; where was royal authority drawn from and in whose interest should it be wielded? Along with this will come an analysis of the means by which the conciliar government of Henry's minority managed to reconcile the theoretical with the practical; how successful was the protectorate of Bedford and Gloucester at maintaining the authority of the king and crown and how did they go about ruling on behalf of a king to whom they were subservient? Attached to this will be a brief analysis of the assumption of the majority of Henry VI; was the young king unchecked in his authority by virtue of his role as head of the political community of the realm and, if so, what did this mean in practical terms for the governance of the realm? The second chapter will look at the latter half of the reign of Henry VI in greater detail: what impact did the failure of Henry to assert himself have on both the theoretical language of kingship and how did this transpose itself into the practical realities of governance during these difficult years; and, at the end of this part of his reign, why was it possible for Henry to be divorced from his crown at this point rather than at any other time? Throughout there will be an objective overview that attempts to chart a series of key change in the ways in which the wider political community came to regard the concept of a monarch, both in theoretical terms and in a wider practical application.

**Chapter One: 'the framework of kingship and the minority of Henry**

**VI.**<sup>23</sup>



At the centre of the political community depicted by the 'Mirrors' sat a king wielding unchallenged and supreme sovereign authority over his kingdom.<sup>24</sup> In the

<sup>23</sup> The dates for this period run from 1422, marking Henry's ascension to the throne, to around 1445 and the time at which we can say with certainty that the king had attained his own 'personal rule' and entered his majority. There has been some great debate over the exact point at which Henry broke free of conciliar rule, the general consensus is now that the process was a slow one spread over the years 1437-1445: for more see; Pollard, *Late Medieval England*, p. 116-22; Watts, *Henry VI*, p. 123-99; in the included image you are able to see the child king Henry being handed into the care of the earl of Warwick, his tutor: not the presence of the crown upon his head, the orb in his hands and document, bearing the seal of state, being passed by Warwick to a figure who is presumably Cardinal Beaufort, on the right. Henry, despite his age, is still portrayed as both the King and the source of authority for the commissioning of the magnates gathered about him. To the left, adorned in ducal crowns, stand the brothers of Henry V, the dukes of Gloucester and Bedford.

context of the diminishment of Victorian models of ‘constitutional’ approach to the period the bears some notice; the fifteenth century king was not restricted in the way that early period historians, such as Stubbs and McFarlane, would have seen him: he maintained a great deal of license in his actions afforded to him by nature of his royal status.<sup>25</sup> Horne’s ‘Mirror for Justices’ suggests that such rights were of the Arthurian tradition when he wrote that it was Arthur himself who first declared that ‘the following things should belong to kings and to the right of the crown: to wit, sovereign jurisdiction, sovereign seignory over all the land.’<sup>26</sup> This should not be taken however as an indication that the kings was entirely unbound: he was governed by the need for assent from those that he ruled: whether that be in the form of parliamentary assent to his demands for taxation in the commons or the passing of laws through the council of lords. It was the responsibility of the king to accept good council from those around him in the exercise of his will in the hope, as we already mentioned, that he could produce a policy that represented the wider community at large. The captivation of the monarchy for the advancement of the interests of the few, by no means an alien concept before the reign of Henry VI, could, and did, have disastrous connotations for the realm: if there was no recourse to be had from the king then there was little to be done; there was no higher authority in the land than a king in full possession of his inheritance.<sup>27</sup> Indeed, such was the significance of the role that the king played in medieval English society, that it became difficult to locate any sphere of influence or set of issues within his realm that did not either fall within the scope of his authority, or with which he was associated, either directly or indirectly.<sup>28</sup>

The result of this was that the king’s sovereign right to rule in this context was couched in terms of his overriding responsibility to ensure that he wielded such with the health of the body politic in mind. Not only did his place in society call for a consideration of such, but also it can be seen in many ways as the major justification for his possession of such a ranging and unchallenged remit at this stage.<sup>29</sup> In a

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<sup>24</sup> Watts, *Henry VI*, p. 16

<sup>25</sup> For more on the ‘constitutional approach’ see; A. L. Brown, *The Governance of Late Medieval England, 1272-1461* (London 1989) p.14; J. R Lander, *The Limitations of English Monarchs in the Later Middle Ages: the 1986 Joan Goodman Lectures* (Toronto, 1989) pp. 7-17

<sup>26</sup> A Horne, *The Mirror of Justices*, ed. W. J. Whittaker (London, 1895) p. 8

<sup>27</sup> Watts, *Henry VI*, p.17

<sup>28</sup> W. M. Ormrod, *Political Life in Medieval England 1300-1450* (London, 1995) pp. 66-7

<sup>29</sup> Watts, *Henry VI*, p.18

theoretical context a king that embodied the unity of the realm was one who worked for the common good of all its' peoples. To St. Thomas of Aquinas, whose works and ideas dominated early medieval philosophy of kingship, government was only 'useful to the extent that it attains peaceful unity' and this was echoed in the later period by works such as the 'Book of Fayttes of Armes and Chyvalrye', itself a mid-fifteenth century text, when its author wrote that 'Prynces soverayne...for none other thing were establysshed but for to doo right to everche of their sugettis that shold be oppressed for only extorcion and for to deffende and kepe them'.<sup>30</sup> The intention here is clear: that royal power should be used for the advancement of the realm as whole and that the king should ensure that the interests of the few did not come to outweigh those of the many. One of the key means of ensuring that this was the emphasis on taking of counsel, and the importance of the king listening to that council: Hoccleve sums this up nicely when, in his 'Regement', he writes that 'ffor a kyng is a but a man sould...He may erre and mistake...Where-as good counsail may exclude [all] wrong'.<sup>31</sup> To contemporaries such as Fortescue the failure of the 'head' of the body politic did not necessarily have to mean the absence of a monarch but also the disinclination, or inability, of that monarch to perform in the interest of the body as a whole; in his work on the 'Laws and Governance' of England he wrote that:

'Saint Augustine [wrote] ... "A people is a group of men united by the consent of the law and by community of interest" ... but such a people does not deserve to be called a body whilst it is acephalous, that is, without a head, because, just as in natural things, what is left over after decapitation is not a body, but what we call a trunk ... a community without a head is not by any means a body ...'<sup>32</sup>

Considering this, and in light of the remit that king's possessed it is unsurprising that in early models a great emphasis was placed also on the character of the monarch: one of the primary objectives of the 'mirrors' and other, similar, texts, was to impart the importance of virtuousness not only in rule, but also in character: the reason for this

<sup>30</sup> Watts, *Henry VI*, p.19 - quoting St. Thomas of Aquinas; C. Pisan, *The Book of Fayttes of Armes and Chyvalrye*, ed. A. T. P. Byles (London, 2010) p.11

<sup>31</sup> F. J. Furnivall, *Hoccleve's Works III: The Regement of Princes* (London, 1876) st. 695, lines 4859-65; the full editorial work of Furnivall may be found online at: <<https://quod.lob.umich.edu/cgi/t/text/text-idx?c=cme;cc=cme;view-toc;idno=ADQ4048.0001.001>>; Accessed 15<sup>th</sup> April 2011.

<sup>32</sup> Fortescue, *On the Laws and Governance of England*, p.20

was that ‘it bound the king internally to exercise his powers according to the common interest’.<sup>33</sup> If, as in the case of Henry VI, the strength of character required of a monarch was absent then it prevented in a philosophical context the internal regulation of self that enabled the monarch to provide fair and arbitrary rule, and allowed for the perpetration of excess and unwise dispensation of favour. In the context of an interim situation in which there was legitimate cause for others’ subsuming the powers of the crown there had to be a balance struck between the theoretical elements of kingly authority and the practical ones of getting on with the business of providing good governance: this would prove to be a much easier task when the question of the king’s aptitude to rule was not in question, such as in times of inability by virtue of age. A discussion of such follows.

The crowning of Henry VI as an infant king, for he was only nine months old when he ascended to the throne, marked the start of the longest period of minority in English history. A system of conciliar rule was established under the guidance of the deceased Henry V’s brothers, the dukes of Bedford and Gloucester, Cardinal Beaufort, the half blooded Plantagenet issue of John of Gaunt and the half-brother of Henry IV, and a number of other loyal supporters of the House of Lancaster. Precedent for such a system of government was well established: in recent memory the minority of Richard II had necessitated the creation of a ruling council, as had the infirmity of Henry IV. Yet, despite the obvious detachment of the infant king from the actual practice of ruling his country, he was still held up as the source of all authority within his realm: for, as Watts notes, ‘if there was no royal *personal publica* there could be no body politic’.<sup>34</sup> Therefore, one of the most pressing issues facing these councillors in the early years of Henry’s minority was not just the creation of a stable government capable of completing the day to day tasks required of administration, but also the creation of an established royal authority to which they were subservient and that provided for them the legal basis for their rule on the king’s behalf. To put it simply: the lack of an able king made their role vital, for there must be governance, yet the absence of a king capable of investing in them their authority, and thus legitimacy, made it impossible for them to exist. The solution to this

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<sup>33</sup> Watts, *Henry VI*, p.5; the four ‘cardinal’ virtues of kingship, the importance of which were stressed in the mirrors, are listed as: Prudence, Justice, Temperance and Fortitude.

<sup>34</sup> Watts, *Henry VI*, p. 112; for more on the idea of the ‘*persona publica*’ and its’ obverse ‘*persona privata*’ see; E. Kantorowicz, *The King’s Two Bodies* (Princeton, 1957) Ch. III-V

seeming paradoxical problem was to reaffirm that Henry was indeed their rightful sovereign ‘... whom and no one other they knowe...’ and assert that ‘The king as now be of tender eage [yet] nevere the lesse the same autritee resteth and is at this day in persone that shal be in him at eny tyme thereafter whan ehe shal come with Goddes grace to yeers of discrecion...’<sup>35</sup> An illusion was therefore fostered that for all intents and purposes royal government, and royal authority, was as it should be: unpolluted by factional interests and stemming from the king and the crown. Bedford and Gloucester were not regents, but rather they were afforded the roles of ‘chief councillors’; in an unofficial context they assumed the mantle of power that was the king’s to wear by right, yet in an official one they still remained very much the servants of the king: royal majesty was untarnished, and governance could continue without accusations of accroachment on royal liberties; a crime that was of particular applicability during the minority of a monarch.<sup>36</sup> Despite the atmosphere of successful conciliar co-operation that existed in the immediate years following the death of Henry V, problems would soon arise: factional enmity between those charged with the maintenance of the kingdom, notably Gloucester and Beaufort, continued to cause issues of stability that threatened to upset the tenuous balance of power between those magnates who had assumed the role of managing the king’s affairs. Fortescue would note something of this issue when reflecting back on the nature of Henry’s polity in the 1470s, inherent to him not just in the works of this particular noble council, but also in the context of any period of noble-dominated government, when he stated that:

[The nobility] ... had almost as many matters of their own to be treated in the council, as had the king. Wherefore, when they came together, they were so occupied with their own matters, and with the matters of their kin, servants and tenants that they attended but little, and other whiles nothing, to the king’s matters.<sup>37</sup>

Fortescue’s solution to this, in a theoretical context, was to pick such councils based on individual merit and ability rather than lineage and nobility.<sup>38</sup> There is much to

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<sup>35</sup> H. Nicholas (ed.), *Proceedings and Ordinances of the Privy Council of England*, vol. III (London, 1834) p. 233

<sup>36</sup> ‘Accroachment’ represented an attempt to limit or usurp the king’s authority, and in the process limit the power of the realm: see; Watts, *Henry VI*, p.18; J. G. Bellamy, *The Law of Treason in England in the Later Middle Ages* (Cambridge, 1970) pp. 64-5

<sup>37</sup> Fortescue, *On the Laws and Governance of England*, p. 114

<sup>38</sup> Fortescue suggests that the body of such a council should be constituted by a body of twenty-four men, twelve temporal, twelve spiritual, selected from the wisest in the land and whom would serve

commend this idea yet, unfortunately, in practice such councils were, as we will see, formed of the leading peers in the realm who saw it as their inherent right; the only figure that would have been capable of installing a council that did not follow traditional lines would have been the king himself, which in the case of a minority makes such theorizing a moot point. All that could be done in practice to ensure that the rights of the king were preserved through such times was to appeal to the inherent loyalty that each noble in the land owed to their king by virtue of their feudal responsibilities and that the disapproval, and might, of the council and wider consensus of the nobility would prevent the presumptions to majesty any individual custodian might have. It is ironic that in many ways the factional self-interest that has been identified in the orthodox historiography of the century was actually in many ways the saving grace of Henry's kingship at this early stage: in the atmosphere of noble based rule that dominated his infancy it was, as we have stated, in the interests of none to allow the ascendancy of any of their number to the heights approaching that of the royal person; and until it could be established that he was capable of assuming the reigns of governance in his own right that would remain the status quo.

The question of the king's majority would present a key issue of contention between the theoretical and the practical during Henry's reign and bears some mention here. It is probably that some of the issues that arose were because, as Hicks' notes, the relevant political theories concerning the age of majority and its' application in the question of monarchy had not yet fully developed to match the problems of the times, yet the issue was more complex than this.<sup>39</sup> The question as to exactly when it was that Henry assumed the full mantle of kingship is, and continues to be, under debate amongst historians of the fifteenth century, although it is now generally assumed that the process was completed by 1445.<sup>40</sup> Some have attributed this to a supposed lack of interest, or ability, displayed by Henry VI; McFarlane went so far as to indicate that 'In Henry VI second childhood succeeded first without the usual interval', although in light of more recent scholarship we may now consider this an extreme position to

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permanently, or until such time as fault was evident within their reasoning, or they were found to be subverting the powers granted to them for their own ends; this last point would be of some significance following the events of 1450; see Fortescue, *On the Laws and Governance of England*, pp. 114-7; Ch. 15: 'How the king's council may be chosen and established'

<sup>39</sup> Hicks, *English Political Culture*, p.49

<sup>40</sup> Carpenter, *War of the Roses*, p.87; J. L. Watts, 'When Did Henry VI's Minority End?' in *Trade, Devotion and Governance: Papers in Later Medieval History*, eds. D. Clayton, R. Davies and P. McNiven (Stroud, 1994) pp. 116-31



hold.<sup>41</sup> What is especially odd is that, unlike the other examples we have of minority kings reaching the age of majority, such as Edward III or Richard II, is that there seemed little obvious inclination on the part of Henry to declare his minority at an end and himself capable of taking possession of his inheritance. It was strange for the transition of power into the hands of the king from the council to take as long as it did, particularly when you consider that by the late 1430s the young king was approaching the end of his teenage years and that the suitability of his age, by this point, must have been a non-issue for the nobility of the realm; Richard II had, after all, attained relatively unfettered control of his kingdom at the almost unbelievably tender age of thirteen.<sup>42</sup> It seems likely that part of the confusion surrounding the ceding of the conciliar control into the hands of the king came from uncertainties about his character and that of those that surrounded him: but the very real fact remained that uncertainty as to whether the king was an adult or still a child during this period had important ramifications for the government at large and produced a definite sense of unease.<sup>43</sup> In the end however it seemed that another compromise was necessary as, short of admitting that the king was unfit the rule and seeking means by which they might divorce the person of the king from the institution of the crown and place somebody else there, the council of nobles had to once again step into a breach caused by virtue of the king's inability to do so himself.<sup>44</sup> In any case, at the end of the period which marked the end of the first part of Henry's reign the most significant conclusion that we can draw remains that at the heart of early, and later, medieval theories on kingship there needed to be an individual in a position of unassailable authority: conciliar authority alone was a necessary evil that was perpetrated out of need rather than preference and could only last as long as the king was utterly unable to assume the reins of the central mechanism which ran his kingdom. The old model of kingship was able to maintain its' authority during this minority period because of the tenuous balancing act that was maintained by those that surrounded the king and ruled in his name during these years and that the actions of government, although occasionally fraught with minor issues, were relatively successful at maintaining the

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<sup>41</sup> For more on this issue see; McFarlane, *The Nobility of Later Medieval England*, p. 284

<sup>42</sup> Although it has been noted that perhaps in practice Richard was not to attain full control of his kingdom until the age of 21 the matter of importance is that he was seen to *want* the powers that came by virtue of his majority: such was not the case with Henry VI and was the root of the confusion in those years; Hicks, *English Political Culture*, p. 49

<sup>43</sup> Watts, 'When Did Henry VI's Minority End?', p. 123

<sup>44</sup> Pollard, *Late Medieval England*, pp. 106-8

health of the nation. It would prove to be quite a different case in the years that came after.

## **Chapter Two: ‘the ‘personal rule’ of Henry VI’**

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‘So he that hethe childis condicion, ys not acceptable to gouernaunce. For he that aught to have subjeccion of the people and verrey obeissaunce must put hym self in witty assurance, as yet may oft see bi experience, he that reule must hay grete diligence.’<sup>45</sup>

The question of Henry’s suitability to rule and the impact this had on his effectiveness during the years from the assumption of the king’s majority in 1445 to his eventual deposition in 1461 is crucial in the context of the discussion upon which this dissertation is based and had an important impact on the political philosophy of kingship. These tumultuous years would see a series of period-governments dominated in succession by various ascendant nobles of the court. In the context of this it has been suggested that the period of ‘personal rule’ of Henry VI was in retrospect more one of form than of actual content.<sup>46</sup> In immediate practice all that the maturity of Henry would see was a transition of power from the conciliar model of government that dominated his minority to one of courtly rule in which those nobles who formed the close coterie that surrounded the person of the king influenced the mechanisms of government; it is these men, who were ‘dayly and nyghtely abowte his hyghnesse’, that should be afforded the most notice when searching for the true authority of the realm at this time.<sup>47</sup> Unlike the first part of Henry’s reign where the process of formal council to the king had been the primary method of ensuring legitimacy of action for those who in reality ran the kingdom there was now an emphasis on the role of informal consultation and dialogue between the leading men of the realm and the monarch. In a theoretical and practical context this cannot be regarded as unusual: kings had been taking, and had been encouraged to take, informal council as part of the execution of their duties for hundreds of years; considering the emphasis on the importance of a ‘king counselled’ that we saw in the first chapter, and the logistical issues of allowing only for formal council, it was

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<sup>45</sup> G. Ashby, *George Ashby’s Poems* (New York, 2006) p. 44; this extract is taken from Ashby’s poem entitled ‘Dicta Philosophorum’; the importance of the capacities of the young king Henry would prove to be of a greater significance once he had assumed the mantle of an adult king than it did during the period of transition, 1435-45.

<sup>46</sup> Watts, *Henry VI*, p. 206

<sup>47</sup> I. M. W. Harvey, *Jack Cade’s Rebellion of 1450* (Oxford, 1991) p. 189; the included primary quotation is taken from the protestation of Cade’s infamous rebellion of 1450 in regards to the perversion of the king’s person and will by the Suffolk led government of 1445-1450.

inevitable that much would happen behind closed doors. The result of this was ‘a certain distinction between the advisory and executive parts of government’ that, although not uncommon of royal rule, was to be of some concern in the context of Henry’s inability and eventual infirmity.<sup>48</sup> If, as Archbishop Stafford wrote in the 1440s, ‘unto the K’ hieghnesse to de calle his counsail, such as that him shal lyke, to assemble at such tyme [and] place as also him shall lyke’ then any ability of the wider political community to arbitrate the more excessive and foolish decisions of the king was effectively suspended and, as a result, there was a very real danger of the captivation of the authority of the monarchy by factional interests; and such was eventually to prove the case.<sup>49</sup>

It was first in response to the troubles that faced the royal government in 1450 that we first start to see significant changes in the ideological language that defined kingship. It would appear that, although suspect, the government which had dominated the first five years of Henry’s official majority had received uniform consent from the nobility of the realm if only because it was relatively successful at maintaining the status quo: the totality of the failures that became evident at the end of this period, however, destroyed this uneasy compromise.<sup>50</sup> It was in 1450 that Normandy, the last of the English northern continental possessions, was lost to the French, the crown bankrupted and its’ advisors accused of ‘covetous’ behaviour in their dealings. Richard, duke of York, rose up in open protest of the king’s administration ‘desiryng suerte and prosperite of your most roiall person and welfare of this your noble reame’ and acting on behalf of the supposed interests of the common weal of the nation.<sup>51</sup> If, as the language of York would seem to indicate, the monopoly that the monarch had on acting in the interests of the nation could be challenged by a source of authority outside that of the crown then it was necessary to alter the manner in which the king could claim predominant authority in order to preserve his majesty: the result of this was the rise of a new model of regarding the conception of kingship in the latter half of the reign.<sup>52</sup> The answer to these problems from a contemporary political perspective was in the first instance to entrench the

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<sup>48</sup> Watts, *Henry VI*, p. 206

<sup>49</sup> Nicholas (ed.), *Privy Council of England*, vol. VI, p. 337-9

<sup>50</sup> A. Tuck, *Crown and Nobility, 1272-1461* (London, 1985) pp. 284-6

<sup>51</sup> R. A. Griffiths, *King and Country: England and Wales in the Fifteenth Century* (London, 1991) pp. 302-3

<sup>52</sup> Watts, *Henry VI*, p. 39

authority of the crown in terms that did not rest entirely on the consent of others and therefore invalidate the claims of those who moved against it in the wider interest of the realm.<sup>53</sup> Instead of the traditional model that saw the organic accrual of legitimacy come from the proper and effective instigation of good government a system was developed whereby it was only by being first in possession of total authority that the king would be able to act: it became more important for a king to possess power than it was that he be cognizant of how best to use it. The emphasis of the various traits of rule had been reversed as a result of the challenges that it faced; this is neatly demonstrated by looking at the words of George Ashby when he wrote that:

‘If I shal speke of the vniuersal and the comyn wele of this region, I wol aduise you especial to haue good guiding & Inspeccion to eury trouble in this nacion, for though by a litil it begynnyth, it may destroy vs al or it endith.’<sup>54</sup>

What we may gather from this commentary is that whereas it was still the responsibility of the king to ensure the health of the body politic as a whole, the ‘common weal’ as it were, the reasoning for this had changed. The primary objective of good rule in the context of this new ideology was to ensure that no little thing should be neglected that might develop into a wider problem. The basic principle is the same, but the virtuous king of our earlier analysis has been replaced with a vigilant and watchful one whose concern is with the maintenance of his rights and is punitive in his punishment of those who move against him. Instead of a king who is required to display the virtue of mercy in his judgement it is instead suggested that ‘if the offence touche the subuersion of the realme, puttyng it in disturbance, procede sharply to deue execucion aftur lawful and right ordynaunce in eschewynge al suche mys gouernaunce.’<sup>55</sup> If, as contemporary writers seemed to think, the monarchy had been backed into a corner by the actions of those who had pretensions to authority that was not theirs, then the liberal application of vicious retaliation and forceful assertion of rule was necessary, even vital, to prevent the dominance of the over mighty subject. This tied in with a second strand of contemporary advice and changing ideology that was to be found in

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<sup>53</sup> A wider discussion of consent theory and how it related to later period political language, particularly in the works of Fortescue, can be found in; A. Cromartie, ‘Common Law, Counsel and Consent in Fortescue’s Political Theory’ in *The Fifteenth Century IV: Political Culture in Late Medieval Britain*, eds. L. Clark and C. Carpenter (Woodbridge, 2004) pp. 45-67

<sup>54</sup> Ashby, *Ashby’s Poems*, p. 37; this extract is taken from Ashby’s poem ‘Active Policy of a Prince’

<sup>55</sup> Ashby, *Ashby’s Poems*, p. 37

the role of ‘covetous’ behaviour, another of the charges levelled in 1450, in degrading the loyalty of those that surrounded the king. If the love of money and the inherent greed that all men displayed in their actions ensured that bad council would be given, then it also followed in the minds of these contemporary writers that it would break down the means by which obedience to the crown could be ensured: their allegiance were not ones born of serving a legitimate ruler who acted in the common good, but rather they were motivated by self-enrichment; such men could not be trusted, for ‘he go hauyng no regarde to trouthe ne worship, so he may come to goode and lordeship’.<sup>56</sup> Fortescue was also most adamant about this when he warned that ‘the people will go with him who may best sustain and reward them’ and stressed above all else the significance of ensuring that kings maintained the fiscal means to keep hold of what was essentially a mercenary group of politically disparate nobles whom, as the events of 1450 had demonstrated would jump ship at the first sign of serious setback.<sup>57</sup>

The troubles that had initially faced the regime in 1450 had been seen off by appealing foremost to the loyalty that all the nobility owed to their sovereign lord. In stressing that it was only through such obedience that power could be vested in the king, enabling him to bring the troubles to an end, the assumption was that such a system could only hold up as long as there existed some semblance of personal authority, however weak, at the centre of the mechanisms of government. This authority would appear to have been present for the years 1451-3 as, somewhat surprising, the regime of Henry VI rallied in the face of the challenges to his kingship.<sup>58</sup> Buoyed by some small military successes in France following the recapture of Bordeaux in 1452 and by the relative lack of political or military support for York’s claims, however damaging they may have been on a theoretical level, the government, at this time under the control of the duke of Somerset, Edmund Beaufort, seemed to have convinced the wider community of the suitability of Henry’s continued reign: royal authority was seeming preserved and it has been suggested that, perhaps, for the first time in his life Henry VI had begun to ‘rule as well as

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<sup>56</sup> Ashby, *Ashby’s Poems*, p. 19

<sup>57</sup> Fortescue, *On the Laws and Governance of England*, p. 101

<sup>58</sup> R. A. Griffiths, *The Reign of Henry VI: the Exercise of Royal Authority: 1421-1461* (London, 1981) pp. 522-31

reign'.<sup>59</sup> The impact that the collapse of Henry VI in 1453 and his subsequent mental instability had on the nation was unsurprisingly traumatic; it would strip away any perception that the royal will at that time was capable of asserting its' own opinion in matters of state: the immediate reaction of the realm in this instance was to fall into a temporary state of confusion and uncertainty.<sup>60</sup> Having rallied to the side of the king in the face of the threat presented by York in 1450-1 and still suspicious of the true motives behind his posturing in the first instance there was a surprising degree of resistance to any attempt to affect an immediate transfer of power into the hands of a protectorate similar to that which had existed under Bedford and Gloucester during the minority. Such a state of affairs could not, of course, persist for long because of the practical need for a suitably structured administration but it does admirably demonstrate the resilience of the concept of kingship within society at this time: even at this juncture it would appear that an insane king was better than no king at all.

It may well have been the birth of Prince Edward, heir to Henry VI, in October 1453 that was the saving grace of his father's administration at this uncertain time, allowing it to plod onwards for another few years. The introduction of another, albeit infant, legitimate male heir provided a rallying point for the Lancastrian dynasty and frustrated the claims of York to represent the most logical alternative to the infirm monarch.<sup>61</sup> It was only through his recognition of Edward as the Prince of Wales, and thus the legitimate heir to the throne, that enabled York to gain the support of enough of the nobility to make his first and, following the battle of St. Albans in 1455, second protectorate viable; and yet, simultaneously, provided his factional enemies with a legitimate reason to resist his more reaching demands for authority. It was in the response to the actual inability of the king to act as a focal point for the authority of the crown that a tentative plan was suggested for a caretaker government, under York, with limited scope that would cease to exist immediately upon the king's resumption of his senses; this, the lords thought, presented the best solution to a bad situation; royal patrimony was not alienated, merely delegated again. The problem here came from the fact that unlike the minority, where a similar system had been put into place, it became increasingly evident that Henry was unlike to ever again offer an alternative

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<sup>59</sup> Pollard, *Late Medieval England*, p. 137

<sup>60</sup> Pollard, *Late Medieval England*, p. 141

<sup>61</sup> Watts, *Henry VI*, p. 304; Carpenter, *War of the Roses*, p. 129

to the descent into factional enmity that such a system usually produced. The last years of Henry's reign demonstrated this admirably as the nature of its politics were dominated by two different, distinct, political groupings that claimed to be acting in the interests of the same king in response to the pressures that faced the realm; this would ultimately prove to be the undoing of Henry. On the one hand stood the party of York who claimed to be acting in the common interest of the corporate body of nobles that should in the absence of a king capable of operating independently seek to wield the authority of the crown on his behalf and in his name; on the other stood those that surrounded, in the final years, Queen Margaret, wife of Henry, who still advocated that since Henry was an adult there was no legitimate claim possible for subsuming kingly power which still, nominally, came from him and that it was only through direct royal authority that the kingdom could be properly managed.<sup>62</sup> Neither side, in the first instance, was capable of maintaining enough support within the generally confused body of nobility to triumph over the other for neither offered the sort of ideological model of kingly rule to which they were so attuned and that was dominant in these times. The monarchical power, illusionary or otherwise, of Henry VI was effectively at an end, cast aside in favour of disparate models of rule represented by the figures of York and the Queen.

In closing we might look to the 'Somnium Vigilantis', produced in 1459 as a detailed rejection of the enemies of the crown, as a representation of both recognition of these facts previously mentioned on the part of the royalists and an attempt to reassert the precedent of the king in providing the type of lordship that was now split between multiple groups and in serious danger of disintegrating into total anarchy:

'Amonge many thinges by whiche the commone welthe of a royaume stondyth, the most principall is this: a due subjeccion with fayithfull and volutarie honoure and their appertenaunce to be yolden to the soverain in the sayd royma and that none incompatible astat be usurped by ony personne...'<sup>63</sup>

Even as this defended the kingship of Henry VI at this late stage, and despite copious evidence that he was seemingly incapable of providing appropriate government, it

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<sup>62</sup> Watts, *Henry VI*, p. 329

<sup>63</sup> J. P. Gilson, 'A defense of the proscription of the Yorkists in 1459', *English Historical Review*, 26 (1911) p. 515 - quoting 'Somnium Vigilantis'



may well have forced the Yorkist faction to finally consider deposition as a viable option for dealing with the problems that they were facing.<sup>64</sup> York was faced with the choice then of either recognising that only by abandoning his position and submitting to the king could he hope for the problems he had highlighted to be resolved or to finally abandon his claims to represent the lords at large in favour of an invocation of his own ancestral right to be king. If the new language of politics that the 'Somnium' indicated no longer allowed for a legitimate expression of discontent in the way that had theoretically been possible in 1450 then it fell to those who sought to challenge the new, more authoritative, model to consider alternative ways of implementing good rule.<sup>65</sup> If this is to be taken as indicative of the state of affairs that Edward, earl of March, son of Richard of York, found himself faced with in 1461 then it is not entirely surprising that he decided that the time had finally come for there to be a challenge to the legitimacy of Henry to sit on the throne and to cross the line that his father would, or could, not. At this point enough of the lords who had migrated into the sphere of the Yorkist cause from their default position of relative neutrality and loose allegiance to the crown that were convinced of the fact that it was only through the introduction of a vital and capable monarch that there could be, finally, a true restoration of the unity, and an end to the constant state of political flux that had defined much of the last decade of the reign.<sup>66</sup>

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<sup>64</sup> Watts, *Henry VI*, p. 45

<sup>65</sup> Gilson, 'Proscription of the Yorkists', p. 519

<sup>66</sup> Carpenter, *War of the Roses*, p. 154

## Conclusions

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‘[His body natural is]...subject to the infirmities that come by Nature or Accident...But his body politic...is utterly void of Infancy, and old Age, and other natural Defects and Imbecilities, which the body natural is subject to...What the king does in his Body politic, cannot be invalidated or frustrated by any Disability in his natural Body.’<sup>67</sup>

So concluded the political commentator and Elizabethan lawyer Plowden in the sixteenth century; the language of its’ construction was very much the legacy of the troubles that the fifteenth century political community had faced during the reign of Henry VI and the subsequent descent into the anarchy that was the War of the Roses. The key to understanding the difficulties that faced the reign, particularly in the later period, is a recognition that whereas a king who attempted to overstep the boundaries of his office was something that could be dealt with, and indeed had been dealt with in the previous centuries, one who was simply incapable of playing any sort of part in governance was not: the weak kingship of Henry VI was indeed the most pressing problem of his reign, but not in the way that was understood by later Victorian historians. The logical conclusion of this weakness would seem to be a constant return to forms of conciliar authority, an analysis of which formed a vital plank of the discussion. This was not unheard of, nor did it necessarily have to erode the sovereign authority of the monarch in whose name it operated; the successful stewardship of the minority has shown us that; so long as there could be a reconciliation, albeit usually on a theoretical or nominative level, between the actions that it took and the will of the one whom gave it the power with which it was vested then normally such systems could be made to work as interim solutions to times of crisis. The problem that would arise from this during the reign of Henry was that the formation of conciliar authorities became the normal state of affairs rather than the exception to the rule; this was not something that, considering the monarchical influences of the period, boded well for general stability and in the last instance would eventually convince enough of the nobility of the impossibility of continuing to salvage the kingship of Henry. Considering that traditional political ideologies placed on the king the onus of acting as the receptacle for the grievances of all the constituent parts of the polity that he

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<sup>67</sup> Kantorowicz, *The King's Two Bodies*, p. 7

ruled and producing authoritative policies in order to ensure fair rule, from which he would naturally accrue the authority that was necessary, then the constant appropriation of this role by the very people who were supposed to benefit from its proper application would inevitably result in serious problems. The practical response to these issues was to reiterate the importance of the obedience that all owed to their king, something mirrored by ideological shifts, and use that as a weapon against those who would seek to challenge its authority. Yet along with this new, more authoritative, model of kingship came the primary reason for its failure: the continued absence of a fully independent royal will; something exacerbated by the insanity of the king. At the last it would appear that the royalist attempts to retain the predominance that was the basis of their own legitimacy would be the means of their own undoing. Having pulled all potential avenues for redress back into the hands of the crown it opened the way for the final, fatal, blow to Henry's kingship; the Yorkist search for a means of unity under the Lancastrian crown was transformed into a legitimate challenge for the right to wear it.

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