

Cardinal Kemp

The Last Lancastrian Statesman

J.M. Grussenmeyer



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In memory of my mother, Shirley Grussenmeyer (1953–2016).

I love you.

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Cover image: Depiction of Cardinal Kemp in the St. Cuthbert Window, York Minster

Frontispiece: First folio of Kemp's statute book for Wye College, Imperial College Archives

Abstract

John Kemp (c. 1380–1454) – cardinal, archbishop, councillor, chancellor, and diplomat – was one of the most central figures in the royal government during the reign of Henry VI, serving the Lancastrian Crown for four decades. Despite this, scholars have treated him with varying degrees of neglect, mentioning him often enough but rarely ever attributing consequential policy to his influence.

This thesis presents a comprehensive study of Kemp's political career, examining him as an individual statesman and using his biography as a lens through which to gain a deeper understanding of royal government and political culture under the Lancastrian dynasty. While it is notoriously difficult to paint a detailed portrait of any medieval personage, Kemp's career is considerably well documented. Records of chancery, the exchequer, and the royal council give us a great deal of information about his public career, while the invaluable correspondence recorded by William Swan, his proctor at the curia, grants us a rare glimpse of the private feelings, ambitions, and concerns of a fifteenth-century prelate.

From his time on the minority council in the 1420s to his chancellorship in the volatile 1450s, he was often called upon during times of crisis, and it is during such trying times that we can most clearly see his stabilising effect upon the governance of the realm. His parliamentary addresses and court of chancery decisions evidence his strong principles, and his statesmanship is further confirmed by the remarkable diplomacy with which he balanced his obligations to both Church and state, finding favour with the papacy while always prioritising the interests of the Crown.

Kemp's death in 1454 removed the last figure able to restrain the duke of York's ambitions and to prevent political faction from descending into violence, and it is no coincidence that the Wars of the Roses commenced the following year. Cardinal Kemp was, indeed, the last Lancastrian statesman.

Abbreviations

AHP	<i>Archivum Historiae Pontificiae</i>
Amundesham's Chron.	<i>Chronica Monasterii S. Albani: Annales Monasterii S. Albani a Johanne Amundesham Monacho</i> , ed. by Henry Thomas Riley, 2 vols (London: Longmans, Green, and Co., 1870–71)
<i>Bekynton Correspondence</i>	<i>Official Correspondence of Thomas Bekynton...</i> , ed. by George Williams, 2 vols, Rolls Series (London: Longman & Co., 1872)
Benet's Chron.	'John Benet's Chronicle' for the years 1400 to 1462', ed. by G.L. Harriss and M.A. Harriss, in <i>Camden Miscellany XXIV</i> , Fourth Series, IX (London: Royal Historical Society, 1972), pp. 151–233
BIA	Borthwick Institute for Archives
BIHR	<i>Bulletin of the Institute of Historical Research</i>
BJRL	<i>Bulletin of the John Rylands Library</i>
BL	British Library
Bodl.	Bodleian Library
<i>Brut</i>	<i>The Brut, or The Chronicles of England</i> , ed. by Friedrich W. D. Brie, 2 vols, Early English Text Society (London: Kegan Paul, Trench, Trübner & Co., Ltd., 1906)
CCA	Canterbury Cathedral Archives
CCC	<i>Canterbury Cathedral Chronicle</i>
CCR	<i>Calendar of Close Rolls</i>
CFR	<i>Calendar of Fine Rolls</i>
<i>Collection of Wills</i>	<i>A Collection of All the Wills...of the Kings and Queens of England...</i> , ed. by J. Nichols (London: Society of Antiquaries, 1780)
<i>Concilia</i>	<i>Concilia Magnae Britanniae et Hiberniae</i> , ed. by David Wilkins, 4 vols (London: R. Gosling, 1737)
CPL	<i>Calendar of Entries in the Papal Registers Relating to Great Britain and Ireland: Papal Letters</i>
CPR	<i>Calendar of Patent Rolls</i>
DNB	<i>Dictionary of National Biography</i> , ed. by Sidney Lee, 66 vols (London: Smith, Elder, & Co., 1885–1901)

- EHL *English Historical Literature in the Fifteenth Century*, ed. by Charles Lethbridge Kingsford (New York: Burt Franklin, 1913)
- EHR *The English Historical Review*
- English Chron.* *An English Chronicle, 1377–1461: A New Edition*, ed. by William Marx (Woodbridge: Boydell Press, 2003)
- Enguerrand Chron.* *The Chronicles of Enguerrand de Monstrelet*, trans. by Thomas Johnes, 2 vols (London: William Smith, 1845)
- FCCR *Friends of Canterbury Cathedral Report*
- Foedera* *Foedera, conventiones, literae...*, ed. by Thomas Rymer, 10 vols (The Hague: Joannem Neaulme, 1739–45)
- Giles's Chron. *Incerti scriptoris Chronicon Angliae de regnis trium regum Lancastrensiū, Henrici IV, Henrici V, et Henrici VI*, ed. by J.A. Giles (London, 1848)
- Great Chron.* *The Great Chronicle of London*, ed. by A.H. Thomas and I.D. Thornley (London: George W. Jones, 1939)
- Gregory's Chron. *The Historical Collections of a Citizen of London in the Fifteenth Century*, ed. by James Gairdner (London: The Camden Society, 1876)
- ICA Imperial College Archives
- JEH *The Journal of Ecclesiastical History*
- JMH *Journal of Medieval History*
- Letters and Papers* *Letters and Papers Illustrative of the Wars of the English in France during the Reign of Henry the Sixth, King of England*, ed. by Joseph Stevenson, 2 vols (London: Longman, Green, Longman, and Roberts, 1861–64)
- LMA London Metropolitan Archives
- Loci e Libro* Thomas Gascoigne, *Loci e Libro Veritatum...*, ed. by James E. Thorold Rogers (Oxford: Clarendon Press, 1881)
- London Chron.* *Chronicles of London*, ed. by Charles Lethbridge Kingsford (Oxford: Clarendon Press, 1905)
- LPL Lambeth Palace Library
- MCA Merton College Archives

- ODNB *Oxford Dictionary of National Biography*, ed. by H.C.G. Matthew and Brian Harrison, 60 vols (Oxford: Oxford University Press, 2004)
- Paston *The Paston Letters*, ed. by James Gairdner, 6 vols (London: Chatto and Windus, 1904)
- Plumpton *Plumpton Correspondence...*, ed. by Thomas Stapleton (London: Camden Society, 1839)
- POPC *Proceedings & Ordinances of the Privy Council of England*, ed. by Sir Harris Nicolas, 7 vols (London: Record Commission, 1834–37)
- PROME *The Parliament Rolls of Medieval England*, ed. by Chris Given-Wilson et al., 16 vols (Woodbridge: Boydell Press, 2005)
- Reg. Arundel 1 LPL, Reg. Arundel 1: Register of Thomas Arundel, 1396–1408
- Reg. Arundel 2 LPL, Reg. Arundel 2: Register of Thomas Arundel, 1408–1414
- Reg. Chichele *The Register of Henry Chichele, Archbishop of Canterbury, 1414–43*, ed. by E.F. Jacob, 4 vols (Oxford: Clarendon Press, 1943–47)
- Reg. Kemp Canterbury LPL, Reg. Stafford and Kemp: Register of John Stafford and John Kemp [Kempe], 1443–1454
- Reg. Kemp London LMA, DL/A/A/004/MS 09531/004: Diocese of London Bishop's Register, 1405–34
- Reg. Kemp York BIA, Abp Reg 19: Archiepiscopal Register of John Kempe (1425–1452)
- Reg. Langley *The Register of Thomas Langley, Bishop of Durham, 1406–1437*, ed. by R.L. Storey, 6 vols (Durham: Surtees Society, 1949–67)
- Reg. S. Albani *Chronica Monasterii S. Albani: Registra Quorundam Abbatum Monasterii S. Albani, Qui Saeculo XV^{MO} Floruere*, ed. by Henry Thomas Riley, 2 vols (London: Longman & Co., 1872–73)
- Rot. Scotiae *Rotuli Scotiae...*, ed. by W. Illingsworth et al., 2 vols (London: Record Commission, 1814–19)
- Sacrorum *Sacrorum Conciliorum Nova, et Amplissima Collectio*, ed. by Joannes Dominicus Mansi, 54 vols in 58 (Paris: Huberti Welter, 1901–27)
- Six Town Chron. *Six Town Chronicles of England*, ed. by Ralph Flenley (Oxford: Clarendon Press, 1911)
- SR *The Statutes of the Realm*, ed. by Alexander Luders et al., 11 vols (London: Dawson's of Pall Mall, 1810–28)

- Stone's Chron.* *John Stone's Chronicle: Christ Church Priory, Cantebury, 1417–1472*, ed. and trans. by Meriel Connor (Kalamazoo: Medieval Institute Publications, 2010)
- TAPS *Transactions of the American Historical Society*
- Taverne, Journal* *Antoine de la Taverne, Journal de la paix d'Arras...*, ed. by André Bossuat (Arras: Impr. de la société Anonyme l'Avenir, 1936)
- TCWAAS *Transactions of the Cumberland and Westmorland Antiquarian and Archaeological Society*
- Three Chron.* *Three Fifteenth Century Chronicles*, ed. by James Gairdner (London: Camden Society, 1880)
- TNA The National Archives
- TRHS *Transactions of the Royal Historical Society*
- Warkworth's Chron.* *Warkworth's Chronicle of the First Thirteen Years of the Reign of King Edward the Fourth*, ed. by James Orchard Halliwell (London: Camden Society, 1839)

Introduction

Cardinal Kemp: The Context and the Sources

Much ink has been spilt in the pursuit of understanding the politics of fifteenth-century England, the underlying causes that brought about long periods of chaos and civil strife, and the effects, or lack thereof, that developments within the late medieval polity had upon later English political history. The careers of kings, magnates, and prominent churchmen have been dissected and analysed by more scholars than the bibliography of the present work could list, yet one very important personage remains largely untapped: the remarkable career of Cardinal-Archbishop John Kemp. One might ask how the study of yet another fifteenth-century prelate and administrator will add insight into an era already cluttered with major biographies and a host of prosopographical works on lesser figures. The answer lies in what this thesis does and does not specifically seek to address. I do not propose to provide sweeping arguments explaining the fall of the house of Lancaster, the origins of the Wars of the Roses, or the precise nature of Henry VI's kingship. What I do propose to accomplish with this thesis is to closely examine the service of one loyal Lancastrian statesman who remained omnipresent in royal government from the heady days of Henry V's conquests to the very eve of civil war and to explore how his political activities and beliefs, as far as they can be determined, reflect the nature of the wider polity under the Lancastrian kings. Thus, it is my intent that this thesis will transcend the realm of biography by illuminating the nature of late medieval English politics through the lens of Kemp's forty-year career as a Lancastrian statesman.

John Kemp — prelate, cardinal, administrator, and lifelong servant of the house of Lancaster — is a figure who appears throughout the pages of nearly every history of fifteenth-century England, yet no publication has ever been solely devoted

to him. Of course, many other bishop-administrators of late medieval England have warranted only a modest entry in the *Oxford Dictionary of National Biography*; should we see Kemp, too, as merely one cog among many in the machinery of the state? The evidence overwhelmingly suggests that we should not, that Kemp was more than simply a dutiful bureaucrat. Although he holds pride of place as England's first cardinal-archbishop since Stephen Langton, his influence lies primarily in the secular sphere, where he earned the reputation of a consummate statesman, and his death definitively marked the end of an era. The passing of the 'last great civil servant of the house of Lancaster' allowed the excesses of faction to grow unchecked, and shortly thereafter the realm descended into civil war.¹

Kemp's life and career provide a superb biographical case study in a prosopographical sense, for he was a remarkably multifaceted figure with an unusually long career of service to the Crown, allowing us to examine the life of an important late medieval individual in some depth. However, his administrative career also offers great insight into the workings of the fifteenth-century English state, and his interaction with other important personages gives us the opportunity to reassess the roles even of such well-known figures as Cardinal Henry Beaufort and Humphrey, duke of Gloucester. Perhaps most importantly, through a detailed analysis of Kemp's political career, we can learn much of the development of political culture and ideology during the reign of Henry VI.

Before delving into the career of John Kemp, however, I would like to first situate my work within the broad historiographical context of fifteenth-century studies, consider its place amongst other scholarly works on Kemp, discuss my

¹ R.L. Storey, *The End of the House of Lancaster* (Gloucester: Alan Sutton Publishing, 1986), p. 82.

methodology and source material, and, finally, provide an overview of the layout and structure of the present work.

Historiography

This study on Kemp and the development of Lancastrian government and political ideas during the reign of Henry VI fits into a long and constantly evolving historiographical tradition. The Whig historians of the Victorian period, enamoured of the political institutions in their own era, attempted to show that constitutional government as they knew it had, in fact, originated in the Middle Ages, gradually evolving into a paradigm of parliamentary democracy. For them, the fifteenth century was simply a transitional period containing, as William Stubbs put it, 'little else than the details of foreign wars and domestic struggles...this age of obscurity and disturbance'.² For Stubbs, the transitory nature of the century arose from the 'great constitutional experiment' effected by the Lancastrians, starting under Henry IV, which allowed parliament to evolve until the despotism of the Yorkists and, worse still, the Tudors.³ When the anachronistic approach of Stubbsian history was promptly challenged, however, the newer schools of thought almost inevitably bound themselves to the historiographical boundaries that Stubbs himself had set as they argued against his conclusions.⁴

² William Stubbs, *The Constitutional History of England in its Origins and Development*, 3 vols (Oxford: Clarendon Press, 1874–1878), III (1878), pp. 2–4.

³ *Ibid.*, p. 5.

⁴ For an excellent review of the historiography of fifteenth-century studies, see the following by Christine Carpenter: *The Wars of the Roses: Politics and the constitution in England, c.1437–1509*

Though advances were certainly made as historians began to delve further into the massive repositories of fifteenth-century archival material, an entirely new approach did not emerge until the work of K.B. McFarlane, arguably the first great scholar to focus upon the fifteenth century for its own sake, rather than treating it as merely an unfortunate rest stop between more worthwhile periods of history.⁵ In thoroughly and effectively debunking earlier, particularly Stubbsian, historiography, McFarlane showed that the 'bastard feudalism' of late medieval England was not so terribly different from 'feudalism' in any earlier context and that it did not represent an intrinsic failure within fifteenth-century English society. He also showed the futility of the older institutional approach, which nearly always depended upon anachronistic assumptions, instead opening up a different approach to looking at late medieval politics — the impact of good or bad kingship and the interaction between king and nobles that constituted the actual day-to-day politics of the realm.⁶

The positive impact that McFarlane has had upon fifteenth-century studies cannot be overstated, yet there are problematic aspects of his legacy. His attempts to illuminate the importance of individual relationships in late medieval politics and to overthrow the anachronistic institutional history of previous generations of historians led to assumptions that political decisions were made out of self-seeking motives, and McFarlane's successors have too often been guilty of overlooking — sometimes even

(Cambridge: CUP, 1997), pp. 4–26 and 'Political and Constitutional History: Before and After McFarlane', in *The McFarlane Legacy: Studies in Late Medieval Politics and Society*, ed. by R.H. Britnell and A.J. Pollard (Stroud: Alan Sutton Publishing, 1995), pp. 175–206.

⁵ Carpenter, *Wars of the Roses*, p. 16.

⁶ For the works of K.B. McFarlane, see *The Nobility of Later Medieval England* (Oxford: Clarendon Press, 1973); *England in the Fifteenth Century: Collected Essays* (London: Hambledon Press, 1981); and *Lancastrian Kings and Lollard Knights* (Oxford: Clarendon Press, 1972).

completely discrediting – the idea of any underlying ideological framework by which medieval political actors made their decisions. In the post-McFarlane compulsion to be identified with anyone but Stubbs, scholars largely neglected the study of ideas, finding it safer to use meticulous archival research into local history and prosopographical studies to illuminate patterns of patronage that, in turn, support McFarlane's views of a rather mercenary system driven by individual lust for material gain.

Since the 1980s, however, historians have begun to rethink some aspects of McFarlane's legacy, sparking further debates over what his legacy truly was. In a 1983 review article, Colin Richmond examines a large quantity of recent publications on the fifteenth century, noting the debt owed to McFarlane throughout. Richmond warns against the uncritical use of patronage in determining the motives of individual lords and retainers: 'Land and patronage are the two most important clues McFarlane gave us for the investigation of fifteenth-century society. They are only clues. We have to use them, not let them use us' – yet he still goes on to place the study of 'interdependence and cooperation' at the forefront of coming to grips with fifteenth-century politics.⁷

In the end, Richmond displays as much disregard for ideas as McFarlane himself, and possibly more. This refusal to engage with the concept of a common ideology among the fifteenth-century political classes directly led him to make some extraordinarily confused statements. For example, his article regards Henry VI as a 'paradigm' of a new form of contemporary piety but does not address what was so novel about religion in Lancastrian England; instead, Richmond later dismisses the

⁷ Colin Richmond, 'After McFarlane', *History*, 68 (1983), 46–60 (p. 59).

period as a 'spiritually crippled age'.⁸ Likewise, after treading the well-worn path of affinity and factionalism towards the final decline of the Lancastrian dynasty in the late 1450s, he then expresses incredulity at the fact that so many of the lords continued to support the clearly inadequate Henry VI, attributing it (and their reluctance to support Richard, duke of York, as a rival claimant to the throne) to 'irresponsibility'.⁹ This singular denial of any ideological framework that might have underpinned such decisions makes his fleeting and unexplained query – 'Where has policy gone?' – unconvincing at best.¹⁰ His most obvious answer to that question is evident throughout his own review article.

On the other side of the debate, both regarding fifteenth-century political history and the true nature of McFarlane's legacy, Edward Powell puts forward a strong case for a 'new constitutional history' in the face of scholarship that shows a 'lack of interest in ideology and in the workings of law as part of the structure of power'. He argues that post-McFarlane historiography 'threatens to reduce our view of the late medieval polity to a shallow, two-dimensional image, devoid of ideological and constitutional content, in a way that McFarlane surely never intended'.¹¹ Christine Carpenter has likewise taken up the call for the study of constitutional ideas, making the interesting observation that, though our factual knowledge of the fifteenth century has certainly increased, our understanding of the period has not. She attributes this to historians' avoidance of conceptual frameworks, which she, like Powell, views to be contrary to the aims of McFarlane himself; after all, it was McFarlane who said that, in

⁸ Ibid., pp. 52–53.

⁹ Ibid., pp. 53–54.

¹⁰ Ibid., p. 59.

¹¹ Edward Powell, *Kingship, Law, and Society: Criminal Justice in the Reign of Henry V* (Oxford: Clarendon Press, 1989), pp. 5–6.

demolishing Stubbs's historiographical approach to late medieval history, there was a clear need to 'produce a new order' to replace both the Stubbsian framework and the post-Stubbs state of affairs, which McFarlane candidly called 'anarchy'.¹² In order to best profit from McFarlane's remarkable contributions, Carpenter believes that we must return to looking at the idea of a constitutional society, not in the anachronistic Victorian sense but simply 'why [the political classes] did what they did, and how they justified it to themselves and to each other', adding somewhat provocatively, '...we can still learn a lot from our more constitutionally minded predecessors...if we are more rigorous in relation to evidence, their thinking was more rigorous than ours'.¹³

Following Carpenter's school of thought, John Watts has championed the study of constitutional ideas. In *Henry VI and the Politics of Kingship*, Watts sets the reign of Henry VI within the conceptual framework of fifteenth-century principles and ideals, an enlightening study of late medieval politics. Noting that 'the notion of an entirely unprincipled and unconstitutional society demands suspicion', he argues that all societies are governed by some sort of ideological framework, whether written or not, the 'common language...of a political society'.¹⁴ After all, even if a medieval magnate disingenuously cloaked selfish private ambition beneath the empty rhetoric of principle, the very fact that he felt the need to cast his motives in a more acceptable light points to the existence of a common ideology underpinning the views and actions of the body politic.

¹² McFarlane, *Nobility*, p. 280; Carpenter, *Wars of the Roses*, pp. 23-24.

¹³ Carpenter, *Wars of the Roses*, pp. 25-26.

¹⁴ John Watts, *Henry VI and the Politics of Kingship* (Cambridge: Cambridge University Press, 1999), pp. 4, 7-13.

The historiographical re-evaluation of constitutional history and political ideology has continued to develop in recent years as both historians and literary scholars investigate the nature of political ideals in late medieval England. While many scholars may now agree on the importance of such study, they have also reached very different conclusions over the past two decades. Scholars looking at late medieval political writers – Lydgate, Hoccleve, etc. – have often come to the conclusion that the Lancastrian polity evidences distinct features, particularly regarding its emphasis on the importance of giving and receiving counsel and the openness with which the political classes, common and noble, seemed able to criticise royal government.

Literary scholar Paul Strohm suggests the existence of a distinct Lancastrian political culture in his book *England's Empty Throne*, though he cautiously – and, in many respects, accurately – qualifies this premise by stating that he regards the Lancastrian cause ‘as a shifting body of ambitions, grudging acceptances, and unrealized dreams; as erratically capable of imposing ideas, rallying support, and affecting historical consequences’.¹⁵ However, Strohm believes that Lancastrian political culture was a top-down affair in which the royal administration dictated literary and rhetorical symbolism to a repressed public in an attempt to quell dissent and legitimise the usurpation of 1399. Unfortunately, this practically strips all Lancastrian sources of historical value; while it is, of course, necessary to look at contemporary source material with open, critical eyes, Strohm’s approach, while introducing useful ideas into the study of Lancastrian political culture, reduces sources beyond the point of usability and leaves the late medievalist with precious little upon which to base his examination of the fifteenth century.

¹⁵ Paul Strohm, *England's Empty Throne: Usurpation and the Language of Legitimation, 1399–1422* (New Haven: Yale University Press, 1998), pp. xi–xii.

In contrast, Maura Nolan offers a fascinating alternative argument in *John Lydgate and the Making of Public Culture*. In an innovative study of Lydgate's works, she contends that many of the Lancastrian political writings typically seen as purely propagandistic are, in fact, much more complex texts that belie Strohm's top-down hypothesis and instead point to a broader trend in political rhetoric amongst the fifteenth-century English polity. Lydgate's poems such as *Serpent of Division* defy attempts at categorising, at once embodying and contradicting various goals of propagandising, criticising, and advising. Such literature intimates that the "'real" public was growing, coming to include more people with a "common stock of political expectations and languages"'.¹⁶ Though the aims and desires of royal government can certainly be seen within Lancastrian literature, it also evidences a politically aware and active public engaging in conversation with the ruling elite, conversations that could provide critique and advice as well as support for the Lancastrian dynasty. Throughout Lancastrian political writing, Nolan notes the rising importance of the idea of the representativeness of the king, particularly during the minority of Henry VI. She notes that, on one hand, later medieval England saw the 'inexorable emergence of a broader public sphere' to which the Lancastrian regime, faced with an unprecedentedly long minority, were often forced to surrender in order to 'make sure that the representativeness of the king remained intact'. On the other hand, the Lancastrian elite were 'especially devoted to the hierarchical idea of the king as the

¹⁶ Maura Nolan, *John Lydgate and the Making of Public Culture* (Cambridge: CUP, 2005), pp. 5–6.

The embedded quotation comes from John Watts, 'The Pressure of the Public on Later Medieval Politics', in *The Fifteenth Century IV*, ed. by Linda Clark and Christine Carpenter (Woodbridge: Boydell Press, 2004), pp. 159–80 (p. 161).

embodiment of the realm, an idea that insisted “publicness” be limited and representative rather than expansive and inclusive’.¹⁷

In a similar vein, in *The Creation of Lancastrian Kingship*, Jenni Nuttall refers to the ‘changing languages of national politics’, stating that texts written by late medieval authors such as Hoccleve and Gower ‘can properly be described as Lancastrian literature, both chronologically and culturally, because all of them respond in some way to Henry’s accession and its impact on the political debate’. In order to come to grips with the distinct political discourse of the Lancastrian period, we must recognise that ‘political and literary cultures are inseparable, demanding simultaneous study and analysis’.¹⁸ In her conclusion, Nuttall makes the significant observation that Lancastrian literature should be generalised neither as ‘rebellious criticism’ nor as ‘cowed propaganda’. Instead, we should see these works as ‘both pragmatic and innovative’, for though literary language often seems to parallel the crown’s official rhetoric, Lancastrian authors took such rhetoric and put them to very different uses. ‘Lancastrian literature reminds the Lancastrian dynasty of its linguistic origins in order to demonstrate how it has broken its promises, fallen short of expectations or changed its priorities...These are the perspectives of the subject rather than the sovereign, of the employee rather than the employer’.¹⁹

Throughout all of these literary analyses, it is clear that Lancastrian political culture was distinct in many ways, and considering the revolutionary events of 1399 that provided the starting point for the Lancastrian era, it is difficult to imagine how it could be otherwise. However, historians often take issue with the historical assertions

¹⁷ Nolan, pp. 6-7.

¹⁸ Jenni Nuttall, *The Creation of Lancastrian Kingship: Literature, Language and Politics in Late Medieval England* (Cambridge: Cambridge University Press, 2007), p. 4.

¹⁹ *Ibid.*, p. 120.

of literary scholars, and fifteenth-century studies are no exception. Paul Strohm's *England's Empty Throne* in particular has received a healthy dose of criticism. In his review of the book, Nigel Saul regards it as a prime example of esoteric, nearly unreadable literary theory and accuses Strohm of throwing 'the historical baby...out with the "textual" bathwater'. His review also cautions against Strohm's dismantling of the 'evidential bedrock' as his book vigorously deconstructs sources and, instead, offers uncertain interpretations and relativity.²⁰ Christine Carpenter provides perhaps the most damning review of the book, denouncing Strohm's view that historical sources are relative and open to interpretation as 'most dangerous' and declaring that 'if it becomes commonly accepted among academics that the past is what anyone wishes to make it...then we can do what we like with it...to take the most obvious and appalling example, deny the Holocaust'.²¹ Even if this is slightly melodramatic, her concerns regarding some of the literary theory underpinning Strohm's work are certainly valid.

John Watts gives a rather more balanced critique of Strohm. He duly criticises the historical problems in Strohm's book but also fairly acknowledges its value as a 'case study of the textual means through which particular inclinations could have been developed and transmitted...a thesis which broadens the range of levels at which political action is conceived and accomplished'.²² Strohm's examination of the ideas and beliefs that underlined Lancastrian writing echoes Watts's own work in placing

²⁰ Nigel Saul, review of Paul Strohm, *England's Empty Throne: Usurpation and the Language of Legitimation, 1399–1422* (1998), *History Today*, 48 (1998), 55–56.

²¹ Christine Carpenter, review of Paul Strohm, *England's Empty Throne: Usurpation and the Language of Legitimation, 1399–1422* (1998), *Parliamentary History*, 18 (1999), 353–356 (p. 356).

²² John Watts, review of Paul Strohm, *England's Empty Throne: Usurpation and the Language of Legitimation, 1399–1422* (1998), *History*, 85 (2000), 323–24.

more importance upon determining the ideological framework of the late medieval English polity. However, both Watts and Carpenter identify a central theme of Strohm's research that they find unconvincing: the existence of a definitive group called 'the Lancastrians'. Watts insists that there is not enough evidence to suggest that the Lancastrians were a 'real group of men, headed and partly coordinated by the kings themselves, and pursuing a deliberate and conscious programme of symbolic self-legitimation'.²³ Similarly, Carpenter declares that 'perhaps the most incredible part...is that it is premised on the existence of something called "the Lancastrians", consisting of some ill-defined group of chroniclers, other writers and royal servants who, at the behest of the kings, exercised a control over language, culture and ideas achieved only (and even then not entirely successfully) in the more draconian and technological advanced dictatorships of the past century'.²⁴

Watts and Carpenter are right to object to Strohm's concept of 'the Lancastrians' as an organised group of elite men, usually headed by the king, who were powerful enough to dictate the entire direction of political conversation throughout the realm through the almost superhuman use of propaganda. Strohm must also be taken to task for ignoring the reality of an increasingly politically active public that was capable of independent political thought. But however wrongly Strohm may have developed his version of a top-down political system, one kernel of truth remains: there was something distinct about the Lancastrian polity. Again, if the events of 1399 were truly revolutionary – and it would be hard to deny that they were – then it follows that modes of political thinking would have had to adapt accordingly, producing something new.

²³ *Ibid.*, p. 324.

²⁴ Carpenter, review of *England's Empty Throne*, p. 354.

This is not to suggest that those politically engaged under the Lancastrian dynasty invented anything in particular; as David Grummitt remarks in his biography of Henry VI, 'no one aspect of Lancastrianism was distinctly novel, but the conjunction of these various positions under the Lancastrian kings at a time of political, cultural, religious, and economic upheaval resulted in a distinctively Lancastrian polity'. Grummitt uses the term 'Lancastrianism' to refer to the regime's distinctive identity, which he believes can be boiled down to several core principles: commitment to 'good government' through conciliar principle that hearkened back to the struggles of Earl Thomas of Lancaster; loyalty to the Lancastrian dynasty built upon its large, pre-existing ducal affinity; a unique sense of religious orthodoxy and personal piety; and international ambitions evidenced both before and after the dukes of Lancaster became kings of England. All of these principles stressed the importance of unity, politically and religiously, a theme woven throughout Lancastrian policy and literature.²⁵

Grummitt may be the most outspoken advocate among historians for the concept of a distinct Lancastrian polity, but others share his views. The starting point for these historians is typically the work of Simon Walker, who extensively researched the composition and characteristics of the Lancastrian affinity prior to 1399 and, in doing so, displayed the similarities between the ducal affinity and the supporters of the early years of the Lancastrian dynasty. For example, he identified unique aspects of personal piety and corporate religious observation that seem to have helped fuse together the ducal affinity, and those same religious practices continued to flourish and spread beyond the confines of the old duchy after the Lancastrians acceded to the throne.²⁶

²⁵ David Grummitt, *Henry VI* (London: Routledge, 2015), pp. 10-11.

²⁶ In particular, these practices entailed the conscious promotion of the cult of Thomas of Lancaster, extensive patronage of specific religious establishments, and a tradition of personal

Mark Arvanigian has written of a 'distinct Lancastrian polity', stating that the origins of such an identity can be found during the time of John of Gaunt, if not earlier. He argues that John of Gaunt continued his father's legacy of building loyalty through the creation of a 'family firm', creating an 'extended family and affinity that stretched the length and breadth of the English political community'. This affinity largely transferred its service to Henry Bolingbroke upon Gaunt's death, providing Henry with a crucial base of support when he returned to reclaim his inheritance and, ultimately, occupy the throne.²⁷ Similarly, Douglas Biggs has offered intriguingly new perspectives on political episodes such as the supposedly contentious parliaments of 1406 and 1407, arguing instead that these events represent 'medieval constitutionalism at its best' and show the 'strength and resilience of the Lancastrian political community'.²⁸ In his study of parliament under the first Lancastrian king, Biggs sees a distinct and, at least during this early stage, unified polity made up of 'Lancastrian and royalist retainers who had...a vested interest in the governance of the realm'.²⁹

devotion that placed emphasis upon charity, most often evidenced in Lancastrian wills, many of which express a distinct sense of *contemptus mundi*. See Simon Walker, *The Lancastrian Affinity, 1361–1399* (Oxford: Clarendon Press, 1990), esp. pp. 97–102.

²⁷ Mark Arvanigian, 'A Lancastrian Polity? John of Gaunt, John Neville and the War with France, 1368–88', in *Fourteenth Century England III*, ed. by W.M. Ormrod (Woodbridge: Boydell Press, 2004), pp. 121–142 (pp. 141–42).

²⁸ Douglas Biggs, 'The Politics of Health: Henry IV and the Long Parliament of 1406', in *Henry IV: The Establishment of the Regime, 1399–1406*, ed. by Gwilym Dodd and Douglas Biggs (York: York Medieval Press, 2003), pp. 185–205 (p. 202).

²⁹ Douglas Biggs, 'An Ill and Infirm King: Henry IV, Health, and the Gloucester Parliament of 1407', in *The Reign of Henry IV: Rebellion and Survival, 1403–13*, ed. by Gwilym Dodd and Douglas Biggs (York: York Medieval Press, 2008), pp. 180–209 (p. 198).

The career of John Kemp certainly supports this idea. Raised under the patronage of Archbishop Thomas Arundel, that stalwart Lancastrian supporter, and trained in royal service under Henry V, who successfully unified the realm in the common pursuit of Lancastrian ambitions, all of Kemp's actions and decisions followed the core Lancastrian principles developed under Henry IV and Henry V. His writings and orations consistently emphasised the importance of conciliar government and, above all, unity, and he was vigorous in opposing heresy in any form. He was also zealous in defending Henry VI's French patrimony, even if his opinion of how realistically to do so differed from other leading Lancastrians, such as the duke of Gloucester. Dedication to the Lancastrian Crown and its ideological underpinning drove Kemp's career until his death and motivated his endeavours in both Church and state.

Kemp in History

After reviewing what historians of the last century have put forward about the nature of fifteenth-century political culture, let us now turn to what they have said about John Kemp himself. Kemp is not at all an utterly obscure figure unknown to most late medievalists; he appears regularly in the footnotes of more recent books and articles on fifteenth-century England alongside other dutiful Lancastrian administrators.³⁰ Some scholars merely mention his presence, while others acknowledge him as a more important part of the Lancastrian hierarchy. In his

³⁰ By 'more recent' works, I refer to works written from the 1970s and 1980s until the present.

For some older historiographical opinions of Kemp, see Conclusion, p. 352.

biography of Henry VI, Ralph Griffiths calls Kemp ‘capable’, ‘respected and experienced’, and Kemp is well represented across the pages of his exhaustive account of the reign, although his personal contributions to royal policy often remain unnoticed.³¹ As we shall see, this is a common feature in scholarship – historians acknowledge Kemp as important, even omnipresent, in Lancastrian government but then proceed no further. On the other hand, Bertram Wolffe’s biography only occasionally mentions Kemp in passing and entirely fails to highlight his importance to the regime. In fact, Wolffe makes it appear as if Kemp’s most important moment was his death, when parliament subsequently found itself forced to make alternative arrangements for the governing of the kingdom in the absence of both a chancellor and an able king.³²

John Watts, despite referring to the prelate as a ‘dominant figure’ in government, particularly in the council, does not give Kemp a great deal of attention in his study of Henry VI’s rule, though as Watts’s work is as much a study of the political theory of kingship as it is about the actual happenings during the reign of Henry VI, Kemp’s diminished role is not necessarily surprising.³³ Nonetheless, Watts does give certain other counsellors extensive treatment. In his chapter on the events of 1445 to 1450, he goes to great lengths to explore the ideological struggle between the Commons and the faction of the duke of Suffolk, which he sees as a debate between the necessity and authority of formal and informal counsel.³⁴ This is a very useful and insightful discussion, but debates over the place of counsel within royal government

³¹ Ralph A. Griffiths, *The Reign of King Henry VI*, 2nd edn (Stroud: Sutton Publishing, 2004), pp. 15, 79.

³² Bertram Wolffe, *Henry VI* (London: Methuen, 1981), pp. 275, 279.

³³ Watts, *Henry VI*, p. 144.

³⁴ *Ibid.*, pp. 248–251.

were not new to the 1440s. Episcopal politicians in particular (starting with Archbishop Arundel)³⁵ had argued the benefits of conciliar governance throughout the Lancastrian period, and both John Kemp and Henry Beaufort perpetuated that tradition during the minority of Henry VI. Unfortunately, the notable prominence of prelates in Lancastrian government does not factor strongly into Watts's analysis.

Although Kemp does not necessarily receive a prominent place in the narrative, David Grummitt's biography of Henry VI acknowledges him as 'a stalwart of the Lancastrian regime, a churchman who had served Henry V and been a voice of moderation throughout Henry VI's reign'.³⁶ This echoes the words of R.L. Storey, who calls Kemp 'an astute and resolute defender of constitutional propriety' and, even more significantly, 'the last great civil servant of the house of Lancaster'.³⁷ In light of the importance that scholars such as Griffiths, Grummitt, and Storey place upon Kemp's influence within Lancastrian government, he is disappointingly neglected in all of the broader histories of fifteenth-century England. G.L. Harriss's *Shaping the Nation* is typical in its treatment of Kemp: Harriss admits in passing that Kemp was behind the 'constitutionally correct' and 'politically adroit' decisions that allowed the government to recover in the wake of the crises of 1450 and that Kemp's sudden death four years later directly caused parliament to finally make the fateful decision to accept a protectorate under the duke of York, yet despite the significance of such observations, little more is said of the impact that Kemp made upon Lancastrian government throughout his long career.³⁸

³⁵ See Chapter 1, pp. 45–49.

³⁶ Grummitt, *Henry VI*, p. 175.

³⁷ Storey, *End of Lancaster*, p. 82.

³⁸ G.L. Harriss, *Shaping the Nation: England, 1360–1461* (Oxford: Clarendon Press, 2005), pp. 622, 629.

Historians' portrayals of Kemp show the critical need of a published study devoted not only to his life and career but also to an analysis of the personal impact that he had upon the shape of English political history. The lack of such a study has led to confused statements about Kemp – in her book on the Congress of Arras, Joycelyne G. Dickinson describes Kemp as 'one of the leading statesmen in England' who was known for his 'diplomatic talents, shown...in cunning and subtlety of intrigue', yet she then goes on to accuse him of being a 'diplomatic liability' to the English at Arras whose 'asperity and blunt speaking may well have put the finishing touches to the failure of the embassy's mission'.³⁹ In one of the doctoral theses discussed below, David Foss describes Kemp as a fairly mediocre government official while at the same time stating that the cardinal's death in 1454 'made a continued Lancastrian ministry impossible', leading to the unchecked rise of factionalism and the establishment of the duke of York as protector of the realm.⁴⁰ Such unexplained confusion – and the hesitation of most medievalists to grant him an appropriately large role in fifteenth-century political history – points to the need of a thorough, analytical examination of Kemp as a man and as a figure of national, even international, importance.

John Kemp is, however, the sole subject of two unpublished works (one doctoral thesis and one master's dissertation), and he and Archbishop John Stafford are the joint subjects of a third. The first and by far the most important of these is the

³⁹ Joycelyne G. Dickinson, *The Congress of Arras, 1435: A Study in Medieval Diplomacy* (Oxford: Clarendon Press, 1955), pp. 40–41.

⁴⁰ David Blair Foss, 'The Canterbury Archiepiscopates of John Stafford (1443–52) and John Kemp (1452–54) with Editions of their Registers' (unpublished doctoral thesis, University of London, 1986), pp. 201–04.

doctoral thesis submitted to Emory University in 1973 by Joseph A. Nigota.⁴¹ A teaching-oriented university lecturer whose entire publication record included only two entries in the *Oxford Dictionary of National Biography*, his thesis, entitled 'John Kemp: A Political Prelate of the Fifteenth Century', nevertheless encompasses five hundred and forty pages of painstaking archival research that provides an account of the majority of the prelate's life. However, though he was the first scholar to conduct a lengthy study of Kemp, Nigota's thesis remains focused on the dry facts of Kemp's doings and whereabouts, and it often diverts from the subject of the work to provide prolonged descriptions of surrounding events that are not quite necessary to the study of Kemp (such as extended discussions of Henry V's conquests in France). Most importantly, Nigota's work ultimately fails to provide an argument for Kemp's overall importance within the Lancastrian regime, and it does not at all place his career within the broader context of Lancastrian political culture and ideology. In addition, his account ends with Kemp's York archiepiscopate and cardinalate and does not examine in any depth his translation to Canterbury or his final tenure as chancellor, from 1450 to 1454, which is crucial to understanding his career and to providing any sort of analysis of his influence in and vitality to Lancastrian government. As we shall see, Kemp's impact upon royal policy is most evident in these final years of his life.

The other doctoral thesis pertaining to Kemp was submitted to King's College, University of London, by David Blair Foss in 1986.⁴² Foss's subject, however, was the Canterbury archiepiscopates of both John Stafford and John Kemp, mostly through analyses and complete transcriptions of both men's registers. While Stafford served as archbishop for nine years, Kemp, already approximately seventy-two years of age at

⁴¹ Joseph A. Nigota, 'John Kemp: A Political Prelate of the Fifteenth Century' (unpublished doctoral thesis, Emory University, 1973).

⁴² Foss, 'Stafford and Kemp' (cited in full above, note 40).

his final translation, held the cross of Canterbury for less than two years. Naturally, this means that Foss was obliged to give Stafford much more attention than Kemp, and in any case, the thesis deals almost solely with ecclesiastical affairs. This viewpoint led Foss to regard both men in a somewhat unfavourable light, levelling age-worn accusations of absenteeism and neglect of pastoral duties, though as Stafford served as chancellor for a remarkable eighteen years during an uneasy time of faction and political feuds and Kemp largely propped up a tottering royal government during his own short tenure at Canterbury, this assessment seems rather unfair to say the least.⁴³

Additionally, Foss's forays into the sphere of political history are not always convincing: for instance, despite overwhelming evidence to the contrary, he concludes that 'relatively little can be put down specifically to the individual initiative' of Kemp as chancellor, for 'it is debateable how much influence exercised by the chancellor individually...is discernible'.⁴⁴ He tepidly concludes that 'The abiding impression of [Kemp]...must be of stability, long service, competent administration, unspectacular reliability. If not of the calibre called for by the troubles of the time, [he was] the best that the age produced'. Finishing with a flourish of overgeneralisation, he opines that 'the fifteenth century was not an age of saints or great spiritual leaders' but rather of 'mediocre' prelates, while in terms of secular government, he asserts that 'neither was the century a period of able statesmen and political leaders', relegating Kemp merely to a legacy of 'unspectacular reliability'.⁴⁵

⁴³ *Ibid.*; see especially Foss's final assessment on pp. 240–45.

⁴⁴ *Ibid.*, p. 242.

⁴⁵ *Ibid.*, pp. 245.

The third and final unpublished work devoted to Kemp is a master's dissertation submitted to Swansea University in 1979 by M.L. Witchell.⁴⁶ The title of the work, 'John Kempe (d. 1454): An Ecclesiastic as Statesman', would seem to promise a solid analysis of not only Kemp's career but his identity as a 'statesman', but the dissertation fails to meet such expectations. Although it contains a decent quantity of archival research, at the time of its submission, Nigota had already completed his far more exhaustive and professional compilation of archival material on Kemp, though Witchell seems to have been unaware of this. More unfortunate are the factual errors evident throughout. Witchell fails to view the accounts penned by antiquarians and, worse, by early modern commentators with a critical eye. For example, he blindly follows older antiquarian accounts that erroneously grant Kemp a knightly ancestry (using questionable sources such as the 1903 Kemp family genealogy), and he accepts John Bale's fabricated inflation of Kemp's role in the trial of Sir John Oldcastle at face value.⁴⁷

Even his discussion of Kemp's whereabouts and positions are dubious: for instance, he confuses Kemp's peaceful translation to the see of Chichester with his later contested translation to London; he states that Kemp returned to England along with the body of Henry V in 1422 despite clear documentation that he arrived earlier to be enthroned as bishop of London; and he makes the novel claim that Kemp managed to combine the roles of chancellor of Normandy and keeper of the privy seal of England

⁴⁶ M.L. Witchell, 'John Kempe (d. 1454): An Ecclesiastic as Statesman' (unpublished master's dissertation, University of Wales, 1979).

⁴⁷ *Ibid.*, pp. 1, 7. For a discussion of these false previous assumptions about Kemp's early life and career, see below, Chapter 1, pp. 41–42, 53. Nigota also debunks some of these myths: 'John Kempe', pp. 37–39.

under Henry V, which is patently untrue.⁴⁸ He finally declares that Kemp's second appointment as chancellor in 1450 made him a 'principal beneficiary of the political turmoil in England precipitated by the disasters in France from October 1449'; in the context of the crises that necessitated Kemp's reappointment and continued until his death, the idea that the septuagenarian chancellor would have regarded his position as 'beneficial' is dubious at best.⁴⁹ In the end, the dissertation disappoints in its basic information about Kemp, and it fails to develop any in-depth analysis of Kemp's status as a statesman beyond what others have already said. It certainly does not adequately or accurately place Kemp's career within the wider context of Lancastrian political culture.

I shall thus make no further reference to Witchell's dissertation in this work. Likewise, the focus of Foss's thesis limits its usefulness to the current study of Kemp's political career, though I shall reference some of his views on Kemp and fifteenth-century history in the course of historiographical discussion. While Nigota's research has, indeed, been invaluable in helping to identify useful source material, his analytical statements, such as they are, more or less correspond with my own, and as they remain considerably underdeveloped, I shall but infrequently reference his views throughout. However, I still wish to acknowledge my debt to his often ground-breaking archival research, which has allowed me to cross-reference my documentary findings with his; it is my hope that the present work, aside from undertaking a fresh analysis of his influence upon fifteenth-century politics and the place he occupies within Lancastrian political culture, will thus provide the most comprehensive examination to date of extant sources pertaining to Kemp's political career. The painstaking work of Nigota

⁴⁸ Witchell, 'John Kempe', pp. 11-12, 65, 74. See below, Chapter 1, throughout.

⁴⁹ See Chapter 4 for a discussion of the events surrounding Kemp's second term as chancellor.

has gone a long way in establishing the framework of the what, when, and where of Kemp's career. What now remain are questions of why and how, both in terms of Kemp as an individual and in terms of the broader historical and ideological context of Lancastrian England.

Methodology

'Biography is unfashionable and suspect', notes G.L. Harriss in the preface of his seminal work on Cardinal Beaufort. K.B. McFarlane famously pronounced that 'the historian cannot honestly write biographical history; his province is rather the growth of social organisations, of civilisations, of ideas', while G.R. Elton acidly observed that 'even at its best biography is a poor way of writing history'.⁵⁰ Such criticisms notwithstanding, McFarlane himself was intensely interested in putting people back into the study of political history – something he believed institutional historians of the past to have severely neglected to do – and he therefore engaged in a good deal of prosopographical research in order to examine the relationships between king and nobility that so fascinated him.⁵¹

However, because of McFarlane's own views on bastard feudalism and the relationships between lords and vassals (including the king, whom McFarlane regarded as simply 'the good lord of all good lords'),⁵² his legacy has brought about,

⁵⁰ G.L. Harriss, *Cardinal Beaufort: A Study of Lancastrian Ascendancy and Decline* (Oxford: Oxford University Press, 1988), p. v; G.R. Elton, *The Practice of Writing History*, 2nd edn (Oxford: Blackwell Publishers Ltd, 2002), p. 123.

⁵¹ Carpenter, 'Before and After', pp. 191–192.

⁵² McFarlane, *Nobility*, p. 119.

in the words of Carpenter 'an almost universal agreement that politics were entirely about individual ambition and conflict over the spoils of monarchy, and that political actions were motivated almost exclusively by intense personal feeling. This is a curious and intellectually self-limiting return to the period when the only escape historians could see from the Whig tradition was to deny any dignity at all to any period of medieval politics'.⁵³ If we are to escape this obstructive tendency and engage in a new sort of constitutional history, then we must study, as Carpenter maintains, 'political and governmental structures, and the beliefs of those who participate in them about how those structures should operate'.⁵⁴ In doing so, scholars will be obliged to scrutinise the individuals who participated in those governmental structures and their beliefs and expectations that helped to shape the politics of the realm.

Despite Harriss's reservations regarding the writing of biographies, he managed to pen a fascinating study of the Lancastrian regime through a biographical approach to the life and career of Cardinal Beaufort. In the same way, Watts's study of the reign of Henry VI, while also offering interesting (if not entirely convincing) perspectives on the king himself, particularly excels in examining medieval theories on kingship and how those theories practically manifested themselves throughout the reign. It is my hope that a critical study of the political career of John Kemp will further illuminate political culture in the later years of the Lancastrian regime, both in terms of ideology and of tangible outcomes in governmental policy and action.

I thus strive to avoid the pitfalls that, according to Elton, inevitably ensnare the pure biographer: 'The biographer's task is to tell the story, demonstrate the personality, and elucidate the importance of one individual; he should not be

⁵³ Carpenter, *Wars of the Roses*, p. 22.

⁵⁴ Carpenter, 'Before and After', p. 176.

concerned with the history of that individual's times except in so far as it centres upon or emanates from him'.⁵⁵ I shall, of course, 'elucidate' Kemp's importance to the Lancastrian establishment, and the wealth of source material on his career does, in fact, allow for a good deal of analysis of Kemp as an individual. However, my point is not simply to tell his personal story, and it must be admitted that writing about almost any medieval figure's 'personality' is a hazy and imprecise business, indeed. Therefore, my larger goal is to use the biographical framework of Kemp's life to gain a more complete view of the workings of royal government, the nature of the Lancastrian polity, and the underpinning ideology that motivated policy decisions as well as political disputes during the reign of Henry VI. As a dedicated Lancastrian civil servant with forty years of experience in royal government, Kemp indeed provides a superb biographical lens through which to view these subjects across the first half of the fifteenth century.

The Sources

In order to properly use Kemp's career as a focal point from which to view broader aspects of Lancastrian political culture, I have surveyed a wide variety of source material, for it is not always an easy task to write the history of a person in medieval government and, conversely, to approach the study of medieval government from the perspective of individual agency. The formulaic nature of government records, which make up the bulk of what is available to the late medievalist, generally makes it difficult to see the actual people behind the bureaucracy. However,

⁵⁵ Elton, *Practice of History*, p. 123.

bureaucratic records do reveal Kemp to have consistently remained at the heart of royal government throughout his life, and they provide us with information regarding his decisions and actions, especially as two-time chancellor and lifelong royal counsellor, even if they do not often give us insight into the beliefs and thought process that went into his decision-making. The bulk of such records are found in The National Archives, where the council and privy seal records (E 28) provide a wealth of information about Kemp's doings on the royal council, while chancery records illuminate Kemp's actions as chancellor from 1426 to 1432 and from 1450 to 1454, especially those relating to the court of chancery (C 1) and warrants under the great seal (C 81). 'Special Collections' files such as the ancient correspondence of chancery and the exchequer (SC 1) and ancient petitions (SC 8) have also yielded some particularly interesting results, as have other sources scattered across the expanse of TNA's classifications, as evidenced throughout the work's footnotes and in the bibliography.

Of course, the printed volumes of the *Calendars of Patent, Close, and Fine Rolls* are essential, as are the *Proceedings and Ordinances of the Privy Council of England* pertaining to the reign of Henry VI. The latter is not exhaustive in its coverage of the British Library's council records, for which purpose I have surveyed Cotton MS Cleopatra F III, from which Sir Harris Nicolas extracted the bulk of conciliar documents as he edited *Proceedings and Ordinances*, as well as collections that happen to include documents relating to council, mostly Harleian and other Cottonian manuscripts. Kemp's parliamentary activities are obviously preserved in the parliament rolls, accessible through *The Parliament Rolls of Medieval England*. Some of the most useful extracts from the parliament rolls for the purposes of the present study are the summaries of the opening sermons that Kemp delivered as chancellor, which provide valuable insight into his political principles and the rhetoric that he

subsequently employed. These various groups of documents, printed and manuscript, provide the spine of my research into Kemp's administrative career.

However, it is not only the abundant, if dry, evidence in government records that proves Kemp's importance to the Lancastrian regime and the realm as a whole. We have, certainly by medieval standards, a treasure trove of letters written by Kemp preserved in the two letter-books of William Swan, an English proctor at the papal curia who remained active from 1404 to 1444.⁵⁶ The first volume, which contains letters from 1406 to 1426, is held at the Bodleian Library in MS Arch. Selden B.23, and the second volume, covering c. 1417 to 1441, is held at the British Library in Cotton MS Cleopatra C IV. Within these volumes are no less than forty letters pertaining to Kemp, thirty-three of which were written by Kemp himself, often to Swan but also variously to the pope or other personages within the curia. In 1933, Dorothy Newell wrote a thesis on William Swan and other English notaries working in the curia in the fifteenth century, and she transcribed many of the letters, including a number to and from Kemp, in her appendices.⁵⁷ While the transcriptions have often proven useful as I consulted Swan's letter-books, they are unfortunately riddled with transcribal errors. Thus, all of the transcriptions (and, obviously, the translations) of the Kemp-Swan correspondence contained in this thesis are my own. I have attempted to correct Newell's inaccuracies; any additional errors are my own.

While many of these letters are formulaic in their own way, especially those written to popes and cardinals, Kemp's communications with Swan are remarkably open, revealing the man himself and some of his thoughts and feelings at specific times in his life. For example, it is in a letter to Swan written in December 1431 that we can

⁵⁶ F. Donald Logan, 'Swan, William (d. after 1445)', *ODNB*, XLIII, pp. 434–35.

⁵⁷ Dorothy Newell, 'English Notaries at the Papal Curia in the Fifteenth Century with Special Reference to William Swan' (unpublished doctoral thesis, University of Manchester, 1933).

read Kemp's candid words describing the utter exhaustion and frustration that he felt as chancellor in his increasingly contentious relationship with the duke of Gloucester and his earnest desire to divest himself of political office.⁵⁸ Although this handful of letters may pale in comparison to the information provided by the diaries and correspondence collections of later periods, medievalists are fortunate, indeed, to have such insight into the mind of a fifteenth-century statesman and prelate. Additionally, we have perspectives on Kemp from others' points of view, from his almost hagiographical obituary in the so-called Giles' Chronicle to the less than favourable comments made in John Benet's chronicle.⁵⁹ Likewise, personal letters preserved in collections such as the Paston and Plumpton correspondences reveal how members of the fifteenth-century polity, particularly amongst the gentry class, regarded Kemp as a political leader.⁶⁰

Kemp's ecclesiastical career – his episcopal appointments, his elevation to the cardinalate, his relations with the papacy and fellow clerics – can be traced through various types of documents. Most obviously, we have his episcopal and archiepiscopal registers; in the context of the reign of Henry VI these include his registers compiled while bishop of London (1422 to 1425), archbishop of York (1426 to 1452), and finally archbishop of Canterbury (1452 to 1454). However, it is once again the letters preserved in William Swan's collection that provide the most insight into Kemp's personal goals and ambitions, his ecclesiastical relationships in England, and his relationship with the papacy. Government records, particularly those of the council, also provide us with valuable information on his papal interactions as he walked the

⁵⁸ BL, Cotton MS Cleopatra C IV, fols 145^v-147^r.

⁵⁹ Giles's Chron., p. 45; Benet's Chron., p. 211: '[Kemp] was reputed to be a friend of Duke of Somerset', to whom the chronicler refers as 'the wicked Duke of Somerset'.

⁶⁰ *Paston; Plumpton*.

precarious tightrope of remaining faithful to supporting the rights and interests of king and realm as a civil servant while also remaining at least superficially obedient to papal commands.

Finally, we can obtain a glimpse of Kemp's personal religious ideals, goals, and concerns through the records pertaining to his collegiate foundation at Wye; these records also further evidence his enduring attachment to the place of his birth, where he spent a significant amount of time at his manor of Olantigh throughout his life. Although the college's original collection of books and manuscripts mostly disappeared after the Reformation, it is possible to trace scattered pieces across various repositories. The centrepiece of these extant records is the beautifully adorned statute book (which provided the college with its rules and procedures) that Kemp deposited in Merton College, Oxford; as the original statute book that would have been used by the college officials themselves is now lost, this precaution proved most fortunate. The extant statute book now resides in the archives of Imperial College, which bought Wye College in 2000, along with two quit-rent books that are the only other known remnants of the college's medieval archives. However, the royal license to build the college and some other charters and associated documents are found in the British Library within the Additional Charters and Manuscripts collections, while a few financial records are recorded under the Court of Augmentations and Predecessors and Successors, Miscellaneous Books (E 315), in the National Archives.

Chapter Outline

As nearly all of the significant events in Kemp's life occurred during the reign of Henry VI, the material examined in this thesis mostly covers his career from his

appointment to the minority council in 1422 until his death in 1454, with particular emphasis upon his duties as a royal councillor during Henry VI's childhood and adolescence, his two tenures as chancellor (1426 to 1432 and 1450 to 1454), and his role in foreign diplomacy. Chapter 1: *The Emerging Administrator* provides the necessary background to set Kemp's later political career in context and to consider how the Kemp family first came into prominent Lancastrian service. After discussing his origins, the chapter examines the significance of his education and early association with Archbishop Arundel before subsequently tracing his entrance into ecclesiastical and secular administration in England and in the duchy of Normandy, his first missions in international diplomacy, and his provision to his first three episcopal sees: Rochester, Chichester, and London.

Chapter 2: *The Royal Councillor, 1422–32* examines Kemp's experience as a member of the royal council that effectively ruled England during the minority of Henry VI from the king's accession in 1422 until Kemp's resignation of his first chancellorship in 1432. The chapter analyses Kemp's activities in the council and the subsequent impact that he had upon the governing of the realm and the formation of policy. One of the most significant segments of his career was his first tenure as chancellor, a position that brings Kemp's character and principles into sharp relief while also offering great insight into his relationships with conciliar colleagues such as the duke of Gloucester and Cardinal Beaufort. Such insight allows us to possess a clearer picture of the ideals and motivations that drove Kemp's political decisions and, through them, to see the tensions that developed between different strands of Lancastrian political ideology as the leaders of the realm strove to uphold the legacy of Henry V while coping with the corporate rule of a council under an infant monarch.

Chapter 3: *Counsellor, Diplomat, and Cardinal* examines Kemp primarily as a royal counsellor and a diplomat during the years 1432 to 1450. These eighteen years

are situated between his influential role on the minority council and his first tenure as chancellor on one hand and the vital role that he played in re-establishing stability when recalled to chancery in 1450 on the other. Conflict with the duke of Gloucester and, later, the rise of the duke of Suffolk meant that Kemp was not always central to the royal government during this period, which even saw him take several fairly lengthy hiatuses from the council table. Nevertheless, he still remained an important political force, and his wisdom and expertise were consistently utilised in matters of foreign diplomacy with France, Burgundy, the papacy, and the Council of Basel. His dealings with the Church reveal much about his personal principles, and his conduct ultimately earned him a cardinal's hat. Kemp's participation in high-level negotiations such as the Congress of Arras in 1435 and the peace conference at Calais in 1439 did not prove as successful, instead attracting the wrath of political opponents such as Duke Humphrey. However, such setbacks did not spell the end of his career, pointing to the strength of his reputation among the vast majority of the ruling class.

Chapter 4: A Man for All Crises: Chancellor Kemp, 1450–54 studies the last four years of Kemp's life. These are some of the most important years of his entire career, and it is the period in which we can most clearly see his influence upon royal policy. Once again, he was called to take the helm in the midst of crisis, and he came to the government's aid with a vigour that belied his seventy years of age. In fact, crisis followed crisis – the impeachment and murder of Suffolk, Cade's rebellion and a subsequent host of minor risings, and the initial challenges mounted by Richard, duke of York. Royal responses to all of these events reveal Kemp's resolute hand and firm defence of constitutional principle. Such troublous times often prove to be the crucible in which the abilities of statesmen are refined and made most evident, and such was the case with Cardinal Kemp. It was only his death in March 1454 that caused the leaders of the realm to resign themselves to a protectorate led by York, and without

the last great Lancastrian statesman, factional strife rose unchecked until the outbreak of civil war the following year.

Chapter 5: Chancellor Kemp in Parliament and the Court of Chancery studies Kemp from the specific viewpoint of his role as chancellor, using his recorded parliamentary addresses and two interesting legal examples that show his judicial character in the court of chancery. The parliamentary addresses reveal the ideological themes that underlined all of Kemp's actions and decisions as a councillor and as an officer of state, particularly his defence of conciliar governance and, above all, the pursuit of unity, politically and spiritually. The chancery cases show his meticulous attention to legal procedure and the rigour with which he pursued the course of justice.

Finally, Chapter 6: The Prelate addresses Kemp's career as a churchman, for his identity as an ecclesiastic cannot be separated from his secular roles. However, as the primary purpose of this thesis is to examine his career as a statesman, I have limited the discussion of Kemp's ecclesiastical career to three main aspects that intersect with his political activities. The chapter first analyses his interaction with Popes Martin V and Eugenius IV, discussing how he navigated the often conflicting demands upon his allegiance from Church and state. As a royal councillor and officer of state, he was responsible to uphold the king's rights and prerogatives – such as those enshrined in the Statutes of Provisors and Praemunire – while as a prelate, he was expected to carry out papal commands and generally defend papal authority. The evidence overwhelmingly shows that Kemp consistently prioritised the interests of the Crown and the English Church above those of the papacy, though he did so with such extraordinary diplomacy that he nearly always managed to retain favour in both the secular and ecclesiastical realms. Second, the chapter examines his interaction with the Council of Basel and his ultimate choice to side with Eugenius IV in defence of Christian unity. Finally, the chapter looks at the impact of the Kemp-Chichele dispute

surrounding Kemp's elevation to the cardinalate upon the history of the Church, resulting as it did in *Non mediocri dolore*, the seminal papal decree on the status and jurisdiction of cardinals.

Chapter 1

The Emerging Administrator

Antiquarians of past centuries expressed perhaps more interest in Kemp than their scholarly successors, though their research was incomplete at best and their motives often suspect, whether attempting to fit the prelate into a convenient genealogy or using him as an ideal pre-Reformation example of the corrupt and ambitious Roman Catholic clergy. The fifteenth-century antiquarian John Leland claimed that Kemp had climbed the ladder of power and success after having been born to ‘a pore husbandman’s sonne of Wye’, a fallacy repeated by subsequent antiquarians.¹ In his *De antiquitate Britannicæ ecclesiæ*, Matthew Parker built on this idea, stating that the Kemp family fortune was built through John Kemp’s nepotistic patronage, allowing them to join the knightly class.² However, by the eighteenth century, the story had changed, granting Kemp the more exalted pedigree that to a large extent continues to be repeated in modern scholarship. In his historical and topographical survey on Kent, Edward Hasted declared that Kemp had been born into ‘the knightly family of Kempes’, tracing knightly lineage through both the paternal and maternal lines.³ This more dignified version of Kemp’s descent was epitomised in the family’s book of genealogy published in 1903, in which John Kemp’s paternal forbears were given

¹ John Leland, *The Itinerary of John Leland in or about the Years 1535–1543*, ed. by Lucy Toulman Smith, (London: George Bell and Sons, 1909), pp. 37–38; John Stow, *The Annales of England* (London: Ralfe Newbery, 1592), p. 648.

² Matthew Parker, *De antiquitate Britannicæ ecclesiæ* (1572) (London: Gulielmi Bowyer, 1729), p. 437.

³ Edward Hasted, *The History and Topographical Survey of the County of Kent*, 12 vols, 2nd edn (Canterbury, 1797–1801), XII (1801), p. 424.

knightly status as early as the late thirteenth century and, even more dubiously, linked through a remarkably intricate feat of etymology to the Beauchamp earls of Warwick.⁴

In reality, John Kemp's origins were rather more commonplace than the family genealogists might have hoped yet far more well-to-do than the Elizabethan antiquarians allowed. He was born in 1380 or 1381 in the parish of Wye to Thomas Kemp, a successful (but common) Kentish landowner.⁵ The first Kemp that can safely be linked to the future cardinal is his grandfather, Peter, who makes his first documented appearance in 1369; the cardinal's father, Thomas, is first mentioned two years later.⁶ Neither Peter nor Thomas – nor any of Thomas's sons – bore knightly rank, though they brought the family into the leading ranks of the county gentry through the acquisition of a great deal of property, mostly in East Kent. By 1415, Thomas Kemp was the most significant taxpayer in the parish of Wye, and in the collection for the following year's subsidy, he accounted for practically every sizeable holding in the area, making him the primary tenant of Wye Manor, which was held by

⁴ Frederick Hitchin-Kemp, *A General History of the Kemp and Kempe Families of Great Britain and her Colonies* (London: Leadenhall Press, Ltd, 1903) pp. 13–15. The genealogist pointed out that 'Kemp' was occasionally Latinised as 'de Campis' and then proceeded to laboriously trace this thread north to connect it with Kemps found in Norfolk and from there to the famous 'Bello Campos', or Beauchamps, of Warwick. The genealogist even insinuates, with little to no evidence, that the Kemps may well have married into the Neville family.

⁵ Kemp's preamble in the statute book for his collegiate foundation at Wye, which dates to 1448, states that he was then sixty-seven years of age, placing his year of birth in 1380 or 1381: ICA, Statute Book for the College of St. Gregory and St. Martin at Wye, 1448 [uncatalogued], fol. 1r.

⁶ TNA, SC 2/182/19–20.

Battle Abbey.⁷ When he died in 1428, the inscription placed upon Thomas's tomb tombstone proclaimed him to have responsibly held his leading position in the county, providing 'bountifully' for the poor out of the fortune with which he had been blessed.⁸

As his family's financial fortunes rose, Thomas also stepped into the sorts of civic roles expected of a gentleman of means and influence. In 1388, he was appointed escheator for Kent and Middlesex, which involved the disposal of the property of those who had incurred the wrath of the Lords Appellant and the Merciless Parliament.⁹ Not surprisingly, Thomas himself acquired a substantial amount of forfeited property as a result of his position, particularly those lands belonging to the erstwhile chief justice, Robert Bealknap.¹⁰ Perhaps even less surprisingly, he found himself charged with corruption when he left the office of escheator in 1390, though he managed to clear his name upon the payment of a substantial fine.¹¹ Following Richard II's vengeful

⁷ TNA, E 179/124/83, 88; E 315/56, fols 107^v-188^r, 196^r-203^r. These records are also copied in the Wye Manor Quitrent Books (2 vols, covering c.1417-1435, uncatalogued) held at Imperial College: ICA, London. These books, along with Kemp's statute book for his College of St. Gregory and St. Martin at Wye, were held by Wye College until it merged with Imperial in 2000.

⁸ John Stow, *Annales of England* (London, 1605), pp. 657-59. Though the tomb and its inscription are now lost, Stow recorded it in its entirety: *Hic sistunt ossa Thome Kempe marmore fossa, / Cuius opus pronum se probat esse bonum: / Dum vixit laetus fuit et bonitate repletus. / Munificus viguit, pauperibus tribuit; / Iungitur huic satrix virtutum sponsa Beatrix. / Quae partitur opes sponte iuvans inopes; / Ex hiis processit, ut ramus ab arbore crescit, / Clers praesidium, dux sapiens omnium; / Christo lectoris mens cunctis supplicet horis / Ut patris dietas lumenet has animas.*

⁹ CFR (1383-91), p. 209.

¹⁰ CPR (1388-92), p. 100.

¹¹ CPR (1388-92), p. 435; CPR (1391-96), p. 54.

parliament of 1397–98, Robert Bealknap returned from exile and Thomas Kemp was ordered to return all of the previously forfeited property to its original owner, but the course of events intervened on behalf of the Kemps as Richard's deposition in 1399 nullified his order of restitution.¹² In fact, the Lancastrian usurpation marked a new period of possibility for the Kemp family, and on 30 September 1399, the same day as Henry IV's accession, Thomas Kemp was once again appointed escheator for Kent and Middlesex.

How significant is this? As a former escheator under the Appellants, did the new Lancastrian regime look upon Thomas Kemp as an ally, or at least an opponent of King Richard? It does seem that Kentishmen had been prominent among the commons in their antipathy towards Richard's favourites of the 1380s, particularly men like Robert Bealknap and Simon Burley, who had accumulated a significant amount of property in Kent due to their positions at court. On the other hand, Bruce Webster noted that 'in Kent...there is no sign of any royalist or appellant party. Indeed, the most obvious feature of the community of Kent in this period is the stability of its personnel'.¹³ Most likely, Henry IV and his new administration merely sought to maintain order in the provinces through the use of those who had prior experience, though of course it would be hoped that these men could be drawn into the regime more permanently to support their new king.

This certainly proved to be the case with the Kemps. In performing his duties once again as escheator, Thomas Kemp found himself overseeing the restitution of Archbishop Arundel's properties taken from him upon his exile in 1397 and the

¹² CCR (1396–99), pp. 373–74.

¹³ Bruce Webster, 'The Community of Kent in the Reign of Richard II', *Archaeologia Cantiana*, 100 (1984), 217–229 (pp. 220–21, 227).

payment of any rents in arrears that were owed to the archbishop.¹⁴ It is impossible to know whether or not Thomas entertained any sort of ideological sympathy for the new regime, but his services to Arundel pragmatically tied his family to the Lancastrians and proved to be invaluable in furthering the interests of his family. This was most immediately evident in the career of his son, John. While personal intelligence and ability clearly played a major role in John Kemp's future achievements and promotions, his father's exertions as escheator on behalf of Archbishop Arundel first brought him to Arundel's notice and then into the archbishop's prestigious circle of emerging ecclesiastical talent.

Education and Early Influences

A formidable figure in both the political and ecclesiastical realms, Arundel was adept at recognising noteworthy young scholars, and he used his influence to promote their careers within the English Church. From the time of his first episcopal appointment, at Ely, which he received at the singularly young age of twenty, to the end of his career as archbishop of Canterbury, Arundel gathered around himself a circle of men that included future archbishops Richard Scrope and Henry Bowet, administrator and future bishop Henry Ware, religious writer Walter Hilton, and, of course, John Kemp.¹⁵ In an age of papal schism and increasingly diverse expressions of lay piety, such men were responsible for protecting orthodox doctrine while also

¹⁴ *CPR* (1399-1401), p. 215.

¹⁵ Jonathan Hughes, 'Arundel [Fitzalan], Thomas (1353-1414)', *ODNB*, II, pp. 566-67.

outlining acceptable modes of devotional expression for the English laity.¹⁶ However, the influence exercised by those whom Arundel had patronised was not restricted to spiritual matters; like Arundel himself, many of them were also heavily involved in the political administration of the realm, particularly as Church and state grew closer than ever under the Lancastrian kings, who consistently placed particular value upon clerical counsellors and administrators.¹⁷ Kemp himself was to become most associated with the category of statesmen-bishops. As time went on, however, particularly after the accession of the infant Henry VI in 1422, these clerical politicians found the role in government to be increasingly important and, as Jeremy Catto

¹⁶ Grappling with the problems presented by both Lollardy and the ongoing papal schism (which dominated Arundel's entire career), many of the clerics in his circle helped to clarify orthodox beliefs while meeting the demands of increasingly individualistic lay piety. For example, see Walter Hilton's *Epistle on the Mixed Life* and Nicholas Love's *Myrroure of the Blessed Lyf of Jesu Christ*, which was approved by Arundel in 1411 in order to edify the faithful and to refute the claims of heretics: Jeremy Catto, 'The Burden and Conscience of Government in the Fifteenth Century: The Prothero Lecture', *TRHS*, 17 (2007), 83–99 (pp. 86–87); Hughes, 'Arundel, Thomas', p. 566; J.P.H. Clark, 'Hilton, Walter (c. 1343–1396)', *ODNB*, XXVII, pp. 250–51; W.M.N. Beckett, 'Love, Nicholas (d. 1423/4)', *ODNB*, XXXIV, pp. 502–03; Walter Hilton, *The Mixed Life*, trans. by Rosemary Dorward (Oxford: Fairacres Publications, 2002); Nicholas Love, *Nicholas Love's Mirror of the Blessed Life of Jesus Christ: A Full Critical Edition*, ed. by Michael G. Sargent (Liverpool: Liverpool University Press, 2005).

¹⁷ David Grummitt, *Henry VI* (London: Routledge, 2015), pp. 24–31; R.A. Griffiths, *The Reign of King Henry VI* (Stroud: Sutton Publishing, 2004), pp. 34–35. For an account of how Henry IV cultivated an entire generation of loyal Lancastrian statesmen-bishops, see Chris Given-Wilson, *Henry IV* (New Haven: Yale University Press, 2016), pp. 356–60. Christopher Allmand discusses how this reliance continued and expanded under Henry V in *Henry V* (London: Methuen London, 1992), pp. 265–266.

delicately put it, 'rather more stressful' than ever before, compelling prelates such as Kemp to devote far more time to secular than ecclesiastical duties.¹⁸ Such an apparent conflict of interests is addressed at further length in Chapter 5.

Kemp's early association with Archbishop Arundel also had an impact upon his later conciliar activities. During the reign of Richard II, Arundel had shown himself to be a committed defender of constitutional law and conciliar involvement in royal governance, traits also apparent in Kemp's political decisions. When the Lords Appellant (whose number included Arundel's eldest brother) rose in opposition to the young king and his advisors between 1386 and 1388, Arundel articulated many statements of conciliar principle, from advice offered to the king to the address that he gave as chancellor to open the Merciless Parliament of 1388.¹⁹ In 1386, he implicitly reminded Richard II of his grandfather's fate by warning him that the people of the realm had the right to depose their king by common consent should he alienate his people, and when he drew attention to the recent 'want of good governance' in his parliamentary address of February 1388, better royal advice crowned his list of necessary remedies.²⁰ In addition, he led the continual council that the Lords Appellant had appointed to guide and reform royal government.²¹

Arundel's dedication to conciliar government continued after he helped Henry Bolingbroke to seize the throne in 1399. Opening the first parliament of Henry IV's reign on 6 October 1399, he declared that Richard II's poor governance, wilful tyranny, and disregard for advice had nearly ruined the realm of England; King Henry, in

¹⁸ Catto, 'Burden of Conscience', p. 87.

¹⁹ Hughes, 'Arundel, Thomas', p. 564.

²⁰ *Ibid.*; *PROME*, VII, p. 63; Nigel Saul, *Richard II* (New Haven: Yale University Press, 1997), p. 158.

²¹ Hughes, 'Arundel, Thomas', p. 564.

contrast, would rule justly and prudently, 'not wishing to be governed by his own will, nor by his arbitrary inclinations or personal opinions, but by common advice, counsel and consent', as Richard himself ought 'by right' to have ruled.²² When the new Lancastrian regime continued to struggle to preserve political and financial stability, Arundel responded by helping to form and then preside over a continual council that advised the king when his health began to seriously deteriorate in 1406, and under the archbishop's leadership, the royal household finally managed to achieve solvency.²³

It is significant that Archbishop Arundel often opposed the policies of two specific royal figures during his career: Richard II and the future Henry V. Michael Bennett's study of the final years of Richard II's reign explores the king's promotion of the 'cult of English kingship', pursuing a startlingly authoritarian programme of royal power and prerogative that reflected 'Roman concepts of princely power'.²⁴ Henry V likewise exercised strong, personal kingship (though far more prudently and successfully than Richard II), and even as Prince of Wales he increasingly attempted to take charge of royal affairs as his father's health – and, to some extent, his personal authority – declined.²⁵ In this he found himself opposed by Archbishop Arundel, who he conspicuously replaced as chancellor on the same day that he acceded to the throne in March 1413.²⁶ As Ralph Griffiths has noted, even Henry V's deathbed codicils

²² *PROME*, VIII, pp. 9–10.

²³ *PROME*, VIII, pp. 337–39; Given-Wilson, *Henry IV*, pp. 298–303, 308.

²⁴ Michael Bennett, *Richard II and the Revolution of 1399* (Stroud: Sutton Publishing, 1999), pp. 26–27.

²⁵ For more on Prince Henry's role in the government of Henry IV, see Given-Wilson, *Henry IV*, pp. 465–78 and Allmand, *Henry V*, pp. 39–58, esp. pp. 41–42. Allmand's biography also explores Henry V's personal style of kingship at length, concisely encapsulated on pp. 1–3 and 435–36.

²⁶ Allmand, *Henry V*, p. 335; Hughes, 'Arundel, Thomas', p. 566.

appended to his will point to the king's preference for strong, personal governance of the realm – his intended bestowal of England upon the duke of Gloucester mirrored 'Roman law and French regencies of the fourteenth century', reflecting his 'inclinations towards authoritarian rule and ways French'.²⁷ As starkly different as the two men may have been in many ways, the similarities apparent in the governing style of both Richard II and Henry V provoked the opposition of Arundel. Jonathan Hughes stated that 'it is therefore no surprise that Arundel should have antagonized both Richard II and the future Henry V, both in their different ways autocrats'.²⁸ The similarities between Arundel's political stance and that of John Kemp, who spent his early career under the patronage and influence of the archbishop, are striking, particularly in Kemp's eventual opposition to Duke Humphrey's hunger for royal authority.

As for Kemp's educational career, he almost certainly spent his earliest years of study at Canterbury Cathedral, as Henry VI's later letter to the monks of Christ Church Priory, urging them to elect Kemp as their next archbishop, attests: 'he...in his tendyr age in grete part was brought up amonge you'.²⁹ By 1396, Kemp was a fellow of Merton College, Oxford, and remained a fellow until 1407, when he was ordained and received his first benefice.³⁰ He continued to hold great affection for his old college throughout his life, donating a stained glass window to the college chapel in 1417 and

²⁷ Griffiths, *Henry VI*, p. 19.

²⁸ Hughes, 'Arundel, Thomas', p. 566.

²⁹ Canterbury, Canterbury Cathedral Archives (CCA), CCA-DCc/ChAnt/K/4.

³⁰ MCA, Merton College MS 3721; R.G. Davies, 'Kemp [Kempe], John (1380/81-1454)', *ODNB*, XXXI, p. 172. I am deeply indebted to the kindness and generosity of the late Prof. Jeremy Catto, who gave me a number of archival references to Kemp from various Oxford colleges, including those from Merton.

giving a total of about seven hundred marks to Merton.³¹ Not surprisingly, he was commemorated as a benefactor of the college until the Reformation. He also purposefully promoted the careers of fellow Mertonians, many of whom continued in his service throughout his bishoprics and secular offices.³² This should not be seen as a nepotistic abuse on Kemp's part of the authority vested in him as a prelate or as an officer of state. Merton College's statutes stated that 'when by the Lord's bounty [Merton graduates] obtain a richer provision...they be zealous in advancing the House by all lawful and fair means...that, like true sons of Abraham, they see that others of our kindred, and the rest of their brethren who become so by adoption, are educated and advanced'; when he obtained positions of influence, Kemp simply sought to carry

³¹ Anthony Wood, *The History and Antiquities of the Colleges and Halls in the University of Oxford* (Oxford: Clarendon Press, 1786), p. 35; George C. Brodrick, *Memorials of Merton College with Biographical Notices of the Wardens and Fellows* (Oxford: Clarendon Press, 1885), p. 222; C.S. Orwin and S. Williams, *A History of Wye Church and Wye College* (Ashford: Kentish Express Office, 1914), p. 117.

³² Many Mertonians passed through Kemp's service, some of them receiving early patronage and subsequently following him to his various dioceses. For example, three fellow graduates of Merton – William Duffeld, William Felster, and John Bernyngham – formed part of Kemp's innermost circle and followed him from his earliest days in Normandy into archdiocesan service at York, receiving a variety of benefices and filling important administrative roles from steward of the archbishop's household and vicar-general (Bernyngham) to dean of York (Felster): TNA, C 76/100, m. 14, C 64/16, m. 15; Reg. Kemp London, fols 202^v–203^r; Reg. Kemp York, fols 3^v, 7^v, 10^r–10^v, 15^r–15^v, 47^r, 316^v; CPR (1436–41), p. 32. In another example of Kemp's continued patronage of his old college, the statutes laid down for his collegiate foundation at Wye later stipulated that the master of the college be a Mertonian: ICA, Statute Book for the College of St. Gregory and St. Martin at Wye, fol. 2^v.

³² Reg. Chichele, I, p. 144.

out this commission.³³ The college certainly recognised his generosity and the honour that his success bestowed upon Merton, naming him the college's 'honour and splendour' and a 'star of the church, cedar of the clergy, and glittering jewel among prelates'.³⁴

By the fifteenth century, a university education had become almost imperative for elevation to the episcopacy. Joel Rosenthal's study of episcopal training showed that more than ninety-two per cent of fifteenth-century bishops have verifiable records connected to Oxford or Cambridge, most of which indicate the completion of higher degrees.³⁵ Close to half studied law, which is hardly surprising considering the number of common-born men who entered the late medieval episcopacy. As Rosenthal pointed out, 'Legal skills were the vehicle whereby "lower middle class" boys chose to try their hand, knowing they had but one opportunity in a competitive world, and that they had to choose practically and wisely.'³⁶ Canon law was most popular, though about half of the legally trained bishops in the fifteenth century had also studied civil law.

Kemp, however, was one of the relative few who obtained higher degrees in civil law alone. Of course, this did not at all stand in the way of his early career as an ecclesiastical legalist in the court of arches, but it did prepare him extraordinarily well for the political circumstances and crises during which he served the government for

³³ Brodrick, *Memorials of Merton*, p. 339.

³⁴ 'Letter 97: To the Archbishop of York', in *Epistolae Academicae Oxon.*, ed. by Henry Anstey, 2 vols (Oxford: Clarendon Press, 1898), I, pp. 120-21 (p. 120); 'Letter 2: To the Bishop of London', I, pp. 2-4 (p. 2).

³⁵ Joel T. Rosenthal, 'The Training of an Elite Group: English Bishops in the Fifteenth Century', *TAPS*, 60 (1970), 1-54 (p. 12).

³⁶ *Ibid.*, p. 16.

the rest of his life. As we shall see in the next chapter, as he witnessed the first struggle emerge between the duke of Gloucester and the other lords over the rule of England during the first parliament of the infant Henry VI, his training in civil law would have made him acutely aware of Duke Humphrey's precise intentions in his classical reading of the term '*tutela*' in his brother's will as he attempted to claim the powers of a regent.³⁷

Although we cannot be certain of the extent to which Kemp's expertise as a civilian influenced his political beliefs, it certainly aided him throughout his career as he strove to bring stability to the realm through the defence of constitutional principle. It also helped him to avoid many of the precarious pitfalls encountered by churchmen intent on climbing the ecclesiastical hierarchy. When discussing the care that the bishop took in avoiding prosecution for 'legal irregularities' while seeking promotion, R.G. Davies asserted that 'Kemp, a realist, always feared the law, whether spiritual or secular. He regarded it as no mere moral sanction'.³⁸ Davies might have more accurately observed that Kemp, well trained in civil law, understood and respected the full implications of the law.

³⁷ S.B. Chrimes, 'The Pretensions of the Duke of Gloucester in 1422', *EHR*, 45 (1930), 101-103; Griffiths, *Henry VI*, pp. 17-20.

³⁸ R.G. Davies, 'Martin V and the English Episcopate, with Particular Reference to His Campaign for the Repeal of the Statute of Provisors', *EHR*, 92 (1977), 309-44 (p. 322).

Early Career

Upon his ordination in 1407, Kemp entered Archbishop Arundel's professional circle, receiving a small series of increasingly lucrative benefices, culminating in the rectory of Aldington, Kent, which was a profitable benefice within the archbishop's personal collation.³⁹ He joined Arundel as one of his clerks on the archbishop's visitations in 1409 and quickly entered into service in the courts of the archdiocese of Canterbury. In 1413, Arundel appointed him examiner-general of the court of arches (incidentally, the document recording this appointment is also the first document to call Kemp a doctor of civil law),⁴⁰ and in the same year he served as a lawyer during the trial of Sir John Oldcastle. In the sixteenth century, John Bale claimed that Kemp had played a significant role in the proceedings, halting Oldcastle's supposedly impressive barrage of biblical knowledge and forcing him to simply answer the charges against him, thus allowing him to be condemned.⁴¹ Bale used this anecdote to imply that the court could not refute Oldcastle's righteous arguments and thus resorted to mere legal procedure in order to silence him. However, Bale's version has no basis in documentary evidence and is most likely the product of his own artistic license and Protestant agenda, though it unfortunately has lived on in more modern scholarship into the twentieth century. Arundel died the following year, and in the absence of an archbishop, the prior and convent of Canterbury temporarily promoted Kemp to dean of the Court of Arches, the provincial court for Canterbury, an

³⁹ Reg. Arundel 2, fol. 319^r.

⁴⁰ Reg. Arundel 1, fol. 141^r.

⁴¹ John Bale, *Select Works of John Bale, D.D., Bishop of Ossory, Containing the Examinations of Lord Cobham, William Thorpe, and Anne Askewe, and the Image of Both Churches*, ed. by Henry Christmas (Cambridge: Cambridge University Press, 1849), p. 37.

appointment that the next archbishop, Henry Chichele, promptly reaffirmed upon his installation.⁴²

Archbishop Chichele, too, immediately proved to be an enthusiastic patron to Kemp, granting him a succession of benefices and prebends and travelling with him on diplomatic missions in France.⁴³ In terms of the former, Chichele first authorised Kemp to exchange his rectory at Aldington with that at Hawkhurst, Kent, in March 1416. As the new benefice was not as lucrative as Aldington, it seems a strange trade, but as Hawkhurst lay within the gift of Battle Abbey, for whom the Kemps were foremost tenants in Wye, perhaps Kemp had other, more personal (even if obscure to us), reasons for the exchange.⁴⁴ In any case, Chichele soon also granted Kemp a prebend at the collegiate church in Wingham, Kent, the archbishop personally investing him at Calais in October 1416.⁴⁵ A year later, Kemp received his first major benefice when Bishop Thomas Langley, at that time also chancellor of England, appointed him archdeacon of Durham.⁴⁶ This, of course, necessitated his departure from the rectory at Hawkhurst, which he quickly exchanged for another collegiate prebend, this one in Norton, Durham.⁴⁷ In 1417, Archbishop Chichele also invested

⁴² *Fasciculi Zizaniorum Magistri Johannis Wyclif cum Tritico*, ed. by Walter Waddington Shirley (London: Longman, Brown, Green, Longmans, and Roberts, 1858), pp. 442–47; CCA, CCA-DCc-Register/S, fol. 68^v.

⁴³ *Reg. Langley*, II, p. 155; *Reg. Chichele*, I, pp. 144–149, 172.

⁴⁴ *Reg. Chichele*, I, p. 144.

⁴⁵ *Ibid.*, p. 149.

⁴⁶ *Reg. Langley*, II, p. 155.

⁴⁷ *Ibid.*, p. 159.

Kemp with his own archiepiscopal authority while in France, and in that same year, he was appointed confessor to the king's army.⁴⁸

From this point until the autumn of 1422, Kemp remained in France, though his absence from England did not stop him from obtaining rapid promotion to three successive sees in two years. His ecclesiastical and, especially, administrative duties had attracted the notice of the king, who, as an extraordinarily able administrator himself, highly regarded others with such talent.⁴⁹ Consequently, when Henry Beaufort, the wealthy bishop of Winchester and uncle of the king, considered surrendering his bishopric for a cardinal's hat in 1419, Kemp's name was proposed as a possible replacement candidate.⁵⁰ In the event, he received the less prestigious see of Rochester, though the bishopric's traditional attachment to Canterbury certainly permitted his continued proximity to Archbishop Chichele. In July 1419, before

⁴⁸ *Reg. Chichele*, IV, pp. 55–56 and III, p. 184; Davies, 'Kemp, John', p. 173.

⁴⁹ Aside from hearing ecclesiastical cases as dean of the Court of Arches, Kemp also served on various commissions to help settle secular cases, especially pertaining to the Court of Admiralty, between 1414 and 1417: *CPR* (1413–16), pp. 195, 204, 233, 366, 398, 406–07; *CPR* (1416–22), pp. 85–86; *CCR* (1413–19), p. 398. Allmand asserted that Kemp and his contemporary prelates 'were all well known to the king by the time they achieved their promotions...There was greater unity among the bishops appointed during this reign than may at first appear. It is therefore scarcely surprising that the king should have used them much more than his father had done in government, diplomacy and administration': Allmand, *Henry V*, p. 266. For further discussion of Henry V's administrative skills, see Allmand, *Henry V*, pp. 1–3, 442–43, and Chapters 16 and 18 throughout; Malcolm Vale, *Henry V: The Conscience of a King* (New Haven: Yale University Press, 2016), Chapters 1 and 2 throughout, pp. 276–77; G.L. Harriss, 'Financial Policy', in *Henry V: The Practice of Kingship*, ed. by G.L. Harriss (Stroud: Sutton Publishing Ltd, 1993), pp. 159–80.

⁵⁰ Davies, 'Kemp, John', p. 173.

Kemp's formal installation, Chichele ordered the temporalities of Rochester to be placed in the hands of Kemp's father, Thomas, and his uncle, William Scot, holding the temporalities in the bishop-elect's name until his formal investiture and collecting the income for the new bishop in the meantime.⁵¹ This is one of the first of many instances in which Kemp displayed his familial ties of loyalty, which Archbishop Parker disapprovingly – and somewhat uncharitably – referred to as his determination to 'enrich' his kindred 'in a marvellous way'.⁵²

⁵¹ *Reg. Chichele*, I, pp. 57–60.

⁵² Parker, p. 437. The rather damning passage reads, '*...quam, quod consanguineos suos, his, quas tam multis annis multisque sedibus acquisiuit, divitiis mirum in modum locupletavit; et in Cantio quosdam ad equestrem splendorem, quosdam ad alias dignitates, evexit.*' While his patronage was hardly large-scale or inappropriate, Kemp naturally patronised certain family members throughout his career. The Scot family, one of Kent's most respected gentry families, collaborated extensively with the Kemps in business and land transactions, and ties between the two families were further strengthened through marriage by the early fifteenth century: TNA, C 1/20/16; CCR (1422–29), p. 197; ICA, Wye Manor Quitrent Book, c. 1417–1435, Wye Manor Quitrent Book, c. 1420 (throughout); BL, Add MS 5520, fols 144^v–145^r. Aside from twice nominating William Scot to temporarily hold episcopal temporalities, Kemp also helped him to secure favorable decisions in land transactions: TNA, CP 25/1/112/278, no. 614. Kemp maintained this small-scale patronage of family members until he died; for example, his Canterbury archiepiscopal register records that he commissioned John Scott, son of the aforementioned William, to be keeper of the archbishop's woods that lay around Wye: *Reg. Kemp Canterbury*, fol. 239^r. Other relations benefitted from his patronage in small ways, yet it seems that Kemp's decision to patronise certain individuals owed more to their commitment to the Lancastrian regime than to nepotistic tendencies. One prime example is Gervase Clifton, the illegitimate son of a Nottinghamshire knight who rose to great prominence in Kent due to Kemp's patronage. Clifton most likely came into contact with Kemp in Normandy during the

However poor, the see of Rochester elevated Kemp to the ranks of the ecclesiastical peerage, and he soon moved on to greater things. In late 1420, Kemp was elected to the see of Chichester, a far more valuable bishopric, and in February 1421, Pope Martin V made the provision, though due to the sluggish pace of bureaucracy, Kemp did not finally receive the temporalities until August and the spiritualities until September.⁵³ In both of these translations, king and pope were unified in their desire to promote John Kemp. However, this was not to be the case with his next translation. Richard Clifford, bishop of London, died the day before Kemp at last received the temporalities of Chichester, and Henry V's candidate of choice, Thomas Polton, the bishop of Hereford who had been working in the papal curia for over twenty-five years, was duly elected by the dean and chapter of London.⁵⁴

early 1420s, and by 1433, the archbishop arranged for him to marry Isabel, the wealthy widow of the aforementioned William Scot: Peter Fleming, 'Scott family (*per c.* 1400-c. 1525)', *ODNB*, XLIX, pp. 335–36; *The History of Parliament: The House of Commons, 1386-1421*, ed. by J.S. Roskell et al., 4 vols (Stroud: Alan Sutton Publishing, 1993), IV, p. 61; S.J. Payling, *Political Society in Lancastrian England: The Greater Gentry of Nottinghamshire* (Oxford: Clarendon Press, 1991), p. 16; TNA, C 1/67/234. By 1439, Clifton was acting as both sheriff and MP for Kent, and in 1440, he was bestowed the freedom of the city of Canterbury, granted without fee due to the 'reverence' in which the city held Kemp: TNA, C 1/67/234; CCA, CCA-DCc/Chamberlain. Clifton rose high in the service of the Lancastrian dynasty and came to number among the most ardent of Lancastrians, fighting the Yorkists until he was executed alongside the duke of Somerset after the battle of Tewkesbury in 1471: TNA, E 403/762, m. 1, DL 28/5/6; *CCR* (1461–68), p. 55; *Three Chron.*, pp. 159–60; *Warkworth's Chron.*, pp. 18–19.

⁵³ *CPL*, VII (1906), pp. 172, 190–91; Bodl., MS Arch Selden B.23, fol. 146^r; as with Rochester, members of Kemp's family benefited from his translation, holding the temporalities of the see of Chichester for him until the papal bull of provision arrived: *Reg. Chichele*, I, pp. 76–77.

⁵⁴ Harvey, Margaret, 'Polton, Thomas (d. 1433)', *ODNB*, LXIV, pp. 783–84.

The pope, however, had other plans for London, plans that underscored Martin V's determination to reassert papal prerogatives within the English realm.⁵⁵ By the time of Polton's election, Pope Martin had already translated Kemp to London, depositing Polton himself in the now vacant see of Chichester.⁵⁶ This decision was also supported by Archbishop Chichele, who viewed Polton with deep mistrust, suspecting him of speaking slanderously to the pope regarding the archbishop's ambivalence towards the Statute of Provisors.⁵⁷ The king did not take kindly to this papal intrusion, the disappointed Polton even less so.⁵⁸ While at Oxford, Polton had been charged (though subsequently pardoned) for involvement in a fight that resulted in the death of another student, and just a year before his aborted translation to London, he had attracted papal disapproval by brawling with a Spanish bishop in the middle of Easter mass over a matter of seating precedence.⁵⁹ It comes as little surprise, then, that this proud, irascible prelate never forgave Kemp for snatching London from under his nose, maligning him in the curia whenever possible.⁶⁰

⁵⁵ Allmand, *Henry V*, p. 264. For more on Martin V's assertion of papal authority in England, see Chapter 6.

⁵⁶ *CPL*, VII, pp. 161, 214; *Reg. Chichele*, I, pp. 77, 81.

⁵⁷ *Reg. Chichele*, I, p. xlv; Davies, 'Martin V and Episcopate', p. 312; Harriss, *Cardinal Beaufort*, p. 112.

⁵⁸ Kemp wrote of the king's reluctance to give in to the pope's demands in letters to his proctor at the curia, William Swan: Bodl., MS Arch Selden B.28, fols 159^v-160^v.

⁵⁹ Harvey, 'Polton, Thomas', pp. 783-84; Malcolm Vale characterises Polton as 'sensitive and self-important' in his analysis of the affair, *Henry V*, p. 70-71.

⁶⁰ Most immediately, Polton insinuated Henry V's displeasure at Kemp for undermining his candidate and accused Kemp of illicitly collecting the revenues from the see of Chichester after being provided to London: BL, Cotton MS Cleopatra C IV, fols 166^r-167^v.

That the king finally accepted the pope's decision demonstrates Henry's high esteem for Kemp and the prelate's own skill in matters requiring delicate diplomacy. The latter is amply displayed in the letters that he sent to William Swan, a clerk at the curia who acted as Kemp's proctor. As noted in the introduction, these letters provide invaluable insight into Kemp's thoughts and actions, demonstrating his ability to perform the ambitious churchman's precarious balancing act of loyalty to both king and pope. Swan had served as a papal secretary and English proctor since at least 1406 and continued in royal and papal service at the curia until 1442,⁶¹ and it is evident in these early letters that Kemp greatly benefitted from his wealth of experience and advice, coming to call Swan not only his faithful advocate but also his '*amico carissimo*'.⁶²

The letters preserved in Swan's letter-book pertaining to the London translation highlight several important features pertaining to Kemp's early career and foreshadowing his future preferments. First, they display Swan's faithful advocacy on behalf of Kemp, for Kemp states that it is the proctor himself who had encouraged him to seek translation to London in the first place and then worked hard to champion his cause in the curia. Second, the letters refer to certain unnamed 'fathers and lords' at

⁶¹ For more on Swan's life and career, see Dorothy Newell, 'English Notaries at the Papal Curia in the Fifteenth Century with Special Reference to William Swan' (unpublished doctoral thesis, University of Manchester, 1933), especially Chapter 1.

⁶² BL, Cotton MS Cleopatra C IV, fols 160^r-160^v; this letter also shows that Swan actively promoted Kemp within the curia and offered valuable advice, such as a possible way of reducing the heavy costs of three rapid translations.

the curia who also supported Kemp, revealing that he already had friends among the papal hierarchy.⁶³

Finally, it evidences Kemp's talent for diplomacy or, some might prefer to say, intrigue. Though later correspondence gives far more detailed accounts of his diplomatic manoeuvring, these letters still show Kemp's skill and wisdom in dealing with such exalted personages as kings and popes. On 18 February 1422, he wrote to Swan to thank him for his efforts but also to tell him that the king appeared unmoving in his opposition to the pope's decision, remaining firm in his desire to translate Polton.⁶⁴ Of course, in this letter to his curial proctor, he necessarily stated that his desires were solely to please the Holy Father, but Kemp knew all too well that the king, too, must be placated, and his later career would prove that his loyalty to the English Church and state consistently overruled any sense of papal allegiance.⁶⁵

By the time that Kemp next wrote, on 1 May, he was able to tell Swan that the king had accepted his provision to London.⁶⁶ From information given in a subsequent letter, intended to refute accusations made by the infuriated Polton, it appears that, prior to his letter of 1 May, Kemp went to entreat Henry V in person while he was besieging the city of Meaux, but before he could state his case, the king voluntarily (and publicly) announced that he now approved of Kemp's translation. In his first letter, Kemp said that he had exerted all of his powers of persuasion to win the king's

⁶³ Ibid. Kemp was assiduous in cultivating friends and supporters in the curia, gaining the support of some of the most influential cardinals in Rome: see Chapter 2, p. 13; Chapter 3, p. 19; Chapter 6, pp. 8–9, notes 20–21, p. 12, note 37.

⁶⁴ Ibid., fol. 160^v.

⁶⁵ For a detailed discussion of Kemp's diplomatic balancing act between Church and state, see Chapter 6.

⁶⁶ Ibid., fols 159^v–160^r.

support, noting that the king had always hitherto striven to promote his 'success and honour', though at that time the king had determined that 'incredible difficulties' lay between Kemp and his papal provision.⁶⁷ Nonetheless, by May Kemp had succeeded in changing the king's mind, a considerable feat considering Henry V's strength of will and purpose. In the end, he received the promotion that he desired while remaining in favour with both king and pope. Though Lita-Rose Betcherman attributed Polton's disappointment and Kemp's success to one of Martin V's 'sporadic and lukewarm attempts to reform the abuse of non-residence', the evidence overwhelmingly points rather to Swan's intercession, curial patronage, and Kemp's own diplomatic abilities.⁶⁸ These talents of persuasion and diplomacy would mark – and sometimes make – the rest of his career.

At the same time that Kemp was rising through the ranks of the episcopacy, he also gained increasing prominence in secular affairs. His first diplomatic assignment came in 1415, when Henry V sent him to Spain to continue negotiations for an alliance with King Ferdinand of Aragon. Ferdinand's death sent the English diplomats home prematurely, but Kemp had acquired his first taste of international diplomacy, a duty that he would continue to fulfil throughout his career.⁶⁹ Soon after his return from

⁶⁷ BL, Cotton MS Cleopatra C IV, fol. 160^v.

⁶⁸ Lita-Rose Betcherman, 'The Making of Bishops in the Lancastrian Period', *Speculum*, 41 (1966), 397–419 (p. 406). Although Pope Martin did cite his concern regarding the problem of residency when passing over Polton, the fact that Kemp had been residing in France for several years as keeper of the privy seal and then as chancellor of Normandy – with no immediate prospect of returning to England – casts a great deal of doubt upon any real concern that the pope may have had in nominating a non-resident bishop of London.

⁶⁹ Details of Kemp's mission to Aragon are found in the following documents: *Foedera*, IV, ii, pp. 140–41; TNA, E 101/321/33; BL, Cotton MS Vespasian C XII, fols 147^r–147^v.

Aragon, he served on numerous high-level missions to the French crown and the duke of Burgundy during the period following Henry V's victory at Agincourt and the subsequent seizure of Normandy.⁷⁰ That the king quickly came to trust and value Kemp as a civil servant became evident when he appointed Kemp keeper of the privy seal in September 1418.⁷¹ Kemp later claimed that the king 'suffrid hym noght for that tyme ne to the tyme of his departyng owt of this worlde to dwel or abide hier in this...Reme of England', and the historical record bears this out.⁷² A comparison of Henry V's campaign itinerary with the places from which privy seal warrants (and letters patent, issued under the privy seal in the absence of the great seal) were issued shows that Kemp remained with the king more or less continuously between the autumn of 1418 and late November 1419, after which Henry sent Kemp on a diplomatic mission to the duke of Burgundy.⁷³ After Kemp returned from Burgundy, he again remained with the king from December 1419 until at least June 1420.⁷⁴

⁷⁰ Details of Kemp's first diplomatic missions to the French are found in the following: *Foedera*, IV, iii, pp. 17-18, 21, 25-27, 50; TNA, C 64/9.

⁷¹ Though the exact date of Kemp's appointment is unknown, he is first mentioned as keeper of the privy seal in exchequer receipts on 3 October 1418: TNA, E 403/368, rot. 1.

⁷² TNA, E 403/368, C 64/10, 11; R.L. Storey, 'English Officers of State, 1399-1485', *BIHR*, 31 (1958), 84-92 (p. 87); TNA, E 28/58/44. That Kemp and the king had great mutual respect for one another is beyond doubt. Long after Henry V's death, Kemp continued to remember him with warmth and gratitude, referring to him (interestingly, not Arundel or Chichele) as his earliest patron. When Kemp obtained a license to found a chantry in Wye in 1432, he stipulated that perpetual prayers be said for the late king, who he called his 'promoter': *CPR* (1429-36), pp. 189-90.

⁷³ Allmand, *Henry V*, pp. 361-62; TNA, C 64/10-11.

⁷⁴ TNA, C 64/11-13; C 81/667/934-935, 939.

After July 1420, Kemp leaves little trace upon the bureaucratic record. It is possible that this is simply a result of lost documents or inconsistent recording, though Nigota believed that Kemp took an undocumented trip to England between September and November 1420, despite his later statement of not being permitted to dwell or abide in England while Henry V lived.⁷⁵ Regardless, Kemp was certainly in France by the winter, and the last privy seal warrants were issued under his name in January 1421.⁷⁶ These warrants were the last because the king decided to promote Kemp one last time before he left for England at the end of the month, arriving in Dover on 1 February, appointing him chancellor of Normandy.⁷⁷ As seems to happen all too frequently with Kemp, unlike his predecessor, Philip Morgan, the exact date of his appointment went unrecorded. This has led to some confusion among historians; for example, in his *ODNB* entry on Kemp, R.G. Davies stated that he was chancellor of Normandy ‘by the end of 1417’.⁷⁸ The documentary evidence provided by the Norman Rolls and privy seal records cited above proves Davies to be well off the mark, and further archival analysis allows us to establish the actual date of Kemp’s appointment with reasonable certainty – the exchequer recorded his first payment as chancellor to have begun on 17 January 1421.⁷⁹

Not much is known about the daily activities of the Norman chancery in the early 1420s, though the role of chancellor must have provided Kemp with valuable experience for the next stage of his life, which began abruptly and unexpectedly a year

⁷⁵ Joseph A. Nigota, ‘John Kempe: A Political Prelate of the Fifteenth Century’ (unpublished doctoral thesis, Emory University, 1973), pp. 91–93.

⁷⁶ TNA, C 64/15, mm. 27, 24, 21; E 404/36/266.

⁷⁷ Allmand, *Henry V*, pp. 155–56.

⁷⁸ Davies, ‘Kemp, John’, p. 173.

⁷⁹ TNA, E 101/187/151, nos. 2, 31; Morgan’s appointment in 1418 is recorded in C 64/9, m. 36^d.

and a half later. On 31 August 1422, Henry V, not yet thirty-six years of age, succumbed to illness at Vincennes, and at a stroke, the realms of England and Lancastrian-occupied France found themselves bereft of the strong, able administrator and celebrated warrior who had ruled for the past nine years.⁸⁰ He left behind him an eight-month-old heir with an unprecedentedly long royal minority, the precarious inheritance of a dual monarchy ahead of him, and unclear wishes for the governing of the realm in the meantime. It was into these uncertain times that John Kemp stepped, rose to the pinnacle of ecclesiastical and political power, and left his mark upon Lancastrian politics for the next three decades.

In Conclusion

The impact of Kemp's early life and education can be seen across his entire career. His training in civil law informed his actions and decisions as he joined the ranks of royal administrators, especially as the constitutional implications of Henry VI's minority engendered debate between competing members of the minority government.⁸¹ Thomas Kemp's connection to Archbishop Arundel helped to bring his son into the influential Canterbury circle, earning John Kemp his first ecclesiastical preferments. Kemp continued to benefit from the patronage of Arundel and, after his death, of Archbishop Chichele, which in turn brought him to the notice of the king, who swiftly noted Kemp's capabilities and promoted him accordingly to high positions in both Church and state. Raised in the service of Henry V, Kemp developed

⁸⁰ Allmand, *Henry V*, pp. 170–74.

⁸¹ Kemp's legal training is particularly evident in his dealings with the duke of Gloucester, as discussed throughout Chapter 2.

a fierce and enduring commitment to the Lancastrian dynasty that proved to be the driving force of his career until his death. While it is in the subsequent chapters of Kemp's life that we can most clearly see his character and his influence upon royal policy, the years that witnessed his ascent from the Court of Arches to the see of London and the chancery of Normandy already display his administrative ability and his talent for balancing the often competing desires of England and Rome, skills that would prove crucial in the years to come.

Chapter 2

The Royal Councillor, 1422–32

Setting the Stage: The Will of a King against the Will of Parliament

The premature death of Henry V on 31 August 1422 thrust John Kemp into the forefront of English political life. The king's death was certainly a dark moment for the kingdom; his untimely demise plucked England from the security of the personal rule of a strong, capable king and plunged the kingdom into the uneasy incertitude of an infant monarch and the interim rule of a regency council. Never before did England face the undesirable prospect of so long a royal minority. Thus, the primary task of eight-month-old Henry VI's first parliament, held in November 1422, was to determine how the realm ought to be governed until the king came of age.

At the king's death, Kemp relinquished the great seal of Normandy into the hands of the duke of Bedford, who became regent of Lancastrian-held France, and returned to England before the arrival of the funeral cortège.¹ On 26 October, he was formally enthroned as bishop of London, and on 9 November, two days after the king's burial, he attended his first parliament.² There, Kemp rehearsed his delivery of the Norman seals and was officially discharged of his duties as chancellor of Normandy. Curiously, he seems to have had two great seals in his possession — one 'which had been ordered for the said duchy' and the other described as 'similar to his great seal of England, which had been handed over by the king to the said bishop to be kept overseas'.³ The first he had given to the duke of Bedford, the second to the king

¹ *PROME*, X, pp. 15–16.

² *Brut*, II, p. 449.

³ *PROME*, X, pp. 15–16.

(figuratively) at Windsor. The duke of Exeter, the earl of March, and the earl of Warwick testified to the truth of these statements and Kemp joined parliament simply as bishop of London, though he also served as the foremost trier of petitions from 'Gascony, and the other lands and countries overseas'.⁴ However, it was this parliament that catapulted Kemp into the ranks of those directly responsible for the ruling of the kingdom during Henry VI's lengthy minority.

Problematically, Henry's wishes concerning the governance of the realm during the minority of his son remained contested. The king had made several wills, the first drawn up in 1415, the second in 1417, and the last on 10 June 1421 before his final journey to France. Henry also appears to have written a codicil on 9 June 1421, though the original has been lost and there are no extant copies; likewise, there were no surviving copies of the 1421 will until one surfaced in the archives of Eton College in 1978. All of these wills were created before the King possessed an heir, and he thus drew up a final codicil on 26 August 1422, realising that his death was imminent.⁵ This was apparently attached to the will of 1421, as the parliament roll records their presentation together in the Parliaments of 1422 and 1426, and the only known copy, discovered at Eton, was, indeed, attached to the aforementioned copy of the 1421 will.

In the final codicil of 1422, Henry V gave an outline as to how he wished the realm to be ruled and his son to be raised after his death. He declared that his brother, Humphrey, duke of Gloucester, '*habeat tutelam et defensionem nostri carissimi filii principales*'.⁶ As we shall see, the king's precise meaning of 'tutor and defender' lay at

⁴ Ibid., p. 14.

⁵ P. Strong and F. Strong, 'The Last Will and Codicils of Henry V', *EHR*, 96 (January 1981), 79-102 (p. 81).

⁶ Ibid., p. 99: Duke Humphrey was apparently to 'have the principal tutelage and defence of our dear son'.

the heart of the political tension that grew between Gloucester and other lords of the council throughout the 1420s. Henry also bestowed a great deal of responsibility upon his uncle, Thomas Beaufort, the duke of Exeter: *'Et quod avunculus noster dux Exon' habeat persone sue regimen et gubernationem ac servitorum suorum circa personam suam electionem et assumptionem'*.⁷ Though a cursory look at the roles granted to Gloucester and Exeter might seem contradictory, in the mind of Henry V they were probably distinct responsibilities. The duke of Exeter was to oversee the king's education and provide him with guidance, as well as to personally select all of those who would serve the young king — essentially, he had responsibility over the young king's person. Henry V also appointed two of his most trusted officials and battlefield companions, Henry, Lord Fitzhugh, and Sir Walter Hungerford, to look after the king's person on a daily basis. Indeed, the dying king stressed that one of the two men must be present with his son at all times, a role important enough for some to term it a 'joint guardianship'.⁸

On the other hand, Duke Humphrey was to oversee and defend Henry VI's inheritance — in effect, he was to act as regent or custodian of the realm until the king came of age. This interpretation is based upon Henry V's deliberate use of the word

⁷ Ibid.: 'And that our uncle the duke of Exeter shall have the rule and governance of his person and the selection and assumption of his servants about his person'.

⁸ Charles Kightly, 'Hungerford, Walter, first Baron Hungerford (1378-1449)', *ODNB*, XXVIII, p. 826. The codicil reads: *'Volumus etiam quod circa personam suam et in hospitio suo assistant sibi dilecti nobis et fideles Henricus Fitz Hugh, camerarius noster, et Walterus Hungerford, senescallus hospitii nostril, quorum alterum semper cum ipso esse volumus'*.

tutela, which had deep political implications in ancient history and Roman law.⁹ In Roman tradition, the *tutela* need not actually see to the physical upbringing of his ward; rather, his chief responsibility was to be 'first and foremost the controller of the property of his ward in the time of the latter's incapacity to administer it him'.¹⁰ Of course, for Duke Humphrey to claim the powers of a regent under the title of *tutela*, it first had to be accepted that the realm was, in fact, the king's property to dispose of as he wished. But even the almost universal dedication to Henry V's legacy and posterity did not stop parliament from emphatically denying any monarch this right. While this denial remained implicit in the formation of the regency council in 1422, when Gloucester made another bid for further authority in the parliament of 1427–28, the Lords firmly stated that his claim to regency was 'not based or grounded in precedent, nor in the law of the realm, which the deceased king did not have the power to alter, change or propose in his lifetime or by his will or otherwise without the assent of the three estates, nor to commit or grant the governance or rule of this realm to any person after his lifetime', a remarkable statement that we shall examine more closely in the course of this chapter.¹¹

Thus, the matter was decided and the stage set for a struggle between Duke Humphrey, with his perseverant attempts to accrue more influence over the minority government, and many of the other lords on the council, who strove to uphold conciliar authority as ordained by parliament. Although Henry Beaufort's resistance to Gloucester received more attention from contemporaries and historians alike, John

⁹ R.A. Griffiths, *The Reign of King Henry VI* (Stroud: Sutton Publishing, 2004), p. 19; J.S. Roskell, 'The Office and Dignity of Protector of England, with Special Reference to Its Origins', *EHR*, 68 (1953), 193–233 (pp. 205–07).

¹⁰ Roskell, 'Office of Protector', p. 206.

¹¹ *PROME*, X, p. 348.

Kemp became just as much a leader of the conciliar party's opposition.¹² In Duke Humphrey's defence, however, it should be noted that in insisting upon being granted the role of regent, he was most likely accurately representing his royal brother's wishes. Noticeably passed over for any sort of responsibility during his father's reign, it had only been in recent years that Henry V had conferred titles and positions of authority upon him, yet even then 'the limits of his initiative had been closely circumscribed'.¹³ Constantly overshadowed militarily and administratively by his three older brothers, one cannot help but find some sympathy for Gloucester when his hope and expectation of rising to the station of regent was firmly squashed, as well.

Nonetheless, many historians have portrayed him as a rather petty, frustrated younger brother whose desire to stake his own claim to power produced unrealistic, unwarranted 'pretensions', which in turn led to political disruption.¹⁴ But while there

¹² Contemporaries no doubt paid Beaufort more attention simply because his birth, wealth, and political assertiveness could hardly fail to do otherwise. While Kemp's political *modus operandi* and more conciliatory nature might be termed 'understated', such could hardly be said of Henry Beaufort. As for historians, G.L. Harriss's extensive biography of Beaufort fully treated the cardinal's importance to and impact upon the Lancastrian government: *Cardinal Beaufort: A Study of Lancastrian Ascendancy and Decline* (Oxford: Clarendon Press, 1988).

¹³ G.L. Harriss, 'Humphrey [Humfrey or Humphrey of Lancaster], duke of Gloucester [*called* Good Duke Humphrey] (1390-1447)', *ODNB*, XXVIII, pp. 787-88.

¹⁴ The most explicit example of this is, of course, S.B. Chrimes, 'The Pretensions of the Duke of Gloucester in 1422', *EHR*, 45 (1930), 101-103. However, Chrimes's point of view is laced through other scholars' works. Ralph Griffiths refers to Gloucester's 'unsteady reputation', while John Watts discusses his 'disruptive handling of his status as protector': Griffiths, *Henry VI*, p. 19; John Watts, *Henry VI and the Politics of Kingship*, (Cambridge: Cambridge University Press, 1999), p. 118. J.S. Roskell characterises Duke Humphrey as 'anxious to increase...the power he had recently exercised as "custos" [under Henry V]' and that he 'was not a moderate

is certainly truth behind this view, it is important to remember that, in asserting his prerogatives as *tutela*, Gloucester was simply championing the sort of monarchy that his brother had worked hard to develop – a monarchy that rested decidedly on a strong, independent king who ruled with a firm hand, not the more conciliar government that had come to characterise the reign of Henry IV. As we shall see, however, many of the leading lords, temporal and spiritual, preferred to fall back upon the bastion of collaborative government that had so effectively secured Henry IV's regime in the face of political instability and royal incapacitation. These differing ideas, these two distinct strands of Lancastrian political ideology, continued to clash throughout the minority of Henry VI and beyond, playing an important role in the eventual unravelling of the royal affinity as a whole.¹⁵

In any case, the first parliament of Henry VI's reign temporarily settled the debate by appointing Bedford '*protectorem et defensorem, ac consiliarium ipsius domini regis principalem*'. As Bedford was already regent of Normandy and Lancastrian France (where he remained for the most part, keeping him from attending this first parliament and most others thereafter), Gloucester was appointed Lord Chamberlain and

man; time-biding subterfuge was a weapon absent from his political armoury': 'Office of Protector', p. 199. G.L. Harriss claimed that he lacked 'the incisive mind and steely determination' of Henry V and that 'his enmity was too openly displayed and pursued with insufficient patience and guile. By his personal attacks he convicted himself as factious': 'Humphrey, duke of Gloucester', p. 791.

¹⁵ For more evidence suggesting two distinct strands of Lancastrian political ideology – an emphasis on council under Henry IV versus the independent, more autocratic ruler embodied by Henry V, as well as how those differences played out in parliament, see J.M. Grussenmeyer, 'Preaching Politics: Lancastrian Chancellors in Parliament', in *The Fifteenth Century XV: Writing, Records, and Rhetoric*, ed. by Linda Clark (Woodbridge: Boydell & Brewer, 2017), pp. 125–43.

‘protector and defender’ of the realm of England in his brother’s absence.¹⁶ In doing so, Parliament rejected Gloucester’s bid for regnal authority, prohibiting him from exercising any sort of undue power over the realm. Of course, denying the regency to Gloucester can be seen as a lack of confidence in his experience and abilities, yet parliament was careful to also place his older brother, John, duke of Bedford, under the same limitations. Bedford possessed a much sturdier reputation than his younger brother, and many of the lords and knights in parliament had loyally served – and continued to serve – under him in France; yet they saw fit to ensure that he, too, could never aspire to act as regent whenever he was in England.¹⁷

The real power behind the infant monarch was granted to a regency council, led by Gloucester as chief councillor (as ever, in the absence of the duke of Bedford) and including five bishops, seven lords, and four knights, all prominent figures in the Lancastrian affinity, as well as the obligatory officers of state, the chancellor, the keeper of the privy seal, and the treasurer. Though granted the title of ‘chief councillor’, Gloucester (or Bedford, should he return to England) was obliged to abide by the majority decisions of this council, and official decisions required the presence of at least four members, not counting the three officers of state. All ‘grete maters’ required the presence of a majority of the members.¹⁸ The faith that parliament placed in ‘certains persones d'estate sibien espiertuelx come temporelx, pur conseillers assistentz a la governance’ seemed well founded. The twenty councillors represented a

¹⁶ *PROME*, X, pp. 23–24.

¹⁷ Griffiths, *Henry VI*, pp. 19, 21–22. As Griffiths noted, the duke of Exeter, the earl of Warwick, Lord Cromwell, Lord Fitzhugh, Sir Walter Hungerford, the bishop of Norwich, and John Kemp himself were all recently arrived returned from France and probably represented Bedford’s interests (or were at least aware of them).

¹⁸ *PROME*, X, pp. 26–27.

formidable amount of experience in learning, governance, and/or warfare, and all of them had previously served the Lancastrian dynasty as an officer of state or as an official in the royal household. Six of the councillors were clerics, demonstrating the Lancastrians' notable reliance upon political prelates, from among whom John Kemp would quickly rise to become the foremost and, as it turned out, last of the great Lancastrian bishop-statesmen.¹⁹

Kemp and the Council, 1422–1432

Kemp's career as a royal councillor, particularly during the years of Henry VI's minority, offers perhaps the clearest picture of his political character. I shall begin by broadly analysing his actions and decisions on council from 1422 to 1432, which covers the minority up to Henry VI's English and French coronations and Kemp's first tenure as chancellor (1426 to 1432). This exercise also serves to re-evaluate his relationship with Henry Beaufort. Though the two clerics often held similar views and are traditionally viewed as friends and allies, closer inspection reveals important differences that say much about not only the nature of Kemp's gradual association with Beaufort but also about his own personal values and political convictions.²⁰ I shall

¹⁹ Ibid., p. 26; Griffiths, *Henry VI*, p. 23. For further reading on the importance of Lancastrian bishop-statesmen, see Lita-Rose Betcherman, 'The Making of Bishops in the Lancastrian Period', *Speculum*, 41 (1966), 397–419.

²⁰ Harriss, *Cardinal Beaufort*, p. 156. Harriss perpetuated the traditional viewpoint regarding Kemp's connection with Beaufort, but he was neither the first nor the most recent scholar to overgeneralise their relationship, which is addressed in more detail below. As we shall see in the course of this chapter, there is little evidence to support any sort of close relationship

then closely examine one specific and well-documented episode – Kemp’s bold and outspoken defence of conciliar principle in the face of princely interference from Bedford and Gloucester in 1427, an event that amply exhibits his personal and political qualities. I shall conclude by outlining the remainder of his career as a councillor during the minority and the effects that his political principles had upon his relationship with Duke Humphrey.

Though division would soon threaten the council’s effectiveness, when parliament concluded its session in December 1422, Kemp was able to write to William Swan, his proctor at the papal curia, and say with satisfaction that England lay in ‘tranquil peace’.²¹ He spent the next six months in London, seeing to his new diocese and attending council meetings.²² Despite periodic parliamentary injunctions to the minority council to keep consistent attendance records, attendance continued to be sporadically noted throughout the period. Accordingly, we cannot always be sure of Kemp’s rate of attendance, for even if his itinerary places him in London during council meetings, he may well have been occupied with diocesan business instead. However, conciliar documents do show him to have attended regularly throughout February, March, and most of April and May 1423.²³

In February, the council decided to send Kemp overseas to aid the French royal council under the duke of Bedford, and he departed sometime in late May along with the earl marshal, the duke of Exeter, and Lord Willoughby, who brought with them a

between Kemp and Beaufort until after Kemp’s relations with Gloucester finally began to sour late in 1431. After all, throughout the 1420s, Kemp mainly owed his promotions to Archbishop Chichele and, especially, the duke of Bedford, rather than Henry Beaufort.

²¹ BL, Cotton MS Cleopatra C IV, fol. 167r.

²² Reg. Kemp London, fols 202v–208v; TNA, E 28/39–41.

²³ TNA, E 28/39, 40, 41; *POPC*, III, pp. 8–88.

substantial army.²⁴ There are few surviving records from the French regency government that operated under Bedford, so we know little of Kemp's activities there. However, it is at this time that he first became acquainted with the new archbishop of Rouen, Jean de la Rochetaillée, who subsequently proved to be an important friend as Kemp continued to climb the ecclesiastical ladder.²⁵

When Kemp returned to London in November, the council called his diplomatic experience into service to ensure the finalisation of a truce with Scotland (including the cessation of military aid to the French), which encompassed the release of King James I, who had been imprisoned in England since his capture in 1406, and the taking of hostages to guarantee the payment of his ransom. He accordingly travelled to Durham in February 1424, where he remained for over a month to oversee the negotiations, which were successfully concluded on 29 March.²⁶

While Kemp had been in Durham, parliament had passed a set of articles listing current members of the minority council and further detailing proper conciliar procedure.²⁷ These articles included the requirement that the clerk of the council consistently record 'the names of the both parties...wyth here assent or disassent' and that 'atte alle tymes the names of thassenteurs to be wryten of thar owen hand, in the

²⁴ TNA, E 28/41; Reg. Kemp London, fol. 208v; *POPC*, III, pp. 86-88; *CPR* (1422-29), p. 121.

²⁵ Pierre Cochon, *Chronique Normande de Pierre Cochon*, ed. by Charles de Beaurepaire (Rouen: A. Le Brument, 1870), p. 348. See Chapter 2, p. 78; Chapter 6, p. 310, note 24.

²⁶ *PROME*, X, pp. 105-07; *POPC*, III, pp. 137-42; TNA, E 28/43; *Foedera*, IV, iv, pp. 109-12. For a new study on the captivity of James I and the surrounding diplomatic proceedings, see Gordon McKelvie, 'The Royal Prisoner of Henry IV and Henry V: James I of Scotland', in *Medieval Hostageship: Hostage, Captive, Prisoner of War, Guarantee, Peacemaker*, ed. by Matthew Bennett and Katherine Weikert (London: Routledge, 2017), pp. 158-73.

²⁷ *PROME*, X, pp. 84-86.

same bille'.²⁸ Other articles appear to have been targeted at Duke Humphrey: the first one states that 'my lord of Gloucestre ne noon other man of the counsaill', should ever individually grant any suit presented to the council, but by common consent alone, reinforcing the inviolability of conciliar authority over any special personal authority that Gloucester might try to claim as protector and chief councillor. Even more significantly, another article sternly declared that 'it is to greet a shame, that in to straunge countrees oure sovereign lord shal write his letters by thadvyse of his counsaill, for such materes and persones as the counsaill writeth in his name, and singuler persons of the counsaill to write the contrarie...it be ordenned, that no man of the counsaill presume to dooit, on peyne of shame and reproef'.²⁹ While the article draws upon no specific examples, the parliament's concerns may have been validated in a very real way when Humphrey embarked on a foreign war on behalf of his new wife, Jacqueline of Hainault, seriously endangering England's crucial alliance with Burgundy, which Gloucester had always viewed with mistrust.³⁰

Despite growing tension between Duke Humphrey and other members of the ruling elite, particularly Bishop Beaufort, nothing but goodwill seems to have existed between Kemp and his future adversary at this point. When the duke sailed to France to pursue the reclamation of his wife's lands, Kemp wrote him a letter informing him of conciliar matters and expressing enormous relief at Humphrey's safe crossing despite the onslaught of a terrible storm.³¹ In his biography on the duke of Gloucester,

²⁸ *Ibid.*, pp. 85–86; BL, Cotton MS Cleopatra C IV, fols 151r–151v.

²⁹ *PROME*, X, p. 85.

³⁰ Harriss, 'Humphrey, duke of Gloucester', pp. 788, 790.

³¹ *Bekynton Correspondence*, I, pp. 280–81.

K.H. Vickers regarded Kemp's letter as a 'show of friendship'.³² It would be several more years before a rift appeared between the two men.

Council records show Kemp to have attended regularly throughout the summer of 1424.³³ With the duke of Gloucester intent on preparing for his ill-fated military expedition in the Low Countries, his uncle, Bishop Beaufort, once again stepped into the role of chancellor when Bishop Langley retired on 16 July.³⁴ After the end of summer of 1424, Kemp leaves little to no trace of his activities and whereabouts in surviving records until November, though as there are few extant conciliar documents for the autumn of 1424, this gap is not necessarily noteworthy.³⁵ He attended council meetings throughout February and March 1425 and served as a trier of English petitions when parliament opened on 30 April.³⁶ At this parliament, he and the other lords temporal and spiritual, headed by the protector (who had recently returned from his spectacularly unsuccessful campaign in Hainault), arbitrated the dispute between the earl marshal and the earl of Warwick over seating precedence in parliament.³⁷

Kemp left for France for another six months of service as councillor to Bedford just days after parliament ended on 14 July.³⁸ His labours during this time proved to

³² K.H. Vickers, *Humphrey, Duke of Gloucester: A Biography* (London: Archibald Constable and Company Limited, 1907), p. 327.

³³ TNA, E 28/45.

³⁴ CCR (1422-29), p. 154; *Foedera*, IV, iv, p. 114.

³⁵ He reappears in conciliar records in November and December: TNA, E 28/46; E 404/41/153, 154.; *POPC*, III, pp. 162-64.

³⁶ TNA, C 81/1544; *POPC*, III, pp. 163-68; *PROME*, X, p. 214.

³⁷ *PROME*, X, pp. 215-16.

³⁸ TNA, E 403/67, m. 7; E 404/41/335; C 76/107, m. 3-2.

be pivotal to his future career in both the spiritual and secular realms, for they earned the regard and patronage of the duke of Bedford, as well as the friendship and support of important French prelates such as the archbishop of Rouen, Jean de la Rochetaillée, and Bernard de la Planche, prior of Senlac and later bishop of Dax.³⁹ Thanks to Duke Humphrey's recent invasion of the Low Countries on behalf of his wife, the Anglo-Burgundian alliance was dangerously close to unravelling. Duke Philip of Burgundy was enraged by Gloucester's reckless military interference, and in March he had issued Gloucester a challenge to single combat. Gloucester had returned to England shortly thereafter, ostensibly to prepare for the duel.⁴⁰ The parliament that had opened at the end of the following month made its views on the matter perfectly clear:

Considering the complete, great, and irreparable misfortunes which might follow to the great damage and prejudice of the king and his realms, if a battle ended up occurring in the personal quarrel and dispute between my lord of Gloucester and the duke of Burgundy...it is considered necessary and beneficial that, by the assent of the three estates assembled in this present parliament, the chancellor should order letters patent to be made under the

³⁹ Kemp's burgeoning friendship with Rochetaillée is evident in his letter to William Swan: BL, Cotton MS Cleopatra C IV, fols 152r-152v, in Paul le Cacheux, *Rouen au temps de Jeanne d'Arc et pendant l'occupation anglaise, 1419-1449* (Paris: A. Lestringant, 1931), pp. 80-86, and in R.G. Davies, 'Martin V and the English Episcopate, with Particular Reference to His Campaign for the Repeal of the Statute of Provisors', *EHR*, 92 (1977), 309-44 (p. 322). His friendship with de la Planche is made clear in the correspondence that passed between the two: see Kemp's letter of March 1428 in BL, Cotton MS Cleopatra C IV, fols 164r-164v.

⁴⁰ Harriss, 'Humphrey, duke of Gloucester', p. 788; Jenny Stratford, 'John [John of Lancaster], duke of Bedford (1389-1435)', *ODNB*, XXX, p. 186.

king's great seal...to expressly forbid and prevent the said parties...that they should proceed no further in or towards the execution of the said battle, or that any of them be set militarily against the other in any way.⁴¹

Parliament also granted authority to Queen Isabella of France, Queen Catherine of England, and the duke of Bedford to act on behalf of the king to defuse the crisis, as well as authorising an embassy, of which Kemp was an important member, to treat with the duke of Burgundy.⁴²

From 18 to 19 September, the *grand conseil* met in Paris to resolve the matter of the duel. The duke of Bedford, as regent of France, arbitrated the discussion, while John Kemp spoke on behalf of the interests of the duke of Gloucester.⁴³ Not surprisingly, the *conseil* found no grounds for a duel, a decision that was further bolstered by a bull of Pope Martin V that strongly forbade the contest, which reached the French capital five days later.⁴⁴ While representing Gloucester, Kemp almost certainly played a substantial role in preventing the disastrous duel, a likelihood that is supported by Bedford's subsequent patronage of the bishop throughout the

⁴¹ *PROME*, X, p. 237.

⁴² *Ibid.*

⁴³ Clement de Fauquembergue, *Journal de Clément de Fauquembergue*, ed. by Alexandre Tuetey and Henri Lacaille, 3 vols (Paris: H. Laurens, 1903–15), II (1909), p. 185; *Enguerrand Chron.*, I, p. 529.

⁴⁴ *Ibid.*; *Letters and Papers*, II, ii, pp. 412–14.

remainder of his life. In fact, the regent immediately began exerting his influence on Kemp's behalf, ensuring his unexpected translation to the see of York in July 1425.⁴⁵

Gloucester, too, seems to have appreciated Kemp's hand in finding a satisfactory solution to the problem, for in a letter dated 20 October, Kemp informed William Swan that Duke Humphrey had personally congratulated him on his translation before the whole council had come close to signifying their official approval of the papal decision.⁴⁶ This is particularly noteworthy considering that Kemp's translation displaced Philip Morgan, bishop of Worcester, who was originally the council's choice of candidate and 'a partisan' of Gloucester.⁴⁷ As Kemp ascended the episcopal ladder to reach the primacy, he could thus regard both the regent of France and the protector of England as his supporters, although his relationship with the latter would quickly sour.⁴⁸

While Kemp and Bedford strove to neutralise the damage that Humphrey had wrought on the Continent, the duke of Gloucester lost no time inspiring chaos back in London. He had returned to England on 12 April 1425 in time to attend the parliament that opened eighteen days later. Anti-Flemish sentiment was running particularly high in the city of London, which Gloucester tried to use to his advantage in order to secure further assistance for the Hainault campaign. Playing upon the Londoners' sympathies and prejudices also gave Humphrey the satisfaction of highlighting Chancellor Beaufort's unpopularity in the city and actively opposing his (and

⁴⁵ Kemp highlights Bedford's strenuous efforts on his behalf in a letter to William Swan: BL, Cotton MS Cleopatra C IV, fols 162^r-162^v. For a detailed discussion of Kemp's translation to York, see Chapter 6, pp. 309-15.

⁴⁶ BL, Cotton MS Cleopatra C IV, fol. 153^v.

⁴⁷ T.F. Tout, 'Kemp or Kempe, John (1380?-1454)', *DNB*, XXX, p. 385.

⁴⁸ Griffiths, *Henry VI*, p. 72.

Bedford's) political strategy regarding the duke of Burgundy and the Low Countries.⁴⁹ However, parliament proved reluctant to grant any subsidies, so Gloucester received no aid in the form of taxation. Instead, parliament authorised the council to lend him 20,000 marks per annum over the following four years, ostensibly to continue his Continental adventure.⁵⁰

London's support for Gloucester notwithstanding, Beaufort and the majority of the council agreed with Bedford that Humphrey's ambitions in the Low Countries threatened the very foundation upon which the Treaty of Troyes rested. As chancellor, but also because of his personal opposition to his nephew's plans and his loyalty to Bedford, Bishop Beaufort took the lead in opposing Duke Humphrey. A veteran politician, Beaufort was well connected among the nobility and the established civil servants who served the royal government and the duchy of Lancaster, while his vast wealth – and the readiness with which he lent it on behalf of the realm – made him almost indispensable to Westminster. Additionally, the combination of his eminence in the Church and his royal lineage made him at least appear to be the ideal 'arbiter and reconciler'.⁵¹ Gloucester, on the other hand, consistently struggled to inspire a substantial following, and he thus remained a 'semi-isolated figure' on council, a figure who was suspected by other leading men of the realm of 'harbouring personal ambitions'.⁵² While the duke had campaigned in the Low Countries for six months, Beaufort's influence went unchallenged, but with Humphrey's return, tension between the two heightened rapidly.

⁴⁹ Harriss, *Cardinal Beaufort*, pp. 134–40; Harriss, 'Humphrey, duke of Gloucester', p. 788; *PROME*, X, p. 206.

⁵⁰ *PROME*, X, p. 262.

⁵¹ Harris, *Cardinal Beaufort*, pp. 132–33.

⁵² *Ibid.*, p. 133.

In February, the city had been rife with seditious talk regarding the chancellor, and anti-Flemish sentiment had risen to a dangerous degree. Beaufort and the rest of the council had decided to take control of the situation by appointing an experienced military veteran from the duke of Bedford's household, Richard Woodville, to garrison the Tower of London with a sizeable force of men-at-arms. When Gloucester returned to England and attempted to take up lodging in the Tower, Woodville refused him entrance, strictly obeying his orders that no one should be admitted without the express permission of chancellor and council.⁵³ Predictably, Duke Humphrey took this as a direct assault upon his authority and prerogatives as protector of the realm, later accusing Woodville of keeping 'the seyde Toure ayenst hym vngoodly and ayest Reson by the commandement off my seyde lorde off Wynchestre; [who] afterward in comprovyng off the seyde Refuse protected the seyde Wodeville and cherished hym ayenst the State and Worship off the kyng, and off my seyde lorde off Gloucestre'.⁵⁴

The parliament that then met from April to July 1425 did little to reconcile the two leading members of the minority council. Instead, Beaufort managed to deliver an opening address that levelled a thinly veiled rebuke at Duke Humphrey and his determination to pursue his own ambitions regardless of the will of the council and the admonitions of his brother, Bedford. His address centred on the importance of giving and receiving counsel, stating emphatically that God was most glorified when subjects both provided and accepted wise counsel. He also emphasised the legal duties that bound kings, saying that the people were obliged to obey 'just as a sovereign or monarch is obliged to govern lawfully'. Beaufort finished by quoting Proverbs 11:14: 'Where there is much counsel, there is safety', adding that all advisors should be, like

⁵³ *Ibid.*, p. 140; Griffiths, *Henry VI*, pp. 72-73.

⁵⁴ *London Chron.*, p. 77.

the elephant, without 'the enmity of bitterness, odium and rancour' and that they should also exercise 'considerable reflection, by deliberation upon and foresight of the past, present and future'.⁵⁵

By autumn, the situation finally deteriorated into actual civil disorder. On 30 October, Gloucester decided to take the young king from his residence at Eltham and into his own custody, ostensibly to remove him from the growing influence of Bishop Beaufort and his supporters.⁵⁶ Beaufort responded by stationing an armed retinue at the Southwark end of London Bridge, barring Gloucester's path. Gloucester's armed supporters, which included many enthusiastic citizens of the city, occupied the opposite end of the bridge, and the two sides faced off for most of the day, with Archbishop Chichele, Bishop Stafford (who was also currently the treasurer), and Prince Pedro of Portugal, who happened to be visiting London at the time, riding back and forth between the two no less than eight times before arranging a mutual withdrawal and thus mercifully avoiding any bloodshed.⁵⁷ However, despite the narrow avoidance of physical conflict, Gloucester and Beaufort remained bitter enemies, or as one chronicler wryly put it, they 'were not goode frendys as in that

⁵⁵ *PROME*, X, pp. 213-14; for further discussion of Beaufort's parliamentary addresses as chancellor, see Grussenmeyer, 'Preaching Politics', p. 134.

⁵⁶ Griffiths, *Henry VI*, pp. 74-76; Harriss, *Cardinal Beaufort*, p. 144. Harriss also suggests that Gloucester's concerns may have been compounded by the budding relationship between the king's mother and Edmund Beaufort, which had the potential to increase the likelihood of a Beaufort monopoly on royal influence.

⁵⁷ Gregory's *Chron.*, p. 159; *London Chron.*, pp. 76-78; Griffiths, *Henry VI*, pp. 75-77; Harriss, *Cardinal Beaufort*, pp. 142-43.

tyme'.⁵⁸ The rift between chancellor and protector also meant that conciliar business virtually ground to a halt for the remainder of the autumn.

Beaufort promptly wrote a desperate letter to the duke of Bedford, warning that unless he hastened back to England, 'we shall putte this land in aventure with a ffelde'. He concluded with an unmistakeably exasperated 'Suche a brothir ye have here. God make him a goode man'.⁵⁹ Bedford shared the bishop's sense of urgency and arrived in England on 20 December, entering London three weeks later accompanied by Bishop Beaufort. Bedford took up residence in Westminster Palace, with Beaufort close by in the Abbey.⁶⁰ As the elder of the two brothers and heirs apparent (and as per parliament's ordinances), Bedford assumed the authority of protector, leaving Humphrey simply duke of Gloucester.⁶¹ The new protector quickly exhibited his displeasure at the Londoners for the part that they had taken in the Beaufort-Gloucester dispute, for when the mayor offered him gifts on behalf of the city, the author of the so-called *Gregory's Chronicle* observed that Bedford gave the citizens 'but lytylle thanke'.⁶²

Upon his arrival, the duke of Bedford had swiftly issued parliamentary summons, and parliament duly opened at Leicester on 18 February 1426.⁶³ As chancellor, Bishop Beaufort delivered the customary opening address, taking as his theme Ecclesiasticus 3:2: 'Act thus so that you may be saved'. He then listed three

⁵⁸ Gregory's Chron., p. 159.

⁵⁹ *London Chron.*, p. 84; *Great Chron.*, p. 137.

⁶⁰ E. Carleton Williams, *My Lord of Bedford, 1389–1435* (London: Longmans, Green and Co. Ltd., 1963), pp. 137, 140; Stratford, 'John, duke of Bedford', p. 186; Griffiths, *Henry VI*, pp. 77–78.

⁶¹ *PROME*, X, pp. 23–26.

⁶² Gregory's Chron., p. 160.

⁶³ *CCR* (1422–29), pp. 261–62; *PROME*, X, p. 284.

principal ways in which such salvation might be achieved – belief in true Christian doctrine and defence of the Church against heretics, giving and receiving wise counsel, and willingly granting support to the king and his realm. While the clerk of the parliaments includes only a brief summary of this sermon, the summary does note that Beaufort further expounded upon his second point by saying that ‘the provision and acceptance of true and wise counsel, and the due execution of justice’ brings ‘honour to the king’.⁶⁴ It is hardly a leap of the imagination to suppose that these words were targeted at the duke of Gloucester.

The first issue addressed in the roll of parliament after the presentation of the speaker is an urgent request from the Commons that ‘speedy remedy is applied and peace and concord is quickly restored’ between Bishop Beaufort and the duke of Gloucester. Bedford had attempted to begin the reconciliation process before the commencement of parliament, first at a council convened at St. Albans and then again on 13 February at Northampton.⁶⁵ However, Duke Humphrey had refused to attend either meeting; indeed, he only attended parliament after receiving direct orders in the name of the king, which insinuated that parliament would arbitrate the dispute whether Gloucester was present or not.⁶⁶ The duke of Bedford and the Lords promised the Commons that a select, impartial arbitration committee would hear the respective cases put forward by Gloucester and Beaufort, both of whom swore to abide by the committee’s decision.

This committee was comprised of Henry Chichele, archbishop of Canterbury; Thomas Beaufort, duke of Exeter; John Mowbray, duke of Norfolk; Bishop Langley of Durham; Bishop Morgan of Worcester; Bishop Stafford of Bath and Wells (also

⁶⁴ *PROME*, X, p. 284.

⁶⁵ *POPC*, III, pp. 181–87.

⁶⁶ *Ibid.*, p. 186; *Great Chron.*, p. 138; *PROME*, X, pp. 277–78; Griffiths, *Henry VI*, p. 78.

treasurer); Humphrey, earl of Stafford; Ralph, Lord Cromwell; and William Alnwick, keeper of the privy seal (soon to be bishop of Norwich).⁶⁷ The group thus represented a large proportion of the minority council itself, though without, of course, the chancellor and the duke of Gloucester. They also represented a range of interests and biases that ensured some sense of impartial balance.⁶⁸ John Kemp was not among those chosen to resolve the dispute, which might seem odd given his very recent nomination to speak on behalf of Duke Humphrey in the matter of the proposed duel with the duke of Burgundy. However, his conspicuous absence from the arbitration committee points to the likelihood that Bedford had already earmarked him as the un-factionalised and unobjectionable successor to Beaufort as chancellor.

In the end, it was Gloucester who claimed the upper hand in the affair, for the arbitrators obliged Beaufort to publicly seek his nephew's forgiveness and swear an oath of loyalty to the king in front of the full parliament. Gloucester, in contrast, simply

⁶⁷ *PROME*, X, p. 288.

⁶⁸ Lord Cromwell was a close ally of Beaufort, while Bishop Alnwick consistently defended conciliar authority against the ambitions of Gloucester: A.C. Reeves, 'Cromwell, Ralph, third Baron Cromwell (1393?-1456)', *ODNB*, XIV, pp. 353-54; Rosemary C.E. Hayes, 'Alnwick, William (d. 1449), bishop of Norwich and Lincoln', *ODNB*, I, p. 890. Bishop Morgan, another protégé of Archbishop Arundel, can also safely be placed in the conciliar camp, and Bishop Langley had long been closely associated with Beaufort: R.G. Davies, 'Morgan, Philip [Philip ap Morgan] (d. 1435), diplomat and bishop of Worcester and of Ely', *ODNB*, XXXIX, p. 137; Harriss, *Cardinal Beaufort*, p. 80. On the other hand, Bishop Stafford became closely associated with Duke Humphrey, while Archbishop Chichele mistrusted Henry Beaufort and his curial ambitions: K.B. McFarlane, 'Henry V, Bishop Beaufort and the Red Hat, 1417-1421', *EHR*, 60 (1945), 316-48 (pp. 317-320); J.S. Roskell, *The Commons and their Speakers in English Parliaments, 1376-1523* (Manchester: 1965), p. 190; Harriss, *Cardinal Beaufort*, pp. 390, 396-97.

had to accept the bishop's apologies, concluding with the rather tepid statement, 'Beal uncle, sithen ye so declare you such a man as ye say, I am ryght glad þat hit is so, and for suche I tak yowe'.⁶⁹ The two men then shook hands as a symbol of their reconciliation. Bishop Beaufort thus suffered public humiliation and loss of administrative authority, though his enormous wealth and political acumen ensured that this setback was not permanent. However, for the moment Beaufort's influence was shattered, and he duly resigned the chancellorship and absented himself from the minority council, eventually returning to France with the duke of Bedford to pursue his crusading venture against the Hussites.⁷⁰

Several days later, Bedford and the Lords delivered the great seal to John Kemp, who was now also officially archbishop of York. The political chaos caused by the Beaufort-Gloucester dispute had delayed the necessary official confirmation for the translation from the English government, but this was swiftly remedied in the first council meeting presided over by the duke of Bedford on 14 January.⁷¹ In less than seven years, Kemp had risen to the pinnacle of both Church and state, a remarkable ascent indeed for the son of a relatively minor Kentish landowner. This was also not the last time that he was to be nominated chancellor, for the government called upon him once again at the end of his life, from 1450 until his death in 1454. It is no coincidence that both chancellorships occurred during periods of crisis – Kemp was clearly regarded as a man who could be trusted to guide the ship of state through the stormy seas of faction and civil strife.

⁶⁹ *PROME*, X, pp. 291–92.

⁷⁰ *Ibid.*, p. 292; G.L. Harriss, 'Beaufort, Henry [*called* the Cardinal of England] (1375?–1447)', *ODNB*, IV, pp. 628–29.

⁷¹ *POPC*, III, p. 180.

One of the most evocative pictures of Kemp's political character arises in the wake of the Beaufort-Gloucester dispute. Although parliament had temporarily resolved the open hostility between the two men, Duke Humphrey remained disgruntled that his elder brother continued to wield the authority of protector as long as he resided in England. However, his antipathy did not extend to the new chancellor; as we have already seen, Gloucester offered his prompt approval of Kemp's translation to York, evidently satisfied with the manner in which Kemp represented him in his quarrel with the duke of Burgundy, and he readily assented to his selection as chancellor.

Many historians have overgeneralised Kemp's career by tossing him into the Beaufort camp from the start – in his *DNB* entry, T.F. Tout stated that 'Kemp was no friend of Humphrey, duke of Gloucester...and adhered to the side of Henry Beaufort. [His appointment as chancellor and archbishop of York] was the result of a compromise between the opposing parties, and Kemp was apparently accepted by Duke Humphrey's faction...as the least unpalatable nominee of the Beaufort side'.⁷² In his thesis on the duke of Gloucester, Frank Millard likewise assumed that Kemp was 'an ally' of Beaufort, insinuating that such a relationship between the two men existed as early as 1424.⁷³ However, based upon surviving documentary evidence, it would seem that up to this point Kemp was an associate of Beaufort purely on a professional, not personal, level. As Nigota put it, 'if Kempe belonged to any party in the spring of 1426 it was that of Bedford'.⁷⁴ When conflict did eventually arise between Kemp and

⁷² Tout, 'Kemp, John', p. 385.

⁷³ Frank Millard, 'Politics and the Creation of Memory: The Afterlife of Humphrey Duke of Gloucester' (unpublished doctoral thesis, University of London, 2008), p. 66.

⁷⁴ Joseph Nigota, 'John Kempe: A Political Prelate of the Fifteenth Century' (unpublished doctoral thesis, Emory University, 1973), p. 205.

Gloucester, it was not, as Millard proposes, because of Kemp's pre-existing relationship with Beaufort. On the contrary, as we shall see, it was political principle that drove chancellor and protector apart, and it was Gloucester's subsequent antipathy that naturally pushed Kemp towards Henry Beaufort.

The goodwill that existed between Kemp and Gloucester until 1431 is all the more remarkable considering the unapologetically conciliar stance that Kemp immediately took when speaking on behalf of the whole council as chancellor. The Beaufort-Gloucester affair seems to have prompted the minority council to vigorously reassert its sovereign power in the face of princely interference by personally confronting both Bedford and Gloucester and charging each to observe the parliamentary restraints upon their authority. Bedford remained in England until March 1427, when he returned to France with Henry Beaufort in tow. His presence ensured that the government of the realm could resume its normal functions, and his appointments, such as Chancellor Kemp, largely encouraged the healing of division. Even the list of new sheriffs conspicuously avoided partisans of both Gloucester and Beaufort.⁷⁵ Nonetheless, by January 1427, the council felt compelled to reaffirm its corporate authority as established by the parliamentary ordinances of 1422 and 1424, leading Kemp and his fellow councillors to confront both Gloucester and Bedford.

The council had legitimate reason for concern, certainly regarding the duke of Gloucester. Chafing beneath his brother's authority, he was heard to say, 'Lat my brother governe as hym lust whiles he is in this land for after his going over into Fraunce I wol governe as me semeth good'.⁷⁶ As petulant as this may have sounded, it also left no one labouring under the delusion that Gloucester was going to humbly

⁷⁵ Griffiths, *Henry VI*, p. 81.

⁷⁶ *POPC*, III, p. 241.

share authority with his fellow councillors when Bedford returned to the Continent. Perhaps even more worryingly, Duke Humphrey had declared at 'divers tymes afore' that 'if he had doon eny thing that touched the King his soverain lordes estat, therof wolde he not answere unto no persone on lyve, save oonly unto the King whan he come to his eage'.⁷⁷ This flew directly in the face of the council's sovereign authority and signalled that further factious power struggles loomed on the horizon.

Kemp and the rest of the council decided to pre-empt any future discord and summoned Bedford and Gloucester in the king's name to appear before them.⁷⁸ Bedford presented himself accordingly on 28 January 1427 in the Star Chamber at Westminster. As chancellor, Kemp spoke on behalf of the council and candidly laid out their complaints and concerns. Though the councillors were clearly most apprehensive about Duke Humphrey's assertiveness, they evidently felt it necessary to ensure that Bedford, too, refrained from exerting undue influence over them. After assuring the duke that the council had no intention of intruding upon the prerogatives as protector (when he was in England) granted to him by parliament, Kemp reminded him that he had often before exhorted the councillors to diligently attend to the governance of the realm 'withouten drede of eny manere persone or persones unto the profit of oure said soverain lord and of his said reaumes and lordships and mynystracion indifferent of right and justice', warning that the king's displeasure when he came of age (or that of Bedford or Gloucester, should they succeed him) would fall upon them 'if that we aquited us not indifferently withouten eny favor or parcialtee as to the good governaille and weel of oure said soverain lordes reaumes and lawes during his said tendre eage'.⁷⁹

⁷⁷ Ibid.

⁷⁸ Ibid.

⁷⁹ Ibid., pp. 237–38.

He continued by declaring that 'as greet auctorite of governaille is nowe in our said sovereign lordes persone duryng his said tendre eage as ever shal be here after whan he shal come with Goddes myght to yeers of discrecion' but that, in the sovereign's infancy, the entire execution of that authority 'stondeth as now in his lordes assembled, either by auctorite of his parlement or in his consail and in especiale in the lordes of his consail'. Stressing his point further, Kemp reminded Bedford that, excluding the limited authority granted to him by parliament, 'auctorite resteth not in oon singuler persone but in alle my said lordes togidres'. This was a bold enough statement of the council's corporate sovereignty, yet the chancellor continued by reproving the duke for 'diverse wordes and rehersailles that have be seid afore aswel by you my lord, as by my lord of Gloucester your brother', which had caused the lords of the council so much consternation that they dared not continue in their conciliar duties without Bedford's assurance that they would henceforth be able to rule freely as they saw best.⁸⁰

To his credit, Bedford took such admonishment remarkably well. He said that he well remembered his previous exhortations that the council should govern impartially, and he thanked God that the king had 'so trewe and diligent a consail duryng his tendre eage'. The duke went on to humbly promise 'to be rewled and governed lyke as my said lordes wolde conseilte hym and advise him and so gentilly and lowely submitted hym to their governance', even begging them to 'lat hym have knowleche' if he did 'eny thing in whiche he erred or myght erre at eny tyme hereafter'. He concluded by spontaneously and voluntarily requesting that a copy of the gospels be placed before him and swore to henceforth support and subjugate himself to the council's authority. The clerk of the council records that Bedford spoke so sincerely

⁸⁰ Ibid., pp. 238-39.

that 'teres spronge aswel out of his eyghen as out of theighen of alle my said lordes that were there present and herd hym', and the duke asked that his oath be officially enacted in the conciliar record.⁸¹

The council's interview with Bedford was a success, but they must have known that their next meeting would likely not go as smoothly. It had an inauspicious start, as Duke Humphrey declined to appear before the council on the pretence of being 'deseased with sycknesse'.⁸² Perhaps it is uncharitable to doubt the veracity of Gloucester's illness, but Kemp and his fellow councillors were evidently either unconvinced or, at least, unsympathetic. Undeterred, they proceeded to the duke's own London residence and confronted him in his 'inner chambre', delivering a similar speech to that heard by Bedford the previous day. However, the clerk notes some important differences. Kemp brought to his attention 'certaine answeres the whiche my said lord of Gloucester had yeven afore unto certayne overtures and articles declared by my said lordes of the counsail unto hym', answers that both they and Bedford found troubling. Kemp repeated some specific statements that caused concern, such as his claim that he would answer to no one but the king when he came of age and his sullen declaration that he would rule as he wished once his brother returned to France.⁸³

In order to head off any rebuttal or resistance, Kemp then informed Duke Humphrey 'how godely my lord of Bedford his brother come unto hem to Westminster at their sendyng and the benigne (and trewe) answeres that he had yeven to alle thees thinges above reherced' and said that he fully expected 'to finde the same disposicion in hym'. Gloucester caved in to the corporate pressure of all his fellow

⁸¹ *Ibid.*, pp. 239–40.

⁸² *Ibid.*, pp. 240–41.

⁸³ *Ibid.*, p. 241.

councillors gathered there in his bedroom and promised to uphold conciliar authority and to be governed by their advice and decisions in future. His response includes more explicit assurances than Bedford's, pointing to the fact that his circumnavigation of the council's sovereignty was far more frequent and serious than that of his brother. For instance, he specifically swore to be ruled 'not by his owne wit ne ymaginacion...and that hit was never his entente ville ne purpos what ever had happed hym to say afore that...to governe hymself or by his auctorite but by the Kinges auctorite and with my said lordes of the consail as oon of hem and by their advis and noon otherwise'. He concluded by swearing 'in wyse as my said lord of Bedford his brother had doon the day afore', though the account does not record him asking for the gospels, and it certainly does not indicate that he or anyone else in the room was moved to tears.⁸⁴

As fascinating and detailed as this episode may be, what does it actually say about John Kemp? It is true that, as chancellor, he was the natural spokesman for the minority council as they confronted the two dukes and attempted to consolidate their corporate authority. At the same time, however, Kemp's words to Bedford and Gloucester were singularly bold and unyielding in their demands, requiring a sturdy sense of principle and a great deal of courage. Bertie Wilkinson regarded Kemp's words as 'the most detailed and challenging exposition of the claims of the lords of the council'.⁸⁵ In light of the fact that either Bedford or Gloucester could easily have succeeded to the throne – not to mention the former's recent generous patronage – Kemp must have known that he trod a dangerous road in calling the two dukes to account. Yet this was no isolated event: unwavering support for conciliar authority is evident across his career, bearing the hallmark of the early strand of Lancastrian

⁸⁴ *Ibid.*, pp. 241–42.

⁸⁵ B. Wilkinson, *Constitutional History of England in the Fifteenth Century, 1399–1485* (London: Longmans, 1964), p. 229.

political ideology championed by men like archbishop Arundel, whose influence over Kemp we have already discussed in the previous chapter.⁸⁶

In the event, Bedford's regard (and continued support) for Kemp did not diminish, and even Gloucester seems not to have immediately held the incident against the new chancellor. This notable lack of resentment owed much to the example that he set on council. In November 1426, Kemp and his fellow councillors had crafted and put their signatures to a new set of conciliar regulations, which included stipulations that neither Bedford nor Gloucester (nor any other single councillor) could favour particular candidates for offices or benefices, that the council should meet at least once a week, and that all councillors possessed the right to speak their minds freely, without fear of 'indignacion displesaunce nor wrath'.⁸⁷ Kemp quickly showed his own willingness to acknowledge corporate authority by strictly adhering to the regulation forbidding the favouring of those seeking benefices. Although any royal benefice worth less than twenty marks were legally within his gift as chancellor, at a council meeting held on 25 January 1427 he pointedly announced that he chose to relinquish this prerogative and would not collate the cleric of his choice 'without the knowledge and consent of the lords of the council'.⁸⁸ No doubt his own willingness to set aside his rights in deference to the council lent credibility to his lectures to Bedford and Gloucester several days later.

When the duke of Bedford finally sailed back to France on 19 March 1427, Henry Beaufort travelled with him. This must have been viewed by all of the councillors as a necessary step in regaining a measure of political order and stability, though Bedford helped to mitigate the bishop's humiliation by procuring for him the

⁸⁶ See Chapter 1, pp. 45–49.

⁸⁷ *POPC*, III, pp. 213–15.

⁸⁸ *Ibid.*, p. 230: '*...non intendit eam conferre...sine sciencia et consensu dominorum de consil'*.

cardinal's hat that he had desired for so long. Bedford himself invested Beaufort with hat and cope on 25 March in Calais, and papal bulls declared that he could keep the see of Winchester despite being elevated to the cardinalate and that he now held legatine authority throughout central Europe as he designed and led a crusade against the Hussites.⁸⁹ As initially satisfying as these demonstrations of papal favour undoubtedly were for Beaufort, both were also to become millstones around his neck in the years to come.

Meanwhile, the minority council resumed its normal activities under the protectorate of Gloucester and the chancellorship of Kemp. Once again, we see proof that scholars are too hasty in labelling Kemp as a long-term friend of Beaufort and foe of the protector, for the two men clearly maintained a good working relationship for the next four and a half years. Immediately following Bedford's return to France, Kemp and Gloucester allied to form a conciliar majority that permitted the release of the unfortunate papal envoy Giovanni Obizzi.⁹⁰ Pope Martin V had given Obizzi the unenviable task of delivering the bulls that stripped Archbishop Chichele of his legatine authority in retribution for what the pope perceived to be the archbishop's reluctance to repeal the Statute of Provisors, to which the council had promptly responded by placing the envoy under arrest.⁹¹ While Kemp and Gloucester, along with the other prelates, agreed to Obizzi's release, Lords Cromwell, Tiptoft, and Hungerford – all friends and, generally, allies of the chancellor – opposed the decision. Clearly, relationships among the councillors, especially between the

⁸⁹ Harriss, *Cardinal Beaufort*, p. 174.

⁹⁰ *POPC*, III, p. 268.

⁹¹ *Ibid.*; Davies, 'Martin V and Episcopate', p. 339.

chancellor and protector, were not as straightforward as historians often make them seem.⁹²

Although we shall discuss this matter more fully in Chapter 6, it can be briefly stated that the English prelates and the royal councillors vocalised their support for the archbishop of Canterbury in the face of papal ire. The former group did so in July 1427, showing their unified defence of Chichele and declaring that, despite any false charges to the contrary, he was in fact '*devotissimus sanctitatis vestrae et ecclesiae Romanae filius*'.⁹³ The letter was sealed by Kemp as archbishop of York, William Gray, bishop of London, and Richard Flemming, bishop of Lincoln. When the next parliament opened in October, the Commons said that they had recently heard, to their 'grett hevynesse', that the archbishop 'schulde have be detecte and noysed ungoodly and unskilfully to oure holy fader the pope', requesting that the government, too, officially defend Archbishop Chichele against what they saw as undeserved papal accusations.⁹⁴

The councillors did their part, writing letters to Rome to assure the pope that they and the English episcopacy were all doing their utmost to repeal the Statute of Provisors.⁹⁵ Writing just after the end of parliament in March 1428 to Bernard de la Planche, his aforementioned friend and supporter who was now bishop of Dax, Kemp

⁹² Tout, 'Kemp, John', pp. 384–85; Millard, 'Afterlife of Gloucester', 65–68; Harriss, *Cardinal Beaufort*, pp. 120, 156–58. R.G. Davies is more circumspect in his *ODNB* article on Kemp, noting that, as of 1431–32, 'Kemp had no faction of his own' and that it was only after his resignation as chancellor in 1432 that Cardinal Beaufort became his 'closest colleague': R.G. Davies, 'Kemp [Kempe], John (1380/81–1454)', *ODNB*, XXXI, p. 174.

⁹³ *Concilia*, III, p. 476.

⁹⁴ *PROME*, X, p. 339.

⁹⁵ See John Stafford's letter to William Swan: BL, Cotton MS Cleopatra C IV, fols 168^r–169^r, as well as Kemp's letter to Bernard de la Planche, bishop of Dax, discussed below.

stated that the parliament had actually been convened primarily to resolve the problem of the statute and that Lords and Commons alike had acted with all due diligence in defending papal prerogative.⁹⁶ While this was clearly a gross exaggeration bordering on falsehood, he added an interesting note particularly commending Duke Humphrey's efforts: '*...qua in re devotissimus sui sanctitatis filius illustris et excellens princeps dominus dux Gloucestrie, eiusdem santitatis pro parte strennuissimum exhibere se curavit interventorem*'.⁹⁷ Again, any enthusiasm on the part of Gloucester for abolishing the Statute of Provisors is hardly believable, but the fact that Kemp voluntarily promoted the protector is yet another significant example that points to a friendly relationship between the two. Although Frank Millard, in his thesis on the duke of Gloucester, declared that 'Beaufort and Kempe made every effort to undermine Chichele's authority' when the archbishop fell from papal favour, Kemp's actions offer a clear and thorough repudiation of such claims.⁹⁸ At the moment, then, Kemp had found favour and common cause with both of the princes.

However, the parliament that met from October 1427 to March 1428 also witnessed another attempt by Duke Humphrey to expand his powers as protector, an event that foreshadowed the political strife that lay ahead of Kemp and the rest of the council. Despite his protestations to Kemp and his fellow councillors in January 1427, he clearly had no intention of meekly submitting to the authority of the 'lordes of the consail as oon of hem and by their advis and noon otherwise'.⁹⁹ Rather, his previous

⁹⁶ BL, Cotton MS Cleopatra C IV, fols 164r-164v.

⁹⁷ Ibid., fol. 164v. Archbishop Chichele, too, pointedly praised Gloucester's efforts in a letter to William Swan, claiming that the duke was chief among those who supported the revocation or modification of the statutes: Ibid., fol. 169v.

⁹⁸ Millard, 'Afterlife of Gloucester', p. 68.

⁹⁹ POPC, III, p. 242.

threat to rule as he wished once his brother had returned to France proved to be the sincerer sentiment.

During the second session of parliament, the duke of Gloucester demanded that his power and authority as protector and defender of the realm be clarified once more. He evidently hoped to receive greater authority from the Lords, emboldened by the absence of Bedford and Beaufort and perhaps also by the return of his ally, the earl of Salisbury. Salisbury shared Duke Humphrey's mistrust of the duke of Burgundy and may have been in favour of renewed attempts to relieve the plight of Jacqueline of Hainault.¹⁰⁰ If this is correct, Gloucester no longer seemed to have any great desire to intervene in the Low Countries, a fact that was subtly implied by a plea of the mayor and aldermen of London on Jacqueline's behalf. The point was made much more explicitly by a group of women who entered parliament to hand the protector a letter accusing him of letting his love 'grow cold' and allowing her to languish in 'servitude' to the duke of Burgundy while Gloucester openly indulged in an adulterous relationship to his own ruin and that of the realm and the institution of marriage at large.¹⁰¹

The disapprobation of London's female populace notwithstanding, the duke of Gloucester was far more concerned with consolidating and expanding his power in England, and he informed the Lords that he would absent himself from the current assembly until the matter had been decided. However, if he had hoped that his apparent victory over Beaufort in the previous parliament had set him on a trajectory to regnal glory, he was quickly disappointed. 'Each and every one of the lords spiritual and temporal then present there' replied to the duke's petition by reminding him that

¹⁰⁰ *PROME*, X, p. 320.

¹⁰¹ Amundesham's Chron., I, p. 20.

the prospect of a regency had been firmly denied by the parliament of 1422, having found his request contrary to English law and 'against the rights and freedom of the estates of the same realm'.¹⁰² Referencing his past promises to both parliament and council, perhaps invoking the memory of Kemp's stern speech the previous year, the Lords expressed their amazement that Gloucester would attempt to continue his bid for more power. Concluding in a distinctly exasperated tone, they informed him that, considering the arguments laid out 'and many others which would take too long to write down', they 'pray[ed], exhort[ed] and require[d]' him to be satisfied with their decision.¹⁰³

As Duke Humphrey largely based his claims on the will of Henry V, the Lords then went one step further to make a most remarkable statement of parliamentary sovereignty. They declared that the duke's notion of a regency was 'not based or grounded in precedent, nor in the law of the realm, which the deceased king did not have the power to alter, change or propose in his lifetime or by his will or otherwise without the assent of the three estates, nor to commit or grant the governance or rule of this realm to any person after his lifetime'.¹⁰⁴ Especially in light of the honour in which the memory of the late king was upheld,¹⁰⁵ this is a striking assertion of parliament's authority and, through it, that of the community of the realm as a whole.

There is no way of knowing the part that Kemp played in the composition of this response, though as chancellor and a leading member of the minority council, it would be curious if his voice was not heard. Certainly, the ideals expressed are entirely compatible with the principles that he consistently defended throughout his

¹⁰² *PROME*, X, pp. 347–48.

¹⁰³ *Ibid.*, pp. 348–49.

¹⁰⁴ *Ibid.*, p. 348.

¹⁰⁵ Harriss, *Cardinal Beaufort*, p. 118.

administrative career. It is interesting that, in the aforementioned letter to the bishop of Dax, written immediately following the end of the parliament, Kemp reported that the young king was developing admirably, 'so far that already he will have learned to perfection the matins and the hours of the Blessed Virgin, the seven penitential psalms, the first litanies, and he will have begun the psalter'. He had never seen so young a child with such marvellous comprehension and capacity to learn in all areas.¹⁰⁶ These observations mirror those made by the Lords in parliament when they declared to Gloucester that 'the king...has much advanced and grown in his person, and growing in intelligence and understanding, and it may please the grace of God for him to assume his own royal power within a few years'.¹⁰⁷

Regardless of authorship, it was not the chancellor who delivered Gloucester the stern reply to his petition but rather the archbishop of Canterbury.¹⁰⁸ Of course, this is not unusual in itself, as the pre-eminence of the primate's position and the relatively un-politicised nature of Chichele's reputation made him a suitable channel through which to direct the Lords' rebuke to Duke Humphrey.¹⁰⁹ However, it is still

¹⁰⁶ BL, Cotton MS Cleopatra C IV, fol. 164^v. The original letter reads: '*...quod Christianissimus princeps dominus noster rex mirum in modum proficit scientia etate et gratia, ut ita dicam apud deum et apud homines, eatenus ut iam did[i]cerit ad perfectum matutinas et horas beate virginis, vii psalmos, primales letamas et intraverit psalterium, nec usque in cuiusvis status aut conditionis persona apud nos visa fuerit in annis tam tenellis talis et tamta capacitas tam mirabilis tamque stupenda comprehensio, non in literis solum sed in aliis rebus quibuscumque*'.

¹⁰⁷ PROME, X, p. 349.

¹⁰⁸ Ibid., p. 347.

¹⁰⁹ Some historians have convincingly argued that Chichele can be seen as a supporter of Gloucester. His apparent devotion to the national interest, his service to Henry V, and even his pattern of dispensing patronage all fall in line with Duke Humphrey's actions and decisions,

significant that Chancellor Kemp – who was, after all, the forthright conciliar spokesman at the Bedford-Gloucester interviews in January 1427 – refrained from addressing the duke himself. Perhaps in light of the protector's relationship with the last chancellor, it was deemed expedient to relieve Kemp of the task. Of course, Gloucester knew that Kemp had signed the official answer that had effectively crushed his ambitions, but then so had every other secular and spiritual lord, including those friendly to the duke, such as the earl of Salisbury and Lord Scrope.¹¹⁰

Conciliar business thus continued as usual after parliament ended on 25 March, with a great deal of attention focused upon the war in France. After the Commons had granted the first subsidy of the reign, the earl of Salisbury led a large army across the Channel in July and prosecuted a successful campaign that led to the commencement of the siege of Orléans.¹¹¹ During the summer, Kemp diligently laboured to raise more funds for the war effort at the convocations of Canterbury and York, after which he also conducted a visitation of parts of his archdiocese until October.¹¹² When he returned to preside over the council's autumn session, business was again overshadowed by the war in France, this time regarding Salisbury's tragic death at the siege of Orléans on 3 November.¹¹³ The councillors were also faced with

and he certainly never seems to have lost the protector's goodwill. Perhaps the Lords thought that Gloucester would be less likely to balk at their decision if it came from an archbishop who was also typically his firm friend and ally. See Betcherman, 'Making of Bishops', pp. 407–10; Millard, 'Afterlife of Gloucester', pp. 67–69.

¹¹⁰ *PROME*, X, p. 349.

¹¹¹ *Ibid.*, pp. 330–31; Anne Curry, 'Montagu, Thomas [Thomas de Montacute], fourth earl of Salisbury (1388–1428)', *ODNB*, XXXVIII, pp. 768–69.

¹¹² *Reg. Chichele*, III, pp. 185–87, 208–10; *Reg. Kemp York*, fols 210^r–210^v.

¹¹³ Curry, 'Montagu, Thomas', p. 769.

the return of Cardinal Beaufort, who arrived in London on 1 September, and papal expectations of support for the cardinal's proposed crusade against the Bohemian heretics.¹¹⁴

Kemp and his conciliar colleagues Tiptoft, Cromwell, and Hungerford – all supposed allies of Beaufort – seemed at first to avoid committing to the cardinal's endeavour. As Gerald Harriss posited, this may well have been due to their hostility towards the pope over his treatment of Chichele or to some form of opposition from Duke Humphrey.¹¹⁵ Regardless, during his first meeting with the council, he was informed that he could only claim the dignity of cardinal while in England, as he had not obtained permission to enter the realm as a papal legate. Beaufort asserted that he came only as a cardinal with the goal of raising support for his crusade.¹¹⁶ The cardinal's reception seems to have been wary at best, though he quickly reassured the council of his good intentions. In two almost identical newsletters sent on 9 December to Bishop Gray of London and Lord Scrope of Masham, who were currently on a diplomatic mission to the papal court, Kemp reported that Beaufort had conducted himself 'honourably and respectfully...graciously, benevolently, [and] agreeably' when presenting his papal commission to the Canterbury convocation, suggesting a sense of relief that Beaufort's elevation to the cardinalate had not led him to exert any presumptuous form of authority within the English Church and that his return had not aroused any animosity.¹¹⁷ The tone of Kemp's letters certainly does not indicate

¹¹⁴ Harriss, *Cardinal Beaufort*, p. 177.

¹¹⁵ *Ibid.*, pp. 177–78.

¹¹⁶ *Ibid.*, p. 179.

¹¹⁷ BL, Cotton MS Cleopatra C IV, fol. 158^r. Surprisingly, even the Londoners appear to have greeted Cardinal Beaufort enthusiastically upon his return: Amundesham's Chron., I, p. 26; Gregory's Chron., p. 162.

that any close attachment yet existed between him and Beaufort, and it hints at Kemp's own resistance (however tactful and sometimes covert it may have been) to papal intrusion into English ecclesiastical affairs, as we shall examine in further detail in Chapter 5.

As it happened, the newsletter was Kemp's last piece of cordial correspondence to Lord Scrope. Though he had referred to Scrope as his '*amico carissimo*', he penned another letter shortly thereafter to William Swan in which he furiously denounced Scrope as a false friend and a bitter enemy.¹¹⁸ Though the letter appears in Swan's letter-book undated, its contents place it sometime after Kemp's amicable letter to Scrope on 9 December and before the latter's return to England in early February 1429. In the letter, Kemp lamented the fact that while Scrope had ever appeared to be his '*amicum fidum*', he was, in fact, an insidious foe who, as he had recently discovered, was busy slandering him before the papal curia.¹¹⁹ Kemp asked Swan to investigate further and to defend his honour if necessary. He offered three possible reasons for Scrope's treachery: an unpaid debt that Kemp had asked him to repay, Kemp's repeated refusal to promote the clerical career of his brother, William Scrope, and a decision that Kemp had made as chancellor that blamed Lord Scrope for a serious riot that had broken out against Blyth Priory in Nottinghamshire.¹²⁰ While we must take Kemp's word that any of the stated causes could have been the catalyst for Scrope's animosity, it is also important to note that the council had sent him and Bishop Gray to the curia with the delicate task of protesting the loyalty of Archbishop Chichele and the rest of the English Church while also delivering the decision of parliament to uphold the Statute of Provisors. As we have seen, English prelates,

¹¹⁸ BL, Cotton MS Cleopatra C IV, fol. 158r.

¹¹⁹ Ibid., fol. 173r.

¹²⁰ Ibid., fol. 173v.

Kemp included, had led Pope Martin to believe that the Statutes' repeal was imminent, and if Scrope already had reason to quarrel with the chancellor, it would have made him even more inclined to try to direct the pope's ire onto him instead of the hapless envoys themselves.¹²¹

Although there is no further documentation pertaining to this acrimonious episode, Scrope's enmity would have future consequences as Kemp's relationship with Duke Humphrey deteriorated. As we have seen, the chancellor and protector had apparently enjoyed a respectful, even friendly, relationship since Kemp replaced Beaufort as chief officer of state in 1426 despite clear political differences between the two. However, Humphrey's indefatigable efforts to ruin Cardinal Beaufort began once again to take their toll upon conciliar harmony, and it is surely no coincidence that his rapport with Kemp began to visibly sour at the same time.

Gloucester chose to renew his attack upon Beaufort during a time of developing crisis and uncertainty. The war in France started to turn against the English, and with the Burgundian alliance already showing cracks, Bedford urgently requested funds and soldiers. The royal council thus infamously commandeered Beaufort's crusading army purposed for Bohemia and transformed it instead into a relief force sent to aid the French war effort.¹²² While this may have shown the cardinal's loyalty to the needs of the Lancastrian Crown over those of Rome, it also widened the rift between England and Pope Martin V, who responded by showing more favour towards Charles VII of France.¹²³ Problems for the English were also heightened by the dramatic appearance of Jeanne d'Arc in the spring of 1429 and the subsequent surge in French fortunes, and especially by Charles VII's attempt (in which

¹²¹ *Ibid.*, fols 164^r-164^v; see above, pp. 95-97.

¹²² Harriss, *Cardinal Beaufort*, pp. 184-90.

¹²³ *Ibid.*, p. 188.

he succeeded several months later) to be crowned in Rheims.¹²⁴ This, along with the uncertainty of Burgundy's allegiance, led Bedford to petition the council to allow the young Henry VI to be crowned king of England and, most importantly, of France as soon as possible.¹²⁵

Kemp and the council were thus faced with a number of serious decisions that would affect the political and military stability of the dual monarchy; the last thing they needed was another disruptive quarrel between Gloucester and Beaufort. While Kemp's letters to Gray and Scrope evinced relief at the cardinal's gracious, inoffensive conduct upon his return, it was not long before Beaufort's pride and Gloucester's enmity necessitated conciliar intervention. In April 1429, a meeting of the lords in a great council discussed, among other matters such as the prospect of an imminent coronation, the legality of Cardinal Beaufort's retention of the see of Winchester.¹²⁶ The issue had been brought to the fore by the upcoming St. George's Day ceremony at Windsor, over which the bishop of Winchester customarily presided. The lords agreed that Beaufort's papal grant to hold his cardinalate and his bishopric *in commendam* was unprecedented, but they avoided raising the spectre of *praemunire* by declaring the matter to be 'ambiguous and undecided'.¹²⁷

To keep the peace, and perhaps in the rather feeble hope that the debate would subsequently fade away, they simply asked the cardinal to absent himself from the Garter ceremony. Beaufort, however, did not take the implied slight to his episcopal prerogative quietly, demanding a personal audience with the king. In response, the

¹²⁴ Griffiths, *Henry VI*, pp. 188–90.

¹²⁵ *POPC*, III, pp. 322–23; Stratford, 'John, duke of Bedford', p. 187; Harriss, *Cardinal Beaufort*, pp. 191–92; Griffiths, *Henry VI*, pp. 189–90.

¹²⁶ *POPC*, III, pp. 323–24.

¹²⁷ *Ibid.*, p. 323.

council answered him more sharply, declaring that while the root issue remained unresolved, they 'neither willed nor dared to prejudice the king's estate during his minority' and that they remained firm in their decision that the cardinal should refrain from attending the ceremony.¹²⁸

Even at this point, there is no evidence to support a claim that Kemp was a friend or ally of Cardinal Beaufort. Rather, his acquiescence, along with the entire council, to the lords' decision that Beaufort absent himself from the Garter ceremony shows his continued commitment to unity and, above all, the preservation of the young king's royal estate through strict custodianship exercised by conciliar authority.¹²⁹ Likewise, there is not yet any evidence that his relations with Duke Humphrey were anything but cordial. Nonetheless, impending events such as Henry VI's coronation provoked Gloucester's ever-simmering discontent, allowing us to see the first signs of strain upon the relationship between chief councillor and chancellor. These points of tension quickly developed into open animosity, culminating in Kemp's utter exasperation and his resignation as chancellor in February 1432.

¹²⁸ *Ibid.*, pp. 323–24; Harriss, *Cardinal Beaufort*, pp. 182–83.

¹²⁹ This being said, it bears noting that a document exists among the council's records that could perhaps point to Kemp's future ties to the Beauforts. Sometime between February 1428 and early 1429, John Beaufort, earl of Somerset, sent the chancellor, his 'ryght trusty frend', a letter handwritten 'in gret haste' (a fact made clear by the rather untidy penmanship). In it, Somerset thanks Kemp for his personal exertions in obtaining the earl's release from French captivity, warmly acknowledging that 'ye have...laboured in your owne person for my deleveraunce as I hafe wel hondyrstond'. This alone does not make a strong case for any sort of alliance between Archbishop Kemp and Cardinal Beaufort at that time, but it does at least provide evidence that the chancellor was not at all hostile to the Beauforts and was perhaps amenable to closer ties in future. The letter is the penultimate record in TNA, E 28/49.

Gloucester had reason to feel discontented. Despite the great council's decision regarding Beaufort's participation in the Garter ceremony and the pending question of his retention of Winchester, the cardinal quickly began to reassert his authority in the realm. This was largely due to recent military setbacks in France, which once again made Beaufort's vast monetary resources indispensable to the Crown and to the duke of Bedford as regent.¹³⁰ After his return to England, Beaufort also strove to restore his influence on council (though he did not yet claim a seat for himself) and in control of patronage, which Gloucester saw as a direct challenge to his own authority.¹³¹

Even worse, the prospect of a coronation threatened the very basis of the duke's power in government. As we have already seen, a great council assembled in April 1429 to discuss Bedford's urgent request that Henry VI be crowned as dual monarch of England and France, a desperate attempt to turn back the tide of French resurgence and bolster the wavering loyalty of Continental allies. The two coronations were agreed, and King Henry was duly crowned in Westminster Abbey on 6 November 1429, officially ending the minority government and stripping Duke Humphrey of his status as protector of the realm.¹³² Soon afterwards, parliament acknowledged that the king's official assumption of royal authority 'annulled' the governing arrangements made in 1422 and that Gloucester (as ever, in the absence of his elder brother) could henceforth claim only the title of 'principle councillor'.¹³³

Before proroguing for Christmas, parliament also reinstated Cardinal Beaufort as one of the royal councillors, though this decision was tempered by acknowledgement of Beaufort's potential conflicts of interest in holding the see of

¹³⁰ Harriss, *Cardinal Beaufort*, pp. 183–84, 191–93; Griffiths, *Henry VI*, pp. 94–98.

¹³¹ Harriss, *Cardinal Beaufort*, pp. 183–84.

¹³² Griffiths, *Henry VI*, pp. 189–90; Harriss, *Cardinal Beaufort*, p. 192.

¹³³ *PROME*, X, pp. 379–80.

Winchester and his cardinalate *in commendam*. Significantly, he was prohibited from taking part in decisions involving England's relations with the papacy.¹³⁴ Nevertheless, these restrictions probably did little to appease Duke Humphrey as he faced sharing the council table with his arch-rival once again.

To make matters worse, contemporary accounts all portray Cardinal Beaufort as central to the coronation itself. In procession, only the cardinal was permitted to precede Chancellor Kemp, and he also took a leading role alongside Archbishop Chichele in presiding over the mass, Beaufort himself placing the crown upon his young nephew's head.¹³⁵ At the coronation banquet, Cardinal Beaufort alone sat at the king's right hand, while Kemp and an unnamed French bishop sat on the king's left; Gregory's Chronicle, which offers a detailed account of the whole event, noted the fact that there were 'noo moo at that tabylle'.¹³⁶ Such a spectacle could hardly have improved Duke Humphrey's mood.

Gloucester's general dissatisfaction did not take long to manifest itself on council. On 3 December, he staunchly opposed the election of Marmaduke Lumley to the see of Carlisle. A graduate of Cambridge, Lumley had also recently served as chancellor of the university and remained master of Trinity Hall, but these credentials were overshadowed (at least for Gloucester) by the fact that he was nephew to Ralph Neville, earl of Westmoreland, and a supporter of Cardinal Beaufort.¹³⁷ In a telling

¹³⁴ Ibid., pp. 382–83.

¹³⁵ Gregory's Chron., pp. 167–68; Amundesham's Chron., I, p. 44; Griffiths, *Henry VI*, p. 190.

¹³⁶ Gregory's Chron., p. 168.

¹³⁷ Margaret Lucille Kekewich, 'Lumley, Marmaduke (c. 1390–1450)', *ODNB*, XXXIV, pp. 754–55; Harriss, *Cardinal Beaufort*, pp. 192–93. Harriss further explores Lumley's political career in 'Marmaduke Lumley and the Exchequer Crisis of 1446–9', in *Aspects of Late Medieval Government and Society*, ed. by J.G. Rowe (Toronto: University of Toronto Press, 1986), pp. 143–78.

display of Duke Humphrey's loss of influence, the entire council – Kemp included – overruled him to approve Lumley's election, with only Lord Scrope, the chancellor's erstwhile friend, joining Gloucester in opposition.¹³⁸ Lines of division had begun to form.

Several days later, the principal councillor made his displeasure known by refusing to endorse any conciliar decisions, generally absenting himself for the remainder of the month.¹³⁹ Perhaps it is not coincidental that the first petition to meet with Gloucester's refusal was a request from chancery for more funds to pay for the chancellor's robes amidst rising cloth prices.¹⁴⁰ Parliament's decision to reinstate Beaufort as a councillor on 18 December could hardly have induced Duke Humphrey to overcome his discontentment. No doubt in an attempt to prevent any further disintegration of conciliar unity, the last action of the council before dispersing for Christmas was the grant of a generous rise in salary for the principle councillor, even higher for the period during which the king would be abroad for his French coronation.¹⁴¹ In addition, Cardinal Beaufort was convinced to accompany the king overseas, a deeply satisfying prospect for Gloucester as he set out to reassert his influence and discredit his absent foe.¹⁴²

¹³⁸ *POPC*, IV, p. 8.

¹³⁹ On 6 December, the conciliar attendance record lists all those present, ending by noting that 'the lord Gloucester refuses to subscribe in general', and he is henceforth conspicuously absent from all of the signature lists and attendance records between 6 December and 5 January: TNA, E 28/51; *POPC*, IV, pp. 9–12.

¹⁴⁰ TNA, E 28/51.

¹⁴¹ *POPC*, IV, p. 12.

¹⁴² *Ibid.*, pp. 35–38; Harriss, *Cardinal Beaufort*, pp. 200–201; Griffiths, *Henry VI*, p. 39.

The rising tensions and lack of trust among the councillors are evident in stipulations made before the departure of the coronation expedition on St. George's Day 1430. Though conciliar records indicate that Beaufort only joined the expedition at the 'besy prayer and instance of my lord of Gloucester and the remenant of the lordes of the Kynges consail', the cardinal's main concern was clearly the vulnerability of his position in England during what might, and indeed proved to be, a lengthy absence.¹⁴³ At a council meeting held in Canterbury several days before he left for France, Beaufort set out a number of conditions that reveal not only his own fears but also those of his fellow councillors. The first issue to be addressed highlights the overriding concern for unity, prohibiting the violent pursuance of personal disputes:

Also it was accorded and assured there, that for no manere querel that is or may be bitwix lord and lord or partie and partie no bendes to be taken ne riottes ne gaderyng of poeple maad, but that if it happe...that eny dissencion or debate falle bitwix lord and lord the remenant of the lordes...shul...laboure and entende to the redresse and appesyng of the seid dissencion or debate and that withoute holdyng of parcialtee or more favour shewyng to oon partie than other, to stonde hool unit and knyght to gidres and the seid lordes bitwix whom peraventur suche division shal falle to be assured to stonde in high and lowe to the redresse and rule of the remenant of the lordes.¹⁴⁴

Emphasising the need for such an ordinance, several lords who had recently been in dispute with one another — including the duke of Norfolk and the earls of

¹⁴³ *POPC*, IV, p. 35; Harriss, *Cardinal Beaufort*, pp. 200-201.

¹⁴⁴ *POPC*, IV, p. 36.

Huntingdon and Warwick, among others – swore ‘forthwith’ that they would allow the royal council alone to decide any future quarrels.¹⁴⁵ In addition, no councillor could be removed or changed and no great officer of state appointed without the corporate approval of the councillors who remained in England and those who would travel with the king. Likewise, appointments to bishoprics and other benefices required the majority assent of the entire council on both sides of the Channel.¹⁴⁶ As would be expected, Gloucester once more took up the mantle of ‘keeper of the realm of England and king’s lieutenant there’ in the monarch’s absence, though his authority as such was carefully and explicitly circumscribed, requiring him to act in accordance with parliament and the royal council.¹⁴⁷ Beaufort had done his best to ensure the safety of his position while abroad.

In the months that followed the departure of the coronation expedition, the council appears to have functioned smoothly and harmoniously. As we have seen, Kemp had hitherto maintained a cordial working relationship with Duke Humphrey, with the possible exception of Gloucester’s ire over the rest of the council’s decision to nominate Marmaduke Lumley to the see of Carlisle. During a trip to Yorkshire in July, Chancellor Kemp also strove to keep the peace in the North, where the feuding branches of the Neville family submitted to his authority, giving sureties for the peace and promising to present their dispute to the council for judgement, as the Canterbury conciliar ordinances had stipulated.¹⁴⁸ Kemp also collected recognisances from certain

¹⁴⁵ *Ibid.*, pp. 36–37.

¹⁴⁶ *Ibid.*, pp. 37–38.

¹⁴⁷ *Ibid.*, pp. 40–42; *CPR* (1429–36), p. 53.

¹⁴⁸ *CCR* (1429–35), pp. 57, 67; Anthony Tuck, ‘Beaufort, Joan, countess of Westmorland (1379?–1440)’, *ODNB*, IV, p. 636; A.J. Pollard, ‘Neville, Ralph, second earl of Westmorland (b. in or before 1407, d. 1484)’, *ODNB*, LX, p. 521.

Yorkshiremen ensuring that they would henceforth do no further damage to archiepiscopal servants or property.¹⁴⁹

When the councillors reconvened in the autumn, governmental business continued apace, apparently without discord, ensuring peace on the northern marches with an agreement reached to extend the Anglo-Scottish truce until May 1436.¹⁵⁰ In October, the council deemed it necessary to call another parliament. In Canterbury on 21 April, just before the coronation party had departed for France, the king had officially appointed the duke of Gloucester '*custos regni*' in his absence, with full authority to 'summon and convene' parliament.¹⁵¹ However, the Canterbury council had also required that Duke Humphrey act strictly in accordance with the advice of the rest of the royal council and that matters of great importance be submitted to the consideration of the councillors accompanying the king in France, as well.

Thus, when a great council met on 6 October at Westminster to discuss the convening of parliament, they deemed the decision to be of too much importance to simply allow the *custos regni* to summon the estates of the realm. Instead, they stated their wish to hold a parliament and then submitted the decision to the agreement of the king and the rest of the councillors in France.¹⁵² It was only after the royal council in London received the official assent from across the Channel on 27 November that

¹⁴⁹ TNA, C 244/3; C 85/186/10; CCR (1429–35), p. 68.

¹⁵⁰ The full treaty is printed in Rymer's *Foedera*, which also notes (in the preceding commission) that the council once again relied upon the diplomatic capabilities of John, Lord Scrope of Masham, Kemp's erstwhile friend: *Foedera*, IV, iv, pp. 169–171; Griffiths, *Henry VI*, pp. 159–60; Harriss, *Cardinal Beaufort*, p. 181.

¹⁵¹ *POPC*, IV, pp. 40–41.

¹⁵² *POPC*, IV, pp. 67–68.

Chancellor Kemp finally set his seal to the parliamentary summonses.¹⁵³ Considering similar situations in the recent past, one finds it difficult to believe that Duke Humphrey was happy with such limitations placed upon his authority, especially as Cardinal Beaufort arrived shortly thereafter with further communications from the Continent and remained in England for the next four months.¹⁵⁴

Perhaps the strain of his position was beginning to take its toll on the fifty-year-old chancellor, for the parliament roll records that Kemp 'was prevented by such and so great infirmity that he was unable then to attend to the...declaration and pronouncement' that traditionally opened parliament.¹⁵⁵ Instead, the eminent ecclesiastical lawyer William Lyndwood (soon to be keeper of the privy seal) delivered the usual address in his place on 12 January.¹⁵⁶ Kemp does not appear on the parliamentary record until the end of the month, when the council received parliamentary approval of Simon Syndenham's episcopal appointment.¹⁵⁷

Aside from the daily burden of acting as the chief officer of state, there was ample cause for strain upon the chancellor. The military situation in France had yet to improve; Rheims remained in French hands, and even a journey to Paris was deemed

¹⁵³ *CCR* (1429–35), pp. 99–101. For further discussion on the summoning of the parliament of January 1431, see *PROME*, X, p. 436.

¹⁵⁴ For example, conciliar records show that Cardinal Beaufort carried with him the assent of the councillors in France to the nomination of Simon Syndenham to the see of Cirencester: *POPC*, IV, p. 76.

¹⁵⁵ *PROME*, X, p. 444.

¹⁵⁶ *Ibid.* For the career of William Lyndwood, see R.H. Helmholz, 'Lyndwood, William (c. 1375–1446)', *ODNB*, XXXIV, pp. 892–94.

¹⁵⁷ *POPC*, IV, p. 76.

too dangerous, forcing the royal party to reside in Rouen for over a year.¹⁵⁸ The cost of the coronation expedition was rising correspondingly, and it was probably only after Cardinal Beaufort had lent a substantial sum to the exchequer (£2,815) that parliament made another generous grant of taxation to fund the venture, as well as a large body of reinforcements led mostly by Beaufort relations.¹⁵⁹ Perhaps most significantly, parliament for the first time authorised peace negotiations to commence between the English and the 'Dauphin', the recently crowned Charles VII of France, revealing an emerging sense of weariness with the French war effort.¹⁶⁰ The financial strain upon the government was such that Kemp joined Beaufort in loaning the Crown nearly £650 between October 1430 and March 1431.¹⁶¹

By the time that Cardinal Beaufort set sail for Calais once again on 2 May, he had made his indispensability to effective royal governance abundantly clear. His personal loans sustained the coronation expedition and the French war effort, his influence had the ability to sway the parliamentary Commons, and his numerous relations spearheaded the deployment of crucial reinforcements to France.¹⁶² This could not possibly have been lost on Gloucester, who, in Harriss's words, 'was glad to

¹⁵⁸ Griffiths, *Henry VI*, pp. 190–91; *PROME*, X, p. 437.

¹⁵⁹ The leaders of the reinforcement included Edmund and Thomas Beaufort and Richard Neville, earl of Salisbury, all nephews of Cardinal Beaufort: Harriss, *Cardinal Beaufort*, pp. 202–04; *PROME*, X, pp. 442–43, 447–51.

¹⁶⁰ *PROME*, X, pp. 439, 453; Harriss, *Cardinal Beaufort*, p. 207.

¹⁶¹ TNA, E 401/725; E 401/725; E 403/697, m. 1, 20.

¹⁶² Harriss, *Cardinal Beaufort*, p. 204–06. Michael Jones completed a detailed analysis of the Beaufort family's role in the Hundred Years' War in his doctoral thesis: 'The Beaufort Family and the War in France, 1421–1450' (unpublished doctoral thesis, University of Bristol, 1982), especially pp. 62–86, which cover the years 1427–31.

see his rival go and determined that he should not return'.¹⁶³ While there is no evidence of any explicit ill will between the two men during the cardinal's sojourn in England, Beaufort clearly remained distrustful of his nephew, and, as it turned out, with good reason. On 1 May, the day before Beaufort departed for France, the council met in Canterbury and read aloud the articles that had been enforced just over a year earlier, and all of those present – including Kemp, Beaufort, and Lords Tiptoft, Cromwell, and Hungerford – officially reaffirmed them.¹⁶⁴ The duke of Gloucester, however, was apparently not present and did not re-subscribe to the articles, foreshadowing the stormier political seas that lay ahead of the council. At the same time, Cromwell and Tiptoft sailed back to France along with Cardinal Beaufort, depriving Kemp of two of his closest allies as he strove to maintain a unified council in the face of an increasingly hostile Duke Humphrey.¹⁶⁵

In light of the good relations that Kemp had managed to maintain with Gloucester throughout the first five years of his chancellorship, the sudden severing of that working relationship deserves some attention. Unlike Kemp's falling out with Lord Scrope some two years earlier, for which Kemp himself offered several possible explanations, there is only one discernible cause for the bitterness that so quickly developed between chancellor and *custos regni*: Gloucester's obdurate determination to ruin Cardinal Beaufort. Obviously, developments are rarely sudden in truth, and Kemp's increasing attachment to men already within Beaufort's circle may well attest to a growing estrangement with Duke Humphrey. By the summer of 1431, Kemp was a feoffee for Lords Cromwell and Tiptoft, as well as Richard Neville, earl of Salisbury,

¹⁶³ Harriss, *Cardinal Beaufort*, p. 208.

¹⁶⁴ *POPC*, IV, pp. 38–39.

¹⁶⁵ Harriss, *Cardinal Beaufort*, pp. 207–08; Reeves, 'Cromwell, Ralph', pp. 353–54; Linda Clark, 'Tiptoft, John, first Baron Tiptoft (c. 1378–1443)', *ODNB*, LIV, p. 833.

Beaufort's nephew, and John Mowbray, duke of Norfolk, who was married to Beaufort's niece.¹⁶⁶

The illness that had prevented Kemp from opening parliament in January was the first manifestation of a recurring condition that generally appears to have been precipitated throughout his life by periods of great stress. He did not make his usual visit to his northern diocese during the council's summer break, remaining instead in Wye for an extended period, which Nigota cautiously attributed to continuing poor health.¹⁶⁷ In the meantime, Duke Humphrey had responded swiftly and decisively to the widespread Lollard rising in May, earning him the praise of the orthodox faithful and a substantial life annuity – 6,000 marks during the remainder of his tenure as *custos regni* and no less than 5,000 marks thereafter, a remarkable sum considering that the council had originally granted him 4,000 marks per annum as lieutenant of the realm in December and only 2,000 marks when he was simply acting as chief councillor.¹⁶⁸ Gloucester's grateful colleagues on the royal council also granted him a total of 600 marks in recompense for his exertions.¹⁶⁹ While these grants were ostensibly made in gratitude for the duke's service to the crown and the stability of the kingdom, the annuity of 5,000 marks was also granted 'to better maintain his estate and retinue for the defence of the church, the Catholic faith and the king's true subjects'.¹⁷⁰ One must question, as Ralph Griffiths did, whether or not Gloucester

¹⁶⁶ CPR (1429–36), pp. 122–23, 147; BL, Add Ch 18538; Reg. Chichele, II, p. 474.

¹⁶⁷ TNA, C 61/124; C 244/4; C 76/113, m. 4; Nigota, 'John Kempe', p. 253.

¹⁶⁸ According to the patent rolls, this grant was made on 28 November during a meeting of the great council, an occasion discussed in more detail below: CPR (1429–36), pp. 184–85; Griffiths, *Henry VI*, pp. 139–40; Harriss, 'Humphrey, duke of Gloucester', p. 789; POPC, IV, p. 12.

¹⁶⁹ POPC, IV, pp. 88–89, 91.

¹⁷⁰ CPR (1429–36), p. 185.

merely took this opportunity to bolster his power and influence as he prepared his next major assault upon Cardinal Beaufort.¹⁷¹

Despite his stint of popularity following the Lollard rising, Duke Humphrey had not managed to significantly expand his political influence during his lieutenancy; the cautionary measures enacted by the council at the behest of Cardinal Beaufort before his departure in April 1429 had effectively restricted the authority of the *custos regni*.¹⁷² On 6 November 1431, Gloucester launched his legal attack against the cardinal at a meeting of the great council. There, royal attorneys and sergeants at law formally questioned whether or not Beaufort should have resigned the see of Winchester from the moment that he became a cardinal (thus potentially owing five years' worth of episcopal revenue in back payment). They also inquired if he had sought and received papal exemption from the authority of the archbishop of Canterbury, which flew directly in the face of the Statute of Praemunire.¹⁷³

¹⁷¹ Griffiths, *Henry VI*, p. 140.

¹⁷²Ibid., pp. 94–98; Harriss, 'Humphrey, duke of Gloucester', p. 789.

¹⁷³ *POPC*, IV, p. 100. W.T. Waugh provides a useful annotated quote of the statute: "If any one obtains or sues...in the court of Rome or elsewhere any such translations, processes, and sentences of excommunication, bulls, instruments or anything else whatsoever which touches the king our lord against him, his crown and regality, or his realm, as is aforesaid, and those who bring them into the realm or receive them, or make notification or other execution of them within the realm or without, they", with all their aiders and abettors, "shall be put out of the protection of our said lord the king, and their lands and tenements, goods and chattels shall be forfeited to the king our lord", and they shall be arrested and brought before the king and his council to answer there, or process shall be made against them by *praemunire facias* in the manner ordained in other statutes of provisors and others who sue in other courts in derogation of the rights of the king': W.T. Waugh, 'The Great Statute of Praemunire', *EHR*, 37 (1922), 173–205 (pp. 174–75). For further discussion of the statute and its impact, see Chapter 6, pp. 303–07

In the end, Thomas Polton, bishop of Worcester, admitted that Beaufort had indeed obtained such a bull when Martin V had attempted to bestow a cardinal's hat upon him in December 1417, a fact that he had learned from one of his colleagues during his time in the curia.¹⁷⁴ The conciliar record suggests that Gloucester extracted this information from an unwilling Polton, confirming the duke's role as the driving force behind the proceedings.¹⁷⁵ Kemp and his fellow prelates (twelve of whom were present), especially those with ties to the cardinal, must have been reluctant to prosecute one of their own *in absentia*, yet as royal councillors they were also charged with protecting the rights and prerogatives of the young king. In the end, Kemp and the rest of the great council agreed that legal authorities and records could be consulted in Beaufort's absence; however, they did ensure that, in deference his status as a prince of the half blood and his lifetime service to the Crown, no charges would be made until his return. Only Bishop Lumley dissented entirely, arguing that nothing at all should be done until the cardinal returned to England.¹⁷⁶

As we have seen, the records do not show Kemp to have hitherto possessed close ties with Cardinal Beaufort, and this occasion could easily appear as an example of the chancellor caving in to political pressure and turning his back upon a fellow prelate. However, to jump to such a conclusion would be unfair at the very least, if not outright untrue. Simultaneously a royal councillor, chancellor, and archbishop, Kemp walked a fine line between various – sometimes opposing – obligations on each side. Judging from the intense hostility that Gloucester henceforth bore towards him and

¹⁷⁴ POPC, IV, p. 100; Harriss, *Cardinal Beaufort*, p. 94.

¹⁷⁵ POPC, IV, p. 100: '*...ac postea petit' erat ab Episcopo Wygorn' per dominum Gloucester in fide et ligeancia quibus tenet Regi de dicendo veritate et scire suum an dictus Cardinalis acquisivit in curia exemptionem pro se civitate et diocese suis a jurisdictione Archiepiscopi Cantuariensis an non...*'

¹⁷⁶ *Ibid.*, pp. 100–101.

Kemp's subsequent attachment to Beaufort, it appears almost certain that it was the chancellor's influence that ensured any sort of restraint in the prosecution of the cardinal. In addition, the contents of a letter that Kemp wrote to William Swan in December strongly suggest that he had resisted the *custos regni* as far as he was able.¹⁷⁷

Gloucester probably knew that he could rely upon the support of the duke of Norfolk, the earl of Huntingdon, and, of course, Lord Scrope; Harriss posited that Duke Humphrey may have even thought that he might receive some clerical support from prelates like Chichele who resented Beaufort's curial ambitions.¹⁷⁸ Even the duke of Bedford, usually the cardinal's staunch ally, had recently fallen out with Beaufort over the latter's insistence that he relinquish his authority as regent after Henry VI's French coronation. Although Bedford received a royal commission to continue to govern France in the king's absence, his loss of status as regent was made clear, and he resented it as much as Gloucester had resented the increased limitation of his authority in England.¹⁷⁹ Beaufort's enemies on council and his estrangement from Bedford thus left him in a very vulnerable position.

Kemp and Gloucester quickly came into further conflict over the chief councillor's salary. On 28 November, Lord Scrope proposed to the great council that Duke Humphrey receive 6,000 marks for the remainder of his tenure as *custos regni*

¹⁷⁷ BL, Cotton MS Cleopatra C IV, fols 140^v-142^r.

¹⁷⁸ Harriss, *Cardinal Beaufort*, p. 214. Huntingdon (later to reclaim his family's lapsed title of duke of Exeter) quickly aligned himself with Gloucester after joining the council in 1426, and Norfolk played a leading role in Gloucester's Hainault campaign, subsequently forming a 'longstanding friendship' with Duke Humphrey: R.A. Griffiths, 'Holland [Holand], John, first duke of Exeter (1395-1447)', *ODNB*, XXVII, p. 677; Rowena E. Archer, 'Mowbray, John, second duke of Norfolk (1392-1432)', *ODNB*, XXXIX, p. 580.

¹⁷⁹ Harriss, *Cardinal Beaufort*, pp. 208-09; Stratford, 'John, duke of Bedford', p. 187.

and 5,000 marks as chief councillor after the king's return; his former salary had been set at 4,000 marks as lieutenant of the realm and 2,000 marks as chief councillor.¹⁸⁰ As we have already seen, the rationale given for such a significant raise was in gratitude for Gloucester's exertions against the Lollards earlier in the year, and the large sum was apparently intended to help the chief councillor to better defend the English Church and the realm at large.¹⁸¹

Whatever the reasons may or may not have been for Scrope's proposal, the treasurer, Lord Hungerford, knew well that royal finances were already under considerable strain and could hardly accommodate such an increase. He made a counter proposal that Duke Humphrey be granted the 6,000 marks until the king's return but then return to his chief councillor's salary agreed upon in 1429. Kemp, Lumley, and Barons Harington, de la Warr, Botreaux, and Lovell all sided with the treasurer but were overruled by the rest of the council.¹⁸² Hungerford and his four baronial allies eventually gave in, and finally Kemp and Lumley reluctantly bowed to the inevitable.¹⁸³ During the same day, Gloucester also convinced the council to order

¹⁸⁰ *CPR* (1429–36), pp. 184–85; *POPC*, IV, p. 12.

¹⁸¹ *CPR* (1429–36), p. 185.

¹⁸² *POPC*, IV, p. 104. The four barons were not members of the regular royal council, but at least two of them had pre-existing ties to the treasurer – Lord Botreaux's daughter was married to Hungerford's eldest son, and the de la Warrs were later to be united in marriage to the Hungerfords, as well: Michael Hicks, 'Hungerford, Robert, second Baron Hungerford (c. 1400–1459)', *ODNB*, XXVIII, pp. 822–23; George E. Cokayne, *The Complete Peerage of England, Scotland, Ireland, Great Britain, and the United Kingdom*, 8 vols (London: George Bell and Sons, 1887–98), III (1890), p. 47.

¹⁸³ The record ends by noting '*...cui eciam opinioni consenserunt postea Canc' et Karliolen'*: *POPC*, IV, p. 104.

the sealing of writs of *praemunire facias* against Cardinal Beaufort, although Kemp and his allies managed to prevent the issue of the writs until Henry VI returned to England.¹⁸⁴

By 30 November, Kemp had once again fallen too ill to attend council meetings, convalescing at Fulham.¹⁸⁵ On 12 December, he penned a letter to William Swan that laid bare his frustrations.¹⁸⁶ Though it is laced with rhetorical flourish, the letter is of great interest in that it also affords us a glimpse of the man behind the records – Kemp not as a statesman or archbishop but simply as a man at his wit’s end. He begins his letter with an excerpt from the works of Seneca, claiming that he, like the Roman statesman, preferred to offend other men by upholding the truth on behalf of king and commonweal than to appease them with flattery.¹⁸⁷ Indeed, he continued, ‘it is a difficult thing and absolutely surpassing human power not to retreat from the truth and not in any way to infuriate the will of a prince’.¹⁸⁸ Kemp clearly felt that the task of reigning in Gloucester’s wilfulness and defending the conciliar principles laid down in 1429 had become nigh impossible. Quoting St. Paul in a paraphrase of Galatians

¹⁸⁴ Ibid., pp. 104–05.

¹⁸⁵ ‘...except’ *Canc’...qui tunc denillarunt Canc’ apud Fulham infirmat’*: POPC, IV, p. 108.

¹⁸⁶ BL, Cotton MS Cleopatra C IV, fols 140^v–142^r.

¹⁸⁷ Ibid., fol. 140^v: ‘*Quia iuxta doctrinam Seneca elegi potius veris offendere, illis presertim que reges et rei publice commoda sapiebant, quam adulando placere...*’.

¹⁸⁸ Ibid., fols 140^v – 141^r: ‘*...iam experior quod autem vicesimum etates annum legeram in Policrato, quod videlicet difficiliam res est et humanas vires prorsus excedens a veritate non recedere et principis animum in nullo exacerbare*’.

4:16, Kemp laments that his efforts have only made enemies and provoked their opposition.¹⁸⁹

Perhaps even more ominously, Kemp refers to a plot that had commenced against him in the curia, slandering him before the new pope, Eugenius IV. Although he never names the 'certain nobleman' who was behind the campaign, Kemp does say that he had aroused the wrath of this nobleman by 'fighting for the kingdom, truth, justice, and the common profit'.¹⁹⁰ This clearly points to Gloucester, and the fact that Kemp refers interchangeably to a 'nobleman' and 'noblemen', the duke's supporters such as Lord Scrope no doubt had a hand in the attempt to punish the chancellor via Rome. Kemp further notes that he had angered these men by opposing their irrational wishes, reflecting the aforementioned arguments among the councillors over the prosecution of Beaufort and the chief councillor's pay. Because of this, they have 'whetted...their tongues like a sword; they have bent their bow a bitter thing to shoot, probably in secret, the undefiled'.¹⁹¹ These enemies 'will pervert all that is right, calling good bad and bad good', and they 'consider [his] righteousness pride, justice

¹⁸⁹ Ibid., fol. 141r: *'Ego inquam ut verbis utar apostoli vera dicens: "Inimicus factus sum illis viribus quibusdam adversum me commotis'*. Galatians 4:16 reads thus in the Vulgate: *'Ergo inimicus vobis factus sum, verum dicens vobis?'*, or 'Am I then become your enemy, because I tell you the truth?' (Douay-Rheims).

¹⁹⁰ Ibid.: *'...non alia deo teste tam causa tam causa adversum me moti nisi quia citra iactantiam militando pro republica veritatem justiciam et communia commoda'*.

¹⁹¹ Ibid.: *'...exacuerunt iuxta psalteria ut gladium linguas suas intendentes arcum rem amarem ut sagitterunt fortassis in occulto immaculatum'*.

arrogance, steadfastness obstinacy; they instruct by means of scurrilous interpretation'.¹⁹²

Kemp appears to have written the letter in some haste, for all of his quotations were clearly written from memory. As we have seen, he paraphrased the quote from Galatians in his own words, and the quote that he attributed to the prophet Micah is, in fact, a fusion of a verse from the book of Micah and another from Isaiah.¹⁹³ In addition, when quoting Psalm 63:4–5, Kemp inserted the word '*fortassis*'.¹⁹⁴ As he quoted the rest of the psalm more or less verbatim (aside from altering verb tenses to suit his purposes), it is unlikely that he accidentally slipped in the word 'probably' to

¹⁹² Ibid.: '*...et incidentes in Michee propheticum Omnia recta perverterunt dicentes bonum malum et malum bonum rectam corporis eminentiam deputant superbiam justiciam arrogantiam constantiam obstinatiam [sic] interpretatione maledica cathezisant*'. '*Cathezisant*' appears to be derived from the Greek verb 'κατηχίζειν', 'to instruct', often Latinised in medieval Western texts as '*catezizare*', which could also mean 'to catechise': see John Duffy, 'Byzantine Religious Tales in Latin Translation: The Work of John of Amalfi', in *Byzantine Culture in Translation*, ed. by Amelia Brown and Bronwen Neil (Leiden: Brill, 2017), pp. 115–125 (p. 123).

¹⁹³ Micah 3:9, with the quoted section underlined: '*Audite hoc, principes domus Jacob, et iudices domus Israel, qui abominamini iudicium, et omnia recta pervertitis*'; Isaiah 5:20, again with the quoted section underlined: '*Vae qui dicitis malum bonum, et bonum malum; ponentes tenebras lucem, et lucem tenebras; ponentes amarum in dulce, et dulce in amarum!*' Interestingly, '*qui dicitis malum bonum, et bonum malum*' seems to have been a popular quotation with other fifteenth-century writers who lamented injustice of some kind; in fact, Jack Cade's manifesto would use these precise words nearly two decades later, claiming that the king's counsellors 'dayly enforme hym that good is evyll and evyll is good, as Scripture witnesseth, "*Ve vobis qui dicitis bonum malum et malum bonum*"': *Three Chron.*, p. 94.

¹⁹⁴ The original Psalm reads thus in the Vulgate: '*Quia exacerunt ut gladium linguas suas; intenderunt arcum rem amaram, ut sagittent in occultis immaculatum*'.

an otherwise well memorised passage from the Psalter. The fact that he believed his enemies to be about to attack him 'probably in secret' highlights Kemp's uncertainty and fear. Indeed, he implored Swan to 'cautiously, secretly' investigate this plot, for 'foreseen darts do less damage'.¹⁹⁵

In particular, Kemp desired his proctor to be alert for any 'incitements' aroused against him before the pope and the curia and to defend his honour if necessary. He assured Swan that there was absolutely no truth in any of the accusations and that his enemies 'will be able to demonstrate or prove nothing corrupt or perverse' about him. He had repeatedly stressed his defence of the Crown and of the commonweal, and he declared that, if the community of the realm could give evidence, their testimony would also prove his 'purity, truth, and innocence'.¹⁹⁶

His blamelessness notwithstanding, Kemp informed Swan that his position as chancellor had become 'unendurable' and that serving the king in his tender age had grown to be unbearable beneath the burden of displeasure and hostility.¹⁹⁷ Thus, he had decided to seek to be discharged from his chancellorship as soon as the king

¹⁹⁵ BL, Cotton MS Cleopatra C IV, fol. 141v: '*...et quia jacula provisa minus nocent vestram circumspectionem michi tam fidelissimam quam gratissimam super hoc certiorandam duxi ad hoc videlicet quod caute secrete quidem et circumspecte curetis investigare omnes sollicitationes etc. meque presentem sanctissimum dominum nostrum vel alium quemcumque dominorum dominorum meorum in curia super hoc impendi...*'.

¹⁹⁶ Ibid.: '*...ymmo si generalia et popularia incolarum et communitatis huius regni testimonia iuvare poterit confido revera puritatem veritatem et innocentiam meas amplissime comprobandas*'.

¹⁹⁷ Ibid.: '*Re tamen michi durum est et velut importabile durante tenera etate Regia sustinere pondus indignationis et inimicitarum etc....*'.

returned to England.¹⁹⁸ In the meantime, he asked Swan to procure a letter from the pope addressing two major subjects: first, a firm statement giving papal support to Kemp in the face of his enemies' accusations, and second, a request that he make a long overdue visit to Rome to pay his respects to the pope and the curia. He asked Swan to ensure that this letter specifically noted his past service to 'kings and princes' and to declare that it was now time to turn his attention to God and the Church of Rome. Kemp also desired the pope to provide a vague statement that there were 'many matters' that required a visit to Rome but that those matters would only be explained to him when he arrived.¹⁹⁹ He ended the letter by beseeching Swan to procure such a letter 'with all haste'.

Clearly, Kemp was desperate to be free of the burden of the chancellorship, but he was keen to do so while retaining his dignity, which a papal invitation would easily permit. He was also anxious to clear his name of the charges being laid against him in the curia at the behest of his enemies; unfortunately, there is no record of what those accusations were, but they seem to have been serious enough to cause Kemp some worry. Always a thorough man (as we have already seen in other areas of his life, such as his delicate and involved journey towards the promotion to York), he requested the

¹⁹⁸ Ibid., *'Decrevi penes memetipsum incontinerter post reditum regium omnem impendere solitudinem pro exoneratione mei ab officio Cancellarii'*.

¹⁹⁹ Ibid., fol. 142r: *'...quod sua sanctitas me licet inutilem invitare dignetur et hortari quod post obsequia temporalia a tot et tantis retro temporibus Regibus et principibus impensa disponerem me finem et exitum laborum eorum deo et ecclesie Romane pariter impartiri et venturum me ad sue sanctitatis presentiam propter multa michi latius cum venerim explicanda'*.

help of his old patron, the duke of Bedford, and shortly thereafter contrived to have a letter of support sent from Paris on behalf of Henry VI, under the king's sign manual.²⁰⁰

The royal letter showered the chancellor with praise, referring to him as an exemplary prelate and testifying to his 'shining purity, knowledge, eloquence, eminence, maturity of counsel, experience of matters to be accomplished, great courage, faithfulness, and devotion to the holy Roman Church and also to the state of our realm'.²⁰¹ In light of Kemp's true character, the king implored the pope to pay the slanderers no heed, for 'we consider that there is no one more faithful to yourselves and ourselves'; indeed, the king declared that Kemp was essential to him during his minority.²⁰²

Though the king may have put his signature to the document, the ten-year-old Henry VI obviously did not compose this letter himself. The effusive praise and the particular emphasis upon Kemp's political character and his role in upholding good governance on the minority council suggest that those councillors in Paris friendly to

²⁰⁰ TNA, E 403/700, m. 10; BL, Cotton MS Cleopatra C IV, fols 149^v-150^v, 170^r - 171^r (Swan included two copies of Henry VI's letter in his collection, the second of which states that the king himself signed the letter).

²⁰¹ BL, Cotton MS Cleopatra C IV, fols 154^v-155^r: '*Nos vero exemplo doctis salvatorum nostri qui in mundum venit ut testimonium perhibeat veritatis, fidenter dicimus, quod si s. v. compertum heberet ut nos, qualis sit vir iste, et quanta vite niteat puritate, scientia, eloquencia, gravitate, maturitate concilii, agendarum rerum experientia, animi magnitudine, fidelitate et devotione erga sanctam Romanam ecclesiam atque statum vestrum...Et utiam beatissime pater ut ex intimis cordis medullis loquamur. Alma mater ecclesiam diebus istes quaquaversum diffusa similibus habundaret prelates. Utinam regna nostra pluribus illustrarentur talibus pontificibus*'.

²⁰² Ibid., fol. 155^v: '*Equo namquus animo non possemus si in eius preiudicium qui propter sed potissime in hac popullari etate nostra*'.

Kemp — such as Lords Cromwell and Tiptoft, not to mention Bedford — had a hand in the letter's composition. As we shall see, the king came to value Kemp's service and character for himself as he came of age, showing his gratitude in similarly laudatory letters.²⁰³

For the time being, however, Kemp was a man worn down by relentless opposition and overwhelmed by exhaustion. His archiepiscopal register and chancery records show that he had retired to Kent by mid-December — he always seems to have taken respite in his home county in times of stress or illness — and apparently did not return to London until the royal party arrived from France in February 1432.²⁰⁴ The council itself likewise adjourned until the king's return, which provided a much longer recess than usual. Perhaps Duke Humphrey decided to bide his time until he could use the presence of Henry VI to legalise the conciliar purge that he would soon carry out.

Evidently, the papal invitation that Kemp had so earnestly sought from William Swan did not arrive quickly enough. Soon after Henry VI and the royal entourage returned from France, he officially resigned his chancellorship, personally delivering the two great seals of gold and silver into the hands of the king on 25

²⁰³ This is most evident in the royal support for Kemp's elevation to the cardinalate in 1439 (and the court's corresponding dismissal of Chichele's protests) and the king's later letter urging the monks of Christ Church to elect Kemp to the see of Canterbury in 1452: Chapter 3, pp. 174–77.

²⁰⁴ Kemp's register shows that he dealt with diocesan business '*in hospicio suo prope Westminster*' on 12 December, while chancery records indicate that he then proceeded to Leeds Castle in Kent: Reg. Kemp York, fol. 10r; TNA, C 244/5. Until 14 February, he continued to deal with chancery business from Wye, Leeds Castle, and Canterbury: TNA, C 244/5; C 61/184, m. 10; C 76/114, m. 13; C 61/124/10–11.

February.²⁰⁵ His official reason for resigning was poor health, and as R.G. Davies opined, in light of the stressful conditions under which he had worked, it would be ungenerous, indeed, to regard his excuse as mere pretext.²⁰⁶

At the same time, Gloucester managed to oust most of Cardinal Beaufort's supporters from their positions in royal government: the treasurer, Lord Hungerford, who had so vigorously opposed Gloucester's salary increase; the keeper of the privy seal, Bishop Alnwick of Norwich; the chamberlain, Lord Cromwell; and the steward of the royal household, Lord Tiptoft.²⁰⁷ Under the conciliar ordinances of 1430, no officer of state could be removed without the agreement of the entire council on both sides of the Channel, but Duke Humphrey had ensured that his purge was entirely legal by waiting until the ordinances were nullified by the king's presence, as Cromwell found when he unsuccessfully protested his abrupt removal from office before parliament.²⁰⁸ Gloucester sought to fill the government with supporters as he

²⁰⁵ 'On St. Matthias' day, 25 February 10 Henry VI, about the fourth hour after noon...John archbishop of York then chancellor delivered to the king in his chamber called "*le Conseil Chambre del Parlement*" near the great Parliament Chamber at Westminster his two great seals, one of gold the other of silver, sealed up in two bags of white leather under seal of the chancellor': *CCR* (1429–35), p. 181.

²⁰⁶ *Ibid.*; Davies, 'Kemp, John', p. 174.

²⁰⁷ *POPC*, IV, pp. 109–10; Harriss, *Cardinal Beaufort*, p. 217; Griffiths, *Henry VI*, pp. 58–59. We have discussed – and will continue to examine – Kemp's strong connections with Cromwell, Tiptoft, and Hungerford (as well as their established connections with Beaufort). Although Bishop Alnwick has hardly factored into this narrative, Rosemary Hayes stated that 'politically Alnwick was one of the majority of Henry V's former servants, led by Cardinal Henry Beaufort, who defended conciliar rule against Gloucester's ambitions': 'Alnwick, William', p. 890.

²⁰⁸ *PROME*, XI, pp. 17–18.

launched the next stage of his assault against Beaufort and, it would seem, to simultaneously punish those who had hitherto opposed him. For example, it was surely no coincidence that the first act of the new chancellor, Bishop John Stafford, was to appoint Lord Scrope as the new treasurer while Kemp stood present.²⁰⁹

As we have discussed, Duke Humphrey had managed to coerce the rest of the council into commencing legal proceedings against Cardinal Beaufort in the autumn of 1431. Especially in light of Bishop Polton's admission to Gloucester that Beaufort had, indeed, covertly procured a papal exemption from the jurisdiction of the archbishop of Canterbury, the cardinal appears to have feared the consequences enough to plan an immediate translocation from England, possibly to Rome. He subsequently arranged to have his vast treasure shipped to him where he waited in the Low Countries. Unluckily, on 6 February, Gloucester discovered Beaufort's plan and impounded the ship laden with the cardinal's treasure before it could set sail from Sandwich, and writs were issued against Beaufort two days later.²¹⁰

Ten days later, Kemp received a letter from Beaufort, who addressed the chancellor as 'my right trusty and entierly welbeloved brother and frend'.²¹¹ The cardinal asked Kemp to appoint attorneys in his defence against the charges of *praemunire*, the names of whom he had evidently already mentioned in previous correspondence. The postscript, which Harriss claimed was written in Beaufort's own hand, affectionately expressed the gratitude of 'yowr trewe brothir that suffyseth not to thanke yow'. Kemp promptly did as his ecclesiastical colleague had requested, just days before he relinquished the great seal. In the crucible of political upheaval wrought

²⁰⁹ This occurred the day after Kemp's resignation: *CCR* (1429–35), p. 181.

²¹⁰ Harriss, *Cardinal Beaufort*, pp. 214–16.

²¹¹ TNA, SC 1/44/4.

by Gloucester, an enduring friendship and alliance between Kemp and Beaufort was forged.²¹²

It was in this context that Kemp and his conciliar allies such as Lords Hungerford, Cromwell, and Tiptoft found themselves cast out of the innermost circle of royal politics. In the event, Cardinal Beaufort managed to extricate himself from his precarious position, ultimately proving Gloucester to have overplayed his hand.²¹³ For the time being, Kemp had laid down the burden of the chancellorship and, as he had expressed to William Swan, wished to devote more time to spiritual matters and personal business.²¹⁴ The two were linked: two days after his resignation, Kemp received a royal license to build a collegiate foundation in his hometown of Wye, a project that occupied him for the next fifteen years. In the license, he noted that he had served the government of Henry VI continuously for ten years and regretted that ‘those offices...left him no leisure for his cures of souls and the due performance of prayer’. He was ‘desirous so far as he may of repairing this defect’ through the founding of a chantry and an accompanying grammar school that would ‘freely teach all’.²¹⁵

By the spring of 1432, it thus appeared that John Kemp the statesman was firmly committed to exiting the political scene and to pursuing more ecclesiastical endeavours. If that truly was his intent, it was swiftly denied him. Although his

²¹² Harriss, *Cardinal Beaufort*, pp. 216–17.

²¹³ Harriss suggests that Beaufort had genuinely intended to move to Rome to pursue a curial career, a prospect that could only have pleased Duke Humphrey. However, when Gloucester impounded his vast treasure, Beaufort was forced to return and defend himself, which he did successfully, much to his nephew’s chagrin: *Cardinal Beaufort*, pp. 216–18.

²¹⁴ BL, Cotton MS Cleopatra C IV, fol. 141^v.

²¹⁵ *CPR* (1429–36), pp. 189–90; BL, Add Ch 68923, Add MS 47690.

collegiate project at Wye continued apace, respite from secular affairs proved to elude the archbishop as the realm continued to require his services and talents.

In Conclusion

The years 1422 to 1432 were some of the most important in Kemp's career. They saw him rise to the foremost ranks of Church and state, and his stabilising influence upon the often turbulent minority council was vital in maintaining efficient royal governance under the young Henry VI. When he took up the mantle of chancellor in the aftermath of the crisis created by the Beaufort-Gloucester dispute, Kemp proved to be an effective conciliator, and, perhaps most importantly, he earned the enduring respect and support of the duke of Bedford in the process. Contrary to the views of many scholars, Kemp was not immediately an ally of Henry Beaufort – and certainly no mere minion or tool of the cardinal – as evidenced by the goodwill that existed between the chancellor and the duke of Gloucester until 1431. Not until the disintegration of his relationship with Gloucester did Kemp finally grow close to Cardinal Beaufort. Kemp worked hard to provide an example of self-denial in deference to the authority of the lords of the council as a whole, and his avoidance of faction and conciliatory approach recommended him to Bedford and made him agreeable to Gloucester, helping to largely restore a sense of harmony among the councillors for the majority of his chancellorship.

However, Kemp's character as a conciliator did not at all denote a lack of resolve. His bold and unapologetic confrontation of both royal dukes in 1427 revealed the strength of his political convictions in defence of conciliar principle and his refusal to be cowed by the might of princes. When his relations with Duke Humphrey finally

frayed towards the end of his chancellorship, he remained resolute in championing the sovereignty of the council over the pretensions of the lord protector, preferring to resign his office than to abandon his convictions. Nevertheless, his sense of duty to the Lancastrian Crown was such that, despite the ill treatment received at the hands of Gloucester and his allies, he quickly returned to serve the government as the military situation in France deteriorated and the unity of the Church was threatened once more by schism.

Chapter 3

Counsellor, Diplomat, and Cardinal

After Kemp resigned the chancellorship on 25 February 1432, it appears that he truly did attempt to extricate himself from the affairs of state to devote his time to ecclesiastical pursuits, particularly in helping to resolve the dispute between the papacy and the Council of Basel. However, the government evidently could not allow a man of such experience and capability to remain absent for very long, and he soon found himself once again offering his services at the council table and, especially, on assignments of international diplomacy. As we shall see in the course of this chapter, Kemp appears fairly regularly in the conciliar records from 1432 through the early 1440s, and he participated in nine separate diplomatic missions during those years – mostly treating with the French but also with the Scots – and making no fewer than five journeys across the Channel to France between May 1433 and October 1439.

However, after the deterioration of his relationship with the duke of Gloucester, Kemp did not play as central a role in royal government, even if his diplomatic talents were still considerably exploited. After a succession of failed negotiations with the French, Duke Humphrey launched a furious assault in parliament upon Cardinal Beaufort early in 1441, and as the cardinal's ally, Kemp, too, found himself under attack, albeit more indirectly. In the aftermath of this dispute, Beaufort largely retired from public life, and Gloucester failed to fill the vacuum, instead fading slowly into the background as William de la Pole, then earl of Suffolk, rose to prominence. Throughout the 1440s, Kemp also drew back from politics (or, perhaps, was somewhat excluded), with Suffolk's party achieving ever tighter control over royal government, and he did not re-emerge as a major political figure until the realm disintegrated into chaos in 1450, which we shall examine in detail in Chapter 4.

Thus, this chapter does not cover a period in which Kemp played as large a part – the periods in which we can most clearly ascertain his influence and political character are during the years of minority rule and in the final years of his life, when he became the last great statesman capable of holding together the decaying Lancastrian regime. However, this is not to say that the years between 1432 and 1450 are unimportant in the study of Kemp’s political career, for these years provide a crucial link between the two periods in which he was one of the dominant figures in government. Consequently, this chapter has two principal objectives. The first is to provide a brief but coherent narrative of the history of the period that illuminates the gradual descent into social and political upheaval, which in turn brought about Kemp’s second chancellorship in 1450. The second is to highlight examples of his influence that we can identify in the course of the narrative framework, especially his contributions to foreign diplomacy alongside Cardinal Beaufort.

Kemp, Beaufort, and Foreign Diplomacy

In the months following February 1432, the archiepiscopal records of York suggest that Kemp avoided attending council meetings for a time, spending the majority of the spring in his northern archdiocese instead.¹ He also received a royal

¹ Reg. Kemp York, fol. 316^v. However, it should be said that the ecclesiastical records in question are sparse, as are those relating to the council – there are only ten documents listed in *POPC* between Kemp’s resignation and the beginning of June, and only two dated to the same period in the council’s E 28 file held at TNA – so we must make suppositions about Kemp’s precise whereabouts with caution: *POPC*, IV, pp. 109–116; London, TNA, E 28/53.

license to found a collegiate church dedicated to St. Gregory and St. Martin in his birthplace of Wye. The license bears evidence of the archbishop's genuine remorse that his duty to the Crown had hitherto left him insufficient time to devote to the 'cures of souls and the due performance of prayer'.² He hoped to atone for this in some way by providing Wye with more priests, who would celebrate daily Mass not just for the benefit of the souls of Kemp and his family but also for the spiritual benefit of the local inhabitants.³ He also wished to benefit the town by providing a 'master in grammar, who shall freely teach all repairing to him and his schools'.⁴ This project would remain close to Kemp's heart for the remainder of his life.

By autumn, Kemp still seems to have been determined to enjoy a respite of sorts from his secular cares and pursue more ecclesiastical aims, planning a trip as a representative English prelate to the Council of Basel.⁵ Kemp had returned to London from Yorkshire by October, and he reappears in conciliar documents at the end of

² *CPR* (1429–36), pp. 189–90.

³ *Ibid.*, p. 189; ICA, Statute Book for the College of St. Gregory and St. Martin at Wye, 1448 [uncatalogued], fol. 1^r.

⁴ *CPR* (1429–36), p. 189.

⁵ The Council of Basel, originally called by Pope Martin V near the end of his life, championed reform and some decentralisation in Church governance. When Eugenius IV tried to dissolve the Council, it claimed canonical independence from the papacy and suspended the pope himself (later deposing him and electing a new antipope), initiating a prolonged conflict between Basel and Rome that lasted from 1431 to 1449: Anthony Black, 'Popes and Councils', in *The New Cambridge Medieval History*, ed. by Christopher Allmand, 7 vols (Cambridge: Cambridge University Press, 1995–2005), VII (1998), pp. 65–86 (pp. 70–74). For more on the Council and Kemp's initial sympathy for the conciliar movement in the Church, see Chapter 6, pp. 323–36.

November, though as attendance records were poorly kept at this time, he may well have returned to the council sooner.⁶ In the summer, the council had decided to send an official embassy to Basel to bolster the delegation already present there, in which Kemp was not included, yet on 20 November he managed to procure special orders to travel as a royal emissary to both the pope and to the Council of Basel, before even the official ambassadors had received their formal documents of appointment.⁷ A royal license permitting Kemp to exchange ecclesiastical property in order to raise the necessary funds for his journey notes 'his having undertaken to go on embassy to pope Eugenius and to the council of Basle for much less reward than the usual wages of an archbishop on embassy'.⁸ It would seem that he was, indeed, eager to leave England in the service of the Church.

The council duly issued writs and licenses for Kemp's wages and travel expenses. The process was not without obstacle, however; at a council meeting on 15 April 1433 (at which Kemp was not present), the treasurer, Lord Scrope, declared that there was not enough money in the treasury to deliver full payment to Kemp for his journey to Rome and Basel, even though 'the day of moustre [was] nowe at hande'. While this is entirely possible, Scrope stressed that this was 'not in his defaute as God knoweth', asking that this protestation be recorded in the council's minutes, and Gloucester immediately assured him 'that it was not reson that he shulde bere eny

⁶ *POPC*, IV, pp. 132–37; *CPR* (1429–36), pp. 258–59; Reg. Kemp York, fols 10^r–11^r. The first record of Kemp's attendance in *POPC* is on 29 November, and a letter patent dated 1 December also records Kemp as present. TNA, E 28/53 does not record his attendance until 20 January 1433. However, as noted above, this may well simply be due to the whim of the clerk of the council.

⁷ *POPC*, IV, p. 123; *Foedera*, IV, iv, pp. 185–87.

⁸ *CPR* (1429–36), p. 248.

charge therefore whatever happened'.⁹ Perhaps feelings of resentment between those of Duke Humphrey's faction and Archbishop Kemp were still manifesting themselves in the realm of politics.

It is clear that he was still fully intending to travel in the spring. Writing from his manor of Olantigh, near Wye, Kemp assured William Swan that he would soon be visiting Rome. Whether due to Swan's selection process when compiling his letter-book or because there was no further correspondence (which would seem curious), this letter, written from Wye, is the last that we know of between the two men. In it, Kemp thanked his proctor for the good work that he had carried on his behalf in the curia, especially thanking him for procuring the papal invitation that he had sought the previous December.¹⁰ While the invitation was so belated that it did not serve the purpose for which it had been intended – an excuse for him to resign the great seal – Kemp obviously still viewed it as valuable, perhaps having used it to procure the council's assent to his visit to Rome and Basel.

However, Kemp's trip never happened, for, as so often occurred throughout his life, the situation in France demanded his immediate attention. By 3 May, his archiepiscopal register places him 'in his house at Calais', where he remained for the next month.¹¹ Kemp and other councillors – including Lord Hungerford, who was intended to go to Basel with the official embassy – had been summoned to France for a joint meeting of the English and French councils, including both royal dukes and Cardinal Beaufort. The main purpose of such a large gathering was to prepare for resumed negotiations between the English and Charles VII of France, which had commenced in November 1432 by the instigation of Cardinal Niccolo Albergati, who

⁹ *POPC*, IV, pp. 158–59.

¹⁰ BL, Cotton MS Cleopatra C IV, fol. 175^r–175^v.

¹¹ Reg. Kemp York, fol. 11^v.

would continue to strive for peace between the two realms.¹² The combined council also hoped to repair the frayed relations that had developed between the duke of Bedford and the duke of Burgundy.¹³

This business prevented Kemp and Hungerford from setting out for Basel (or Rome, if that was where Kemp intended to go first), and they both made a formal protestation before the dukes of Bedford and Gloucester and the combined council, reiterating the legitimate reasons for failing to join their colleagues at the Council of Basel and reminding the assembly that they were not responsible for this failure.¹⁴ On 19 May, they also wrote a joint letter to the English delegates already at Basel to explain the continued delay. They informed the other delegates that, although they had initially been instructed to elicit the support of the Council of Basel in negotiating peace with France, other matters had arisen that caused the English councillors to submit any decisions regarding such negotiations to the upcoming parliament instead. Most importantly, they feared that a schism might soon occur between the Council and the papacy, and the councils of England and Lancastrian-held France were

¹² Joycelyne Gledhill Dickinson, *The Congress of Arras, 1435: A Study in Medieval Diplomacy* (Oxford: Clarendon Press, 1955), p. 82.

¹³ A.N.E.D. Schofield, 'The First English Delegation to the Council of Basel', *JEH*, 12 (1961), 167–96 (pp. 186–87). The duke of Bedford – whose first wife, Burgundy's sister, had recently died – married Jacquetta of Luxembourg in April 1433 in an attempt to forge a useful alliance. Unfortunately, this offended the duke of Burgundy, apparently on his late sister's account but also because Luxembourg, a princely house owing him homage, could now claim kinship with the regent of France: Jenny Stratford, 'John [John of Lancaster], duke of Bedford (1389–1485)', *ODNB*, XXX, p. 188; G.L. Harriss, *Cardinal Beaufort: A Study of Lancastrian Ascendancy and Decline* (Oxford: Clarendon Press, 1988), p. 229.

¹⁴ Schofield, 'First English Delegation', p. 185.

striving to come to an agreed reaction to such an event – especially regarding who would arbitrate peace negotiations, the Council or the papacy – in order to prevent a schism between the two realms under the dual monarchy.¹⁵ As it happened, Charles VII and his ambassadors never came to Calais, and the two councils apparently did not come to an agreement regarding the eventuality of schism between Rome and Basel. In the end, the English councillors simply returned to England, and both royal dukes specifically directed Kemp to continue devoting his services to the English council rather than follow through with his plan to go to Rome and Basel.¹⁶ The records find Kemp in his home county on 2 June, once again at his favourite manor of Olantigh, where he was often found after a strenuous journey, before returning to London and matters of state.¹⁷ The aspiration of serving the Church abroad had to be put behind him.

On 18 June, the duke of Bedford once again arrived in England, accompanied by Cardinal Beaufort. His aim was to solicit funds and reinforcements for the French war effort, both of which were in increasingly short supply as England faced an all but empty treasury and lack of enthusiasm from parliament. Gloucester cannot have welcomed the prospect of being once again displaced by his elder brother as chief councillor and also the return of the cardinal, his hated foe, but the vast majority of the council must have known how important Bedford's presence was if enthusiasm for the war in France was to be at all revived.¹⁸ At the same time, Burgundian envoys arrived in London to try to repair the Anglo-Burgundian alliance, discussing the

¹⁵ See Schofield's transcription and translation of this portion of the letter: 'First English Delegation', pp. 188–89.

¹⁶ *POPC*, IV, pp. 167–68.

¹⁷ Reg. Kemp York, fol. 11^v.

¹⁸ Harriss, *Cardinal Beaufort*, pp. 227–29; Stratford, 'John, duke of Bedford', p. 188.

matter with the great council. After the envoys had presented their official communications verbally and in writing, the great council implied that the Burgundians had yet to impart some sensitive and important information that it was suspected they knew, and they were instructed to meet privately with only Beaufort, Kemp, and the earl of Warwick so that these matters could be discussed discretely.¹⁹ This was only the beginning of Kemp's increasingly close association with Cardinal Beaufort in diplomacy with the French and the Burgundians.

As he did the last time he visited England, Bedford quickly took matters in hand. One of his first actions was to dismiss Lord Scrope from his position as treasurer and replace him with Lord Cromwell, an ally of both Kemp and Beaufort.²⁰ Bedford and Cromwell immediately tried to bring some order to the Crown's finances, a task in which Kemp, too, played a part. On 20 July, the exchequer gave Kemp a writ that asked him to send the wages that he had received for his aborted trip to Basel to the chancellor of France so that it could be used to pay for the war effort, and he duly acquiesced.²¹ In the second session of parliament, Bedford declared himself content with a far smaller salary than he would normally have been owed as chief councillor, and the rest of the members fell in line.²² Kemp and the other prelates on council voluntarily waved their accustomed salaries *in toto*, citing the fact that they already possessed an income from their dioceses, showing, at least in this instance, an admirable sense of communal responsibility.²³

¹⁹ For a detailed description of these meetings, see Hugues de Lannoy's report to the duke of Burgundy: *Letters and Papers*, II, pp. 226–30.

²⁰ *POPC*, IV, p. 175.

²¹ TNA, E 404/49/160.

²² *PROME*, XI, pp. 87–88.

²³ *Ibid.*, p. 129.

Bedford also made an eloquent speech before parliament defending his conduct as regent of France. He claimed that 'a false and perverse belief was being put about and spread among very many people in the realm of England' that recent military defeats in France 'must have resulted from the negligence and carelessness of the duke himself'. He vigorously denied such insinuations and declared that if the person spreading these rumours were of equal station to himself, he would gladly defend himself before king and council. If the person was unequal to him in birth or rank, he asked for satisfaction by 'the law of arms'.²⁴ His reference to someone of equal rank to himself must allude to Duke Humphrey, who was most likely behind the slanderous reports.²⁵ In the end, the Lords all agreed that none of them had heard such rumours, and the king publicly thanked his uncle for his faithful service.²⁶ However, this event was only the prelude to further confrontation between the two royal dukes.

This confrontation occurred before the great council in April 1434. As both parliament and convocation had delivered him insufficient funds to continue prosecuting the war in France effectively, the duke of Bedford had convened the council in order to try to reawaken the peers' flagging enthusiasm for the war effort.²⁷ However, the duke of Gloucester chose this forum to openly voice his criticisms of the way in which military affairs in France had been conducted of late. Not surprisingly, Bedford was deeply insulted and took the criticisms as a direct attack upon his honour, and he submitted a written rebuttal, which Gloucester likewise construed as a slight upon his own honour. In the end, the young Henry VI was forced to take the matter

²⁴ *Ibid.*, pp. 77–78.

²⁵ *PROME*, XI, p. 69; Stratford, 'John, duke of Bedford', p. 188.

²⁶ *PROME*, XI, pp. 77–78.

²⁷ *PROME*, XI, pp. 67, 72, 74; Harriss, *Cardinal Beaufort*, pp. 234–36; *POPC*, IV, pp. 210–16.

into his own hands and settle the argument between his two uncles.²⁸ At the same time, Gloucester offered to lead a large force to France, and he had apparently been garnering popular support by spreading rumours that his expedition would allow the realm to be 'discharged of eny taille or talliage for many yeres'. The lords of the council pointed out to Gloucester that there simply was no money for such an ambitious venture – to which the duke apparently had no response – but they also submitted their reasoning for this to the conciliar record so that they and the king would not be subjected to the 'murmurs and grucchyng' of the commons thanks to the expectations raised by Duke Humphrey's irresponsible rumourmongering.²⁹

Gloucester's attempt to bolster his own image at the expense of his brother had ultimately failed, but the incident shed a sharp light on the widening cracks in the war effort and the deepening divide between leading members of the government in their opinions on how best to defend England's interests in France. In mid-July, Bedford returned to France, disappointed by the response he had received in England but determined to preserve the legacy of Henry V as best he could, though illness soon hampered his efforts and led to his untimely death at the age of only forty-six in September.³⁰ Even before that unhappy event, however, it was deemed necessary to come to a temporary peace with Charles VII of France, preferably strengthened by the betrothal of the young Henry VI to a French princess, so that the English could recuperate militarily and financially from recent losses abroad and monetary strains

²⁸ *POPC*, IV, pp. 210–12.

²⁹ *POPC*, IV, pp. 213–15; Harriss, *Cardinal Beaufort*, p. 236.

³⁰ Stratford, 'John, duke of Bedford', p. 188.

at home.³¹ Thus, the stage was set for the momentous, ill-fated Congress of Arras, which took place between the end of July and the beginning of September 1435.

The Congress of Arras, 1435

One of Kemp's most visible roles in this period was his leadership of the English embassy at the Congress of Arras in the summer of 1435.³² In retrospect, this proved to be a turning point in the Hundred Years' War, after which English fortunes in France continued to rapidly decline. However, if we are to accurately examine the event and Kemp's specific part in it, we must not forget that he and his fellow negotiators did not have the benefit of hindsight. Even if the current situation was not optimal, there was no reason for the English to utterly despair of their ambitions in France prior to the Congress, though that may well have changed for many in the

³¹ Griffiths, *The Reign of King Henry VI* (Stroud: Sutton Publishing, 2004), pp. 198–99; Harriss, *Cardinal Beaufort*, p. 246.

³² For a detailed examination of the entire Congress, as well as transcriptions of otherwise unpublished contemporary documents relating to the negotiations, see Dickinson, *Congress of Arras*. There are two separate sets of minutes written by unidentified members of the English delegation, both of which are printed in Friedrich Schneider, *Der europäische Friedenskongress von Arras (1435) und die Friedenspolitik Papst Eugens IV und das Basler Konzils* (Griess: Otto Henning, 1919), pp. 82–151. Antoine de la Taverne, the provost of the Abbey of St. Vaast, where the Congress took place, provides a daily account of the proceedings replete with fascinating details, though as he was not part of the negotiations, his journal does not offer as much regarding the actual diplomatic activities that went on behind closed doors: Taverne, *Journal*.

immediate aftermath of the conference as the full implications of the breakdown in negotiations became clear.

However, the English position had unarguably weakened worryingly since the fall of Orléans in 1429, with further losses occurring in the spring of 1435. A relief force led by the earl of Arundel, a promising young commander, was defeated on 31 May, and the earl himself died of the wounds that he sustained shortly thereafter.³³ The English envoys therefore could not come to the negotiating table from a position of military strength. To make matters worse, relations with Philip the Good, duke of Burgundy, had recently grown strained, particularly with the duke of Bedford. Despite the oath that he had taken when the Treaty of Troyes had been ratified with Henry V, the English government clearly worried about the strength of Philip's loyalty to the dual monarchy.³⁴ Even before the Congress of Arras, rumours had reached England suggesting that Burgundy was considering making peace with France; as it turned out, he had, indeed, already engaged in talks with Charles VII and had agreed to sign a separate treaty with the French if the Congress proved fruitless in the pursuit of peace.³⁵

The Congress of Arras was mediated by two eminent ecclesiastics: Cardinal Niccolo Albergati, the papal legate, and Cardinal Hugues de Lusignan (often referred

³³ Griffiths, *Henry VI*, p. 198; Harriss, *Cardinal Beaufort*, p. 246; Anne Curry, 'Fitzalan, John, seventh earl of Arundel (1408-1435)', *ODNB*, XIX, pp. 766-67.

³⁴ Dickinson, *Congress of Arras*, pp. 22-23; Stratford, 'John, duke of Bedford', p. 188.

³⁵ Bertram Wolffe, *Henry VI* (London: Methuen, 1981), pp. 81-82; Harriss, *Cardinal Beaufort*, pp. 241-42; David Grummitt, *Henry VI* (London: Routledge, 2015), p. 94.

to as the Cardinal of Cyprus), who represented the Council of Basel.³⁶ Albergati in particular was devoted to the restoration of peace between England and France and had been striving to bring the two sides together successfully for some time. However, despite the obligatory protestations of the desire for peace, both of the parties involved were mainly concerned with the uncertain allegiance of the duke of Burgundy. The English hoped to hold Duke Philip to the oath that he had sworn to Henry V, while the French knew that the duke was close to changing sides.³⁷ Tellingly, the official instructions given to the French envoys were remarkably detailed in the aspects that concerned obtaining a peace settlement with Burgundy, while their directions regarding general peace with England remained quite vague. This also evidences the 'cut and dried' nature of the agreement with Burgundy before the English embassy had even arrived at Arras.³⁸

The English delegation was an august representation of the realm's most distinguished officials and diplomats. Cardinal Beaufort eventually arrived to take the lead in the negotiations, but until he did, Archbishop Kemp headed the delegation, and he was well supported by Bishop William Alnwick of Norwich, Bishop Thomas Rudborne of St. David's, the earls of Huntingdon and Suffolk, Lord Hungerford, Sir John Radcliffe, and William Lyndwood, the keeper of the privy seal. They were joined by the Lancastrian French delegation, led by Pierre Cauchon, bishop of Lisieux (Louis de Luxembourg, archbishop of Rouen, had been nominated to lead the French

³⁶ Dickinson, *Congress of Arras*, pp. 82–84, 89–91. For a study on the Cardinal of Cyprus, see Wipertus H. Rudt de Collenberg, 'Les Cardinaux de Chypre: Hugues et Lancelot de Lusignan', *AHP*, 20 (1982), 83–128.

³⁷ Harriss, *Cardinal Beaufort*, p. 249;

³⁸ Dickinson, *Congress of Arras*, pp. 2–3.

contingent but was unable to attend).³⁹ It was an impressive assemblage, especially considering the short notice that the duke of Burgundy and the ecclesiastical mediators gave the English – news of the Congress, which was supposed to commence on 1 July, only came to the royal government in Westminster on 8 May.⁴⁰ The English protested the irregularity of such late notification and said that their delegation would arrive as soon as they could after 1 July; in the end, Kemp and his fellow diplomats were not able to reach Arras until 25 July.⁴¹

Cardinal Beaufort, the most likely person to have led such negotiations, instead opted to remain in Calais for the commencement of proceedings. Harriss argues that when Burgundy refused the English government's offer for him to lead the Lancastrian embassy (indicating that he would be representing his own independent interests at the Congress), Beaufort likewise decided to abstain from direct involvement with the proceedings, which also gave him the freedom to carry on his own discussions with the mediators and the duke of Burgundy, with whom he had so arduously tried to cultivate a strong relationship.⁴² Besides, Beaufort knew most of the English envoys well and could trust in their wisdom and expertise – as we have seen, Kemp had grown ever closer to the cardinal since 1431, and Hungerford and Alnwick both numbered among the cardinal's supporters.⁴³

³⁹ 'Appendix A: Instructions of Henry VI to his ambassadors to the Congress of Arras 1435', in Dickinson, *Congress of Arras*, pp. 216–18; Harriss, *Cardinal Beaufort*, p. 247; Griffiths, *Henry VI*, p. 199.

⁴⁰ Dickinson, *Congress of Arras*, p. 22.

⁴¹ Taverne, *Journal*, p. 26.

⁴² Harriss, *Cardinal Beaufort*, p. 247.

⁴³ *Ibid.*

In addition, nearly all of them had faithfully served the needs of Lancastrian France from at least the reign of Henry V. Kemp had served as keeper of the privy seal and then as chancellor of Normandy under Henry V, while Alnwick had succeeded Kemp as keeper of the privy seal and had subsequently closely accompanied the king, even being present at his deathbed.⁴⁴ Lyndwood, aside from being an eminent canon lawyer, had begun his diplomatic career during Henry V's reign and continued during Henry VI's minority, accompanying Kemp on embassies to France and serving as a member of the royal retinue when Henry VI was coronated in Paris.⁴⁵ On the military side, Radcliffe was a veteran war leader who had supported Henry IV's accession, fighting at Shrewsbury in 1403, and who had accompanied Henry V throughout his French campaigns.⁴⁶ The son of the chief steward of the duchy of Lancaster, Hungerford had also supported the Lancastrian dynasty from the very beginning and had risen high in Henry V's esteem – so much so that he was appointed joint guardian of the king's infant son in 1422.⁴⁷ The English delegation therefore represented some of the most committed servants of the Lancastrian Crown and, perhaps more importantly, some of those most valued by Henry V and thus likely to defend his legacy.

⁴⁴ For Kemp's earlier service under Henry V, see Chapter 1, pp. 55–57, 61–64; Rosemary C.E. Hayes, 'Alnwick, William (d. 1449)', *ODNB*, I, pp. 889–90.

⁴⁵ R.H. Helmholz, 'Lyndwood, William (c. 1375–1446)', *ODNB*, XXXIV, pp. 892–93.

⁴⁶ A.C. Reeves, 'Radcliffe, Sir John (d. 1441)', *ODNB* <www.oxforddnb.com> [accessed 15 July 2018]. Several entries included in the footnotes of this chapter were published in the *ODNB* online edition after the publication of the printed volumes in 2004 and are not contained in a print edition.

⁴⁷ Charles Kightly, 'Hungerford, Walter, first Baron Hungerford (1378–1449)', *ODNB*, XXVIII, pp. 825–26.

The Congress of Arras took place in the great Abbey of St. Vaast. Interestingly, it appears that the two sides hardly ever actually met face-to-face at the Congress of Arras. Instead, each embassy came before the two mediating cardinals separately, each presenting its proposals, rebuttals, and counter-proposals before retiring. These sessions were carried out in a luxuriously appointed room that formed part of the abbot of St. Vaast's personal living space, and when each party had finished speaking with the mediators, they had specially designated rooms off of the main conference room in which they could hold private discussions, still without ever seeing the members of the opposing embassy.⁴⁸ Ostensibly, these arrangements were intended to prevent the outbreak of violence between the members of the opposing embassies and their large entourages. However, it also seemed to serve another, more pointed purpose. While the French and Burgundian envoys, as well as the mediators, were housed outside the city of Arras within a few minutes' walk of the abbey, the English were lodged within the city walls, entirely secluded and a fair distance from St. Vaast. As Joycelyne Dickinson observes, 'this total isolation of the English can only have been by design'.⁴⁹

Thus, the English embassy must have been immediately aware that the rumours about Burgundy's wavering allegiance had some basis in truth, and one wonders whether they suspected from the start that the Congress was to be simply 'an ill-tempered charade', as Harriss described it.⁵⁰ If so, Archbishop Kemp overcame any misgivings to deliver a characteristically eloquent address before the two mediating cardinals on 27 July, two days after the delegation had arrived.⁵¹ Taking as his theme

⁴⁸ Dickinson, *Congress of Arras*, pp. 110–12.

⁴⁹ *Ibid.*, pp. 108–09.

⁵⁰ Harriss, *Cardinal Beaufort*, p. 250.

⁵¹ Dickinson, *Congress of Arras*, p. 41; Taverne, *Journal*, p. 26.

Romans 10:15, 'How beautiful are the feet of them that preach the gospel of peace', he went on to extol the Church's role in pursuing the way of Christ on earth, lamenting the 'horrible and lamentable shedding of men's blood' and lauding the virtues of peace.⁵² He expounded upon his theme at length, drawing on numerous quotations from both the Old and New Testaments (and apocryphal books such as I Maccabees) and from St. Augustine's *De Civitate Dei*, and to illuminate his points he drew comparisons with the Trojan War and the three major Punic Wars.⁵³ He ended by describing the young Henry VI's 'love of peace', apparently with such feeling that everyone there was visibly moved, and Cardinal Albergati personally thanked him for his oration.⁵⁴

Kemp's stirring words about peace notwithstanding, the rest of the Congress failed to bear any pacific fruits. The negotiations laboured on throughout August until the beginning of September, but it must have become quickly evident that the two sides would not find any common ground. From the beginning, the French demanded that the English renounce their claim to the throne of France in order to discuss the possibility of peace and territorial concessions. Additionally, they insisted that any French territories that might be conceded must be held under the sovereignty of Charles VII.⁵⁵ The English stubbornly refused to agree to either condition, though they had little other choice. Their brief certainly did not include the authority to make such

⁵² In the original Latin Vulgate, this verse segment reads, '*quam speciosi pedes evangelizantium pacem*'. The entirety of Kemp's sermon is printed in *Histoire Générale et Particulière de Bourgogne*, ed. by Urbain Plancher, 4 vols (Dijon: Antoine de Fay, 1739–81), IV (1781), pp. cxlviii–cli (the above quotations are found on pp. cxlviii–cxlix).

⁵³ *Ibid.*, pp. cxlix–cl.

⁵⁴ *Ibid.*, p. cl; Schneider, *Friedenskongress von Arras*, p. 83, 364.

⁵⁵ Dickinson, *Congress of Arras*, p. 150.

drastic concessions, and in any case, the council that ruled in the name of Henry VI while he was in his minority had no right to make decisions that so impinged upon the rights of the Crown and the inheritance of the dual monarchy left to him by his father. The English envoys repeatedly protested that the subject of either of their king's Crowns was sacred and that any decision implying his right to the French Crown could only be undertaken by the king himself when he came of age.⁵⁶

Instead, the English proposed a long-term truce, strengthened by the marriage of a French princess to Henry VI and sweetened by the offer of limited cessions or exchanges of land. As proposals and counter-proposals flew back and forth, the English embassy finally identified specific territories to be ceded to the French and added the release of the duke of Orléans, who had been held captive since the battle of Agincourt in 1415.⁵⁷ In sum, the English envoys could really only offer temporary solutions, buying peace with the French until Henry VI came of age and could make such grave decisions regarding the dual monarchy himself.⁵⁸ Dickinson sees the French proposals as possessing more merit because they attempted to offer a final settlement, but the fact remains that the French terms were simply impossible for the English envoys to even consider in the name of an underaged monarch.⁵⁹ On 4 September, the French submitted their last offer, which the English again refused, departing two days later. The French and the Burgundians were left to negotiate alone with the cardinals, and on 21 September, they formally reconciled and ratified a treaty

⁵⁶ *Ibid.*, pp. 143–44, 149; Wolffe, *Henry VI*, p. 82; John Watts, *Henry VI and the Politics of Kingship* (Cambridge: Cambridge University Press, 1999), p. 182.

⁵⁷ The release of Orléans was soon to become the subject of a raging debate within the royal council, as discussed below, pp. 169–72.

⁵⁸ Dickinson, *Congress of Arras*, pp. 146–49; Griffiths, *Henry VI*, p. 199.

⁵⁹ Dickinson, *Congress of Arras*, pp. 155–56.

of alliance, the mediators absolved Duke Philip of his oath to uphold the Treaty of Troyes, and thus Burgundy officially severed its alliance with England.⁶⁰

Until Cardinal Beaufort at last entered the negotiations at the head of the English embassy on 23 August, Archbishop Kemp had led the delegation in nearly all of its discussions with the mediators.⁶¹ As we have already seen (and will continue to see), Kemp utilised his considerable skill in diplomacy and conciliation throughout his career, consistently providing the government with ‘wisdom, experience, and moderation’, a figure who constantly ‘strove to prevent a stark polarization of view’.⁶² In light of this, it is indeed curious that many historians lay much of the blame for the Congress’s failure at Kemp’s feet, citing his alleged tactless manner. Dickinson claims that ‘Kemp’s diplomatic talents, shown on other occasions in cunning and subtlety of intrigue, were not much in evidence at Arras, where his asperity and blunt speaking may well have put the finishing touches on the failure of the embassy’s mission’.⁶³ Griffiths follows suit, opining that ‘Archbishop Kemp’s asperity and bluntness were “a diplomatic liability to the English side”’.⁶⁴ Tout is less harsh in his assessment of Kemp’s role in the affair, but he still maintains that ‘his insistence on impossible terms drew on him the merited rebuke of the legates’.⁶⁵

There are only two sources that support such an otherwise incongruous view of Kemp, though neither are terribly convincing. The first is the mediating cardinals’ reaction to him when it became clear that the English would never accept the French

⁶⁰ *Ibid.*, pp. 161, 166–81.

⁶¹ *Ibid.*, p. 41.

⁶² Griffiths, *Henry VI*, pp. 724, 726.

⁶³ *Ibid.*, p. 41.

⁶⁴ Griffiths, *Henry VI*, p. 199.

⁶⁵ T.F. Tout, ‘Kemp or Kempe, John (1380?–1447 [sic])’, *DNB*, p. 386.

terms for a peace settlement. Kemp had long cultivated friends and supporters in the curia, including men such as Cardinal Jean de la Rochetaillée, archbishop of Rouen and later papal vice-chancellor, and Cardinal Branda da Castiglione, both of whom were influential in helping Kemp to obtain his many ecclesiastical promotions, as evidenced in his letters contained in the Swan letter-book.⁶⁶ Cardinal Albergati, too, appears to have numbered among his supporters, for Kemp sent him a letter of congratulations upon his elevation to the cardinalate in 1426, and he also thanked Albergati in a later letter for his help in a dispute between the archbishop the dean and chapter of York.⁶⁷

Kemp was thus on friendly terms with the papal mediator when he attended the Congress of Arras, and the cardinal certainly showed warm feelings when he thanked Kemp for his eloquent opening speech. However, when it became obvious that the English would leave the Congress without agreeing to any peace settlement, Albergati was clearly irritated. After the English rejected what was to be the final French proposal on 31 August, Kemp politely thanked the two cardinals for doing what they could to further the objective of peace and intimated that they were not to blame for the disappointing outcome. It was then that Albergati finally revealed his own opinion, declaring that he believed the French offer to be reasonable, that Henry VI did not have as much right to the French Crown as did Charles VII, and that the English king should content himself with the Crown of England. He concluded by informing the English that, as they would not agree to a general peace, he and his fellow mediator would now turn to reconciling the French and the Burgundians.⁶⁸

⁶⁶ For more on Kemp's careful cultivation of supporters within the curia, see Chapter 2, p. 78, and Chapter 6, p. 310.

⁶⁷ BL, Cotton MS Cleopatra C IV, fols 160v, 168r.

⁶⁸ Schneider, *Friedenskongress von Arras*, p. 149; Dickinson, *Congress of Arras*, p. 129.

Stung by this rebuke and its apparent French bias, Kemp launched into a vigorous defence of his king's claim to the throne of France. He cited Henry VI's right of succession through Edward III and referenced the numerous wars that had been fought since the 1340s in pursuit of that rightful claim, many of which had resulted in English victories that proved the justice of their cause. In reference to the reasonableness of the French proposal, he argued that they were asking his king to accept a fraction of what he had inherited from his father, as well as the unacceptable requirement of surrendering the French Crown and paying homage to Charles VII. He also expressed his disbelief that the pope and the Council of Basel could have given their legates such an unreasonable mission as to free the duke of Burgundy from his oath to the Treaty of Troyes.⁶⁹

If Kemp's tirade can be criticised for its 'bluntness and asperity', the circumstances in which he made it should also be considered. From the beginning of the Congress, the English had been isolated, forced to watch the increasing cordiality between France and Burgundy while they themselves had been increasingly pressured to accept terms that they could simply not contemplate.⁷⁰ When the supposedly impartial Cardinal Albergati suddenly expressed his true sentiments about the affair, Kemp can perhaps be forgiven his outburst.⁷¹ In any case, Albergati did not address the archbishop alone but the entire English delegation, all of whom had expressed the same unwillingness to compromise on the main French demands; when Cardinal Beaufort had arrived to take over the leadership of the embassy, he took the same hard

⁶⁹ Schneider, *Friedenskongress von Arras*, pp. 115–19.

⁷⁰ Wolffe, *Henry VI*, p. 82; Watts, *Henry VI*, p. 182; Dickinson, *Congress of Arras*, pp. 124–25.

⁷¹ Kemp seems to have continued to resent the apparent partiality of the two cardinals. In 1439, at the peace conference at Calais, he claimed that the Congress of Arras had been unsuccessful due to biased arbitration: *POPC*, V, p. 365.

line as Kemp had, in keeping with their instructions from the royal government in England.⁷² Therefore, it seems distinctly unfair to saddle Kemp with responsibility for the failure to successfully negotiate, much less to call him a 'liability' to the embassy. If anything, he had faithfully carried out the mission entrusted to him by the council and, in the end, had loyally defended the rights of the young king, as one would expect of a committed servant of the Lancastrian Crown.

While contemporary records of the Congress attest to Kemp's disagreement with Cardinal Albergati, they still do not suggest that he evidenced any lack of tact throughout the proceedings or that his alleged 'asperity' had any influence on the way that the delegation as a whole responded to the French offers. The only other source that possibly characterises Kemp as unhelpfully stubborn is Thomas Gascoigne's *Dictionarium*. Gascoigne, who Griffiths describes as a 'disillusioned and sour intellectual', regularly denounced Kemp in his work along with many other prelates who he accused of failing in their ecclesiastical duties due to secular ambitions.⁷³ In the midst of his description (and, predictably, condemnation) of the duke of Suffolk in the 1440s, he laments the loss of Lancastrian France and exclaims that peace might have been attained 'if one duke of England and a bishop had not opposed' such an arrangement.⁷⁴ Dickinson identifies the bishop as John Kemp, but even if this is true,

⁷² Harriss, *Cardinal Beaufort*, p. 250.

⁷³ Griffiths, *Henry VI*, p. 577; Christina von Nolcken, 'Gascoigne [Gascoygne], Thomas (1404–1458)', *ODNB*, XXI, pp. 588–89. For examples of Gascoigne's sour comments on Kemp's episcopal record, see *Loci e Libro*, pp. 37, 194.

⁷⁴ 'O si finis magni mali praeteriti esset pax Deo placens inter ista regna Angliae et Franciae, quam Anglici potuerunt antea habuisse cum magna summa annuali annuatim Anglicis reddenda, si unus dux Angliae et episopus non contradixissent, quando concilium utriusque partis fuit apud aras!': *Loci e Libro*, p. 219.

which is quite likely, Gascoigne can hardly be a reliable source in this matter, considering his extreme bias and the fact that he was not present at the Congress.⁷⁵

Kemp took part in one last significant episode in Arras before his delegation departed. On 1 September, the duke and duchess of Burgundy hosted the English at a banquet, taking care to honour Cardinal Beaufort and the other leading members of the embassy. In the midst of the feast, Beaufort and Duke Philip began a deep conversation out of the hearing of anyone else, calling Kemp over to join them. Taverne recorded that they talked for an hour as the English cardinal (supported, presumably, by input from Kemp) implored the duke to uphold the Anglo-Burgundian alliance. He pleaded so earnestly that onlookers described sweat pouring from his head in great drops, but it was to no avail; Burgundy had made his decision in the interests of his own duchy.⁷⁶

Both Kemp and Beaufort knew the gravity of the situation. Alliance with Burgundy had been the keystone of the cardinal's foreign policy, which Kemp had come to support, and its disintegration could easily spell the political demise of Beaufort's party back in England, especially with enemies such as the duke of Gloucester ready to capitalise on his rival's misfortune. The death of the duke of Bedford on 14 September was a blow to Lancastrian France, now without his firm leadership, and to Cardinal Beaufort, who lost his foremost patron and protector.⁷⁷ Beaufort had left Arras at the head of his large retinue, all clothed in the cardinal's

⁷⁵ Dickinson, *Congress of Arras*, pp. 41, note 5, 43. Harriss, on the other hand, believes Gascoigne's criticism to have been levelled at Cardinal Beaufort and the duke of Gloucester, who both walked out when letters from Burgundy detailing the final French offer of terms for peace were read aloud to the council: *Cardinal Beaufort*, p. 255.

⁷⁶ Taverne, *Journal*, pp. 54–63.

⁷⁷ Harriss, *Cardinal Beaufort*, p. 251–252; Stratford, 'John, duke of Bedford', p. 188.

scarlet with the word 'honour' embroidered across their sleeves as a rebuke to the faithless Burgundians, and the cardinal himself was reported to have declared that he still had two million nobles in his treasury with which to continue prosecuting the war in France.⁷⁸ Yet despite his show of bravado, he must have felt a strong sense of foreboding as he returned to England, both for his own future and that of Lancastrian France.

The Defence of Lancastrian France and the Pursuit of Peace, 1435–40

In the event, the cardinal's wealth saved him, much as it had at other precarious moments throughout his life.⁷⁹ Gloucester managed to benefit from his brother's death with a collection of new offices and annuities, but he did nothing in terms of reorganising the makeup of the council and great offices of state. Most likely, he realised the realm's reliance upon Beaufort's ability to lend large sums of money as it faced the prospect of defending Lancastrian-held France without the support of Burgundy. Even after the worst crises had passed (momentarily), he did not hold the support of enough eminent statesman like Kemp, Cromwell, and Louis de Luxembourg, archbishop of Rouen and chancellor of France. These three men supported the cardinal and shared responsibility with him as executors of Bedford's estate; they also seemed to regard themselves as the late duke's 'political heirs, presenting a united front against Gloucester in England and commanding the confidence of Bedford's council in France'.⁸⁰

⁷⁸ Taverne, *Journal*, pp. 61–62; Harriss, *Cardinal Beaufort*, p. 251.

⁷⁹ Harriss, *Cardinal Beaufort*, pp. 264–65.

⁸⁰ *Ibid.*, pp. 254–55.

Meanwhile, the situation in France continued to deteriorate in the final months of 1435 with an alarmingly rapid series of losses that included the important port cities of Dieppe and Harfleur.⁸¹ By February 1436, word had reached England that the duke of Burgundy was preparing to besiege Calais itself. The parliament that met from October to December 1435 recognised the government's dire need, granting a tenth and fifteenth, a subsidy that amounted to a graduated income tax, and a grant of tonnage and poundage on wool.⁸² Even so, Treasurer Cromwell was obliged to seek extensive loans to pay for the raising of a large relief force.⁸³ This army, which numbered around eight thousand men and was led by the young duke of York, arrived in France on 7 June 1436. By this point, Paris had fallen, and the majority of the forces were thus deployed to protect Rouen and the rest of Normandy still held by the Lancastrian Crown.⁸⁴ Although York was in overall command, the actual military campaign was mainly directed by Lord Talbot, and it achieved great success, halting the French advance, suppressing local rebellions, and securing the Norman capital.⁸⁵

To address the immediate threat of Burgundy's siege of Calais, which commenced on 9 July, the duke of Gloucester himself led an army of 7,500 men to lift the siege and, if possible, engage and defeat Duke Philip's army. As it happened, Duke Humphrey arrived on 2 August to find that the Burgundians had already abandoned the siege earlier that week after the Calais garrison had bravely sallied and occupied

⁸¹ *Ibid.*, p. 256; Griffiths, *Henry VI*, pp. 200–01.

⁸² *PROME*, XI, pp. 174–79.

⁸³ Harriss, *Cardinal Beaufort*, p. 257.

⁸⁴ Griffiths, *Henry VI*, pp. 201–02.

⁸⁵ John Watts, 'Richard of York, third duke of York (1411–1460)', *ODNB*, LXVI, p. 749.

some of the enemy's defensive works.⁸⁶ Gloucester was deprived the glory of lifting the siege, and to make matters worse for him, the sally had been led by none other than Edmund Beaufort, nephew of the cardinal.⁸⁷ Instead, Duke Humphrey led his army into Flanders, ferociously devastating the region but failing to bring the duke of Burgundy to battle. After this *chevauchée*, Gloucester and his forces returned to England with their spoils of war, and he immediately set about promoting his martial foray as a feat worthy of the memory of Henry V.⁸⁸ The commons of the realm, infuriated by Burgundy's betrayal and aflame with anti-alien sentiments, applauded his efforts, and the parliament of January 1437 gave him praise. For the moment, at least, Duke Humphrey's long-held views on foreign diplomacy and military policy seemed to have been vindicated, his influence on the rise.⁸⁹

In the end, however, Gloucester proved unable to fully capitalise on his moment of popularity. Cardinal Beaufort's purse was as instrumental to the royal treasury as ever, and the cardinal's supporters, men like Kemp and Cromwell, were likewise essential members of the government. The years 1436 to 1437 also witnessed the gradual end of Henry VI's minority, which had further implications for Duke

⁸⁶ G.L. Harriss, 'Humphrey [Humfrey or Humphrey of Lancaster], duke of Gloucester [*called* Good Duke Humphrey] (1390–1447)', *ODNB*, XXVIII, p. 790; Griffiths, *Henry VI*, pp. 204–05; Harriss, *Cardinal Beaufort*, pp. 262–63.

⁸⁷ Harriss, *Cardinal Beaufort*, p. 263; Colin Richmond, 'Beaufort, Edmund, first duke of Somerset (c. 1406–1455)', *ODNB*, IV, p. 620.

⁸⁸ In fact, Gloucester used the occasion to commission his 'poet and orator', Tito Livio dei Frulovisi, with the composition of a grand epic poem detailing his exploits entitled the *Humfroidos*: Harriss, 'Humphrey, duke of Gloucester', pp. 790, 792; Harriss, *Cardinal Beaufort*, p. 263.

⁸⁹ Griffiths, *Henry VI*, p. 205; Harriss, *Cardinal Beaufort*, pp. 278–79.

Humphrey's position. From 1437, the king frequently attended council meetings, and in November of that year, he formally announced his intention to actively rule, and the council's role – and that of the chief councillor – changed accordingly. Of course, the sixteen-year-old monarch still required a great deal of counsel, so a new set of conciliar ordinances were drawn up and read out at an assembly of the great council that met from 12 to 14 November 1437, presided over by the king. These ordinances were taken from those put in place under Henry IV in 1406, although any clauses that had been intended to limit royal prerogative in the earlier document were removed.⁹⁰ As other scholars have observed, the point of ordaining this new council was not to restrict the young king's authority but to guide him as he emerged into the complex world of foreign and domestic policy.⁹¹

As the king began to take an increasingly active role in the governing of the realm, it quickly became clear that he naturally preferred Beaufort's strategy of peaceful negotiation to Gloucester's more bellicose strategies.⁹² There was also a growing realisation that complete victory over Charles VII was simply no longer a realistic objective, and those who realised this turned their attention to maintaining the remaining English possessions, especially the duchy of Normandy.⁹³ Differences in opinion over the best course of action in France incorporated the fate of the two prominent French captives who had been in England for over two decades, the duke of Orléans and the count of Eu. Both prisoners were deemed important enough that

⁹⁰ Wolfe, *Henry VI*, pp. 91–92; Griffiths, *Henry VI*, pp. 275–76.

⁹¹ *Ibid.*; Harriss, *Cardinal Beaufort*, p. 292.

⁹² K.H. Vickers, *Humphrey, Duke of Gloucester: A Biography* (London: Archibald Constable and Company Limited, 1907), p. 259; Harriss, 'Humphrey, duke of Gloucester', p. 790; Grummitt, *Henry VI*, p. 127.

⁹³ Harriss, *Cardinal Beaufort*, p. 276; Grummitt, *Henry VI*, p. 127.

Henry V had forbidden their release in his will until the terms dictated by the Treaty of Troyes were universally accepted in France, and those around his deathbed claimed that the dying king had stipulated that neither captive could be ransomed until his son came of age and was old enough to make the decision for himself.⁹⁴

However, as we have seen, the English embassy had already offered the release of Orléans in their final proposal at the Congress of Arras, and as the king began to take up the reins of government himself, he found himself beset by conflicting counsel.⁹⁵ Cardinal Beaufort, along with many other members of the council, favoured considering the prisoners' release if it could help to secure a lasting peace settlement and allow the return of high status English prisoners held by the French (looming large in Beaufort's mind, of course, was his own nephew, the earl of Somerset).⁹⁶ Duke Humphrey, predictably, argued vociferously against the release of both captives, particularly the duke of Orléans, who he suspected would ignore his oaths to Henry VI and help the French reconquer Lancastrian Normandy.⁹⁷

Kemp remained closely involved with international affairs during these years, vis-à-vis the French and the Scots.⁹⁸ In the years following the Congress of Arras and

⁹⁴ P. Strong and F. Strong, 'The Last Will and Codicils of Henry V', *EHR*, 96 (January 1981), 79–102 (p. 92); Mary-Jo Arn, 'Charles [Charles d'Orléans], duke of Orléans (1394–1465)', *ODNB* <www.oxforddnb.com> [accessed 30 July 2018]. This entry was published in the *ODNB* online edition in 2005 and is not contained in a print edition.

⁹⁵ Dickinson, *Congress of Arras*, p. 148.

⁹⁶ Harriss, *Cardinal Beaufort*, pp. 279–80, 311–12; G.L. Harriss, 'Beaufort, John, duke of Somerset

⁹⁷ Vickers, *Humphrey, Duke of Gloucester*, p. 260–65; Harriss, 'Humphrey, duke of Gloucester', p. 790.

⁹⁸ Regarding the Scots, Kemp, along with the earl of Northumberland and the bishops of Durham and Carlisle, raised a force that successfully relieved the siege of Roxburgh Castle in

the duke of Burgundy's defection, tempers began to cool, and both the English and the Burgundians soon acknowledged that the wool trade upon which both relied had suffered badly and that relations thus had to be repaired, at least commercially. Cardinal Beaufort and his niece, Duchess Isabel of Burgundy, were the main parties who attempted to effect a reconciliation, and Kemp, too, played a central role in negotiations.⁹⁹ In April 1437, the chancellor of Lancastrian France requested that Kemp and Bishop Alnwick of Lincoln join the French council for a time. The royal council also discussed sending the two men on an embassy to treat for peace, a mission that Kemp accepted.¹⁰⁰ Interestingly, although we do not know what the orders to this embassy would have been, Kemp engaged in a bit of archival research to prepare. It would also appear that he knew the possibility of his mission in advance, for on 25 February 1437, he removed the record of the duke of Burgundy's oath to Henry V from

late summer 1436: *Rot. Scotiae*, II, pp. 294–95; R.L. Storey, *Thomas Langley and the Bishopric of Durham, 1406–1437* (London: S.P.C.K., 1961), p. 161; R.G. Davies, 'Kemp [Kempel], John (1380/81–1454)', *ODNB*, XXXI, p. 174. After helping to assemble the northern troops, Archbishop Kemp accompanied them to the siege himself according to the *Latin Brut*, which states, 'Ac cum Regi [James I of Scotland] innotuit de aduentu Archiepiscopi Ebor., Episcopi Dunelmensis, ac Comitum Northumbrie, cum magna potencia borialium, Rex et omnis exercitus Scotorum diffugerunt': *EHL*, p. 322.

⁹⁹ Harriss, *Cardinal Beaufort*, pp. 277–78.

¹⁰⁰ *POPC*, V, pp. 6–9.

its place of storage, returning it the next day.¹⁰¹ As it happened, the negotiations never materialised, and Kemp and Alnwick remained with the royal council in London.¹⁰²

However, by 1438, both governments began to negotiate in earnest in order to revive commerce between the two states. In May, Burgundian envoys arrived in London for preliminary talks, and in December, Cardinal Beaufort and Archbishop Kemp led a delegation to Calais to treat with the Burgundians regarding the resumption of trade, although the official brief from the king and his council made it clear that negotiations with the French would be welcome, as well.¹⁰³ Kemp remained in France until February 1439, when he and Beaufort returned to make a report to the

¹⁰¹ *The Antient Kalendars and Inventories of the Treasury of His Majesty's Exchequer*, ed. by Francis Palgrave, 3 vols (London: Public Records Commission, 1836), II, p. 147. It is also interesting to note that Kemp once again removed the record of Burgundy's oath nearly fifteen years later, on 26 January 1452, according to a mandate given to him by the council. His purpose in retrieving the document is not clear, but he kept it in his possession until his death in March 1454. The record of the oath is no longer extant, and Dickinson claims that it went missing after Kemp removed it in 1452. However, this is not true; on 9 November 1454, it was restored to the royal treasury 'by the hand of the bishop of London [Kemp's nephew, Thomas], executor of the cardinal, in the Star Chamber': Dickinson, *Congress of Arras*, p. 66, note 5; *Antient Kalendars*, II, p. 148.

¹⁰² Davies erroneously claims that Kemp did, indeed, travel to the French council in April 1437, but many documents attest to his continued presence in England throughout the spring: Davies, 'Kemp, John', p. 174; *POPC*, V, pp. 6–28. By summer, he was still executing government business in London, for the parliament roll for 1437 notes that he, Gloucester, and Chancellor Stafford completed discussing and answering all of the common petitions submitted to parliament on 22 June: *PROME*, XI, p. 225.

¹⁰³ *Foedera*, V, i, pp. 56–57; *Stone's Chron.*, p. 67.

royal council.¹⁰⁴ They brought back the news that another peace conference between the English, French, and Burgundians had been arranged by Duchess Isabel, and on 4 March, Henry VI chose Calais as the place at which the negotiations would take place.¹⁰⁵ After a great deal of delay from the French, the meeting finally commenced on 10 July. Kemp led the English delegation, which included the bishops of Norwich, St. David's, and Lisieux, the earls of Stafford and Oxford, and Lords Bouchier and Hungerford. Cardinal Beaufort himself remained separate, acting along with Duchess Isabel as a mediator.¹⁰⁶ The duke of Orléans accompanied the delegation in the hopes that he could help persuade the French to accept terms of peace more palatable to the English.¹⁰⁷

Unfortunately, the conference started with a heated argument over the English procurations. Perhaps inspired by the duke of Gloucester, the embassy's instructions were unyielding and hostile to the extreme.¹⁰⁸ In the past, the English had simply referred to Charles VII as 'our adversary of France', but in the procurations for 1439, he was relegated to 'Charles of Valois'.¹⁰⁹ The French understandably took offence to this, as well as to the documents' supercilious statements regarding the right of Henry VI to the throne of France, and they questioned the absence of any mention of negotiating the release of Orléans. In the end, Cardinal Beaufort managed to smooth

¹⁰⁴ Kemp's account of his time in Calais is preserved in TNA, E 101/323/7.

¹⁰⁵ *Foedera*, V, i, pp. 59–60. Christopher Allmand examines the entire Calais peace conference of 1439 in detail in his article 'The Anglo-French Negotiations, 1439', *BIHR*, XL (May 1967), 1–33.

¹⁰⁶ *Foedera*, V, i, p. 61; Harriss, *Cardinal Beaufort*, pp. 296–97; Allmand, 'Anglo-French Negotiations', pp. 12–13.

¹⁰⁷ Allmand, 'Anglo-French Negotiations', pp. 14–15.

¹⁰⁸ *Ibid.*, pp. 10–11.

¹⁰⁹ *Ibid.*, pp. 16–17; *POPC*, V, pp. xlvii–l, note 1.

things over by obtaining a modified procuration that once again referred to 'our adversary of France', removed some of the arrogant wording pertaining to the French Crown, and allowed for the negotiations to include the release of the duke of Orléans.¹¹⁰ Beaufort's emendations notwithstanding, the instructions given to the official English embassy were still markedly rigid and uncompromising, fairly similar to the instructions given to the delegation at Arras several years earlier.¹¹¹

However, the cardinal also received his own individual instructions, which differed significantly from those given to Kemp in that it allowed Beaufort a great deal of freedom to negotiate on topics not permitted the general embassy. Most importantly, the cardinal was permitted to negotiate the terms of Henry VI's sovereignty in France. His instructions stipulated that, if the king's claim to the French throne proved to be the only obstacle to reaching a settlement, he was to declare 'that it were no Noveltee ner Inconvenient, that iche of hem called him Kyng of France, for so hath be seen afore this that such have be Kyngs in France, of diverse Parties there of, that have called hemself ich of hem Kyng of France'. Indeed, the royal orders stressed that 'rather thanne the thyng falle to Rupture, the said Ambassadors shal reporte hem in this matiere to my Lord the Cardinal, to whom the King hath opened and declared al his Entent in this Matiere'.¹¹² While we do not know the details of the king's full intent that he communicated to Beaufort, it seems clear that the cardinal was empowered to seek an agreement that allowed for two legitimate kings of France, each ruling his own portion of the kingdom.¹¹³

¹¹⁰ *POPC*, V, pp. 343–44; Allmand, 'Anglo-French Negotiations', pp. 16–17; Harriss, *Cardinal Beaufort*, p. 299.

¹¹¹ Allmand, 'Anglo-French Negotiations', p. 16.

¹¹² *Foedera*, V, i, p. 62.

¹¹³ Harriss, *Cardinal Beaufort*, pp. 297–98.

When the conference finally opened on 10 July, Kemp delivered the opening sermon, as he had at Arras. However, while at Arras he had given a stirring speech on the merits of peace, this time he forcefully (though elegantly, according to the journal of Thomas Bekynton) expounded upon Henry VI's rights to the French throne, using the prophecy of St. Bridget, who had foretold the union of England and France through marriage.¹¹⁴ Not surprisingly, the Archbishop of Rheims argued vigorously against Kemp's sermon, drawing upon prophecies of John the Hermit, who had foreseen that the English conquest was of the devil and thus doomed to failure. Kemp furiously denounced his French adversary for this riposte until Beaufort stepped in and humorously defused the situation by suggesting that a marriage between St. Bridget and John the Hermit would provide resolution, by which he also implied the desirability of a marriage alliance between England and France. Harriss considers Kemp's speech and resulting harsh words an 'ineptitude' that could easily have hindered the cardinal's grand designs, but that is rather unfair to the archbishop.¹¹⁵ As at Arras, Kemp was given uncompromising instructions that stressed the defence of Henry VI's rights, and he operated accordingly. It is hardly Kemp's fault that Beaufort, the 'Mediatour and Sterer to the Peas', had alone been entrusted with the authority and knowledge of the king's wishes to conduct business in a far more conciliatory manner.¹¹⁶

In any case, negotiation quickly ground to a halt as it became obvious that the English would not cede any land or discuss their king's sovereignty in France and the French would not abandon the requirement for homage or consider a long truce.

¹¹⁴ *POPC*, V, p. 352; Dickinson, *Congress of Arras*, p. 146, note 7; *Histoire de Bourgogne*, pp. cxlviii–cli.

¹¹⁵ Harriss, *Cardinal Beaufort*, pp. 299–300.

¹¹⁶ *Foedera*, V, i, p. 61.

However, the duchess of Burgundy and the duke of Orléans, who was being kept in custody in Calais during the negotiations, managed to craft a proposal of a different sort, which the duchess communicated verbally to Beaufort herself.¹¹⁷ In return for a long truce (of fifteen to thirty years), Henry VI would temporarily cease to title himself king of France in documents, while Charles VII would temporarily allow him to continue holding his French lands without paying homage. At the end of the truce (or even during, after giving one year's notice), Henry VI had the option to either resume his title as king of France and continue the war or make a peace settlement that included fealty to King Charles.¹¹⁸

Encouraged by this more reasonable offer, Beaufort asked for time to discuss the terms with the other envoys, for the purposes of which he requested a written copy of the proposal. The French delivered a written proposal that differed substantially from that communicated by Duchess Isabel, making clear their expectations that Henry VI would eventually formally renounce his claim to the French throne, pay homage for any French holdings, and release the duke of Orléans without ransom.¹¹⁹ The English protested this apparent act of duplicity, but Beaufort desperately tried to salvage some form of settlement, pressing the French and the Burgundians for modified offers.¹²⁰ Eventually, Orléans and Duchess Isabel crafted a final proposal in writing, removing the requirements that King Henry relinquish his claim and pay homage (returning to his temporary abandonment of the title and arms of France on all letters and documents for the duration of the truce). It was, as Beaufort had hoped,

¹¹⁷ Allmand, 'Anglo-French Negotiations', p. 21.

¹¹⁸ *POPC*, V, pp. 366–67.

¹¹⁹ *Ibid.*, pp. 367–69; 'Documents Relating to the Anglo-French Negotiations of 1439', ed. by C.T. Allmand, *Camden Fourth Series*, IX (July 1972), 79–149 (pp. 126–28).

¹²⁰ Harriss, *Cardinal Beaufort*, p. 301.

simply a truce suspending the final decision over the French throne and the sovereignty of English-held territories for the space of thirty years, allowing the English to retain all of Normandy except for Mont Saint-Michel. However, the French also stipulated that dispossessed landowners and officials, lay and clerical, be restored to their properties and offices, and they demanded the release of Orléans without ransom.¹²¹

It was decided by both sides that this last proposal would be brought to their respective monarchs for approval, and thus Kemp returned to London on 8 August with four of the other envoys to present the offer to the royal council and receive further orders.¹²² Beaufort and the duchess remained near Calais in an attempt to prevent the French from abandoning the negotiations while Kemp put the proposal to king and council in England.¹²³ Beaufort and Kemp must have known that the council would not accept the French terms – even the temporary suspension of Henry VI's use of his French title cast doubt upon its validity in the first place, and the demand for restitution of property, which also included retroactive compensation, was as unacceptable politically as it was impossible financially. Nevertheless, both clerics seem to have appreciated the impossibility of total victory over the French and the increasingly precarious position of the English holdings in France, and Kemp thus did his best to persuade the king and his council to come to some agreement with the French.¹²⁴

There is no record of the discussions that took place between Kemp's delegation and the royal council from 8 to 28 August at Windsor Castle. All we have

¹²¹ *POPC*, V, pp. 378–82; Allmand, 'Documents Relating to Negotiations', pp. 135–39.

¹²² TNA, E 364/73; Allmand, 'Anglo-French Negotiations', p. 25.

¹²³ Harriss, *Cardinal Beaufort*, p. 301.

¹²⁴ *Ibid.*, pp. 301–03; Allmand, 'Anglo-French Negotiations', pp. 25–27.

to go on is the report that the duke of Gloucester included in his vitriolic attack on the cardinal and the archbishop several months later, which we shall discuss at more length in due course.¹²⁵ While his account is obviously biased, the basic facts of his retelling of Kemp's interaction with king and council must be fairly accurate, even if he twisted the archbishop's intent, for he was presenting them to fellow councillors who had also been present. Gloucester, addressing the king, maintained that Kemp had 'made in youre presence at his commyng hoom...alle the suasions and colourable mocions in the moost apparent wise that he couth for to enduce youre highnesse to yeve youre aggrement' to the French proposal. Adding to the general authenticity of the duke's account, he added that he had not only heard Kemp's words in the council but had also seen them 'by his owen writing shewed there in youre high presence'.¹²⁶ Kemp's arguments in favour of a peace settlement were supported by a memorandum from the Norman council, which complained bitterly about the impoverishment of the duchy and its inability to provide for its own defence and warned that the people were increasingly hostile to English rule, desiring peace and prosperity.¹²⁷

It is easy to simply cast Kemp as a supporter of Cardinal Beaufort and thus find nothing surprising about his promotion of the peace settlement. However, in the context of the rest of his career, it seems a curious *volte-face*. As we have seen, Kemp vigorously defended Henry VI's rights to the throne of France on several recent occasions, often receiving the disapproval of historians who view his words as undiplomatic and rude. This is natural for a man who had been a trusted official of

¹²⁵ See below, pp. 170–73. Gloucester's lengthy list of accusations and complaints against his political opponents are printed in *Letters and Papers*, II, ii, pp. 440–51.

¹²⁶ *Letters and Papers*, II, ii, p. 446.

¹²⁷ Allmand has transcribed and published this memorandum in 'Documents Relating to Negotiations', pp. 140–46.

Henry V and had forged his career in the conquest of Normandy. It is substantially less natural that he would suddenly now advocate the relinquishment of the king's right to the French Crown, even temporarily. As is often the case, perhaps the best answer is the simplest one. While Kemp would continue to faithfully serve the Lancastrian dynasty for the rest of his life, he was also a shrewd politician and administrator who must have seen the futility of continued war with France, and he now favoured 'the argument of realism'.¹²⁸ In his willingness to free the duke of Orléans, he (like Beaufort) realised that to allow the duke to return to France and press for a lasting settlement with England was now a far more useful plan than Henry V's deathbed injunction against freeing him until the conquest of France was finished, an idea that had become almost entirely irrelevant.¹²⁹ Gloucester later accused Kemp of acting against the interests of the Crown in trying to persuade Henry VI of the virtues of the truce and the release of Orléans, but in reality, he was protecting the king's interests as much as Duke Humphrey thought he was; Kemp simply understood the trajectory of English fortunes in France better than did the king's stubborn uncle.¹³⁰

In the end, neither the pleas of the Norman council nor Kemp's 'suasions and colourable mocions' could convince the council to accept the French terms, and the envoys were sent back on 9 September with instructions to declare the French terms 'right unresonable'. They were to reassert Henry VI's right to hold Normandy (including Mont Saint-Michel), Guyenne, and Calais 'immediatly of God and in no

¹²⁸ Allmand, 'Anglo-French Negotiations', p. 25.

¹²⁹ Strong, 'Will and Codicils', p. 92; *Letters and Papers*, II, ii, pp. 446–47.

¹³⁰ *Letters and Papers*, II, ii, p. 446. However, although he may have been more willing to compromise than Duke Humphrey, Kemp continued to defend Henry VI's right by inheritance to the French regions brought under the English Crown by the Angevin kings even in the face of disapproval from Suffolk and the king himself: see below, pp. 182–83.

wyse of eny erthly creature', as well as the intention of the king to preserve his title as king of France 'hool saaf and untouched fro al diminusyng'.¹³¹ When Kemp and his colleagues returned to Calais, however, they found that the French had already departed, probably guessing that the English government would reject their proposal and showing their lack of interest in continuing negotiations. Naturally, the English declared the French to be at fault for the failure to make peace, having abandoned the negotiating table, and Kemp read out a formal announcement of this fact before the embassy, which was then reproduced in notarised copies.¹³² The peace conference had thus turned out to be nearly as unsuccessful as the Congress of Arras, although before returning to England once more, Kemp and Beaufort did manage to negotiate a commercial truce with Duchess Isabel that allowed the reopening of Anglo-Flemish trade.¹³³

After the two prelates returned home in October, Gloucester wasted little time in using this second failure of Beaufort's foreign policy to attempt to discredit both him and Kemp and bar them from political influence. Although his recorded declaration against them is undated, one of the London chroniclers recorded that Gloucester initiated his attack at the second session of the parliament of 1439–40, which opened on 14 January and ended on 24 February, and circumstantial evidence suggests that the event occurred prior to 24 January.¹³⁴ It seems likely that Duke Humphrey first

¹³¹ *POPC*, V, pp. 389–90.

¹³² *Ibid.*, pp. 395–97.

¹³³ *Ibid.*, pp. 388, 407; Harriss, *Cardinal Beaufort*, pp. 304–05; Allmand, 'Anglo-French Negotiations', pp. 29–30.

¹³⁴ *London Chron.*, p. 153. As discussed below, pp. 174–75, the English government received word from Rome on 24 January 1440 that Kemp had been elevated to the cardinalate. As Duke Humphrey used Beaufort's dual possession of bishopric and cardinalate against him

made an oral complaint against Beaufort and Kemp and then was obliged to put it in writing, but it is unclear whether the declaration was ever actually made to parliament or simply to the king and council.¹³⁵ The parliament roll itself contains no mention of the incident.

Unsurprisingly, Gloucester's accusations were mainly levelled at Beaufort, with Kemp regarded as the cardinal's henchman. The allegations were impressive in scope, once again showing Duke Humphrey's skill in investigating sources, amounting to a 'dexterous blend of propaganda, accusation, and smear'.¹³⁶ Gloucester maintained that the cardinal had long used his influence to profit monetarily at the expense of the Crown, that he had manipulated royal appointments out of nepotism, and that he had displayed unseemly pride in illegally claiming the dignity of the cardinalate while retaining the see of Winchester. He alleged that Kemp had aided and abetted Beaufort in his financial corruption, and he declared to the king that 'thorough youre lande it is noysed that the saide cardinal and the archebisshop of York have had and have the gouvernance of youre highnesse, which noon of youre trieu liegemen aught to usurpe, nor take upon hem'. He complained that their monopoly of influence

extensively in his declaration but made no similar attack on Kemp, it would seem that he carried out his assault before the arrival of the papal messenger. The original bill of complaint that Gloucester directed to the king is contained in BL, Add MS 38690.

¹³⁵ *PROME*, XI, pp. 245–46; Harriss, *Cardinal Beaufort*, pp. 308–09.

¹³⁶ Griffiths, *Henry VI*, p. 328. For Gloucester's previous forays into archival research in support of his claims, see TNA, C 49/53/12, which S. B. Chrimes printed in 'The Pretensions of the Duke of Gloucester in 1422', *EHR*, 45 (1930), 101–03 (pp. 102–03).

over the royal court had 'estraunged me, youre seule oncle, my cousin of York, my cousin of Huntyngdon, and many other lords of youre kyn'.¹³⁷

Here lies the root of Gloucester's resentment — as the king's uncle and the self-appointed heir to Henry V's ambitions, he believed that his should be the greatest influence upon the young Henry VI. Indeed, he played upon the emotionally charged nature of his late brother's wishes when he criticised his opponents' willingness to release the duke of Orléans, contending that Henry V had ordained in his will that Orléans be kept captive until the conquest of France was complete, realising the 'many inconveniences and harmes that might falle oonly by his deliverance'.¹³⁸ In their desire for peace — which Gloucester considered almost traitorous — Beaufort and Kemp had, in his opinion, trampled upon the Lancastrian dream of a dual monarchy and led the realm to disastrous negotiations, attempting to force upon the king a 'feyned colourable paix'.¹³⁹ In this context, Duke Humphrey blamed them entirely for the reconciliation of France and Burgundy and now for effecting the means by which the house of Orléans could resolve its differences with the Burgundians.¹⁴⁰ Gloucester also cleverly tried to draw upon the support of Archbishop Chichele, who had so vigorously opposed Beaufort's first attempt to claim the cardinal's hat in 1417, by proclaiming that, 'as of lords spirituel, of right the archebisshop of Caunterbury shulde

¹³⁷ *Letters and Papers*, II, ii, p. 442. It should be noted that neither York nor Huntingdon had complained about any lack of access to the king; indeed, Huntingdon went on to name Kemp as an executor of his estate several years later: *Collection of Wills*, pp. 282–89, (p. 285).

¹³⁸ *Letters and Papers*, II, ii, p. 447.

¹³⁹ *Ibid.*, p. 444.

¹⁴⁰ *Ibid.*, pp. 444–46.

be youre chief counsaillier, the whiche is also estranged and sette aside'.¹⁴¹ In conclusion, Duke Humphrey besought the king to end such systematic corruption and misgovernment by agreeing to 'estraunge hem of youre counsaillie' until they satisfactorily answered his charges.¹⁴²

Despite Gloucester's best efforts to discredit his rivals – and despite the recent failure of Beaufort's policy – no one else in the government seemed to support his opinion of the prelates in the least. No answer is recorded, and there is no record that either Kemp or Beaufort were given the chance to defend themselves from this comprehensive attack. It would appear that it was simply buried after king and council declined to consider the matter further.¹⁴³ However, while on the surface the cardinal had easily weathered Duke Humphrey's assault, it perceptibly altered his standing in the government. Gloucester had forcefully illuminated the utter failure of the foreign policy that Beaufort had strenuously striven to maintain over the past three decades, undermining his reputation. Now upwards of sixty-five years old, the cardinal was arguably reaching the point of retiring from public affairs, anyway, and the years leading up to his death in 1447 saw him gradually displaced from a position of great influence in the government.¹⁴⁴ Nonetheless, Beaufort's policies and his acknowledgement of the realities of the situation in France eventually took hold on the

¹⁴¹ *Ibid.*, p. 442. Margaret Harvey intimates that it was both Gloucester and Chichele who strove to bring about Beaufort's downfall in 1440: 'Eugenius IV, Cardinal Kemp, and Archbishop Chichele: a Reconsideration of the Role of Antonio Caffarelli', in *Studies in Church History Subsidiary IX: The Church and Sovereignty, c. 590–1918*, ed. by Diana Wood (Oxford: Basil Blackwell, 1991), pp. 329–44 (p. 335).

¹⁴² *Letters and Papers*, II, ii, p. 451.

¹⁴³ Harriss, *Cardinal Beaufort*, p. 309.

¹⁴⁴ *Ibid.*, p. 75.

council, leading to Henry VI's marriage to Margaret of Anjou and the Treaty of Tours in 1444.¹⁴⁵ However, it was not Beaufort who arose victorious from that diplomatic venture (however temporarily) but the earl of Suffolk.

Interestingly, the failure at Calais and Gloucester's subsequent attack did not spell the end of John Kemp's political or ecclesiastical career. While at Calais, a delegation from the Council of Basel had arrived to try to assist in bringing about peace between France and England.¹⁴⁶ By this point, the Council and the papacy were in open conflict, with Eugenius IV producing bulls against the assembly and the Council declaring the pope deposed and electing its own antipope, Felix V, the duke of Savoy.¹⁴⁷ While Kemp may have initially been sympathetic to the aims of the Council, he adamantly opposed schism, and as the spokesman of the English embassy at Calais, he had firmly declined the Council's delegation, putting in a word of support for Pope Eugenius at the same time.¹⁴⁸ Word of Kemp's loyalty quickly reached Rome, and the

¹⁴⁵ Allmand discusses the continuing impact of Beaufort's foreign policy in 'Anglo-French Negotiations', pp. 31-33.

¹⁴⁶ Allmand, 'Documents Relating to Negotiations', p. 111.

¹⁴⁷ Harriss, *Cardinal Beaufort*, p. 295.

¹⁴⁸ *POPC*, V, pp. 364-65; Johannes Haller, *Piero da Monte: ein Gelehrter und päpstlicher Beamter des 15 Jahrhunderts* (Rome: Bottega d'Erasmus, 1941), pp. 112-15; Allmand, 'Anglo-French Negotiations', p. 12, 18-19. For more on England's relationship with the Council of Basel in its conflict with the papacy, see A.N.E.D. Schofield, 'England, the Pope, and the Council of Basel, 1435-1449', *Church History*, 33 (1964), 248-78; Schofield, 'The First English Delegation to the Council of Basel', *JEH*, 12 (1961), 167-96; Schofield, 'The Second English Delegation to the Council of Basel', *JEH*, 17 (1966), 29-64.

pope promptly elevated him to the cardinalate on 18 December 1439, along with Louis de Luxembourg, archbishop of Rouen and chancellor of France.¹⁴⁹

Andrew Holes, the king's proctor at the curia and a close friend of Pope Eugenius, sent news of the elevations that reached Henry VI by 24 January 1440.¹⁵⁰ The king immediately wrote a letter to the pope from Reading, where parliament was then in session, thanking him for elevating Kemp and observing what great honour it brought the kingdom. He also requested that Pope Eugenius allow both Kemp and Louis de Luxembourg to retain their sees *in commendam*.¹⁵¹ On 4 February, Kemp received a letter patent licensing him to accept the cardinalate while retaining the archbishopric of York; in it, the king personally congratulated him on his elevation and extolled his virtues at length, warmly expressing the desire to be able to return the service that Kemp had long offered to the Crown.¹⁵²

It appears that Kemp was genuinely surprised by his sudden elevation to the cardinalate. While we have a number of documents testifying to his intimate involvement in all of his previous preferments, there are no records to suggest that he knew about the pope's desire to promote him or that he had even thought of receiving a cardinal's hat. Perhaps because he had witnessed the grief that it had caused Beaufort for the past fifteen years and more, Kemp seems to have initially leant towards declining the honour, for in his letter patent, the king urged him to accept despite his reluctance.¹⁵³ The pope greatly desired Kemp's presence in Rome for his wisdom and

¹⁴⁹ *CPL*, IX (1912), pp. 47–47.

¹⁵⁰ *Bekynton Correspondence*, I, p. 50; Jonathan Hughes, 'Holes, Andrew (d. 1470)', *ODNB*, XXVII, p. 635.

¹⁵¹ *Bekynton Correspondence*, I, pp. 50–52.

¹⁵² *Ibid.*, pp. 41–47.

¹⁵³ *Ibid.*, p. 43.

advice, while also expressing the wish for more Englishmen to join the curia, to which King Henry promised that he would send his archbishop as soon as possible, along with other English ecclesiastics.¹⁵⁴ But whether or not the king genuinely wished to please Pope Eugenius, it would have been unthinkable for any archbishop of York to become a resident in the curia, much less a man of Kemp's importance to the royal government.¹⁵⁵ However, the pope clearly intended to compel Kemp to journey to Rome by waiting to bestow the cardinal's hat in person, for in July 1440, Henry VI again wrote to the pope, this time expressing his astonishment that the cardinal's hat had still not arrived. He hoped that his last letter, which had promised Kemp's swift departure for Rome, was not the cause of the delay and maintained that the roads were currently far too unsafe to allow him to travel in the near future, rather unconvincingly claiming that, while letters of safe conduct were no longer respected on the Continent, if Kemp were in possession of the cardinal's insignia, no one would dare do him harm en route.¹⁵⁶

In the end, it was almost certainly Archbishop Chichele's opposition to Kemp's elevation that prompted the pope to send the cardinal's hat to England, relenting in mid-August.¹⁵⁷ The insignia still did not arrive until January 1441, but the king then wrote another letter to Eugenius nonetheless, thanking him for sending the hat 'so

¹⁵⁴ Ibid., pp. 40–41.

¹⁵⁵ Harvey, 'Eugenius, Kemp, and Chichele', p. 334.

¹⁵⁶ Ibid.; *Bekynton Correspondence*, I, pp. 48–50.

¹⁵⁷ For a detailed analysis of this dispute, see Chapter 6, pp. 337–46. See also Harvey, 'Eugenius, Kemp, and Chichele', throughout (especially at pp. 335–36); Walter Ullmann, 'Eugenius IV, Cardinal Kemp, and Archbishop Chichele', in *Medieval Studies: Presented to Aubrey Gwynn, S.J.*, ed. by J.A. Watt et al. (Dublin: Colm O Lochlainn, 1961), pp. 359–83; Harriss, *Cardinal Beaufort*, p. 330.

unhesitatingly' – although Henry VI is hardly famous for his wry wit, there is a distinct sarcasm underlining his thanks. Perhaps more sincerely, he expressed an earnest hope that Kemp's elevation to the cardinalate would enhance his influence in negotiating peace with the French. The king also showed his immense pleasure at receiving Kemp's long-awaited cardinal's hat by showering the papal envoy who had carried it with compliments, even bestowing upon him the famed Lancastrian livery collar.¹⁵⁸ The unreserved praise and support that Henry VI gave to Kemp throughout 1440 and 1441 not only speaks volumes about the archbishop's reputation but also about how little Gloucester's accusations were regarded by the king and the other leading figures of the realm. Duke Humphrey's attack had helped accelerate Beaufort's retirement, but the duke soon found himself 'gradually ignored' so that, by 1441, he 'had been decisively ousted, never again to return to the king's innermost counsels'.¹⁵⁹ The newly minted Cardinal-Archbishop John Kemp alone of the three survived the turmoil of the late 1430s and 1440s, continuing to maintain influence in the royal government.

Exclusion, Conflict, and Resurgence, 1440–49

However, while Kemp may have survived in the long term, his centrality to the royal government was temporarily eclipsed as the 1440s wore on. Duke Humphrey failed to capitalise on the decline of Beaufort's influence, and after his wife's arrest and condemnation in the autumn of 1441 for consulting astrologers on the likelihood of the

¹⁵⁸ *Bekynton Correspondence*, I, pp. 38–39.

¹⁵⁹ Griffiths, *Henry VI*, p. 238.

king's death (and thus her husband's accession), he became even further distanced from public affairs.¹⁶⁰ Into the void left by those two great rivals stepped William de la Pole, earl of Suffolk, whose influence at court had been quietly increasing since the mid-1430s; he now profited substantially from Beaufort's waning power and Gloucester's disgrace.¹⁶¹ As Suffolk's faction came to exert its influence over the court, even Kemp became somewhat marginalised. Davies observes that, in the 1440s, 'Kemp was clearly not now a part of the narrowing circle around the king that actually ran the government and...there was only limited use of formal council meetings where men such as he might give their opinion'.¹⁶² Indeed, historians generally view Suffolk to have accumulated influence at the expense of representative conciliar government.¹⁶³ Whether or not this was true, it also became the perception of the realm at large, leading to crisis and unrest by the end of the decade.

¹⁶⁰ Harriss, 'Humphrey, duke of Gloucester', p. 791; Vickers, *Humphrey, Duke of Gloucester*, pp. 269–80; Grummitt, *Henry VI*, p. 144.

¹⁶¹ John Watts, 'Pole, William de la, first duke of Suffolk (1396–1450)', *ODNB*, pp. 733–35; Harriss, 'Humphrey, duke of Gloucester', p. 791.

¹⁶² Davies, 'Kemp, John', p. 175.

¹⁶³ R.L. Storey argues that the rise of Suffolk's court party spelt the end of true conciliar rule until his downfall in 1449: *The End of the House of Lancaster* (Gloucester: Alan Sutton Publishing, 1986), p. 47. Griffiths characterises the period of Suffolk's influence as one of 'conciliar decay', when the royal council 'ceased to be a coherent body capable of giving considered and dispassionate advice to Henry VI': *Henry VI*, p. 284. David Grummitt states that Suffolk's faction 'dominated the process of counselling Henry, while their influence was recognised by contemporaries and increasingly seen as malign': *Henry VI*, p. 106. Watts, who presents a uniquely sympathetic image of Suffolk, argues against prevailing historiography, claiming that his assumption of authority was necessary under a completely incapable monarch and that he was subsequently made an unpopular scapegoat for his troubles: *Henry VI*, pp. 216–36; 'Pole,

When Archbishop Chichele died in April 1443, it was not Kemp but the chancellor, John Stafford, who was nominated by the royal government to be his successor in Canterbury, despite Cardinal Kemp's eminence and personal attachment to Kent.¹⁶⁴ Following the glowing sentiments that the king had expressed in his letters to the pope only a few years earlier, this must point to Kemp's growing exclusion from Suffolk's party. Simultaneously, the archbishop remained for unprecedentedly long periods of time in his northern archdiocese, for example spending no less than sixteen months in or near Yorkshire between August 1443 and February 1445, interspersed with only scattered visits to London amounting to approximately six weeks in total.¹⁶⁵ He also took advantage of his time away from secular administration to devote himself to his collegiate foundation in Wye, Kent, which opened sometime in 1447.¹⁶⁶

In addition, Kemp found himself embroiled in local disputes with his northern neighbours that kept him occupied in that region for lengthy periods of time. Although

William de la', p. 736. Nevertheless, one can see a marked decline in conciliar activity as Suffolk increased his influence in the royal household; this is evident in terms of sheer numbers, as Roger Virgoe details in his article on the royal council from 1437 to 1461. The attendance tables that Virgoe draws up also show Kemp's gradual detachment from the council: 'The Composition of the King's Council, 1437-61', *Historical Research*, 43 (1970), 134-60 (see especially the tables on pp. 157-58).

¹⁶⁴ Griffiths, *Henry VI*, p. 281.

¹⁶⁵ Taken from Kemp's archiepiscopal register: Reg. Kemp York, fols 50^r-54^v, 86^r-87^v, 92^v-95^v, 101^r, 184^r-186^r, 196^v-197^v, 202^v-208^v, 221^r-224^r, 314^v, 407^v-408^r. This only further discredits Thomas Gascoigne's exaggerated accusations of Kemp remaining more or less constantly absent from his archdiocese: see Chapter 6, p. 351, note 168.

¹⁶⁶ C.S. Orwin and S. Williams, *A History of Wye Church and Wye College* (Ashford: The Kentish Express Office, 1914), p. 125.

aristocratic disputes were nothing new, the increasing frequency and violence with which they erupted throughout the 1440s bears evidence both of the king's general inability to maintain law and order and the ineffectiveness of Suffolk's regime to objectively resolve them in the king's name.¹⁶⁷ Kemp's most serious dispute was with Henry Percy, earl of Northumberland, which began in earnest in 1440 and continued sporadically until 1452. The northern lords traditionally guarded their influence and privileges with vigour, but as archbishop of York, Kemp proved equally zealous of his prerogatives, setting the stage for confrontation.¹⁶⁸

The northern magnates particularly disputed the archbishop's right to charge tolls at his fairs at Otley and Ripon, where tenants belonging to the Percy affinity were obliged to pay in order to enter and do business.¹⁶⁹ Perceiving danger, Kemp hired three hundred armed men to defend his fairs and property. Sir William Plumpton, steward of Northumberland's Yorkshire manors, complained that the archbishop 'kept his towne of Ripon at faire tymes...like a towne of warr, with souldiers hired for their wages like as it had bene in the land of warr', which prevented Northumberland's tenants of nearby Knaresborough from attending the fair 'for dread of death'.¹⁷⁰ In retaliation, Plumpton and other Percy retainers organised the men of Knaresborough to attack the fairs in May 1441, culminating in a skirmish in which men were slain and others gravely wounded. Ominously, the attacking party was heard to cry, 'Sley the Archbishop' Carles!', and even, 'Would God that we had the Archbishop here!'¹⁷¹

¹⁶⁷ Wolffe, *Henry VI*, pp. 106-07, 117-29; Griffiths, *Henry VI*, pp. 562-97; Grummitt, *Henry VI*, pp. 119-22.

¹⁶⁸ Griffiths, *Henry VI*, pp. 577-78.

¹⁶⁹ *Ibid.*, p. 578.

¹⁷⁰ *Plumpton*, pp. liv-lv.

¹⁷¹ *Ibid.*, p. lx.

Other riots broke out, causing the destruction of a number of properties belonging to the see of York.¹⁷² The earl of Northumberland himself was actively involved in stirring up unrest against the archbishop by at least 1442, and a slanderous campaign of ‘false statements’ about Kemp was executed throughout the ridings of Yorkshire.¹⁷³

Kemp decried the assaults upon his servants and the ravaging of his archiepiscopal properties, bringing the case before the royal council in May 1443.¹⁷⁴ Even if Kemp was politically marginalised to some extent by Suffolk’s faction, he still clearly commanded the respect of the government, for the council decided strongly in his favour. They sent a commission of oyer and terminer to the north to dispense justice against the rioters, and the sheriff of Yorkshire received instructions to seek out and arrest all those who had attacked Kemp’s servants and tenants.¹⁷⁵ The earl of Northumberland himself was ordered to the Tower to await the council’s decision, and afterwards he was required to pay for all damage to properties belonging to Kemp and the Church.¹⁷⁶

Unfortunately, the violence did not cease after the council’s judgement. By 1444, armed conflict broke out again, and Northumberland’s sons were accused of breaking the peace and terrorising the archbishop’s tenants with threats of ‘death and mutilation’, while servants of Northumberland ‘and other satellites of Satan’ committed violence against citizens in Beverley.¹⁷⁷ In 1447, Thomas and Richard Percy skirmished with tenants of Beverley at Stamford Bridge, resulting in their

¹⁷² *POPC*, V, pp. 268–69.

¹⁷³ *CPR* (1441–46), p. 77; *POPC*, V, p. 273; Griffiths, *Henry VI*, pp. 578–79.

¹⁷⁴ *POPC*, V, pp. 268–69.

¹⁷⁵ *Ibid.*, p. 273; *CCR* (1441–47), pp. 143–45.

¹⁷⁶ *CCR*, (1441–47), p. 98; *POPC*, V, p. 309.

¹⁷⁷ *CCR* (1441–47), p. 217; *CPR* (1441–46), p. 291.

imprisonment in York.¹⁷⁸ Griffiths claims that Kemp achieved legal victory over the Percies through ‘influencing officials and bribing jurors’, although he offers no proof to support his assertions.¹⁷⁹ This does not ring true considering Kemp’s reputation for justice, and in any case, Northumberland and his sons hardly present a compelling image of wrongfully accused innocents.¹⁸⁰

Thus, for the most part Kemp found himself occupied with his own affairs for much of the 1440s, although the government did not hesitate to urgently recall him when the need arose. In 1445, he was summoned to Westminster to lend his experience and prestige to Suffolk’s negotiations with the French following the marriage of Henry VI and Margaret of Anjou and the signing of the Treaty of Tours in 1444.¹⁸¹ At the commencement of the proceedings, Kemp addressed the French embassy and outlined the English position as he had done numerous times before. Henry VI was not entirely pleased, however, publicly chiding him for not speaking ‘words of greater friendship’.¹⁸² Later in the negotiations, Kemp firmly protested against French claims

¹⁷⁸ Griffiths, *Henry VI*, p. 579; R.A. Griffiths, ‘Percy, Thomas, first Baron Egremont (1422–1460)’, *ODNB*, XLIII, p. 739.

¹⁷⁹ Griffiths, *Henry VI*, p. 579.

¹⁸⁰ *Ibid.*, pp. 578–79, 603, note 102. For a discussion of Kemp’s commitment to justice as chancellor, see Chapter 4, pp. 216–18, and Chapter 5, pp. 287–98. For a contemporary account that references his reputation for impartiality and integrity, see Giles’s *Chron.*, pp. 33–34, 45.

¹⁸¹ Davies, ‘Kemp, John’, p. 175; Griffiths, *Henry VI*, p. 491; Harriss, *Cardinal Beaufort*, p. 347; Watts, *Henry VI*, p. 225.

¹⁸² *Letters and Papers*, I, pp. 105–11. The king also appeared to flaunt the peace negotiations in the face of his uncle, Gloucester, who naturally opposed the proceedings. Suffolk, too, mocked Duke Humphrey, publicly humiliating him in front of the French ambassadors and

of sovereignty over Normandy and Poitou, arguing that these regions were part of the king's inheritance by right of past treaties and his descent from the Angevin kings. However, the marquess of Suffolk cut him short, professing a desire to 'proceed plainly', avoiding 'the delays of advancing from offer to offer'.¹⁸³ Although the duke of Gloucester had tried to depict Kemp as dishonourably eager for peace at all costs in 1440, such a characterisation was obviously wildly inaccurate, for while Kemp was, indeed, open to realistic compromise, he never once failed to defend Henry VI's right to at the very least hold his French possessions in full sovereignty.

In the end, the only result of the conference was a six-month extension to the existing truce in order to allow the two sides to prepare for a grand meeting between the two kings in person. The French later claimed that they had also been given an oral promise that King Henry would cede Maine to Margaret's father, Duke René of Anjou, a continuation of the vague commitments made at Tours the year before.¹⁸⁴ By December 1445, Henry VI had formally agreed to the cession of Maine, now also including the important city and castle of Le Mans, promising to hand the county over to his father-in-law by the end of April 1446. However, the king soon discovered that it was one thing to make international agreements and another to actually implement

commenting that Gloucester no longer had any power to disrupt the king's objective of peace: *Ibid.*, p. 123; Harriss, 'Humphrey, duke of Gloucester', p. 791.

¹⁸³ *Ibid.*, pp. 135–36.

¹⁸⁴ At Tours, Suffolk had delivered the king's terms to the French, which included an offer to relinquish his claim to the French throne in return for Normandy and Gascony in full sovereignty and also intimated a willingness to surrender Maine to the duke of Anjou: Wolffe, *Henry VI*, pp. 171–75. The surrender of Maine was to become one of the gravest charges made against Suffolk when he was impeached in 1449: Chapter 4, pp. 197–98.

them.¹⁸⁵ Those who remained committed to defending English possessions in France, a group that largely possessed landed interests in Lancastrian France, vehemently opposed the decision and found numerous ways with which to delay the surrender.¹⁸⁶ Not surprisingly, the duke of Gloucester became the leader of those disaffected by the policy of the king and Suffolk's faction, emerging from his recent political obscurity to offer criticism. As the truce with France began to falter due to the continued delay in surrendering Le Mans and rumours of the cession of Maine began to gain widespread disapproval, Duke Humphrey's long-held mistrust of any peace settlement and his staunch support for continued military action must have seemed vindicated.¹⁸⁷

However, Henry VI was now firmly fixated on the path of peace, regardless of the consequences, and Suffolk was determined not to lose his hegemony over the royal household and the benefits that came with it. The last thing that the king and his court favourite desired was an embarrassing public display of opposition to their plans for a final peace settlement from the king's uncle and heir presumptive.¹⁸⁸ In the autumn of 1446, Henry VI summoned a special council meeting to discuss the opening of the next parliament and to lay the groundwork for his proposed face-to-face meeting with Charles VII of France. Significantly, the dukes of Gloucester and York were not invited to attend. In late January, only two weeks before parliament was due to open, the

¹⁸⁵ Griffiths, *Henry VI*, p. 495.

¹⁸⁶ *Ibid.*, pp. 495–96; Wolffe, *Henry VI*, pp. 194–96.

¹⁸⁷ Griffiths, *Henry VI*, p. 496; Harriss, 'Humphrey, duke of Gloucester', p. 791; Watts, 'Pole, William de la', pp. 736–37.

¹⁸⁸ Griffiths, *Henry VI*, p. 496; Wolffe, *Henry VI*, pp. 131–32; Harriss, 'Humphrey, duke of Gloucester', p. 791.

location was suddenly changed from Winchester to Bury St. Edmunds, which was at the centre of Suffolk's regional influence.¹⁸⁹

Parliament opened on 10 February 1447 with Chancellor Stafford expounding upon the theme 'But to the counsellors of peace is joy', a clear message of the trajectory of current government policy.¹⁹⁰ Having been instructed to bring few men, Gloucester arrived from his Welsh estates eight days later with a small contingent of retainers, although the king and members of Suffolk's faction had already installed large numbers of men throughout the vicinity. As he approached the town, officials of the royal household met him and told him to proceed directly to his lodgings, citing the cold weather in an apparent attempt to make him think that the king was genuinely concerned for his uncle's health. After dinner, a group of courtiers that included Viscount Beaumont, the duke of Buckingham, the marquess of Dorset, the earl of Salisbury, and Lord Sudeley, came to place Gloucester under house arrest, apparently on charges of treason. The next few days witnessed the arrest of fifty members of the duke's household, who were variously imprisoned across the kingdom. It was reported that Gloucester was 'insensible and immobile' for three days, and by 23 February, Duke Humphrey lay dead.¹⁹¹

Within three years, the commons of the realm voiced their belief that Suffolk and his followers had murdered Gloucester, a charge that the Yorkists continued to perpetuate.¹⁹² However, Griffiths and Wolffe both convincingly argue that the outright murder of the king's uncle and heir presumptive would have been foolish in the

¹⁸⁹ Wolffe, *Henry VI*, p. 130; Griffiths, *Henry VI*, p.

¹⁹⁰ '*Qui autem [ineunt] pacis consilia, sequitur illos gaudium*' (Proverbs 12:20); *PROME*, XII, p. 8.

¹⁹¹ Giles's *Chron.*, pp. 33–34; *English Chron.*, pp. 65–66; Wolffe, *Henry VI*, pp. 130–31; Griffiths, *Henry VI*, pp. 496–97; Harriss, 'Humphrey, duke of Gloucester', p. 791.

¹⁹² See Chapter 4, p. 223.

extreme, pointing out that none of the earliest accounts allude to murderous intent. Griffiths observes the care with which Suffolk and his associates tried to shape public opinion as negotiations with the French developed and concludes that they would not have risked the certain outrage that the murder of Duke Humphrey would have aroused.¹⁹³ It seems likely that he truly did die of 'sheer depression and despair' after 'his years of loyalty and service were rewarded by such a despicable attack on his honour'.¹⁹⁴ If the so-called Giles's Chronicle is accurate in describing Gloucester as 'insensible and immobile' (*'neque sensus neque motus'*), then Harriss is probably correct in proposing that he had died of a stroke.¹⁹⁵ Presumably to prove that he had not suffered a violent death, Duke Humphrey's body was displayed in the abbey of Bury St. Edmunds for all of parliament to see, after which it was taken for burial to his favoured monastic establishment, the abbey of St. Albans.¹⁹⁶

Regardless of whether or not there was foul play, Gloucester's death could still easily be attributed to his ignominious arrest. That this was contrived by Suffolk's faction is almost beyond doubt, but the king himself must also have condoned the

¹⁹³ Griffiths, *Henry VI*, p. 499.

¹⁹⁴ Wolfe, *Henry VI*, pp. 131-32.

¹⁹⁵ Giles's Chron., pp. 33-34; Harriss, 'Humphrey, duke of Gloucester', p. 791. The *Brut* and some of the London chronicles record the contemporary rumour that Gloucester had been murdered either by suffocation 'bitwene ii ffedirbeddes' or by a 'throst into the bowell with an hote brennyng spitte', but Abbot Whethamstede of St. Alban's, a friend of Duke Humphrey's, maintains that he had died of natural causes: *Brut*, II, pp. 512-13; *London Chron.*, p. 157; *Reg. S. Albani*, I, pp. 178-79.

¹⁹⁶ *Brut*, II, p. 513; *London Chron.*, p. 157.

act.¹⁹⁷ Duke Humphrey's offices and properties were also redistributed with indecent haste, many of them being granted on the same day that he was found dead, and a week later his disgraced widow was officially barred from receiving any dower money from her late husband's estate.¹⁹⁸ Two grants of Gloucester's property were even made prior to his arrival in Bury St. Edmunds, which suggests that at least his indictment for treason was premeditated.¹⁹⁹ None of this reflected well upon the king and the prevailing court party led by Suffolk, and Duke Humphrey's absence did nothing to quell the rising dissatisfaction with the cession of Maine and the government's general peace policy. Watts notes that Suffolk's political career began to descend into crisis from this point on and that 'it is from this moment, according to several chroniclers, that murmurings against the king's advisers began to spread among the people'.²⁰⁰

Interestingly, John Kemp, who had suffered much at the hands of Duke Humphrey, seems to have had nothing to do with his erstwhile opponent's downfall; as we shall see in Chapter 4, he was certainly never implicated in Gloucester's death (or in any other complaints regarding corruption and misgovernment) by Cade's rebels.²⁰¹ Even during Duchess Eleanor's trial for witchcraft and treason in 1441, both Kemp and Cardinal Beaufort had played a noticeably minimal role in proceedings. Although they initially sat alongside the archbishop of Canterbury on the tribunal of high-ranking clerics who heard the case against the duchess, both cardinals placed

¹⁹⁷ Wolffe, *Henry VI*, p. 131; Griffiths, *Henry VI*, pp. 497–99. Even Watts, who takes a fairly sympathetic view of Suffolk, admits that the order for Gloucester's arrest 'can only have come from Suffolk and his colleagues': Watts, 'Pole, William de la', p. 736.

¹⁹⁸ *PROME*, XII, pp. 16–19, 23; *CPR* (1446–52), pp. 17, 34, 42–43.

¹⁹⁹ *CPR* (1446–52), pp. 32–34.

²⁰⁰ Watts, 'Pole, William de la', p. 736.

²⁰¹ The complaints of Cade's rebels are discussed below: Chapter 4, pp. 210–12.

themselves second to Chichele, and when the latter absented himself on the grounds of illness, neither Kemp nor Beaufort made an appearance, leaving the bishops of London and Norfolk to preside, with Bishop Adam Moleyns, soon to become a leading member of Suffolk's faction, reading out the charges on behalf of the council.²⁰² It would seem that they had deliberately eschewed any sort of prominence in the affair. Significantly, it was a commission of lay lords that included the earls of Suffolk, Huntingdon, and Stafford, who acted as chief investigators of Duchess Eleanor's offences and who actually drew up the indictments.²⁰³ Her repeated request to be tried not by a secular but by an ecclesiastical court shows that she had more to fear from influential members of the royal court than from prelates, even adversaries of her husband such as Kemp and Beaufort.²⁰⁴

In the cases of both Gloucester and his wife, Kemp thus showed an unwillingness to seek advantage from politically motivated and, at least in the case of Duke Humphrey, entirely spurious accusations. Of course, Kemp was also never a member of Suffolk's circle, and in the years following Gloucester's death, their relationship grew ever more strained. In 1448, Henry VI wrote to Pope Nicholas V to recommend the cardinal's nephew, Thomas Kemp, to the see of London when it fell vacant. When the old bishop of London died in July of the same year, the pope duly sent the bulls of provision.²⁰⁵ However, the king then changed his mind with the newly-elevated duke of Suffolk's encouragement, writing to the pope to say that his previous letter had not genuinely reflected his views, which had been distorted by

²⁰² *English Chron.*, pp. 62–63; *Brut*, II, pp. 478–80.

²⁰³ *English Chron.*, pp. 62–63; *Brut*, II, p. 479.

²⁰⁴ G.L. Harriss, 'Eleanor [*née* Eleanor Cobham], duchess of Gloucester (c. 1400–1452)', *ODNB*, XVIII, pp. 27–28.

²⁰⁵ *CPL*, X (1915), p. 387.

William Gray, his proctor at the curia. Instead, the king claimed that he had actually wished to nominate Marmaduke Lumley, bishop of Carlisle and treasurer of England. Suffolk supported this story with a similar letter of his own, hoping to further the career and influence of yet another member of his faction.²⁰⁶

Pope Nicholas was less than impressed, and he refused to rescind Kemp's provision. He also defended William Gray, enclosing a copy of the king's original letter to remind him of just how genuinely he had promoted Thomas Kemp. Clearly annoyed, the pope went so far as to indulge in a rather testy lecture on the essential qualities of good kingship, which included 'gravity in taking advice and constancy when he had accepted it'.²⁰⁷ Suffolk unwisely responded to the papal refusal by stolidly blocking Thomas Kemp's translation for the next year and a half. It was not until 6 February 1450, when Cardinal Kemp regained the chancellorship after Suffolk's impeachment and Chancellor Stafford's resignation, that Thomas at last received the temporalities of the see of London.²⁰⁸ The cardinal personally consecrated his nephew two days later.²⁰⁹ Nonetheless, Suffolk's gratuitous attempts to aggressively assert his will 'can hardly have failed to displease Archbishop Kemp or undermine his confidence in Suffolk'.²¹⁰ Nonetheless, as we shall see in Chapter 4, any personal antipathy that may have developed between the cardinal and the duke of Suffolk did

²⁰⁶ Wolffe, *Henry VI*, pp. 108–09; Rosemary C.E. Hayes, 'Kemp [Kempe], Thomas (c. 1414–1489)', *ODNB* <www.oxforddnb.com> [accessed 1 August 2018]; R.L. Storey, 'Marmaduke Lumley, bishop of Carlisle, 1430–1450' *TCWAAS*, 55 (1955), 112–31, (p. 130).

²⁰⁷ *Bekynton Correspondence*, I, pp. 155–57; Wolffe, *Henry VI*, p. 109.

²⁰⁸ *CPR* (1446–52), pp. 307–08.

²⁰⁹ Hayes, 'Kemp, Thomas'.

²¹⁰ Griffiths, *Henry VI*, p. 286, 678; R.L. Storey, *The End of the House of Lancaster* (Gloucester: Alan Sutton Publishing, 1986), pp. 45–46.

not stop Kemp from rushing to help bolster the royal government and even to do what he could to spare Suffolk a traitor's death as the realm descended into political crisis.

In Conclusion

Although the years between 1432 and 1450 in many ways saw Kemp's centrality to the government decline (especially in the 1440s), he still remained an important member of the royal council. In particular, his experience and reputation in diplomacy meant that he was inevitably summoned whenever high-stake negotiations with France or Burgundy were afoot. While he may indeed have desired to relinquish his secular cares and pursue a more ecclesiastical career, perhaps at the Council of Basel, the wisdom and prestige that he lent to foreign embassies were such that the royal government simply could not afford for him to leave.

As we have seen, the nature of the negotiations that took place throughout the 1430s, with the inflexibility of English demands, made their failure practically unavoidable. Nevertheless, Kemp's role in unsuccessful diplomatic occasions such as the Congress of Arras and the later peace conference at Calais gave the duke of Gloucester an opportunity to attack him and Cardinal Beaufort in his last great attempt to destroy his foremost political opponents. The high regard in which Kemp was held by the king and the majority of the ruling class is abundantly clear from his imperviousness to Duke Humphrey's assault — indeed, far from exiting public life in disgrace, Kemp was honoured with a cardinal's hat and Henry VI's express permission to accept the elevation while holding the see of York *in commendam*.

However, Gloucester's attack did hasten Beaufort's retirement, while Duke Humphrey himself soon lost most of his credibility when his wife was charged with

treasonable necromancy. The earl of Suffolk leapt in to fill the vacuum left by those two great rivals, and even Kemp faded into the background somewhat, though he continued to be consulted in matters of national importance, such as the negotiations with Charles VII of France after Henry VI's marriage to Margaret of Anjou. As Suffolk and his small circle accrued ever more influence, Kemp found himself increasingly sidelined, until Suffolk even saw fit to personally oppose the cardinal's endeavour to secure the see of London for his nephew, Thomas Kemp. But just as in the months following his resignation of the great seal in 1432, the seventy-year-old Kemp promptly and energetically came to the regime's aid when it appeared on the point of collapse in late 1449 to 1450. Once more, the 'last great civil servant of the house of Lancaster' stepped up to guide the Lancastrian state through the gravest crisis that it had yet faced.²¹¹

²¹¹ Storey, *End of Lancaster*, p. 82.

Chapter 4

A Man for All Crises: Chancellor Kemp, 1450-54

Kemp served two terms as chancellor of the realm, from 1426 to 1432 and from 1450 to 1454. It is no coincidence that both of these appointments came at times of national crisis, and his stabilising influence was immediately evident in both circumstances. We discussed his first chancellorship at length in Chapter 2, and now we must turn to the second, which dominated the remainder of the cardinal's life until his death in March 1454. The period of 1450 to 1454 further illustrates Kemp's devotion to Crown and kingdom, but more importantly, it provides us with perhaps the clearest picture of his character and the direct influence that he had upon the royal government. In light of this, we shall closely examine his activities in this period and the historical context of the tumultuous events that surrounded his final years.

Suffolk's Impeachment

By 1449, the political tension felt throughout the realm was at a breaking point. Dissatisfaction with a variety of government policies was rampant, especially the perception that power was increasingly restricted to the small court faction of the duke of Suffolk and his associates. The court's wanton dispensation of patronage garnered particular criticism as the Crown's debts mounted while most valuable wardships and marriages were granted away, more often than not to those connected with Suffolk's

party, if not to Suffolk himself.¹ Many believed that those around the king were ruling the kingdom for their own gain and at the expense of local justice and the war effort in France.² While the reality of such supposed injustice was probably much more complex than this, perception is powerful, and with the fall of Rouen (to be followed soon after by the rest of Normandy) in October 1449, discontent erupted first into parliamentary fury and then into large-scale open rebellion.³

As we discussed at the end of Chapter 3, by the time that the political storm broke over the duke of Suffolk, Kemp was far from being counted among his friends and allies. Aside from Kemp's gradual exclusion from royal politics as Suffolk's faction gained more and more influence throughout the 1440s, his dispute with the duke over Thomas Kemp's nomination to the see of London in 1448 pushed the cardinal even

¹ R.A. Griffiths, *The Reign of King Henry VI* (Stroud: Sutton Publishing, 2004), pp. 362–63; John Watts, 'Pole, William de la, first duke of Suffolk (1396–1450)', *ODNB*, LXIV, p. 736.

² There are many cases of treasonous speech, as well as political songs and poems, throughout the late 1440s that attest to a common sense of unease regarding the apparent absence of a decisive ruler and dissatisfaction with those who seemed to direct the affairs of state in the king's stead (even blaming them for circumstances such as the queen's inability to conceive in heir). For example, see Canterbury, Canterbury Cathedral Archives (CCA), CCA-DCc-ChAnt/C/239; TNA, KB 9/262, m. 1; KB 9/260, m. 85; *The Libelle of Englysche Polycye: A Poem on the Use of Sea Power, 1436*, ed. by George Warner (Oxford: Clarendon Press, 1926).

³ Griffiths, *Henry VI*, pp. 515–18, 628–40. For a discussion of the true extent to which counties like Kent were actually subjected to extortion and oppression, see David Grummitt, 'Deconstructing Cade's Rebellion: Discourse and Politics in the Mid Fifteenth Century', in *The Fifteenth Century VI: Identity and Insurgency in the Late Middle Ages*, ed. by Linda Clark (Woodbridge: The Boydell Press, 2006), pp. 107–22 (especially pp. 114–16).

further from the royal chamberlain.⁴ It is thus a credit to Kemp's character and his dedication to the Lancastrian Crown that he rushed to the support of the government and Suffolk himself as crisis engulfed the realm.

On 6 November 1449, John Stafford, archbishop of Canterbury and chancellor for the past eighteen years, opened parliament in an atmosphere of intense anger and anxiety.⁵ The speaker chosen by the Commons, Sir John Popham, begged the king to allow him to refuse the nomination on account of his advanced age and poor health, which he attributed to 'the frenzy of war in the service of the lord king himself and his father'.⁶ Of course, it is entirely possible that he declined to serve as speaker because of the volatile nature of the business that parliament was about to take up. However, his pointed reference to his war service under Henry VI and, especially, Henry V gives us reason to consider other motives for the Commons' nomination and his subsequent refusal. As J.S. Roskell points out, Popham did not have much political experience to recommend him to the role of speaker, but he did have an impressive military record. After fighting at the battle of Agincourt – he was the only member of the Commons in 1449 who had served in the campaign of 1415 – Henry V had rewarded his valour with a valuable annuity and appointed him as the first bailiff of Caen in 1417 and captain of Bayeux in 1421.⁷ The king also granted Popham several estates in Normandy, and after Henry V's death, he served as chancellor of Normandy (after Kemp resigned that office in 1422) and as Bedford's chamberlain and lieutenant in

⁴ Chapter 3 treats Kemp's political eclipse in the 1440s at length; see Chapter 3, pp. 188–90, for a discussion of Kemp's dispute with Suffolk over his nephew's elevation to the see of London.

⁵ *PROME*, XII, p. 81.

⁶ *Ibid.*, p. 82.

⁷ J.S. Roskell, *The Commons and their Speakers in English Parliaments, 1376–1523* (Manchester: Manchester University Press, 1965), pp. 235–36.

Rouen.⁸ Thus, Roskell opines that his selection as speaker was deliberate — ‘having assisted in the winning of much of what was now all but lost, he represented something of a reproach to the royal administration, and his appearance at the head of the Commons can only have discomfited the Court’.⁹

This unusual and rather ominous opening quickly proved to be merely the starting point of what has come to be known as ‘one of the most politicised [parliaments] of the century’.¹⁰ Suffolk and his associates became the scapegoats for the losses in France, and by January 1450 the Commons were vociferously calling for the duke’s blood, demanding that he be arrested and charged with treason in consequence of the treacherous part that he had allegedly played in the remarkable French resurgence of the previous eight months.¹¹ The king and the lords, on the advice of the justices of the King’s Bench, deflected the demand for Suffolk’s arrest by pointing out that they could not imprison him on the basis of mere ‘generall termes, rumoir, and noyse of sclaundre and infamie’ but that they required specific charges to be ‘declared and shewed’.¹²

The Commons, unsatisfied by this answer, returned the next day to press the king once again for Suffolk’s imprisonment, claiming that the realm was seething with ‘grete rumour’ that the duke had sold the kingdom to the king of France, who was planning an imminent invasion of England while Suffolk himself was allegedly

⁸ *Ibid.*, p. 236; Anne Curry, ‘Popham, Sir John (c. 1395–1463)’, *ODNB*, LXIV, pp. 895–96.

⁹ Roskell, *Commons and their Speakers*, p. 237.

¹⁰ *PROME*, XII, p. 71.

¹¹ The Commons’ complaints against Suffolk and the duke’s own defence, which we shall examine in more detail in the course of this chapter, occupies a great deal of the parliament roll: ‘Parliament of November 1449’, XII, pp. 92–104.

¹² *Ibid.*, p. 93.

fortifying his castle at Wallingford and stocking it with vast amounts of weaponry to support the French forces when they arrived. This, the Commons argued, was surely 'speciall mater ynough of suspecion of treason' to commit the duke to custody. The king and his lords evidently agreed, for Suffolk was duly incarcerated in the Tower that very day, 28 January 1450.¹³

Whether because he was held accountable for this confused series of events – which Anne Curry labels an outright 'debacle' – or simply because those who had held power under Suffolk were now being removed from government office *en masse*, Archbishop Stafford was 'discharged' as chancellor on 31 January, and the king appointed seventy-year-old Cardinal-Archbishop John Kemp as his replacement.¹⁴ Once again, the government looked to Kemp to step in and help steer the ship of state through troubled waters. The magnitude of the various crises facing the realm in 1450 must have made the political turmoil caused by the Beaufort-Gloucester dispute when Kemp last accepted the great seal in 1426 look almost trivial. It was a daunting task for any incoming chancellor, let alone a septuagenarian who suffered from increasing bouts of poor health, yet he took up his duties with vigour, doing his utmost to restore unity and stability within the government and throughout the realm at large.¹⁵ The Prussian envoy to Henry VI's court, Hans Winter, certainly seemed to feel that the realm was once again in capable hands with Kemp's appointment as chancellor, writing with an air of relief that 'the honourable and pious lord, the Lord Cardinal of

¹³ *Ibid.*, pp. 93–94.

¹⁴ *Ibid.*, p. 83; *PROME*, XII, p. 75.

¹⁵ The issue of Kemp's health is discussed in Chapter 2, pp. 116, 127–28.

York...is now the light of wisdom in England and...brings order, and everything that is godly and honest, back to England'.¹⁶

Kemp's first challenge, the Commons' charges of treason and misgovernment against Suffolk, was already in a state of chaos by the time he took up the great seal, and the situation continued to deteriorate. On 22 January, Suffolk had voluntarily defended his honour against 'the grete infamie and defamation that is seid uppon hym, by many of the people of this lande' before the king in parliament, passionately denying all rumours that implicated him with treasonous activity and declaring himself ready to offer 'excusations and defences resonable' to any who might accuse him.¹⁷ Accuse him the Commons certainly did, submitting a list of no less than eight specific charges of treason.¹⁸ The accusations are largely ludicrous in nature: for instance, they claimed that he had plotted to overthrow Henry VI, marry Margaret Beaufort, his ward, to his own son, and ultimately proclaim Margaret to be the next in line to the throne.¹⁹ Other charges declared that he alone, without the knowledge of any other lords or ambassadors, had treasonously granted Le Mans and Maine to the French while negotiating the king's marriage to Margaret of Anjou; that he had leaked military arrangements and other sensitive information to the French; and that it was his advice, once again 'counseilled and stered of hym self oonly', that had led to the

¹⁶ 'So allirgenediger here, so habe ich hir vornomen dorch den erwirdigen fromen hern hern cardinal von Jork, der nu das licht der weisheit ist in Engeland und al ding nu gotlich, erlich wedir in sossunge bringit in Engeland': *Hanserecesse von 1431-1476*, ed. by Goswin von der Ropp (Leipzig: Duncker & Humblot, 1881), p. 507. Many thanks to Prof. Bernhard Klein for his immense help in constructing an English translation.

¹⁷ *PROME*, XII, pp. 92-93.

¹⁸ *Ibid.*, pp. 94-98.

¹⁹ *Ibid.*, p. 95.

supposedly disastrous release of the duke of Orleans in 1439 in order to secretly aid Charles VII to recover Lancastrian-held France.²⁰

After the Commons had read out their charges before ‘the cardinal of York, chancellor of England, and very many of the other lords both spiritual and temporal’, Kemp and the rest of the noble delegation accepted a written copy of the bill and read it aloud before the king and the rest of the lords several days later. The clerk of the parliaments concisely recorded that ‘it was thought by all the lordes, that the justices shuld have a copye therof, to reporte her advise what shuld be doon to the articles comprised in the said bille. But the kyng woll, that it be respited unto tyme he be otherwise advised’.²¹ It would thus seem that the lords were quite willing to put Suffolk’s case before the law, but Henry VI himself wished the proceedings to be entirely halted until he received convincing advice to the contrary, maybe hoping naively that the storm would pass if only he could prevaricate long enough. However, if this was the case, the lords did not allow the king to continue prevaricating, for on 7 March, ‘it was thought and assented by the majority of the lords who were then present in the parliament that the said duke of Suffolk should come to his answer’.²²

The Commons may have realised that the treason charges were dubious at best and would not stand up to a good defence by Suffolk, so on 9 March, they submitted yet another lengthy list of charges – eighteen, to be exact – that accused the duke of an array of ‘offenses, mesprisions, untrue labours and fals deceytes’, most of which hinged upon ‘the subversion of your lawes and justice, and execution therof’.²³ These included enriching himself at the Crown’s expense through deliberate

²⁰ *Ibid.*, pp. 95–97.

²¹ *Ibid.*, p. 98.

²² *Ibid.*, pp. 98–99.

²³ *Ibid.*, pp. 98–104.

mismanagement of patronage (and the subsequent impoverishment of the royal household), the misappropriation of tax money, and general bad counsel, the effects of which ranged from the corrupt appointment of sheriffs to the loss of territories in France.

In reality, these charges posed a more serious threat to Suffolk, for many of them were based in fact, or at least in facts that could easily be manipulated – ‘a truly formidable hotchpotch of half truths and untruths’, as Bertram Wolffe observes.²⁴ Even John Watts, whose scholarship generally takes a sympathetic view of Suffolk, admits that ‘the curious conditions that had created and surrounded the duke's hegemony undeniably provided the commons with plenty of material for their accusations’.²⁵ That notwithstanding, even the ‘half truths’ that somewhat justifiably accused Suffolk of misconduct could not be laid entirely at his feet; as he pointed out in his subsequent defence, all of the actions and decisions highlighted by parliament could not possibly have been pursued without the knowledge and consent of the other lords, if not also the king himself.²⁶

²⁴ Bertram Wolffe, *Henry VI* (London: Methuen London Ltd, 1983), p. 225.

²⁵ Watts, ‘Pole, William d la’, p. 737.

²⁶ Scholars are divided in their opinion of William de la Pole, though all agree to some extent that the level of blame brought to bear upon him was exaggerated. R.L. Storey offers the most tepid defence, saying, ‘Obviously he cannot be held entirely responsible for the deterioration of the crown’s revenues...yet if the commons wanted a scapegoat for the king’s bankruptcy as they did for the disasters in Normandy, Suffolk had eminently qualified himself for the role’: *The End of the House of Lancaster* (Gloucester: Alan Sutton Publishing, 1986), pp. 49–50. Griffiths refers to ‘the disastrous record of the government’ under Suffolk’s faction and agrees that ‘the factual element in the charges was often undeniable...but the duke’s intentions were frequently misinterpreted, and some of the commons’ conclusions were a matter of judgement or opinion’.

As wild and unfounded as most of the accusations may have been, Suffolk's impeachment by the Commons posed a problem for the government. Many of the other lords were fully complicit in the diplomatic arrangements that Suffolk had carried out on behalf of the king, and they had no wish to fall under similar condemnation should he begin identifying them in the course of a public defence.²⁷ Thus, the duke was summoned before the king and the lords on 13 March to defend himself against the specific charges laid out in the two bills. He once again confidently defended his actions, and regarding the accusations brought against him, 'he denyed hem utterly, and said...they were fals and untrue'. More ominously for the other lords, he added that 'as for the article of Anjoy and Mayn, he reporteth hym to the acte that is made theruppon in the counseill, saiying that other lordes were as privy therto as he'.²⁸ Whether by the duke's own volition or because the king and lords decided that it would be best for this not to be presented publicly, Suffolk afterwards 'submytted

He goes further to say that the accusations were simply those made by Suffolk's enemies, 'distorting, exaggerating, even inventing...to destroy the power of a royal minister': *Henry VI*, pp. 287, 681. Wolffe maintains that 'many of the things alleged had indeed happened, though not by Suffolk's fault or instigation': Wolffe, *Henry VI*, p. 225. Watts provides the duke's most thorough defence, claiming that 'the picture of diabolic malignity conjured by the duke's accusers carries no conviction whatsoever' and that, far from mismanaging the government of the realm, Suffolk had taken it upon himself 'to manage a royal authority which did not seem to be able to look after itself': 'Pole, William de la', p. 737; *Henry VI*, p. 207.

²⁷ Watts notes that the Commons appear to have challenged Suffolk to name those who were responsible for the cession of Maine in order for them to believe his pleas of innocence: *Henry VI*, p. 247.

²⁸ *PROME*, XII, pp. 104-05.

hym holy to the kynges rule and governaunce, to doo with hym as hym list'.²⁹ It is impossible to know how sympathetic the other lords may or may not have been towards Suffolk, but he may well have felt it safer to rely upon the king's judgement than to trust in a trial by his peers.

Chancellor Kemp delivered the king's decision to Suffolk on 17 March before a gathering of 'all his lordes both spirituell and temporell thenne beyng in towne', who numbered forty-five in total. The parliament roll notes that they assembled in the king's 'innest chambre, with a gavill wyndowe over a cloyster, within his paleys of Westmyenster'. This is an unusual detail to include, particularly considering the economy with which John Fawkes, then clerk of the parliaments, usual enrolled parliamentary proceedings.³⁰ Anne Curry suggests that this might have been intended to highlight the fact that what followed occurred among a privileged group summoned to the king's private space and not in the public arena of parliament.³¹ The fact that the lords were so eager to distance themselves from the king's ultimate judgement certainly lends credence to her view.

Kemp announced to the duke of Suffolk and all of the assembled lords that the king had decided to throw out the charges of treason, holding him to be 'neither declared nor charged'. Regarding those accusations contained in the second bill that did not entail treason – in other words, the various charges of misgovernment – the king had presumably found him at least partially guilty and sentenced him to five years' banishment from the realm. However, King Henry still stopped short of explicitly condemning his erstwhile favourite of even minor misdeeds, declaring through his chancellor that he had reached this conclusion by way of royal prerogative

²⁹ *Ibid.*, pp. 105–06.

³⁰ See Chapter 5, p. 287, note 34.

³¹ *PROME*, XII, p. 76.

and not 'by wey of jugement, for he is not in place of jugement'. The parliament roll also made abundantly clear that this decision was made solely by the king's 'owne advis, and not reportyng hym to thadvys of his lordes'. Kemp ended by delivering a warning on behalf of the king to his subjects that 'noo malice, evill wille, harme ne hurt' should come to Suffolk on account of these proceedings; as if to presage what was to come, he specifically made this charge to 'eny of the comens of this parlement'.³²

The lords must have known that the Commons would be immensely displeased with the king's settlement. Accordingly, Viscount Beaumont protested 'forthwith', on behalf of all the lords spiritual and temporal, that the decision 'proceeded not by their advis and counsell, but was doon by the kynges owne demeanance and rule' and asked that 'this their saiying myght be enacted in the parlement rolle'.³³ Historians are divided as to how far this indicates any aristocratic sympathy for the complaints of the Commons or the existence of lordly antipathy towards Suffolk. Griffiths claims that many of the lords were 'privately relieved' that the ire of the Commons had been directed at Suffolk, implying that many lords would likely have felt alienated by his narrow court clique that had controlled the royal household for much of the past decade.³⁴ He maintains that Beaumont's protestation was likely made in an attempt to convince the Commons that the Lords 'sympathised' with their view of Suffolk.³⁵

In particular, Griffiths points to men like Lord Cromwell and Cardinal Kemp, who both had reason to dislike the duke. At the commencement of parliament in November 1449, William Tailboys, a gentleman connected with Suffolk and the royal

³² *PROME*, XII, p. 106.

³³ *Ibid.*

³⁴ Griffiths, *Henry VI*, p. 678.

³⁵ *Ibid.*, p. 706, note 79.

household, attempted to assassinate (or at least assault) Cromwell, and whether or not the duke was actually behind the attempt, he certainly protected the assailant from legal retribution. Following a contemporary account that names Cromwell as the architect of the impeachment bill, Griffiths claims that he 'threw his influence behind the commons' campaign' due to Suffolk's obstruction of justice in this case.³⁶ R.L. Storey follows a similar line, stating that Cromwell henceforth 'became a personal enemy of Suffolk'.³⁷

Kemp, though pushed to the periphery of the royal circle during Suffolk's ascendancy, nevertheless seemed to have maintained a good working relationship with the duke for most of the 1440s, much as he had under the duke of Gloucester in the 1420s and 1430s.³⁸ However, as we discussed in the previous chapter, their relationship was fractured in 1448 by Suffolk's curious attempt to convince the pope to put aside the cardinal's nephew, Thomas Kemp, for elevation to the see of London in favour of Marmaduke Lumley, then a member of Suffolk's circle. Despite a sharp reprimand from the pope, Suffolk had continued to prevent Thomas Kemp's translation, and it was not until Cardinal Kemp became chancellor in 1450 that his nephew finally came into possession of his bishopric.³⁹ Griffiths observes that this seemingly unnecessary obstruction 'can hardly have failed to displease Archbishop Kemp or undermine his confidence in Suffolk', while Storey states that the cardinal

³⁶ Ibid., pp. 286, 678. The contemporary source records that Cromwell 'secretly laboured...through the Commons in parliament' to bring about Suffolk's impeachment: *Letters and Papers*, II, ii, p. 766.

³⁷ Storey, *End of Lancaster*, p. 47.

³⁸ See Roger Virgoe's discussion of those who worked with Suffolk at council: 'The Composition of the King's Council, 1437-61', *Historical Research*, 43 (1970), 134-60.

³⁹ For more on Thomas Kemp's disputed translation to London, see Chapter 3, pp. 188-89.

'probably took offence' and can therefore be counted among those government figures who 'broke away' from Suffolk by the late 1440s.⁴⁰

Other historians do not find this to be convincing. Whether or not the majority of the lords were well disposed towards Suffolk, they were clearly reluctant to allow him to be condemned by parliamentary impeachment, delaying the proceedings as long as possible.⁴¹ The prospect of granting such power to the Commons as the ability to impeach a nobleman cannot have failed to worry the entirety of the aristocracy. However, when it became clear that the Commons could not be put off indefinitely, John Watts suggests that they acted 'in the consciousness of a shared predicament' rather than out of personal enmity towards Suffolk.⁴² Indeed, Watts does not find compelling evidence of individual hostility even in cases such as Kemp and Cromwell. He opines that while Kemp may have been 'annoyed' by the dispute over the see of London in 1448, 'there is nothing to suggest rancour in his behaviour towards Suffolk during the 1449-50 parliament', justly pointing out that this particular episode was typical of Henry VI's chaotic and disorganised dispensation of patronage.⁴³ On balance, however, it can hardly be assumed that Kemp would have looked kindly upon Suffolk after the slight to his nephew and his general exclusion from the government of the 1440s; indeed, it seems far more likely that Kemp's overriding concern for the wellbeing of the Crown caused him to set aside his differences with

⁴⁰ Griffiths, *Henry VI*, p. 286, 678; Storey, *End of Lancaster*, pp. 45-46.

⁴¹ The Lords, as well as the king, delayed making any decision on several occasions, from the Commons' initial request to have Suffolk imprisoned to their formal bills of impeachment: *PROME*, XII, pp. 93-94, 98, 104-05; Griffiths, *Henry VI*, pp. 678-80.

⁴² Watts, *Henry VI*, pp. 246-47.

⁴³ *Ibid.*, p. 247, note 184.

the duke as he strove to restore order and to prevent Suffolk's execution at the hands of the Commons.

Regarding Lord Cromwell's relationship with Suffolk, Watts echoes the viewpoint of Wolffe, who argues that one solitary source claiming that Cromwell was behind the bills of impeachment is not enough to provide convincing proof of his supposed intense hostility towards Suffolk. Wolffe points out that all other contemporary sources record the impeachment as having originated among the Commons themselves and that the king would hardly have accepted Cromwell as his chamberlain directly following his former favourite's demise were he behind the downfall in the first place.⁴⁴ On the other hand, the financial detail that the Commons were able to include in their allegations regarding Suffolk's mishandling of royal revenue and expenditure points towards the involvement of an experienced former treasurer like Cromwell, remembering, too, that Suffolk's rise had precipitated his resignation of that office in 1443. Certainly, the second impeachment bill's specific mention of the Tailboys assassination attempt and Suffolk's alleged subsequent manipulation of justice gives us good reason to believe that Cromwell did have a hand in the construction of the charges, even if he cannot be called the chief architect.⁴⁵

The most likely explanation for the Lords' response to the duke of Suffolk's impeachment is simply that many of them knew all too well that they were complicit in the unpopular peace negotiations that resulted in the cession of Maine and Anjou, if not also in his household policies throughout the 1440s. While they may have felt

⁴⁴ Ibid.; Wolffe, *Henry VI*, pp. 222–23. See also Roger Virgoe, 'William Tailboys and Lord Cromwell: Crime and Politics in Lancastrian England', *BJRL*, 55 (1973), 459–82, (p. 467).

⁴⁵ Reeves, 'Cromwell, Ralph', p. 354. For the various financial details contained in the Commons' bill, see *PROME*, XII, pp. 99, 101–02; for the charges relating to William Tailboys, see Reeves, 'Cromwell, Ralph', pp. 102–03.

some guilt at consigning one of their noble colleagues to be the scapegoat upon whom the Commons could unleash their wrath, they also did not wish to concede their right to a trial of their peers by allowing the Commons could dole out judgement upon lords in the form of impeachment. This, above all, is why Viscount Beaumont insisted that the clerk of the parliaments record that the lords as a body proclaimed that this incident 'shuld not be nor tourne in prejudice nor derogation of theym, their heires ne of their successours in tyme commyng, but that they may have and enjoy their libertee and fredome in case of their parage hereafter, as frely and as largely, as every they or eny of their auncestres or predecessours had and enjoyed before this tyme'.⁴⁶ Simple fear no doubt also played a large part in the reluctance of the lords (even his friends and supporters) to come to Suffolk's defence; after all, it was not simply the spectre of parliamentary censure that loomed before those in government, for the recently retired keeper of the privy seal, Bishop Moleyns, had been murdered by a mob of angry soldiers in Portsmouth just prior to the reopening of parliament in January.⁴⁷

Thus, despite the lords' careful assertion that they had had nothing to do with the king's decision to override the parliamentary bill of impeachment, the result must have been satisfactory to most, at least initially. The duke of Suffolk had escaped the ignominy of judgement at the hands of the Commons, avoiding a potentially dangerous precedent; the king had reluctantly made a slight concession to popular demands for justice in the form of the sentence of banishment; and it was Henry VI himself who had made the decision, which provided not only the more selfish benefit of being able to blame the king alone but also the rare spectacle of King Henry asserting his royal will in a manner expected of any competent medieval ruler. While Watts does

⁴⁶ *PROME*, XII, p. 106.

⁴⁷ Bill Smith, 'Moleyns, Adam (d. 1450)', *ODNB*, XXXVIII, p. 537.

not believe Henry VI to have made this decision himself, in keeping with his general view of the king's utter incapability, his observations that 'it was clearly the result that the lords themselves would have sought' and that Beaumont's denial of any lordly input 'should not, therefore, be taken as simple fact' both ring true. After all, 'nothing was to be gained by staging trials of powerful magnates at the behest of the populace'.⁴⁸

Although the Commons were furious with the outcome, Henry VI's response in this case displayed, for once, what was expected of a strong king – decisive action and a firm defence of royal prerogative. While the benefit of hindsight tells us that his decision sparked Suffolk's murder and further unrest, no one at the time could not have known the full extent of the violent reaction that would soon erupt in consequence. In addition, the decision was cleverly worded to avoid actually convicting Suffolk of anything, astutely noting that the king was not sitting in a place of judgement at the time. Griffiths observes that the king 'may have been soundly advised in this by his justices and serjeants-at-law', but while that is probably true, he overlooks another likely source of guidance in the construction of the ruling – the new chancellor, John Kemp, of whose legal capabilities we have already seen abundant evidence.⁴⁹

The whole arrangement of kingly assertion, legal technicalities, and subtle compromise bears the hallmark of a veteran statesman who had long performed political balancing acts in the midst of conciliar disputes, political faction, and friction between Church and state. As we have seen across the entirety of his career, most recently in the chancery cases examined in this chapter, the fact that Kemp's friend,

⁴⁸ Watts, *Henry VI*, p. 248; 'Pole, William de la', p. 738.

⁴⁹ Griffiths, *Henry VI*, p. 682.

Lord Cromwell, was so personally invested in the fall of Suffolk was not likely to dissuade the chancellor from pursuing the cause of justice. However self-centredly Suffolk may have used his influence when he controlled the royal household, Kemp, as well as the rest of the lords, must have known that the punishment demanded by the Commons was grossly unwarranted. Storey certainly believes Kemp to be behind the ruling, asserting that through it 'we can detect...the influence of an astute and resolute defender of constitutional propriety' and that 'his...was the mind which formulated' such a response.⁵⁰

In any case, the king's momentary resolution, whether prompted by Chancellor Kemp or not, came too late to avert the tidal wave of disapprobation swelling up from the commons of the realm. Suffolk and his escort barely escaped a mob of furious Londoners when he tried to leave the city in secret following the king's decision, and when he embarked upon his exile in the beginning of May, heading to the Low Countries, his ship was captured by the privateering crew of the *Nicholas of the Tower*.⁵¹ Claiming to act on behalf of the *communitas regni*, the crew scornfully rejected Suffolk's royal document ensuring him safe conduct, declaring that 'they did not know the said king, but they well knew the crown of England, saying that the aforesaid crown was the community of the said realm and that the community of the realm was the crown of that realm'.⁵² After a mock trial, one of the sailors 'toke a rusty

⁵⁰ Storey, *End of Lancaster*, p. 82.

⁵¹ Griffiths, *Henry VI*, pp. 683–84.

⁵² This statement is included in an indictment from the King's Bench (KB 9/47, m. 13), for which Roger Virgoe supplies a transcription in his article on Suffolk's death: 'The Death of William de la Pole, Duke of Suffolk', *BJRL*, 47 (1965), 489–502 (pp. 499, 501–02). It was originally recorded in Latin as follows: '*...salvum conductum dicti Regis deffidentes, et asserentes quod ipsi*

swerd, and smotte of his hedde withyn halfe a doseyn strokes' before finally depositing the duke's body on Dover beach.⁵³

David Grummitt views the event as 'an extraordinary demonstration of popular political engagement...Suffolk's murderers had a clear understanding of the constitutional position and the king's obligation to listen to the community of the realm'.⁵⁴ Roger Virgoe agrees, observing that the sailors' response to Suffolk's safe conduct from the king was quite a profound statement, showing an astonishing degree of awareness of political philosophy and prevailing literary tropes of the day.⁵⁵ For example, Chancellor Stafford used an analogy of the crown in his sermon that opened the parliament of January 1437, stating that 'the governance of the community is represented in gold...and by this reason, just as gold is the most precious metal because it lasts longer and more firmly, so those commons who are firm and stable in themselves will remain constantly in faithfulness towards their king'.⁵⁶

Obviously, the tone of this sermon was different to that of the rebellious crew members who murdered Suffolk, for the chancellor represented the commons with precious metal in order to emphasise the purity and constancy of their obedience to the king.⁵⁷ However, both Stafford's sermon and the declaration of the crew of the *Nicholas of the Tower* echo an earlier Lancastrian political poem, entitled 'God kepeoure

nesciebant Regem predictum, set bene sciverint coronam Anglie, dicentes quod corona predicta fuit communitas regni predicti et communitas eiusdem regni fuit corona illius regni'.

⁵³ *Paston*, I, pp. 124–25; *Stone's Chron.*, p. 87.

⁵⁴ Grummitt, *Henry VI*, pp. 153–54.

⁵⁵ *Ibid.*

⁵⁶ *PROME*, XI, p. 201.

⁵⁷ For more on the theme encompassed by this parliamentary address, see Grussenmeyer, 'Preaching Politics', pp. 139–40.

king, and saue the croun!'. Written close to the time of Henry V's accession in 1413, the poem offers advice to both the king and his subjects on the subject of the unity of the realm. Significantly, the poem advises the king that 'to kepe that crowne, take good tent, in wode, in feld, in dale, and downe. The lest lyge-man, with body and rent, he is a parcel of the crowne...a kyng withoute rent myght lightly trussen his tresour. For comons mayntene lordis honour, holy chirche, and religyoun. For comouns is the fayrest flour that evere god sette on erthely crown'.⁵⁸ The men who took it upon themselves to try and execute the duke of Suffolk would thus seem to have been well versed in the ideology of the community of the realm that had developed so markedly under the reign of the Lancastrian kings, and they exploited the language and metaphors of Lancastrian political writings to further their own more radical agenda.⁵⁹

Cade's Rebellion

Suffolk's death did not calm the widespread discontent that continued to simmer throughout the realm. Many among the commons seemed to feel that not enough had been done to improve the quality of royal counsel, and the effects of the fall of Normandy, emotionally and practically, were felt most keenly in counties such as Kent, where many relied upon trade with the Continent.⁶⁰ Kent was further primed

⁵⁸ 'God Save King Henry V (1413)', in *Historical Poems of the XIVth and XVth Centuries*, ed. by Rossell Hope Robbins (New York: Columbia University Press, 1959), pp. 45–49 (pp. 45, 49).

⁵⁹ This supports the idea that the Lancastrian commons were not only politically literate but also independently minded in how they used and vocalised common political ideals. See Introduction, pp. 14–21.

⁶⁰ Storey, *End of Lancaster*, p. 63.

for rebellion when its sheriff, William Crowmer, allegedly threatened to turn the county into 'a wilde forest' after finding Suffolk's body lying on the Dover strand.⁶¹ As Cade's manifesto soon made clear, the commons of Kent also regarded Crowmer as one of the chief perpetrators of corruption and abuse in the county, and the fact that he was the son-in-law of the treasurer, James Fiennes, Lord Saye and Sele, a hated member of Suffolk's inner circle, did nothing to improve public opinion.⁶²

In late May, Kentishmen began to mobilise in large numbers, and by 11 June a large force assembled just outside London on Blackheath.⁶³ They were led by a man named Jack Cade who operated under the alias 'John Mortimer', a name that deliberately and provocatively linked him to the duke of York (although York himself vehemently denied any connection). Little can be said with certainty about his true identity, though contemporary sources provide a wide variety of suggestions that range from an Irish immigrant soldier to a murderer from Sussex who had served the king of France as a mercenary.⁶⁴ The majority of the rebel host seems to have come from Kent, with sizeable contingents from Sussex, as well, and most of the original complaints voiced by the rebels encompassed matters that concerned Kent.⁶⁵

⁶¹ Grummitt, *Henry VI*, pp. 158–59; Griffiths, *Henry VI*, p. 629; Wolffe, *Henry VI*, p. 232.

⁶² Joseph A. Nigota, 'Fiennes, James, first baron Saye and Sele (c. 1390–1450)', *ODNB*, XIX, pp. 522–23.

⁶³ Griffiths, *Henry VI*, pp. 610–11; Wolffe, *Henry VI*, p. 232.

⁶⁴ For more on the various backgrounds attributed to Cade, as well as the different ways in which historians have regarded such disparate contemporary accounts, see Griffiths, *Henry VI*, p. 617; Grummitt, *Henry VI*, p. 159; Wolffe, *Henry VI*, pp. 232–33; Storey, *End of Lancaster*, p. 63.

⁶⁵ Wolffe, *Henry VI*, pp. 233–34; Griffiths, *Henry VI*, pp. 628–30; Storey, *End of Lancaster*, pp. 62–67.

Jack Cade and his following made sure to expand their list of grievances to include matters of a more universal nature, such as the demand for governmental reform at a national level (restoring the counsel of lords of the blood, like the duke of York, removing those who had been connected with the duke of Suffolk, etc.), in order to garner support from the common populace beyond Kent.⁶⁶ Nevertheless, there remained 'something unmistakably Kentish' about the revolt and its aims, and Wolffe observes that the rebels' demands, though 'basically identical' with the demands made by the Commons in the recent parliament, originated with the commons in Kent, 'the most articulate section of the kingdom'.⁶⁷ Whether or not Kent could actually claim the honour of being 'the most articulate', the county was certainly primed to take the lead in a rising. Aside from their raft of grievances regarding local misgovernment and the decline of trade due to military disasters in France, the Kentishmen had a reputation as being rather truculently independent, which largely hearkened back to the Peasants' Revolt of 1381. The reputation was perhaps also garnered by its position between the capital and the ports that led to the Continent, allowing news (and men) to travel quickly along the county's roads and waterways.⁶⁸

As a man of Kent himself, John Kemp would certainly have been alive to the demands and the troubles of the Kentish commons. His presence thus lent a great deal of weight when the king sent him to treat with the rebels on 16 June, along with the Archbishop Stafford, William Waynflete, bishop of Winchester, the duke of Buckingham, and Viscount Beaumont, all of whom had significant landed interest in Kent.⁶⁹ Wolffe believes that Cade's rebellion reveals much of the political condition in

⁶⁶ Griffiths, *Henry VI*, pp. 635–38; Wolffe, *Henry VI*, pp. 234–35.

⁶⁷ Griffiths, *Henry VI*, p. 629; Wolffe, *Henry VI*, p. 235.

⁶⁸ Griffiths, *Henry VI*, p. 632.

⁶⁹ *Ibid.*, p. 611.

Kent, specifically revealing 'endemic, corrupt local government and justice...the great lords of Kent, both lay and ecclesiastical, were constantly absent on royal service and the localities ruled by their agents'.⁷⁰ The delegation sent to hear the rebels' demands represented most of these great lords, with the intention, perhaps, of at least appearing to legitimately listen to the complaints of the Kentishmen.

In the event, the delegation did not manage to achieve anything in the way of reconciliation, simply bringing back the rebels' requests to the king after promising to return with his answer.⁷¹ Henry VI, however, chose not to answer their demands, and the rebels soon learned that he intended to take the field against them in person. Rather than unequivocally committing treason by fighting against the king himself, the rebels melted away during the night.⁷² Hoping to crush the movement definitively, some of the king's household men rode into Kent to pursue the retreating rebels, but they were ambushed and routed, leaving two of their leaders – kinsmen of the duke of Buckingham – slain. At this, the king ordered his army to march into Kent to face the rebels, but a large number of his men refused to do so, shouting for the arrest of those in the court who had been accused of treason and corruption in Cade's manifesto. Instead of resisting the mutiny, Henry VI caved in to pressure and ordered the arrest of Lord Saye, his treasurer, and William Crowmer, the hated sheriff of Kent.

This apparently calmed the royal army, but it also encouraged Jack Cade and his followers, who quickly began reassembling on Blackheath. Despite the desperate pleas of the mayor of London for the king to remain and face the rebels himself, as the young Richard II had in 1381, King Henry abandoned the capital, first to Hertfordshire

⁷⁰ Wolfe, *Henry VI*, p. 235.

⁷¹ Griffiths, *Henry VI*, p. 628.

⁷² Wolfe, *Henry VI*, p. 235.

and then to the safety of Kenilworth Castle.⁷³ Most of the royal court appears to have followed the king, though some royal officers, Chancellor Kemp and Archbishop Stafford, as well as Bishop Waynflete, foremost among them, bravely elected to remain in or near the capital.⁷⁴ Others, such as the duke of Buckingham, beat an ignominious retreat alongside the king, explaining why it was only Kemp, Stafford, and Waynflete who sallied forth to negotiate with the rebels a week later.⁷⁵

Not surprisingly, the rebels took heart from the king's vacillations and the royal host's subsequent disintegration, and within days Cade had entered the city of London. There, the rebels tried and executed several men who they claimed were at the heart of the political corruption that they protested, including James Fiennes, Lord Saye and Sele, and William Crowmer, sheriff of Kent. Fiennes understandably requested a trial by his peers, but at this the rebels merely dragged him to Cheapside, where they summarily beheaded him.⁷⁶ The rebel army also engaged in a fair amount of looting and pillaging, causing the Londoners to bar London Bridge to prevent Cade and his men from crossing over the river from their headquarters in Southwark. After a sharp fight on the bridge, which the Londoners managed to hold, a truce was negotiated, and Cardinal Kemp, Archbishop Stafford, and William Waynflete, bishop of Winchester, once again went forth to induce the rebels to stand down. This time, though, the clerics were armed with a general pardon for all who wished to claim it

⁷³ Wolffe, *Henry VI*, pp. 235–37; Grummitt, *Henry VI*, pp. 160–61; Griffiths, *Henry VI*, pp. 611–14; Storey, *End of Lancaster*, pp. 65–66.

⁷⁴ As Griffiths notes, there is a reward documented in TNA, E 404/783 m. 12 that was given to two exchequer officials for remaining at the exchequer despite the flight of nearly the entire royal government: Griffiths, *Henry VI*, p. 614.

⁷⁵ *Ibid.*

⁷⁶ Nigota, 'Fiennes, James', p. 523.

and disperse, which many of the rebels eagerly accepted. Cade, however, rejected the offer and attempted to flee with his loot and his remaining followers. With a substantial reward on his head, the leader of the revolt was captured on 12 July by the new sheriff of Kent, and Cade died of his wounds soon after.⁷⁷

The revolt was finally over, but it had severe consequences, both in the short and the long term. In the short term, the lawlessness erupting in Kent and spreading into the city of London encouraged risings elsewhere. In Wiltshire on 29 June, an angry mob murdered William Ayscough, bishop of Salisbury, who had been a member of Suffolk's circle and had also officiated at the wedding of Henry VI and Margaret of Anjou, and a group of angry citizens in Salisbury descended on the episcopal palace to destroy the bishop's records on the same day.⁷⁸ The bishops of Norwich and Coventry and Lichfield, who had returned to their cathedrals after the king abandoned London, found themselves besieged by hostile members of their own dioceses, while the city of Gloucester witnessed the plundering of estates belonging to its abbot, Reginald Boulders.⁷⁹

⁷⁷ Griffiths, *Henry VI*, pp. 614–17; Wolffe, *Henry VI*, pp. 236–38.

⁷⁸ Margaret Lucille Kekewich, 'Aiscough [Ayscough], William (c. 1395–1450)', *ODNB*, I, pp. 524–25; Storey, *End of Lancaster*, p. 66.

⁷⁹ Storey, *End of Lancaster*, p. 66. The career of Bishop Walter Lyhert of Norwich was phenomenally forwarded by the duke of Suffolk, serving as the duke's chaplain and soon after as confessor to Margaret of Anjou; he also participated in Suffolk's peace negotiations with the French: R.J. Schoek, 'Lyhert, Walter (d. 1472)', *ODNB*, XXXIV, pp. 862–63. Bishop William Booth of Coventry and Lichfield had likewise been closely linked with Suffolk and served as chancellor to Queen Margaret: A.C. Reeves, 'Booth [Bothe], William (d. 1464)', *ODNB*, VI, p. 633. Abbot Reginald Boulders of Gloucester, who later became bishop of Coventry and Lichfield himself, had been a leading figure in Suffolk's embassies to the French and was thus tied to the

As the dust settled in the aftermath of this extended spate of violent unrest, Chancellor Kemp headed a commission of oyer and terminer for Kent charged with investigating the oppression and corruption about which the rebels had complained.⁸⁰ Griffiths suggests that this judicial commission may have been offered as a concession during the negotiations conducted by Kemp, Stafford, and Waynflete when they successfully convinced the majority of the rebels to disperse.⁸¹ Although one would have expected the chancellor to be involved in these proceedings regardless, Kemp's name atop the list of justices may have also been a message of conciliation directed at the men of Kent. As we have seen, Kemp had remained singularly attached to his home county throughout his life, seeming to reside there as often as possible, and his identity as a Kentishman perhaps made him, as Storey opined, 'more likely to lend a sympathetic ear to local complaints'.⁸²

The official record supports Storey's opinion. Kemp's commission appears to have lent a sympathetic ear, indeed, indicting a number of men who were members of the royal household and officers of the Crown. The list of those indicted included the previously murdered James Fiennes and William Crowmer (and a number of their servants), but the commission also brought accusations against Stephen Slegge, a recent sheriff of Kent and undersheriff to Fiennes before that, officials of the

dismal military failures that led up to the summer of 1450; after Suffolk's fall, he was also connected with Edmund Beaufort, duke of Somerset, worsening his standing among those who looked for figures to blame as the English lost city after city in France: Bill Smith, 'Boulers, Reginald (d. 1459)', *ODNB*, VI, pp. 792–93.

⁸⁰ *CPR* (1446–52), p. 388. There were similar commissions set up for other counties that had experienced unrest, such as Norfolk and Suffolk: Griffiths, *Henry VI*, p. 662, note 217.

⁸¹ Griffiths, *Henry VI*, p. 641.

⁸² Storey, *End of Lancaster*, p. 67.

archbishop of Canterbury, and a number of leading men who had pursued Cade's rebels into Kent in June.⁸³ This last group included men as high ranking as Lords Dudley and Rivers, the Stanleys (who had been slain in the rebel ambush), and many other figures with important ties to the court, all of whom were found guilty of requisitioning provisions without payment, forcible entries, assault, and general looting.⁸⁴ Some of these, especially men such as Dudley and Rivers, were most likely being held accountable for the actions of their troops, but this was precisely the sort of abuse that had enraged the Kentish rebels to begin with.⁸⁵ A powerful image it must have been as Chancellor Kemp, a man of Kent, declared these lords to be responsible for the misdeeds that their servants had committed against the rights and liberties of the Kentish people.

It would seem that Kemp and the royal government were striving to show that they had heard the rebels' complaints and were acting to rectify them. Griffiths takes a fairly cynical outlook on this,⁸⁶ but Kemp's commission of oyer and terminer certainly maintained an even-handed approach, for instance indicting Sheriff Alexander Iden, who had famously captured Jack Cade the month before, of illegally confiscating the money of one of Cade's most prominent followers.⁸⁷ There were no

⁸³ Griffiths, *Henry VI*, pp. 641–42; Storey, *End of Lancaster*, p. 67.

⁸⁴ *EHL*, pp. 364–65.

⁸⁵ Wolffe, *Henry VI*, p. 239; Storey, *End of Lancaster*, p. 67.

⁸⁶ Griffiths wonders whether the judicial proceedings were pursued through 'weakness or calculation', evidently discounting the possibility of any actual attempt at reform: Griffiths, p. 642. Wolffe, on the other hand, believes that the commission was set up 'not as used to be supposed further to suppress rebellion, but genuinely to inquire into grievances': Wolffe, *Henry VI*, p. 239.

⁸⁷ Griffiths, *Henry VI*, p. 642.

indictments made on behalf of the Crown – all accusations were made by county juries – and many of those accused had featured in the rebels’ original grievances. In addition, when commissions of oyer and terminer were set up later in the year to deal with further risings, Henry VI specifically ordered that the commissioners were not to try any offences committed before the general pardon granted to Cade’s rebels on 7 July 1450.⁸⁸

All of these aspects indicate an authentic desire to rectify at least some of the problems identified by the rebels’ manifesto, and the cases tried under Kemp’s commission give ‘substance to “The complaint of the commons of Kent”’.⁸⁹ Indeed, Grummitt asserts that Cade’s rebels ‘were articulating a widely held and entirely legitimate component of the Lancastrian legacy that gave political agency to the commons and saw government properly constituted in a representative council of noblemen’.⁹⁰ If such an analysis is correct, there could be no better member of the royal administration than John Kemp, the lifelong champion of good governance in the form of conciliarism, to oversee a sympathetic investigation into the grievances of those who claimed to defend the Lancastrian ideal of representative, conciliar government.

York’s Ambitions

However, threats to political stability were not over. The rebels had held up Richard, duke of York, as the prime example of a lord of the blood who was being

⁸⁸ *Ibid.*, pp. 641–42; Wolffe, *Henry VI*, pp. 239–40.

⁸⁹ Storey, *End of Lancaster*, p. 67.

⁹⁰ Grummitt, *Henry VI*, p. 161.

wrongfully excluded from the king's council by men like the duke of Suffolk.⁹¹ They regarded York as a 'guarantor of good government', and Wolffe maintains that, even at such an early stage, 'undoubtedly some men also saw York as an alternative king'.⁹² Of course, Jack Cade's alias, John Mortimer, intentionally linked him to Duke Richard, and Cade himself called for the duke's return from Ireland.⁹³ All things considered, it is not surprising that many in the court, possibly Henry VI himself, showed themselves to be increasingly wary of York's motives, if not also of his potential connection with Cade and his rebellion.⁹⁴

However, when York returned unbidden from Ireland in September 1450, he claimed that he was simply anxious to clear his name from the malicious rumours circulating in the wake of the insurrection, and there is no reason to doubt his word at this point. As Griffiths points out, if a court coup had, indeed, been his motive, his timing was less than perfect – he did not arrive early enough to take advantage of the chaos surrounding the murders of Moleyns and Suffolk, nor when he did re-enter the realm did he seize the opportunity to immediately denounce his rival, the freshly returned duke of Somerset, for his leading role in the fall of Normandy.⁹⁵ Somerset had replaced York as lieutenant-general of France in 1447 and subsequently presided over the loss of most of it, surrendering (as York saw it) with dishonourable speed and unacceptable terms. He had returned to England with his defeated army in August yet had somehow quickly taken up a place of eminence on the king's council within two

⁹¹ Griffiths, *Henry VI*, p. 686; Wolffe, *Henry VI*, pp. 240–42; Grummitt, *Henry VI*, pp. 161–62.

⁹² Grummitt, *Henry VI*, p. 162. As Wolffe points out, several men were tried and condemned at this time for allegedly plotting to replace King Henry with the duke of York: *Henry VI*, p. 240.

⁹³ Wolffe, *Henry VI*, p. 240; Griffiths, *Henry VI*, p. 686.

⁹⁴ Griffiths, *Henry VI*, pp. 686–87; Wolffe, *Henry VI*, p. 242.

⁹⁵ Griffiths, *Henry VI*, p. 687.

weeks; his military conduct and the ease with which he had afterwards managed to acquire royal favour and political influence would be the major source of conflict between him and York.⁹⁶

Soon after he arrived in England, York wrote two bills of complaint, which he sent to the king. The first denied any 'diverse language...whiche shoulde sounde to my dishonour and reproch', asserting that he was the king's 'true liegeman and servaunt'. It also complained that members of the royal household had attempted to waylay the duke and his companions as they travelled across the country to London. Most importantly, York told the king that he protested against 'certeyn persones' who, he claimed, 'laboured instantly for to have endited me of treson, to thentent to have undo me, myn issue and corrupt my blode'. This strikes at the heart of York's fears – the threat of an attack that would remove his eligibility as heir presumptive, being the closest male relation to the still childless king. Even if many of his courtiers were wary, Henry VI appears to have accepted his kinsman's protestations 'in a friendly fashion'.⁹⁷

However, York made his wider ambitions clear in a second bill that quickly followed the first. He rather audaciously informed the king that 'justice is nouthe dewly ministrid', particularly in the case of many of those about whom Cade's rebels had complained. As an answer to the realm's judicial shortcomings, the duke of York

⁹⁶ Colin Richmond, 'Beaufort, Edmund, first duke of Somerset (c. 1406–1455)', *ODNB*, IV, p. 621; John Watts, 'Richard of York, third duke of York (1411–1460)', *ODNB*, p. 751.

⁹⁷ *Ibid.*, pp. 686–87. For a discussion of these bills and York's initial intentions upon his return to England, see R.A. Griffiths, 'Duke Richard of York's intentions in 1450 and the origins of the Wars of the Roses', *JMH*, I (1975), 187–209; Michael K. Jones, 'Somerset, York and the Wars of the Roses', *EHR*, 104 (1989), 285–307; Michael Hicks, 'From megaphone to microscope: The correspondence of Richard Duke of York with Henry VI in 1450 revisited', *JMH*, 25 (1999), 243–56.

proposed that he himself could rectify the situation through 'council and advertyse...for the conservacion of good tranquillite and pesable rewle'. York informed the king that he was at the Crown's service 'to ordeyn and provyde...dew justice' and 'to execute your commaundements'.⁹⁸ Despite Griffith's opinion that this formed 'a modest enough proposal', it is difficult to see the modesty in such a presumptuous communication to the king from a man who remained under a cloud of suspicion and who had left his post in Ireland without leave to seek opportunity in a rebellion-torn England.⁹⁹ Royal officers like Chancellor Kemp, who had been tirelessly striving to restore order and justice since the outbreak of revolt, could not possibly have looked kindly upon the duke's unsolicited opinions.

Significantly, while the first bill was a private petition sent from subject to monarch, this second communication, though sent to the king, was clearly intended for public consumption, as it was widely circulated. While Griffiths may view the document to have been fairly innocuous, Grummitt calls it 'an extraordinary and inflammatory statement' that questioned Henry VI's ability to govern effectively and implicitly agreed with the aims of Cade's rebels. The king responded firmly, and it is hardly a stretch of the imagination to see Kemp's influence behind it. While York may well have appealed 'to the commons and fundamental principles of Lancastrian government', the royal riposte utilised the same conciliar language, rejecting the duke's offer and stating that, instead, the problems outlined in his bill (and earlier by the rebels) would be addressed by a 'sad and substantial council', on which York would be simply one of many.¹⁰⁰ Indeed, as we shall see in the course of this chapter,

⁹⁸ Griffiths, *Henry VI*, p. 688.

⁹⁹ *Ibid.*, p. 688.

¹⁰⁰ Grummitt, *Henry VI*, pp. 164–65; Griffiths, 'York's Intentions', pp. 299–304; Wolffe, *Henry VI*, pp. 242–43.

Kemp would continue to vigorously defend conciliar rule in times of crisis against the ambitions of the duke of York. While he may or may not have foreseen the future danger that York posed to the Lancastrian dynasty, the chancellor surely found the prospect of another grasping royal duke unpleasantly reminiscent of his combative relationship with Duke Humphrey.¹⁰¹

York also issued a third public bill in which he first laid out his grievances regarding the loss of Normandy. Although he did not yet name the duke of Somerset outright, he accused men around the king of causing such a disastrous defeat through bad counsel and self-seeking motives. He consciously echoed the dissatisfied commons' complaints that lowborn men gave counsel and called for the 'true lords', especially the lords of the blood, to take their rightful place in helping the king to govern efficiently. King Henry dismissed this bill as he had the previous one, but as events in the upcoming parliament proved, it was only the beginning of York's attack on Somerset and those he held responsible for defeat in France.¹⁰²

Unsurprisingly, the parliament that convened on 6 November did so once again in an atmosphere of distinct unrest. As Griffiths wryly observes, if Chancellor Kemp had hoped for a calm and cooperative Commons, he would have been 'wildly optimistic'.¹⁰³ York (as well as the king and many of the other magnates) arrived in London with a large retinue, entering the city with self-conscious splendour, his sword

¹⁰¹ Though he does not reference Kemp specifically, Watts expresses a similar view: 'York's identification with the burgeoning myth of Good Duke Humphrey may have brought him support among the commons...but to his peers, still mindful of Gloucester's disruptive role in the politics of the 1420s, 1430s and 1440s, it simply underlined the anomaly of his position': *Henry VI*, p. 279.

¹⁰² Grummitt, *Henry VI*, p. 164; *PROME*, XII, p. 161.

¹⁰³ Griffiths, *Henry VI*, p. 691.

borne upright before him.¹⁰⁴ The Commons chose one of York's principal supporters, Sir William Oldhall, as their speaker, and they quickly made their displeasure felt by resisting the granting of subsidies and, instead, submitting a bill that demanded the removal of twenty members in the royal household. The duke of Somerset topped the list; after returning to England in August, having overseen the loss of all of Normandy, he immediately replaced the murdered Suffolk as the object of the Commons' hatred, not to mention the ire of the many surly, unemployed soldiers now filling the city.¹⁰⁵ Henry VI and his advisers attempted to defuse parliament's anger by superficially agreeing to their demands, though with so many exceptions that the bill's intent was essentially nullified.¹⁰⁶ The Commons also attempted once again to attain the late duke of Suffolk as per their old list of charges, though they now levelled new accusations, as well, the most significant of which was the charge that Suffolk was responsible for the alleged murder of Humphrey, duke of Gloucester, in 1447. They simultaneously requested the posthumous rehabilitation of the king's late uncle.¹⁰⁷

Throughout all of this, the duke of York presented himself as the champion of reform and the friend of the Commons, as well as the best candidate to restore good governance, justice, and order. When an angry mob attacked Somerset's residence in the middle of the first session of parliament, Duke Richard appears to have led the effort to rescue him, along with the earl of Devon and the lord mayor, placing his rival

¹⁰⁴ Watts, *Henry VI*, p. 274; Grummitt, *Henry VI*, p. 165.

¹⁰⁵ *PROME*, XII, pp. 159, 165, 184–85; Storey, *End of Lancaster*, p. 80; Griffiths, *Henry VI*, pp. 690–91.

¹⁰⁶ *Ibid*; Griffiths, *Henry VI*, p. 691.

¹⁰⁷ A charge that York and his followers continued to perpetuate: Watts, *Henry VI*, p. 274; *PROME*, pp. 207–09, nos. 6, 9–11; Griffiths, *Henry VI*, pp. 691–92.

in the Tower 'for his own safety'.¹⁰⁸ This, of course, enhanced York's reputation as a 'champion of justice and bulwark of order', though we should not take his apparent good intentions at face value.¹⁰⁹ Watts remarks that this riot provided the duke 'with a pretext to arrest Somerset', while Colin Richmond maintains that the mob included men of York's retinue and points out that Somerset seems to have been forcibly placed in the Tower, as it later required a direct order from the king to secure his release.¹¹⁰

In any case, by the last session of parliament (which met between 5 May and dispersed sometime between 24 and 31 May) the duke of York certainly appeared to be in a strong position, with the support of the city of London and the commitment of the Commons. However, it was at this moment of strength that he overplayed his hand. One of York's adherents, Thomas Young, a member of parliament from Bristol, put forward a bill that demanded Henry VI's explicit acknowledgement of Duke Richard as his heir presumptive. The Commons apparently refused to conduct any further parliamentary business until this bill was accepted by the king and the Lords. For once, the king showed 'unwonted powers of decision and determination', responding to this audacious request by imprisoning Young in the Tower and immediately dissolving parliament.¹¹¹

Griffiths regards the Commons' attempt to force the king to acknowledge an heir presumptive as 'the greatest insult of all to the king and the clearest reflection of

¹⁰⁸ Griffiths, *Henry VI*, pp. 690–91.

¹⁰⁹ *Ibid.*, p. 691.

¹¹⁰ Watts, *Henry VI*, p. 274; Richmond, 'Beaufort, Edmund', p. 621.

¹¹¹ Griffiths, *Henry VI*, p. 692. For a discussion of the bill to officially name York heir apparent, see Anne Curry's introduction to the parliament in *PROME*, XII, p. 171. Benet's chronicle notes that parliament ended 'suddenly': *Et duravit parlamentum usque Pentecosten et tunc quasi subito finitum est*: Benet's Chron., pp. 204–05; *Letters and Papers*, II, ii, p. 770.

York's mind', and Grummitt concludes that 'York's interventions in politics had now lost all semblance of legitimacy'.¹¹² When Duke Richard chose to intervene militarily on behalf of the earl of Devon in his longstanding dispute with Lord Bonville several months later, the court seemed vindicated in viewing him as 'disruptive' and 'self-interested'. There are considerable similarities between York's wilful actions and those of Duke Humphrey during the protectorate, as Watts has noted, and the royal government of which Kemp was once again a leading member regarded 'his exercise of public authority as a usurpation'.

The one victory that the Commons did achieve during this parliament was the passage of an effective act of resumption, which had long been a sticking point in their demands for a return to royal solvency.¹¹³ While historians generally view this as a reluctant concession on the part of the Crown – Watts refers to it as the king having 'bought off' the Commons – government officials like Kemp must have been glad of it, as it boosted their efforts to stabilise royal finances.¹¹⁴ We might also see Kemp's hand behind the clever manipulation of the Commons' bill that demanded the removal of large segments of the royal household. In a move reminiscent of his past political dealings, particularly his careful negotiations with the papacy, Kemp and the rest of those advising the king managed to avoid denying the Commons outright while carefully adjusting the bill until it had lost all of its potency and, most importantly, the unacceptable limitations that it would have placed upon royal prerogative.¹¹⁵

¹¹² Griffiths, *Henry VI*, p. 692; Grummitt, *Henry VI*, p. 166.

¹¹³ *PROME*, XII, pp. 186–89.

¹¹⁴ Watts, *Henry VI*, pp. 277–78; Grummitt, *Henry VI*, p. 168.

¹¹⁵ *PROME*, XII, pp. 189–202; Griffiths, *Henry VI*, p. 691; Wolffe, *Henry VI*, p. 245. For a discussion of Kemp's similarly skilful diplomacy in his interaction with Popes Martin V and Eugenius IV, see Chapter 6, pp. 306–23.

Storey supports this view, linking three decisions that Henry VI made in 1450 and arguing that Kemp was clearly behind them all.¹¹⁶ The first two we have already discussed – the king’s banishment of the duke of Suffolk and his answer to York’s open petition calling for governmental reform.¹¹⁷ The third was the way in which the king dealt with the Commons’ presumptuous call for the banishment of the greater part of his court, which Storey calls ‘an almost complete and barely courteous refusal’.¹¹⁸ The parliament roll records that the king began by saying rather testily, ‘As it has been declared at the king’s command several times by his chancellor, the intention of his highness is and will be that he should be accompanied by virtuous persons and no others’. Nevertheless, he was inclined to partially acquiesce to their request, though the king’s recorded answer was careful to point out that this was granted ‘of his owne mere movyng, and by noon other auctorite’.¹¹⁹ If we are right in seeing Kemp’s hand in this response, the chancellor was carefully trying to avoid dangerous precedents from being set and to prevent the Commons from imagining their authority to be greater than it was.

We have, of course, seen very similar responses carefully crafted by Kemp. For example, the king’s decision regarding the duke of Suffolk made a slight concession to parliamentary demands for punishment yet also protected royal prerogative and avoided the precedent of allowing the Commons to pass judgement on a lord. In the case of the current parliament, Curry, too, supports the idea of Kemp’s intimate involvement, observing that ‘that the king and his circle (likely led by Cardinal Kemp) had managed to circumvent the petition despite obvious popular support for action

¹¹⁶ Storey, *End of Lancaster*, pp. 81–82.

¹¹⁷ See above, pp. 207–08, 221–22.

¹¹⁸ Storey, *End of Lancaster*, p. 81.

¹¹⁹ *PROME*, XII, p. 185.

against traitors...is testimony to their skilful manoeuvrings and to the newfound popularity based on the act of resumption'.¹²⁰ Curry and Storey are both surely correct in identifying Kemp as one of the key orchestrators in such 'skilful manoeuvrings'. If so, the very popularity bought with the act of resumption may not have been a concession at all, at least for leading government officials like Chancellor Kemp. It gave the pacifying appearance of royal compromise while simultaneously providing the officers of state another way with which to compel the king to allow them to reorganise the Crown's finances, a monumental task that we shall address further in the course of this chapter.

The duke of York, having made his initial bid for authority and recognition and lost, soon turned to other means of achieving his ends. In January 1452, he issued a statement protesting his complete loyalty to Henry VI despite the 'sinister information' spread about by his detractors. In February, he sent another letter, this time to the town of Shrewsbury. This letter played upon people's sense of honour and patriotism, as well as their fear of invasion and commercial decline, in the wake of the fall of Normandy, along with most of the rest of England's conquests in France. It laid the blame for this loss squarely at Somerset's feet, and York accused him of purposefully thwarting his reformist plans in order to protect himself and to destroy Duke Richard. In response, York called upon the citizenry of Shrewsbury to place themselves under his command in order to remove the duke of Somerset from his undeserved position of authority.¹²¹

¹²⁰ *PROME*, XII, p. 171. Curry also states that 'by the end of the second session, order had been restored and the king's star was in the ascendant, largely due to the willingness to grant resumption and to exile some of the detested household. It is likely that Cardinal Kemp was a major influence on these policies': *PROME*, XII, p. 168.

¹²¹ Griffiths, *Henry VI*, pp. 693–94.

The king responded by gathering the vast majority of the lords to himself at Coventry and summoning York to attend him. The duke ignored the royal letters and instead made his way south towards London, while support came to him from the Welsh marches, the West Country, and Yorkist lands in the northeast. York's movements and calls for support were accompanied by the eruption of armed risings throughout the west, the southeast, and East Anglia, and it was later claimed that men openly discussed the prospect of deposing Henry VI and replacing him with the duke of York. In an attempt to prevent bloodshed, the king sent a deputation of prelates and noblemen to Duke Richard, who attempted in vain to persuade him to stand down.¹²²

In this instance, the city of London proved loyal to the king and shut its gates to York and his men, who then installed themselves near Dartford, Kent. No doubt Duke Richard had hoped that the Kentishmen would rise as they usually did, but if so, he was to be disappointed. Although he had gathered a large number of men to his banner from his own lands, the only lords that took the field with him were the earl of Devon and Lord Cobham. The king soon arrived in London with an even larger army of his own, and he was accompanied by a large number of nobles, including those with familial ties to York, such as the earls of Salisbury and Warwick. Faced with a superior force and an overwhelming majority of the peers of the realm, the duke of York finally reached an agreement with emissaries from the royal camp and agreed to come to the king to submit his complaints in person. In return for York forsaking the 'way of fayt', the emissaries apparently agreed that the king would receive his petition and that Somerset would be taken into custody until the matter was resolved.¹²³ As 'the people

¹²² *Ibid.*, p. 695; Storey, *End of Lancaster*, pp. 94–100; Wolffe, *Henry VI*, pp. 253–54.

¹²³ Watts, *Henry VI*, pp. 279–81; Griffiths, *Henry VI*, pp. 695–96; Wolffe, *Henry VI*, pp. 254–55.

of Kent and of other places came nat to hym as they had promysed', York may well have felt that he was left with little choice but to submit.¹²⁴

Accompanied by Devon and Cobham, Duke Richard came before the king where he was encamped on Blackheath on 2 March. However, they found the duke of Somerset to also be present and not in custody as the emissaries had promised, according to chronicle accounts. York nevertheless presented his lengthy list of indictments of Somerset – his conduct of the war in France, his cowardice, his self-centredness, and his overall corruption – none of which moved the king to give up his favourite.¹²⁵ Historians often present this episode as a case of trickery, in which York appeared before Henry VI thinking that his case against Somerset would receive a fair hearing only to find his archenemy himself standing with the king.¹²⁶ This would, indeed, seem to be the case but for Wolffe's insightful observation that Henry had already publicly proclaimed his confidence in the duke of Somerset throughout the realm in response to York's open bills of complaint in the previous month. York himself would certainly have been aware of this; therefore, 'any alternative explanation that [the king] had somehow tricked York into submission with a prior promise to have Somerset tried on these charges must therefore be rejected'.¹²⁷

¹²⁴ *English Chron.*, p. 71.

¹²⁵ Griffiths, *Henry VI*, p. 697; Wolffe, *Henry VI*, p. 255.

¹²⁶ Griffiths claims that York and his two noble allies 'had every expectation' of an actual hearing but that 'they had been deceived': *Henry VI*, p. 697. Storey goes further, waxing lyrical about York's supposed virtues in the process: 'York was an honourable man, and he did not doubt the word of the king's envoys. But when he went into the king's tent, he encountered Somerset at his accustomed place beside Henry. It was not Somerset, but York, who found himself detained as a prisoner': *End of Lancaster*, pp. 100–01.

¹²⁷ Wolffe, *Henry VI*, p. 255.

After submitting to the king, York was disarmed and then taken to London under a large escort and put under house arrest. A week later, he swore a solemn, public oath at St. Paul's Cathedral that he would not disobey any future commands or summons of his king and that he would never again raise a force against the king or any of his subjects, putting his seal and his signature to a written version of the oath. Several days later he and Somerset also bound themselves to one another with recognizances amounting to £20,000, promising to place their dispute into the hands of an arbitrating committee. Following this, York freely departed to his own lands, but it had been an entirely humiliating experience for him and one that he would not forget.¹²⁸

It is impossible to know Kemp's part in any of the events surrounding York's Dartford rising. While his archiepiscopal register shows him to have been in London throughout February and March, he does not appear in any contemporary accounts of the prevented conflict, nor was he a member of the diplomatic delegation sent to treat with York.¹²⁹ R.G. Davies claims that Kemp 'acted as a mediator' between Henry VI and the duke of York, but I have not been able to find any evidence of this.¹³⁰ We do know, however, that amidst the crises that enveloped the realm between 1450 and 1452, Chancellor Kemp and his fellow officers of state faced the arduous task of rebuilding the Crown's finance, as well as the reestablishment of royal authority. By 1452, they had done so admirably, stabilising the finances and making preparations for the defence of what was left in English-held France, particularly regarding the relief of Gascony.¹³¹ In addition, the government finally began paying soldiers returning

¹²⁸ Griffiths, *Henry VI*, p. 697; Wolffe, *Henry VI*, pp. 255–56.

¹²⁹ Reg. Kemp York, fols 75^v, 157^v–159^r.

¹³⁰ R.G. Davies, 'Kemp [Kempe], John (1380/81–1454)', *ODNB*, XXXI, p. 175.

¹³¹ *Ibid.*; Watts, *Henry VI*, p. 284.

from the Continent, removing a dangerous source of unrest.¹³² Indeed, Davies is justified in stating that 'Kemp maintained some semblance of authority and competence for the government' amidst the chaos of the last two years. He also notes the remarkable truth that, despite operating in an atmosphere so charged with anger and dissatisfaction, Kemp himself 'faced no criticism from any quarter'.¹³³

One interesting episode that arose from York's rising shows Kemp's sense of justice and his loyalty to old friends and colleagues. In the aftermath of Dartford and the risings that continued to occur shortly thereafter, the royal government strove to restore order and punish those who persisted in rebellion, but, as often happens, some of the good were tossed in with the bad. William Tailboys, who had attempted to assassinate Lord Cromwell several years earlier, exploited current events to accuse his old foe of involvement with York's treasonous activities.¹³⁴ This was unlikely at best, despite Cromwell's sympathy for many of the duke's aims, but in an atmosphere of extreme mistrust, he struggled to clear his name definitively. When making his defence before the council in February 1453, Cromwell turned to Chancellor Kemp and 'directynge his wordes oonly to my lorde cardinale saide, "Sir, ye be the lorde that oonly I see sitte here that was at such tyme of this consaile, whanne I firste come there to"', after which he asked Kemp to say truly whether or not he had ever been anything but a faithful servant of the Crown in all that time. Kemp warmly acknowledged the fact that they were the only two councillors remaining from that first minority council set up in 1422, and he firmly defended Cromwell's reputation.¹³⁵

¹³² Watts, *Henry VI*, p. 284.

¹³³ Davies, 'Kemp, John', p. 175.

¹³⁴ Griffiths, *Henry VI*, pp. 700, 712 (note 158); Virgoe, 'Tailboys and Cromwell', pp. 469-71.

¹³⁵ *CPR* (1452-61), p. 101. Kemp and Cromwell's friendship continued until the former's death in 1454 (Cromwell survived until 1456). There is no surviving copy of Kemp's will, but in 1451,

However, Kemp's response also clearly stated that, were it otherwise, his principles would have come before his friendship: 'Sir, sooth it is that I have knowe you long a goo and sete many yeres with you in this consaile and as for such thinges as ye aske and demaunde of me, trusteth me trewly, and I had hadd knowlech of any such thinges, I shold not have spared to have opened thaim to the king, but for soothe I knowe noon such'. It was only after the chancellor had made his position known that the council then moved to accept Lord Cromwell's defence and clear his name.¹³⁶ While this case may not be pivotal in any historical sense, it offers a touching glimpse of the men behind the dusty records, ruefully noting their status as the few survivors of an older era. Of course, it also corresponds with what we know of Kemp's judicial qualities, putting justice before preferentialism, especially in matters that touched the honour and well-being of the Crown.

Even more important than Kemp's exertions, Henry VI himself seems to have been energised by recent events to begin actively fulfilling his duties as monarch in areas that he had hitherto almost entirely neglected. Following the sporadic unrest that continued after the defeat of Cade's rebellion, the king personally embarked upon 'an exemplary judicial progress' through Kent in January 1451 and then again in Kent, Sussex, Surrey, Hampshire, and Wiltshire from June through September.¹³⁷ The records often indicate that Henry VI actually presided over the commission's proceedings himself. For a man usually so inclined to peace and clemency, King Henry

Cromwell appointed his long-time friend and colleague to supervise his own will, in the event that he predeceased the cardinal, and bequeathed him a 'bowl of precious gold worth forty marks': *Testamenta Eboracensia: A Selection of Wills from the Registry at York*, ed. by James Raine et al., 6 vols (London: J.B. Nichols and Sons, 1837-1902), II (1855), pp. 198-99.

¹³⁶ *Ibid.*, pp. 101-02.

¹³⁷ Wolffe, *Henry VI*, p. 245, 257; Griffiths, *Henry VI*, pp. 648-49; Grummitt, *Henry VI*, p. 168.

and his commission dispensed severe justice to those who persisted in insurrection; Gregory's chronicle tells us that 'men calle hyt in Kente the harvyste of hedys'.¹³⁸

Watts notes the 'new vigour' with which royal government faced its troubles after the summer of 1450, but he denies the king himself any role in this. Instead, he claims that 'the origin of these displays of energy and efficiency almost certainly lay in the sudden ascendancy of the duke of Somerset'.¹³⁹ For Watts, the entire reign of Henry VI was merely a façade of royal governance, cloaked in the language and symbolism of monarchy to provide legitimacy to the noblemen and bureaucrats who actually governed in his stead. Thus, Somerset was faced with the monumental task of directing the machinery of state while superficially reasserting the king's personal authority so that he and his colleagues were seen to be justifiably empowered to act in the king's name. At the same time, he had to visibly reform elements of the government and the royal household in order to appease the critical commons, and Watts maintains that the duke truly was 'responsive' to the criticisms made in 1449 and 1450. Watts also asserts that the duke accomplished these aims through the construction of an 'executive council', a 'discretely consultative and representative regime', of which he was the 'manager'.¹⁴⁰

While Watts's scholarship brings to light many fascinating aspects of late medieval royal government, his arguments surrounding the supposition that Henry VI was never capable of independent action requires a great deal of manoeuvring and theorising – perhaps too much. But even if he is essentially correct in his assessment of the king's capabilities, the amount that he attributes to the duke of Somerset – a military commander of dubious talent, a landowner willing to pursue his own

¹³⁸ Gregory's Chron., p. 197; Wolffe, *Henry VI*, p. 245; Griffiths, *Henry VI*, p. 649.

¹³⁹ Watts, *Henry VI*, pp. 283–84.

¹⁴⁰ *Ibid.*, pp. 285–86.

interests to the detriment of the realm, and a counsellor with little serious administrative experience in England – is almost ludicrous.¹⁴¹ While I do not venture to claim that the entire rehabilitation of royal government was effected by John Kemp, he certainly poses a far more likely figure to at least prompt such changes, especially regarding the espousal of a ‘consultative and representative’ council. Watts does briefly discuss Kemp’s possible role in the administration at this time, though he relegates the chancellor to a footnote. He says that ‘Kemp...seems to have played a role in government reminiscent of Cardinal Beaufort’, noting the authoritative way in which the chancellor signed bills and orders.¹⁴² Unfortunately, he does not follow this statement with any further discussion of the authority that Kemp wielded as chancellor, instead wondering how Somerset had managed to raise himself up so quickly ‘above other leading figures, such as Kemp’.¹⁴³

Other historians do grant more agency to Henry VI in the months and years following Cade’s rebellion. Wolffe affirms that it was the king’s ‘unusually firm personal action’ that had temporarily restored the authority of the Crown.¹⁴⁴ He points to the judicial perambulation that took place from June to August 1452, which ended at York’s stronghold at Ludlow. If Henry VI’s recent displays of kingship purposefully strove to negate Duke Richard’s well-publicised views on his ability to administer justice, then his trip to the duke’s heartland was the crowning triumph. There, King

¹⁴¹ For more on his handling of the war in France from 1447 to 1450 and his selfish and irresponsible refusal to take up his post as lieutenant of France until he had received exorbitant compensation for the loss of Maine (from a nearly bankrupt government), see Richmond, ‘Beaufort, Edmund’, p. 621.

¹⁴² Watts, *Henry VI*, p. 283, note 98.

¹⁴³ *Ibid.*, pp. 284–85.

¹⁴⁴ Wolffe, *Henry VI*, p. 248.

Henry and his commission of oyer and terminer tried and condemned a number of York's servants who had taken part in what appears to have been planned risings following their disbanding at Dartford.¹⁴⁵ At least one of those tried was sentenced to hang, while many more were required to formally submit to the king in order to receive his pardon.¹⁴⁶

One pro-Yorkist chronicler hysterically declared that the duke's tenants 'were compelled to come out nude, with strangling ropes around their necks, in extreme cold and snow'.¹⁴⁷ While the wintry weather conditions in August, and probably also the enforced nudity, may be disregarded as hyperbole, the account demonstrates the startling effect that the king's judicial progress had upon his subjects. For York, at least, it was truly 'a demonstration of the strength of the House of Lancaster to the very face of [Henry VI's] disloyal, Yorkist would-be heir', which 'put the seal on York's humiliation' following his failed rising at Dartford.¹⁴⁸

Likewise, Grummitt believes Henry VI to have genuinely stirred himself at last between 1450 and 1453, playing a far more 'prominent and public role in the government of the realm' and that it was his sudden and extraordinary 'display of personal kingship' that denied the duke of York the upper hand either in parliament or on the field.¹⁴⁹ While York and those punished for insurrection may not have appreciated the newly invigorated king, it must have been eminently reassuring for the rest of the king's subjects to see him displaying his royal authority so definitively.

¹⁴⁵ Ibid., p. 260.

¹⁴⁶ Storey, *End of Lancaster*, p. 102.

¹⁴⁷ '*...ubi tenentes eiusdem compulsi fuerunt venire nudi cum cordis suffocatoriis circa colla eorum in maximo gelu et nive...*': *Six Town Chron.*, p. 107.

¹⁴⁸ Wolffe, *Henry VI*, p. 260.

¹⁴⁹ Grummitt, *Henry VI*, p. 168.

By the winter of 1452, plans were even being made for the king himself to lead an army across the Channel, and in a letter to Lord Clifford, who had been appointed to oversee the organisation of a fleet to relieve Calais if necessary, King Henry promised that ‘we with the grace of our Lorde with the helpe of you and of our true subjettes shall doo oure parte in suche wyse as it shalbe to the pleasir of God to the worsship and wele of us and this oure reaume and to the rebuke and shame of oure saide adversaries and evill willers purpoos...with out delaie or tarrying...mowe goo over in oure owne persone’.¹⁵⁰ Whether or not the king ever truly intended to sail to Calais at the head of an army is beside the point; he and his council recognised that the realm needed to see an active ruler, particularly when it came to defending English claims in France.

King Henry’s increased vigour extended to his personal affairs, as well. In November 1452, he elevated his half-brothers, Edmund and Jasper Tudor, to the earldoms of Richmond and Pembroke, respectively. While Watts argues that this decision was made solely by Edmund Beaufort, duke of Somerset, Grummitt maintains that it serves as an example of the king ‘exerting his influence’, regaining his authority over the realm and surrounding himself with those loyal to him, in particular faithful members of the Lancastrian royal family like the Tudors.¹⁵¹ Of

¹⁵⁰ *POPC*, VI, pp. 119–20; Henry Summerson, ‘Clifford, Thomas, eighth Baron Clifford (1414–1455)’, *ODNB*, XII, p. 114; Grummitt, *Henry VI*, pp. 168–69; Wolffe, *Henry VI*, pp. 256–57; Griffiths, *Henry VI*, p. 429.

¹⁵¹ Watts, *Henry VI*, pp. 294–95; Grummitt, *Henry VI*, p. 169. Faithful the Tudors certainly proved to be. Edmund strove to uphold the king’s authority in Wales in the tumultuous decade of the 1450s, but in 1456 York’s retainers attacked and incarcerated him as a result of his success; he died of the plague shortly thereafter: R.S. Thomas, ‘Tudor, Edmund [Edmund of Hadham], first Earl of Richmond (c. 1430–1456)’, *ODNB*, LV, pp. 513–14. Jasper defended the Lancastrian cause in Wales until the bitter end, and after facing Edward IV’s victory and his father’s

course, Henry VI's reinvigoration also seems to have had another happy consequence – the conception, at long last, of an heir, which must have occurred between Christmas 1452 and early January 1453.¹⁵² By upholding this most crucial of royal responsibilities, the king finally brought the potential of continuity and stability to the Lancastrian dynasty, especially considering York's recent bid for authority. Provided that mother and child survived the pregnancy, Duke Richard's hopes and ambitions as heir presumptive were at an end.

execution in 1461, he remained a fugitive for the next quarter of a century. A diehard supporter of the Lancastrian cause, he made repeated attempts to restore Henry VI throughout the 1460s and played a major role in the Radeption government in 1470 to 1471: R.S. Thomas, 'Tudor, Jasper [Jasper of Hatfield], duke of Bedford (c. 1431–1495)', *ODNB*, pp. 514–15. It should be noted that, as a Beaufort, Somerset, too, was intimately linked with the Tudors; indeed, if we are to believe Gerald Harriss's opinion, Somerset may well have been Edmund Tudor's father. However, R.S. Thomas does not find Harriss's evidence for this to be at all compelling, and the fact that the Tudor brothers notably refrained to support Somerset's cause against the duke of York seems to lend credence to Thomas's skepticism: G.L. Harriss, *Cardinal Beaufort: A Study of Lancastrian Ascendancy and Decline* (Oxford: Oxford University Press, 1988), p. 178, note 34; Richmond, 'Beaufort, Edmund', p. 620; Thomas, 'Tudor, Edmund', p. 513; Griffiths, *Henry VI*, p. 723.

¹⁵² The king was with Queen Margaret at Greenwich during this time, between judicial perambulations: Wolffe, *Henry VI*, p. 261. Wolffe observes that 'he seems suddenly to have become an altogether more virile person, even begetting an heir after seven years of fruitless marriage': *Henry VI*, p. 267.

Translation to Canterbury

The king was not the only one to enhance his reputation (however momentarily) during the summer of 1452. John Stafford, archbishop of Canterbury, died on 25 May, leaving the see open at last to Cardinal Kemp.¹⁵³ Henry VI immediately wrote a letter supporting his chancellor's candidacy to the prior and monks of Christ Church. In it, he declared that he had 'fully determined and utterly concluded' that Kemp ought to be 'before al other preferred to the said Church'. He extolled Kemp's 'grete and longe experience' and held him to be 'moost worthy and able of any within this our said Royaume so to have rieul of the said Church'. The king also reminded the community that Kemp 'in his tender age in grete part was brought up amonge you', giving us cause to believe that he was schooled at the cathedral before going to Oxford, and he pointed out that the cardinal had been 'born of his nativite not ferre fro you' and 'at alle dayes had the said Church in grete reverence and the ministers therof in love and tendernesse'.¹⁵⁴

After the monks of Christ Church had duly elected Cardinal Kemp, Pope Nicholas V quickly sent the necessary bull of provision, dated 21 July and received by Christ Church priory on 20 September, while also enhancing his curial status by creating him the cardinal-bishop of St. Rufina.¹⁵⁵ On 21 September, Thomas Goldstone, prior of Christ Church, read the bull in chapter, and one of the elder monks gave a sermon with the theme 'Behold my servant, my elect, I will uphold him' (Isaiah 42:1).¹⁵⁶ The prior then carried the primatial cross to London where, on Sunday, 23 September, he ceremonially handed the cross of Canterbury to the new archbishop in the chapel

¹⁵³ *Stone's Chron.*, p. 91.

¹⁵⁴ Canterbury, Canterbury Cathedral Archives (CCA), CCA-DCc/ChAnt/K/4.

¹⁵⁵ Reg. Kemp Canterbury, fols 210^r-212^v; *Stone's Chron.*, p. 92.

¹⁵⁶ *Stone's Chron.*, p. 92.

of the episcopal manor at Fulham, which belonged to Kemp's nephew, the bishop of London.¹⁵⁷ At ten o'clock in the morning the next day, again in the chapel at Fulham, Cardinal Kemp received the pallium from his nephew.¹⁵⁸

Finally, on Monday, 11 December, Kemp was formally enthroned at Canterbury Cathedral. He was met at the door of the cathedral by the prior and convent, who wore white copes for the occasion, and the archbishop-elect entered the cathedral in procession, followed by the bishops of Winchester, Rochester, and Ross; the abbots of St. Augustine's, Battle, and Faversham; and the priors of Rochester and Combwell. Walking with Kemp were his nephew, the bishop of London; John Tiptoft, the earl of Worcester and Kemp's long-time friend and conciliar colleague; John Talbot, Viscount Lisle and eldest son of the earl of Shrewsbury; the prior of St. John's Hospital; and Sir John Tyrell. Also in attendance were Robert Hungerford, Lord Moleyns, the grandson of Kemp's late friend and colleague Walter Hungerford, and Sir John Fortescue, chief justice of the King's Bench.¹⁵⁹

Once at the high altar, the prior began the service, and after singing the *Te Deum*, he and the rest of the convent kissed Archbishop Kemp and his pallium. After this, Kemp repaired to the vestry, where he ceremonially washed his monks' feet and prepared himself to celebrate Mass. As he re-emerged and proceeded towards the high altar, with the monks singing *Deum time*, the bishop of Rochester bore the cross of Canterbury before him. During the Mass, the abbot of Faversham read the epistle, while the bishop of Ross performed the gospel reading. The monks of Christ Church habitually celebrated Mass at the shrine of St. Thomas every Tuesday, and Kemp did so for the first time as archbishop of Canterbury the next day, 12 December, after which

¹⁵⁷ *Ibid.*; Reg. Kemp Canterbury, fol. 212^v.

¹⁵⁸ Reg. Kemp Canterbury, fols 212^v-213^r.

¹⁵⁹ *Ibid.*, fol. 213^r; *Stone's Chron.*, pp. 92-93.

he formally entered the chapter house as abbot of Christ Church.¹⁶⁰ His instalment was complete; Kemp had reached the pinnacle of the English Church.

Despite his advanced age, there was no one else among the prelates who had more claim than Kemp to the see of Canterbury. As Davies observes, he loved Kent and had opted to spend a great deal of his time there even as archbishop of York, and his attentiveness to the interests of the Kentishmen following Cade's rebellion shows that he still very much identified with the county.¹⁶¹ The fact that none of the risings had even once mentioned Kemp among those responsible for injustice and corruption speaks volumes, as well. The translation certainly seems to have inspired the aged cardinal with renewed vigour despite his increasingly poor health. He immediately began preparing for an ambitious primary visitation of his archdiocese, scheduled from 20 September to 11 October 1453, in which he planned to personally inspect each parish. The plan is remarkably detailed, providing a day-by-day listing of the location of each individual visitation, broken into *ante meridiem* and *post meridiem*; the itinerary even includes when and where the archbishop would stop for his meals.¹⁶²

The new archbishop also took seriously his duties to the southern province as a whole. On 24 December 1452, Kemp issued a mandate to summon convocation to meet on 7 February 1453 at St. Paul's Cathedral, where he presided over the opening Mass.¹⁶³ His health seems to have been deteriorating, and he was obliged to absent

¹⁶⁰ *Stone's Chron.*, p. 93.

¹⁶¹ Davies, 'Kemp, John', p. 175.

¹⁶² Reg. Kemp Canterbury, fol. 232^v. For example, on Saturday, 22 September, he was scheduled to visit the monastery of Faversham in the morning and the nunnery of Davington in the afternoon, and he was to dine and sleep at Faversham on the nights of both Saturday and Sunday.

¹⁶³ *Ibid.*, fols 219^r, 220^r-220^v.

himself on and off throughout convocation. On 12 February, he was apparently too ill to preside, deputising the bishops of London and Winchester in his absence, yet he reappears on the record three days later to propose a subsidy of two tenths and to field questions from the clergy regarding reforms to the Church. On the following day he was again absent, and by 19 February, it was decided to adjourn convocation for three days. When the clerics reconvened, they did so at Lambeth Palace so that the archbishop could be present, as he was 'struggling with great infirmity'.¹⁶⁴ When convocation ended on 3 March, the province voted to grant a subsidy of one tenth, and the clergy petitioned the bishops to present the need for Church reform to the parliament that was due to meet in three days' time. Kemp promised to do so, though we do not know the clergy's specific concerns regarding reformation.¹⁶⁵

Crisis Returns: The King's Madness

By the time parliament convened at Reading on 6 March 1453, the realm's prospects looked better than they had for a very long time. The king was finally perceived to be fulfilling his duties, rebels and overly ambitious noblemen had been put in their place, and even the war in France had taken a rare turn for the better, with the earl of Shrewsbury's reconquest of Gascony in September 1452.¹⁶⁶ In addition, the act of resumption passed in 1451, combined with the efforts of royal officers like Kemp, had effectively stabilised the Crown's finances. When describing the commencement

¹⁶⁴ *Ibid.*, fols 221^v-222^r.

¹⁶⁵ *Ibid.*, fol. 222^v.

¹⁶⁶ A.J. Pollard, 'Talbot, John, first earl of Shrewsbury and first earl of Waterford (c. 1387-1453)', *ODNB*, LIII, p. 703.

of this parliament, historians use terms such as 'the zenith of the king's political recovery' and the 'high-water mark of Henry VI's kingship'.¹⁶⁷

Many still expected Henry VI to personally lead an expedition to France in support of Shrewsbury's successes, and the Commons showed their enthusiasm for this new state of affairs by their generosity. They granted a fifteenth and a tenth, as well as a large wool subsidy designed to raise a force of no less than twenty thousand archers to be sent to France.¹⁶⁸ They also bestowed a grant of tunnage and poundage upon the king 'for the term of [his] natural life'; significantly, such a generous grant had not been made since 1415, when a grateful Commons had granted a subsidy for life to Henry V following the battle of Agincourt so that he could continue to 'pursue his right by means of war'.¹⁶⁹ Clearly, Henry VI had aroused great expectations over the previous two years. In keeping with his recent bout of activity, the king came before the Commons when parliament was prorogued for Easter on 28 March to thank them in person for the 'faithfulness, tenderness and immense goodwill demonstrated' to him by their generous grants.¹⁷⁰

The Commons gave other indications of their newfound respect for the king. They submitted a bill even more scathing than that submitted in 1450 requesting Jack Cade's attainder, in order that his name and deeds might 'be put out of every true Cristen manny's langage and memorie for ever'. In a stunning *volte-face*, the Commons went on to declare that 'all the petitions put to youre highnesse in youre last parlement... ayenst youre entent, by you not agreed, be take and put in oblivion oute of remembraunce, cassid, voide, adnulled, and anyntesid for ever, as thing purposid

¹⁶⁷ Griffiths, *Henry VI*, p. 699; Grummitt, *Henry VI*, p. 169.

¹⁶⁸ *PROME*, XII, pp. 230–31, 232–36.

¹⁶⁹ *Ibid.*, pp. 231–32; *PROME*, IX, pp. 117–18.

¹⁷⁰ *PROME*, XII, pp. 236–37.

ayenst God and conscience, ayenst youre regalie, estate and preeminence, and also unworshipfull and unresonable'.¹⁷¹ This, of course, was a reference to the bill demanding the removal of twenty persons from the royal household, which parliament now condemned, linking it to the insidious effects of Cade's rebellious language. It was an extraordinary statement both of remorse for their past offensiveness and of faith in the king himself.

In her introduction to the parliament of 1453 in *The Parliament Rolls of Medieval England*, Curry opines that local sheriffs had to some extent engineered the election of those favourable to the court. However, her main source for this is Robert Bale's pro-Yorkist chronicle, and she admits that the only evidence potentially pointing towards obstruction of free elections arose in Suffolk.¹⁷² Wolffe, on the other hand, points out that Bale is the only chronicler to make such claims, maintaining that he, as a Yorkist, was simply making 'a dissenting and minority complaint'.¹⁷³ Storey agrees with Wolffe, commenting that 'it need not be supposed that the commons had been packed', instead highlighting the Commons' realisation that the realm had only narrowly avoided civil strife and that, though they had sympathised with York's demands for reform, they were not prepared to condone the treasonous course of action that he had taken to achieve his ends.¹⁷⁴

This last view is echoed in the action that the Commons took against York's supporters. The duke's chamberlain and foremost follower, Sir William Oldhall, was finally attainted (he had been claiming sanctuary in the collegiate church of St. Martin's-le-Grand since November 1451) and declared to have been the hand behind

¹⁷¹ *Ibid.*, pp. 306–07.

¹⁷² *PROME*, XII, p. 212; *Six Town Chron.*, pp. 139–40.

¹⁷³ Wolffe, *Henry VI*, p. 263.

¹⁷⁴ Storey, *End of Lancaster*, p. 102.

Cade's rebellion, many of the later insurrections, and the rising at Dartford.¹⁷⁵ Parliament also passed a resumption of all grants to those who had accompanied the duke of York at Dartford.¹⁷⁶ Taken together along with the confirmation of the Tudors' ennoblement, parliament's message was clear – they desired good governance at the hands of an active king over the pretensions of a royal duke. Tellingly, York did not attend the first two sessions of parliament, which sat from 6 to 28 March and 25 April to 2 July, respectively.¹⁷⁷ In contrast, Henry VI continued to play an active part in proceedings. He is recorded to have 'handed over and delivered...certain schedules of parchment signed by his own hand which he commanded be inserted and registered on the roll of the same parliament'.¹⁷⁸ When parliament was prorogued for the second time on 2 July, Chancellor Kemp gave 'warm thanks' to the Commons on behalf of the king, 'and the same lord king himself immediately said to the aforesaid commons: "We thank you most cordially. Do not doubt that we shall be a gracious and benevolent lord to you"'.¹⁷⁹

As we have already seen, Kemp did not open parliament in March; the parliament roll simply says that he was 'then absent', and we must content ourselves with that.¹⁸⁰ The clerk of the parliaments had specifically noted in the past when Chancellor Kemp could not attend due to poor health, and as his archiepiscopal register places him in London until 15 March, it may well be that he was hindered by

¹⁷⁵ *PROME*, XII, pp. 307–09; Griffiths, *Henry VI*, p. 699.

¹⁷⁶ *PROME*, XII p. 218, 321 (no. 2).

¹⁷⁷ Grummitt, *Henry VI*, p. 169.

¹⁷⁸ *PROME*, XII, pp. 248–49.

¹⁷⁹ *Ibid.*, p. 248.

¹⁸⁰ *Ibid.*, p. 229.

some other important business.¹⁸¹ However, as we have seen, his register notes that he was ‘struggling with great infirmity’ only eleven days prior to the parliament’s opening, so it is quite likely that he was still too poorly by early March to make the journey to Reading.¹⁸² In any case, the Commons later noted that they had discussed matters of government with the chancellor ‘in the begynnyng of this present parlement’, so he was clearly present early in the first session.¹⁸³ The parliament roll also notes that Kemp presided over all of this parliament’s many prorogations until February 1454.¹⁸⁴

Unfortunately, the optimism of the last two years was utterly shattered within weeks of parliament’s second prorogation on 2 July. During the recess, Henry VI had planned to embark upon another judicial tour in the South-West and the North Country, this time endeavouring to resolve the aristocratic disputes that were quickly reaching boiling point in those regions.¹⁸⁵ On 21 July, the king was still taking an active role in governing, presiding over a council meeting that addressed the conflict between the earl of Warwick and the duke of Somerset over contested property in Wales.¹⁸⁶ However, unbeknownst to King Henry, catastrophe had already struck once again in France. On 17 July, John Talbot, earl of Shrewsbury – who had so effectively reconquered most of Gascony in the past ten months – was killed in battle, along with his son, Viscount Lisle. News of this tragic event and the subsequent loss of Gascony

¹⁸¹ Reg. Kemp Canterbury, fol. 222v.

¹⁸² Ibid., fol. 222r.

¹⁸³ *PROME*, XII, p. 256.

¹⁸⁴ Ibid., pp. 236–37, 248, 251–52.

¹⁸⁵ Grummitt, *Henry VI*, p. 169; Wolffe, *Henry VI*, pp. 268–69.

¹⁸⁶ TNA, E 28/83/42.

had reached England by the end of July, and around the same time, the king 'sodenly was take and smyten with a ffransy and his wit and reson with drawn'.¹⁸⁷

Many historians cautiously attribute the shock and despair of this terrible news to Henry VI's complete mental and physical collapse, though as Griffiths admits, after the passage of five and a half centuries and with the scant medical detail included in medieval sources, speculation on the causes and nature of the king's illness are 'fruitless'.¹⁸⁸ Regardless, the effects of his sudden and total incapacitation were immediately evident. At first, the royal administration appears to have tried to hide the fact that the realm was without a fit ruler, which is not surprising — after all, everyone must have hoped that he would quickly recover his senses. Thus, when parliament reconvened as scheduled on 12 November, Chancellor Kemp announced simply that the king 'had been informed of the great plague now prevailing in the said town of Reading, that everyone should look to avoiding, and he was unable to come on the said day and to the said place for other reasons'. He declared that the next session would take place in Reading on 11 February, instead.¹⁸⁹

However, the king's condition did not improve. In October, Queen Margaret bore a son, Edward, a cause for celebration across the realm. The child was duly baptised in Westminster Abbey, with Cardinal Kemp, the duke of Somerset, and the duchess of Buckingham standing as his godparents. But when the queen, accompanied by the duke of Buckingham, presented her husband with their new-born son, he remained almost completely unresponsive. John Stodeley, an associate of the duke of

¹⁸⁷ Pollard, 'Talbot, John', p. 703; Griffiths, *Henry VI*, p. 715; Grummitt, *Henry VI*, pp. 169–70; *Six Town Chron.*, p. 140.

¹⁸⁸ Griffiths, *Henry VI*, p. 715; Wolffe, *Henry VI*, p. 270; Grummitt, *Henry VI*, pp. 169–70; Storey, *End of Lancaster*, pp. 136–37.

¹⁸⁹ *PROME*, XII, pp. 251–52.

Norfolk, described the scene in a newsletter written in January 1454: ‘...the Queene come in, and toke the Prince in hir armes and presented hym [to the king]...desiryng that he shuld blisse it; but alle their labour was in veyne, for they departed thens without any answeere or countenance savyng only that ones he loked on the Prince and caste down his eyene ayen, without any more’.¹⁹⁰

Thus, it would seem that many among the politically active classes knew about the king’s condition by at least January 1454; obviously, the leading noblemen and officers of state had necessarily known from at least August, and in any case, on 5 December, Kemp and other leading lords had unambiguously acknowledged the state of the king’s health in a conciliar ordinance.¹⁹¹ Yet when parliament gathered in Reading on 11 February as previously instructed, the treasurer (Kemp was presumably unable to attend, perhaps due once again to poor health) announced that it was to be prorogued once more, opening three days later in Westminster instead of Reading. The only reason given was that the king ‘was unable to be present on the aforesaid day and at the said place on account of certain reasons’ and that he himself had therefore ‘assigned and ordained’ the earl of Worcester, his treasurer, to adjourn proceedings, even though many doubtless already knew that the king was utterly incapable of doing any such thing by his own initiative.¹⁹²

¹⁹⁰ *Paston*, II, pp. 295–96.

¹⁹¹ Watts, *Henry VI*, p. 301, note 174; Ralph A. Griffiths, ‘The King’s Council and the First Protectorate of the Duke of York, 1453–1454’, *EHR*, 99 (1984), 67–82 (pp. 78–79).

¹⁹² *PROME*, XII, pp. 252–53. There is evidence to suggest that this last-minute three-day delay was caused by division among the lords of the council regarding who should reopen parliament in the absence of the king, and it is possible that some of the lords seriously considered the alternative solution of Queen Margaret as regent, or at least protector/lieutenant: Storey, *End of Lancaster*, pp. 138–39; Griffiths, *Henry VI*, p. 723.

In the meantime, the kingdom appears to have been governed by a small council, led by the chief officers of state and assisted by those lay and ecclesiastical lords who were near Westminster.¹⁹³ On 8 October, for example, the council's attendance record shows that there were only three councillors in attendance: Chancellor Kemp, the duke of Buckingham, and the bishop of Hereford.¹⁹⁴ However, it eventually became clear that the king would not recover in the near future, and decisions that required a much larger and more representative council became more pressing. For this reason, a great council was summoned in October 1453.¹⁹⁵ There were many issues to discuss, from the feasibility of resuming parliament in November to the various aristocratic disputes raging on in different quarters of the country. Perhaps most dangerous was the running dispute between Somerset and York, especially now that the former could no longer expect the king's active protection. The great council seems to have dealt with this particular difficulty by simply not inviting the duke of York. Not surprisingly, Duke Richard (and his wife) complained loudly at this exclusion, and the council accordingly sent him a very belated invitation, claiming with unconvincing innocence that they had recently been 'enfourmed' that he had never received his letter in the first place and that they were thus personally delivering to him 'newe lettres' summoning him to the meeting.¹⁹⁶ Despite their somewhat feeble protestations, however, the lords made their reservations plain by acknowledging York's ongoing dispute with Somerset and requiring him to arrive 'peasible and mesurable accompanied'.¹⁹⁷

¹⁹³ Griffiths, *Henry VI*, pp. 719–21; Wolffe, *Henry VI*, pp. 273–75.

¹⁹⁴ *POPC*, VI, p. 161.

¹⁹⁵ Wolffe, *Henry VI*, p. 275.

¹⁹⁶ *POPC*, VI, p. 163.

¹⁹⁷ *Ibid.*, p. 164.

The great council decided to delay the reopening of parliament until the new year, ostensibly in the hope that the king might recover by then or, at the very least, that a more stable government arrangement might be reached. In keeping with French precedents and, especially, the matriarchal Angevin court in which she had been raised, Queen Margaret announced her intention of acting as regent during her husband's illness.¹⁹⁸ The duke of York was bound to violently resist any such arrangement, and thus the initial lines of conflict were drawn. The queen's most powerful potential supporter, the duke of Somerset, was the first to be attacked by York's adherents. After receiving his 'belated' summons to the great council, Duke Richard arrived in London on 12 November, and nine days later, his supporter, the duke of Norfolk, accused Somerset of treason, charging him with the inexcusable and dishonourable surrender of Normandy. On 23 November, the rest of the lords bowed to pressure and committed Somerset to imprisonment in the Tower. He remained there for over a year without a trial or even the submission of formal charges, highlighting the 'political and personal nature' of the case being brought against him.¹⁹⁹

Chancellor Kemp played a major role in attempting to maintain at least some sense of political balance as the government moved ever closer to factional strife. The

¹⁹⁸ Griffiths, *Henry VI*, p. 722. There is no official record of the queen's request or of any formal answer; our knowledge of it comes from John Stodeley's newsletter: *Paston*, II, p. 297. Anthony Gross believes Kemp, 'by far the most experienced of the administrators associated with the Beauforts', to have been close to the queen and likely to have supported her bid for regnal authority in her husband's name: *The Dissolution of the Lancastrian Kingship: Sir John Fortescue and the Crisis of Monarchy in Fifteenth-Century England* (Stamford: Paul Watkins, 1996), pp. 53–54.

¹⁹⁹ Griffiths, *Henry VI*, p. 721; Grummitt, *Henry VI*, p. 173.

author of the so-called Giles's Chronicle, commenting on Norfolk's attack upon Somerset, said that 'other temporal lords supported Norfolk to such a degree that the chancellor of England did not know how to pacify them', and it was only then that Kemp had Somerset committed to the Tower.²⁰⁰ Benet's chronicle claimed that Kemp and Somerset were close friends, and while we need not take this exceptionally pro-Yorkist account at face value (Curry refers to it as 'a rabid pro-Yorkist writing'), there can be little doubt that the chancellor acquiesced to York's desire with reluctance.²⁰¹ Whatever Kemp may have thought of the duke of Somerset personally, he clearly did not mistrust his political intentions as he did York's, and his close connection with the late Cardinal Beaufort may well have made him more sympathetic towards Somerset's plight. The chancellor most likely also played a significant role in postponing parliament in November for another three months. It is hardly coincidental that York had arrived in Reading just as parliament was supposed to reconvene, and Watts

²⁰⁰ The author of Giles's Chronicle is one of the only known pro-Lancastrian contemporary accounts, which lends it great interest and value in itself. The entire passage reads '*...et in modico post dux Norfolkiae incoepit constanter accusare ducem Somercetiae de multis articulis prodicionis Normandiae et aliorum dominiorum in partibus Franciae, unde et alii domini temporales in tantum favebant duci Norfolkiae, quod cancellarius Angliae non noverat eos pacificare, quousque eundem ducem Somercetiae ad turrim Londoniae destinavit mancipandum, ubi per annum permanebat licet absque titulo alicujus forisfactionis comisso regi aut regno, quod probare noverant iudices aut regni justiciarii*': Giles's Chron., p. 41.

²⁰¹ Benet makes this comment when recording Kemp's death in March 1454 (his date of 19 February [xi kal. March] is wildly incorrect, as Kemp actually died on 22 March [which would be xi kal. April]): '*Et xj^o Kal. Marcii obiit apud Lameth Magister Johannes Kempe presbiter cardinalis Archiepiscopus Cantuar' et Cancellarius regis Anglie qui capitalis amicus fuit ducis Somerssetie existensis in Turri London*': Benet's Chron., p. 211; PROME, XII, p. 166.

argues that Kemp immediately prorogued the assembly in order to prevent the duke from successfully carrying out the sort of coup that he had attempted in November 1450.²⁰²

The effects of such political uncertainty were quickly felt in other areas. Lord Bonville, the long-time foe of York's faithful adherent, the earl of Devon, had recently been pursuing the safe-keeping of the seas so vigorously that he had provoked the wrath of the duke of Burgundy, who accused him of piracy.²⁰³ The inherent risk to Continental trade in turn caused the mayors and leading merchants of London and Calais to make complaints to the chancellor. Kemp evidently did not agree, or at least lacked the power to do much about it, and 'yeve theym none answe're to their plesyng'. The merchants were not content with his response, and they 'with one voys cryed allowed, "Justice, justice, justice!" wherof the Chaunceller was so dismayed that he coude ne myght no more sey to theym for fere'.²⁰⁴

People from across the social classes also found the political instability convenient to seek vengeance upon those with whom they had quarrels, which added to the chancellor's business.²⁰⁵ One such case reveals both Kemp's continued influence in matters of justice and an example of how even a generally well-regarded figure such as he could incur resentment. In the last session of parliament, which sat from 14 February until 18 April, one Walter Ingham accused Thomas Denyes and his wife of attempted murder over a debt that they had owed his father, and his petition was considered by the Lords in parliament. Apparently, Kemp led the Lords to decide in

²⁰² Watts, *Henry VI*, p. 302, note 183.

²⁰³ Martin Cherry, 'Bonville, William, first Baron Bonville (1392-1461)', *ODNB*, VI, p. 575.

²⁰⁴ *Paston*, II, p. 299.

²⁰⁵ For a synopsis of the most significant aristocratic rivalries that erupted into conflict during this period, see Grummitt, *Henry VI*, pp. 173-76.

Ingham's favour, imprisoning both Thomas and Anne's Denyes in Fleet and Newgate prisons, respectively. In a letter written to John Paston while imprisoned, Thomas Denyes lamented his situation, wondering how his pregnant wife would survive such an ordeal and bitterly blaming 'the cursed Cardenale...God forgif his sowle'.²⁰⁶

However, Kemp faced far greater difficulties than being shouted down by a group of irritated businessmen or earning the ire of East Anglian husbands. The great council had set up a smaller interim royal council to deal with daily government business until a more long-term arrangement could be reached when parliament reopened in February. Storey maintains that this ruling council was dominated by York's followers, such as the duke of Norfolk, the Neville earls of Salisbury and Warwick, and the earls of Devon and Worcester, as well as his kinsmen, the Bourgchiers, yet there were still many among both the lay and spiritual lords who did not bear Yorkist sympathies, including Kemp, Lords Sudeley and Dudley, and prelates such as Bishop Waynflete, the king's confessor.²⁰⁷ This has led Grummitt to characterise the council leading up to the third session of parliament as being more or less 'built on consensus and compromise'.²⁰⁸

If so, a veteran of consensus and compromise such as Kemp would undoubtedly have had a hand in it, and there are examples to suggest this. For instance, when the council finally decided to nominate the duke of York as king's lieutenant in order to be able to legally reopen parliament, they also bestowed the title of steward of England upon the duke of Buckingham. Like Kemp, Buckingham was a faithful member of the royal household who nevertheless had managed to avoid becoming inextricably linked to either the faction of Somerset or of York, and his

²⁰⁶ *Paston*, II, pp. 302–306.

²⁰⁷ Storey, *End of Lancaster*, p. 138; Griffiths, *Henry VI*, pp. 720–21.

²⁰⁸ Grummitt, *Henry VI*, p. 173.

appointment thus acted as 'a political counterweight' to that of Duke Richard.²⁰⁹ As chancellor, Kemp was able to make his reservations about York felt even in the duke's commission to reopen parliament as lieutenant of the realm, placing what restrictions he could upon his authority. The original privy seal warrant granting York the lieutenancy accorded him the power not only to open parliament but also to dissolve it, too, but when Kemp's chancery issued the actual commission under the great seal, this power had been revoked – now, parliament could only be dissolved 'with the assent of our full council'.²¹⁰

However representative the council may or may not have been, the leading lords and officers of state prepared for the worst, as described by John Stodeley's newsletter of 19 January. In the West Country, the earl of Wiltshire and Lord Bonville gathered large retinues to accompany them to parliament, while Lords Beaumont, Clifford, Poynings, and Egremont did likewise. The duke of York, unsurprisingly, planned to arrive with a strong contingent of household men, and his relatives, the Neville earls of Salisbury and Warwick, were to join him with a large number of knights, squires, and 'other meynee'. The duke of Somerset's men were rumoured to be occupying accommodations near the Tower of London, perhaps to plot his release if necessary, and amidst this general atmosphere of armed preparation and mistrust, the guard was increased at Windsor for the protection of the king and his family. Even those who had refrained from becoming factionalised took precautions to protect themselves, for the duke of Buckingham ordered no less than two thousand badges to

²⁰⁹ Griffiths, *Henry VI*, p. 723.

²¹⁰ *PROME*, XII, p. 221; *Foedera*, V, ii, p. 54. If challenged regarding this alteration, Kemp would no doubt have referenced the precedent of the duke of Gloucester's protectorate set in 1422, the terms of which were the same as those that chancery included in the commission issued to York under the great seal.

be made, ostensibly to give to loyal supporters, and John Kemp himself appears to have feared for his own safety. Stodeley reported that ‘the Cardinalle hathe charged and commaunded alle his servauntz to be redy with bowe and arwes, swerd and bokeler, crossebowes, and alle other habillementes of werre, suche as thei kun medle with to awaite upon the saufgarde of his persone’.²¹¹

Stodeley, as a servant of the duke of Norfolk, took a distinctly pro-Yorkist stance, and he accordingly warned his intended recipient, who seems to have been a fellow member of Norfolk’s following, not to make any armed preparations widely known. Although he encouraged the duke’s supporters to make themselves ready in London, he cautioned against ‘wrytng of lettres...lest the lettres be delivered to the Cardynalle and Lordes, as one of my Lordes lettres was nowe late, for perill that myght falle, for that letter hathe done moche harme and no gode’. It would seem that Kemp was already known to be in opposition to York’s aims, or at least highly suspicious of the duke and his allies. Stodeley also claimed that the duke of Somerset had ‘espies goyng in every Lordes hous of this land’, who were apparently disguised as friars and sailors. He followed this warning by reemphasising the danger that Kemp posed, advising that ‘yf the Chaunceller’ questioned Norfolk about the large retinue that he planned to bring to London, he was to answer that, in light of the followings said to be gathered by his enemies, his small army was ‘onely for the saufgarde of his owne persone, and to none other entent’.²¹²

After the lords of the council had resolved the problem of who would reopen parliament by granting York the lieutenancy of the realm, Lords and Commons reconvened at last on 14 February, though they did so amidst a distinct tone of

²¹¹ *Paston*, II, pp. 296–98.

²¹² *Ibid.*, pp. 298–99.

disgruntlement. In the previous month, the duke of York had contrived to have the speaker of the Commons, Thomas Thorp, arrested on charges of trespass and the theft of some of his London property. The Commons thus immediately petitioned for his release, arguing that he had simply been following royal orders (in the course of his duties as a baron of the exchequer) when he had committed the alleged theft and trespass. The newly appointed king's lieutenant was evidently in no mood for conciliation at this point and, with the acquiescence of the majority of the Lords, rejected their request outright.²¹³

A number of lords appear to have absented themselves, which Roskell attributes to their reluctance to commit themselves to one side or another during such uncertain times, though, as Griffiths notes, attendance among the lords spiritual or temporal was often notoriously low throughout the Middle Ages.²¹⁴ A petition unique in the history of medieval parliaments was thus submitted and accepted, proposing that fines be levied against any lords (lay or spiritual) who remained absent without license.²¹⁵ Historians have generally held York to be behind such a bill, citing his impatience with the delay in granting him the status of protector during the king's incapacity.²¹⁶ However, the argument that 'it presumably reflects the feeling of York...that collective action was desperately needed' does not quite ring true. If York's purpose in the present parliament was to obtain governing authority, he would hardly

²¹³ *PROME*, XII, pp. 254–55; Wolffe, *Henry VI*, p. 279; Griffiths, *Henry VI*, p. 723.

²¹⁴ J.S. Roskell, 'The Problem of the Attendance of the Lords in Medieval Parliaments', *BIHR*, 29 (1956), 153–204 (p. 189); Griffiths, *Henry VI*, p. 724.

²¹⁵ *PROME*, XII, pp. 272–73.

²¹⁶ *PROME*, XII, pp. 213–14; Griffiths, *Henry VI*, p. 724.

have been interested in gathering a more representative body; indeed, all of his primary supporters among the peerage were already in attendance.²¹⁷

At the same time, many historians also agree that Chancellor Kemp was one of York's main obstacles to being appointed protector and that he characteristically defended the virtues of a representative council, *sans* Protector York, as the best method to continue effective government during the king's incapacity.²¹⁸ In the middle

²¹⁷ It should be noted that there is debate over the attendance of individual lords during the parliament of 1453–54. As Curry notes, while some lords appear to have been absent based upon the record of the parliament roll, they are noted as present on the council's record for the same days (and vice versa): *PROME*, XII, pp. 214–15. Combining both parliamentary and conciliar records, all of York's primary adherents appear to have been present in London at this time.

²¹⁸ Discussing the ad hoc conciliar arrangements made thus far, Griffiths observes that 'events might have proceeded indefinitely in this makeshift fashion had it not been for the death of the chancellor on 22 March...Kemp's death...precipitated a decision about the long-term exercise of the royal authority during Henry's continuing illness': *Henry VI*, p. 724. Watts claims that Kemp continued to back the imprisoned Somerset and that the chancellor 'exercised a certain control over the execution of government', forming an alliance opposed to York. He states that Kemp continued to resist York's protectorate until his death: *Henry VI*, pp. 304–08. Davies asserts that 'there is no convincing sign of any move to establish a protectorate' prior to Kemp's death and that 'the arrangement had not been planned at all before the cardinal died': 'Kemp, John', p. 176. Wolffe notes that the protectorate was hastily arranged because, with the chancellor's sudden death, 'not even a semblance of government could be carried on', while Storey affirms that Kemp's passing 'forced the lords to make some less makeshift arrangements for the conduct of government during the king's incapacity': Wolffe, *Henry VI*, p. 279; Storey, *End of Lancaster*, p. 139. Anthony Gross declared that 'Kemp was by far the most experienced of the administrators...and it was his possession of the Great Seal which made the temporary

of the third session, the Commons claimed that Kemp had promised them ‘a sadde and a wyse counsaill of the right discrete and wise lordes and othir of this land’ even before the king’s mental state had collapsed and asserted that they now wanted further information on this to ease their minds regarding the peaceful governance of the realm.²¹⁹ In light of Kemp’s history and reputation, as well as the broad scholarly consensus that he had intended conciliar arrangements to continue indefinitely, it would seem that someone like the chancellor himself would be a far better candidate for the authorship of the bill aimed at obtaining wider representation among the Lords.

Although he does not point to Kemp as alternative author, Watts expresses valid doubts about the origins of the bill punishing absentee lords. He believes that a number of the ‘uncommitted’ lords, spiritual and temporal, were apprehensive of allowing York to form a factionalised court party and that the Commons themselves wished to resist a complete Yorkist coup, preferring instead ‘a workable – and therefore representative – authority established’.²²⁰ In light of this, he cautions that the bill may not have actually been ‘devised by York, but by the commons, as a means of assisting the creation of a broadly based authority’.²²¹ While this may, of course, be true at least in part – for the Commons did, indeed, ask the Lords for a definitive form of conciliar government – it is important to remember that the idea had originated with Chancellor Kemp, who had informed the Commons of his (and, ostensibly at that point, the king’s) intention to create a ‘sadde and a wyse counsaill’.²²²

continuation of government in the name of the helpless king possible’: Gross, *Dissolution of Lancastrian Kingship*, p. 53.

²¹⁹ *PROME*, XII, p. 256.

²²⁰ Watts, *Henry VI*, p. 307.

²²¹ *Ibid.*, note 203.

²²² *PROME*, XII, p. 256.

As we have seen, Kemp, now about seventy-four years of age, had been suffering increasingly frequent bouts of poor health. This is perhaps why he missed the reopening of parliament on 14 February, although there are alternative theories relating to this particular absence. Watts points to the chancellor's reluctance to grant York any sort of authority and considers that, in obtaining the lieutenancy, York was temporarily able to 'overmaster Kemp and gain control of the government' in February.²²³ Griffiths suggests that Kemp may have refused to accept the new lieutenant's commission to reopen parliament in protest of his treatment of Somerset, noting that he was likewise conspicuously absent when the bishop of Ely took the chancellor's place to call the Commons to elect a new speaker the next day.²²⁴ If the opinions of these two scholars are to be accepted together, it would seem possible that Kemp had refrained from presiding over parliament's continuation on principle.

The reasons for his initial absence aside, Kemp returned to parliament shortly thereafter and participated actively in the business being discussed. On 16 February, the chancellor was present to accept the election of the new speaker for the Commons, Thomas Charleton, and Davies notes that he called publicly for prayers to be said for the king's health on 2 March.²²⁵ He was present on 15 March when parliament consented to the acknowledgement of Edward, Henry VI's new-born son, as prince of Wales and earl of Chester, and Kemp and the rest of the lords – including York – witnessed this act and individually signed it 'with their own hands'.²²⁶ On 19 March, the Commons came before Chancellor Kemp, the duke of York, and the rest of the Lords to remind them of the great generosity that they had already shown in the

²²³ Watts, *Henry VI*, p. 306.

²²⁴ Griffiths, *Henry VI*, p. 760, note 46.

²²⁵ *PROME*, XII, p. 256; Davies, 'Kemp, John', p. 176.

²²⁶ *PROME*, XII, pp. 274–75.

previous sessions of parliament and to declare that they could grant nothing more, though they opined that the sums already promised should be sufficient for all of the government's needs.²²⁷

After reminding the Lords of how they had upheld their responsibility to the realm, the Commons then pointedly asked to be given details on how the kingdom was to be ruled in the absence of a fit monarch (though the king's condition still went unspoken at this point). As we have already briefly discussed, they claimed that, in the first session of parliament, 'it was opened and shewed by the mouth of the seid chaunceler of Englonde, that ther shuld be ordeigned and establisshed, a sadde and a wyse counsaill of the right discrete and wise lordes and othir of this land, to whom all people myght have recours for mynistryng of justice, equite and rightwesnesse'. However, they observed that 'they have noo knoweleche as yit' of any such arrangement, and they insisted that the lords provide them with details of their plans for the government, that 'the peas of this land' might be preserved to the 'grete joy and comfort' of the people of the realm who they represented. Kemp was obliging in his reply: 'And therto it was aunswered be my lord cardinal chaunceler of Englonde, that they shuld have good and comfortable aunswere, without eny grete delay or tarying'.²²⁸

²²⁷ Ibid., p. 256.

²²⁸ Ibid.

The Death of a Statesman

Unfortunately, any arrangements that Kemp might have detailed to the Commons would never be known. On Friday, 22 March, Cardinal-Archbishop John Kemp, chancellor of England, 'died sodenly at iiii in the morning' at Lambeth Palace.²²⁹ Considering his age and declining health, this perhaps should not have seemed too surprising, yet his death had a marked effect upon his contemporaries. Nearly every chronicle of the period mentions it, as do private correspondences such as that between John Paston and Thomas Denyes.²³⁰ Some accounts were concerned simply with the fact that such a high-ranking official, the chancellor and archbishop of Canterbury, had died in the midst of political upheaval and uncertainty, but others evince a definite sense of sorrow, and also anxiety, at the loss of his competent authority in the royal government.

For example, the so-called *English Chronicle* simply notes, 'And this same year deyed the same mastre Johan Kempe archebyssshop of Caunterbury on the Friday the xxii day of Marche.'²³¹ Denyes's letter and John Benet's chronicle both seem to likewise blandly record the event, though, in context, both could easily be suspected of satisfaction at the chancellor's passing.²³² Robert Bale's chronicle is fairly laconic in its report, though its singular inclusion of the time of death, four o'clock in the morning,

²²⁹ *Six Town Chron.*, p. 141; *English Chron.*, p. 72; *Stone's Chron.*, p. 94; Benet's *Chron.*, p. 211 (as noted earlier, Benet records the date of death incorrectly as 19 February).

²³⁰ *Ibid.*; *Paston*, II, p. 306.

²³¹ *English Chron.*, p. 72.

²³² As we have already discussed, in the same letter, Denyes had referred to Kemp as 'the cursed cardinale', while the passionately pro-Yorkist Benet, who vigorously hated the duke of Somerset, wrote only that Kemp had been Somerset's 'chief friend': *Paston*, II, p. 306; Benet's *Chron.*, p. 211.

and his description of the cardinal's passing as 'sudden' indicate that Bale perhaps felt greater interest and even disquiet about Kemp's loss than might initially appear.²³³ As a monk of Christ Church, John Stone unsurprisingly takes a more ecclesiastical interest in the death of his archbishop, noting the precise length of his tenure at Canterbury and recording a brief but fairly detailed description of his funeral.²³⁴ By far, the most grief-stricken account comes from the unknown author of the so-called Giles's Chronicle, who extolled Kemp's political and personal virtues and concluded that he was irreplaceable and would remain unmatched in integrity and ability.²³⁵

In terms of the political situation, the effects of Kemp's death were immediately evident. The day after he died, parliament sent a delegation of lords to the king in order to inform him of the sad news and to try to ascertain his wishes regarding a replacement chancellor and archbishop of Canterbury, particularly as the former was vital to the functioning of government.²³⁶ The delegation attended the king on 25 March and carefully laid the problems before him, 'to the whiche maters ne to eny of them they cowede gete noo answeere ne signe...to their grete sorowe and discomfort'. They attempted to elicit a response several times throughout the day 'by all the means and weyes that they coude thynk, to have aunswere of the seid matiers, and also desired to have knoweleche of hym', but it was to no avail. Finally, they asked the king if he would like them to continue to wait on him so that he might give an answer 'at his leiser', but again 'they cowede have no aunswere, worde ne signe; and therfor with sorowefull hartes come their way'. The lords made a full report to parliament and

²³³ *Six Town Chron.*, p. 141.

²³⁴ *Stone's Chron.*, pp. 94–95; Nigel Ramsay, 'Stone, John (d. in or before 1481)', *ODNB*, LII, p. 899. For more on Stone's description of Kemp's funeral, see below, pp. 266–67.

²³⁵ *Giles's Chron.*, p. 45.

²³⁶ *PROME*, XII, pp. 257–58.

requested that the entire account be enrolled 'in this high court of parlement of record'.²³⁷

The very next item on the parliament roll, dated 27 March, records the duke of York's appointment as protector and defender of the realm.²³⁸ Thus, within a week of Kemp's death, Duke Richard received the office that he and his supporters had sought since the king's illness (and even before). Most historians agree that Kemp had resolutely opposed York's attempts to garner political authority and that it was only his death that opened up the duke's way to the protectorate. Anthony Gross declares that 'Kemp was by far the most experienced of the administrators...and it was his possession of the Great Seal which made the temporary continuance of government in the name of the helpless king possible'.²³⁹ Referring to the ad hoc conciliar arrangements made thus far, Griffiths observes that 'events might have proceeded indefinitely in this makeshift fashion had it not been for the death of the chancellor on 22 March...Kemp's death...precipitated a decision about the long-term exercise of the royal authority during Henry's continuing illness'.²⁴⁰ Similarly, Storey affirms that Kemp's passing 'forced the lords to make some less makeshift arrangements for the conduct of government during the king's incapacity'.²⁴¹

Watts claims that Kemp had continued to back the imprisoned Somerset and acknowledges that the chancellor 'exercised a certain control over the execution of government', forming an alliance opposed to York. He states that Kemp continued to

²³⁷ *Ibid.*, pp. 258–59.

²³⁸ *Ibid.*, p. 259.

²³⁹ Gross, *Dissolution of Lancastrian Kingship*, p. 53.

²⁴⁰ Griffiths, *Henry VI*, p. 724.

²⁴¹ Storey, *End of Lancaster*, p. 139.

resist York's protectorate until his death.²⁴² Davies asserts even more explicitly that the Lords only moved to establish a protectorate after Kemp's death, arguing that 'there is no convincing sign of any move to establish a protectorate' while Kemp was alive and that 'the arrangement had not been planned at all before the cardinal died'.²⁴³ Wolffe notes that the protectorate was hastily arranged because, with the chancellor's sudden death, 'not even a semblance of government could be carried on', though he seems to attribute this to the nature of Kemp's office rather than to his own personal influence.²⁴⁴

Contemporary accounts do indicate that some of York's supporters, the duke of Norfolk in particular, were increasingly hostile to Kemp's opposition. In fact, there is evidence to suggest that pro-Yorkist lords had been plotting to remove the chancellor from office just prior to his death. After recording Norfolk's call for Somerset to be arrested and Kemp's reluctant consent, the author of Giles's Chronicle states that Kemp was 'threatened by some of the lords'. While we are left to wonder with what he was threatened, the chronicler refers again to their 'evil plan', claiming that the chancellor 'preferred to die rather than endure living death'.²⁴⁵ Perhaps even more tellingly, William Worcestre — who, if not pro-Yorkist himself at this time, possessed strong ties to pro-Yorkist families like the Pastons — notes in his *Itineraries* that Kemp had died 'almost immediately after the conspiracy of John Duke of Norfolk

²⁴² Watts, *Henry VI*, pp. 304–08.

²⁴³ Davies, 'Kemp, John', p. 176.

²⁴⁴ Wolffe, *Henry VI*, p. 279.

²⁴⁵ Giles's Chron., pp. 44–45.

for his dismissal'.²⁴⁶ Griffiths concurs, declaring that 'exhaustion' had caused the death of Chancellor Kemp, who had been 'worn out by the buffeting and threats to which he had been subjected, notably by Norfolk'.²⁴⁷

On the other side of the political divide, many among the Lords seemed to be ill at ease with the governing arrangements forced upon them because of Kemp's death. They required the clerk of the parliaments to record that they had only appointed York protector 'because of certain causes moving them', and the powers that parliament granted to the new protector were closely circumscribed and limited by the requirement of conciliar consent.²⁴⁸ In fact, the arrangement more or less precisely mirrored the settlement reached at the time of Henry VI's accession in 1422, when parliament granted the duke of Gloucester the protectorate; in a way, perhaps Kemp's influence did live on. Even more revealingly, many of the lay and spiritual lords expressed reluctance to join the new council under York's leadership. Davies notes that those who had been named to the governing council in the previous autumn now wished to have the chance to reconsider, and Griffiths's examination of a unique set of council minutes shows that even the lords named to the protectorate council in the current parliament were not eager to serve.²⁴⁹ At a meeting of the council on 3 April, the newly appointed chancellor, the earl of Salisbury, asked the assembled lords to confirm their willingness to support their protector as councillors. Instead of overwhelming sentiments of support, he received a multitude of excuses detailing

²⁴⁶ William Worcestre, *William Worcestre: Itineraries*, ed. By John H. Harvey (Oxford: Clarendon Press, 1969), p. 153; Nicholas Orme, 'Worcester [Botoner], William (1415-1480x85)', *ODNB*, LX, pp. 294-95.

²⁴⁷ Griffiths, *Henry VI*, pp. 724 and 760, note 46.

²⁴⁸ *PROME*, XII, pp. 259-64.

²⁴⁹ Davies, 'Kemp, John', p. 176; Griffiths, 'King's Council', pp. 74-77.

why various members could not serve, or at least could not attend regularly. Although nearly all of them eventually consented to remain on the council, 'there was an unmistakable reluctance on practically all sides, lay and clerical, to serve on the new council'.²⁵⁰

Interestingly, amidst all of the pedestrian excuses such as old age, poor health, and onerous travel, Viscount Beaumont declared that he was 'with the quene' and that he would not allow his conciliar duties under York's leadership to interfere with his loyalty to Queen Margaret. Displaying further misgivings, he also reminded his colleagues (and York) that the council's ordinances stipulated that every man should have 'full freedom' to speak his mind on council, without the fear of incurring anyone else's 'displeasure, indignacyon or wrothe', urging that this rule be 'kept and observed'.²⁵¹

Aside from evidencing his mistrust of York and his supporters, Beaumont's protestations also imply the queen's opposition to the new protector, probably resulting from her failed attempt to obtain the regency herself. Hinting at yet another example of the impact of Kemp's death, Anthony Gross identifies Kemp as having been one of Queen Margaret's most influential supporters. Pointing to the Paston letter that describes Henry VI's return to his senses in December 1454, Gross observes that 'so important was Kemp to the queen that...the news of his death five weeks after the opening of the Parliament of 1454 was almost the first item of information that she conveyed to her husband when he awakened from his stupor ten months later'.²⁵²

²⁵⁰ Griffiths, 'King's Council', pp. 74–76.

²⁵¹ *Ibid.*, p. 81.

²⁵² Gross, *Dissolution of Lancastrian Kingship*, pp. 53–54.

When the king heard and understood the news, he cried that 'oon of the wisist Lords in this land was dede'.²⁵³

Ten days after his death, Kemp's body was carried into Canterbury. The prior and convent of Christ Church received his coffin at the city's Westgate and escorted it into the cathedral around three o'clock in the afternoon, accompanied by the abbot and prior of St. Augustine's and the bishop of Ross. The funeral rights were performed, and on the next day the late archbishop's own nephew, Thomas Kemp, bishop of

²⁵³ Indeed, the very first news items given to the king upon his recovery were the birth of his son, the identity of the prince's godparents, and the death of Cardinal Kemp: 'On the Moneday after noon the Queen came to him, and brought my Lord Prynce with her. And then he askid what the Princes name was, and the Queen told him Edward; and than he hild up his hands and thankid God therof...and he askid who was godfaders, and the Queen told him, and he was wel apaid. And she told him that the Cardinal was dede, and he seid he knew never therof til that tyme; and he seid oon of the wisest Lords in this land was dede': *Paston*, III, p. 13.

London,²⁵⁴ celebrated a Requiem Mass and then presided over his burial in a tomb next to the south door of the quire (the door is still known as Kemp's Gate).²⁵⁵

The tomb itself is, rather like the man whose mortal remains it contains, imposing in a subtle, understated way. Until Archbishop Bourghier built one even higher, Kemp's tomb was the highest in the cathedral, though like its design, the tomb's situation is moderate, neither self-consciously humble nor overtly prestigious. Inserted into the quire screen next to the archbishop's canopied throne (the original quire door had to be demolished and rebuilt further west), Kemp lies reasonably near the high altar, though on the south side, which was seen to be less honorific. In fact, there is evidence to suggest that he was originally buried beneath the threshold of the original quire door, which his executors presumably found too 'self-abasing' when designing and building his tomb.²⁵⁶ Far plainer than the recent tombs of Henry IV,

²⁵⁴ This must have been a difficult office for Thomas Kemp to perform. His parents had died when he was quite young — fourteen at the very oldest, judging from the fact that John Kemp had inherited his own father's wealth in 1428, implying that his elder brother, Thomas's father, was already dead by that time. Thomas seems to have been largely raised in the archbishop's household, and he certainly regarded his uncle with filial affection. For example, at his own death he lavishly bequeathed masses for the benefit of his uncle's soul, while barely acknowledging the eternal needs his own parents at all: *A Survey of the Manor of Wye*, ed. by H.E. Muhlfeld (New York: Octagon Books, 1974); TNA, PROB11/8/408, fol. 229^v [will of Thomas Kemp, bishop of London]; Rosemary C. E. Hayes, 'Kemp, Thomas (c. 1414-1489)', *ODNB* <www.oxforddnb.com> [accessed 8 August 2018].

²⁵⁵ *Stone's Chron.*, p. 95; M.J. Sparks, 'Archbishop Kempe's Gate in the Quire Screen', *CCC*, 82 (1988), 28-30; 'The Tomb of John Kempe, Archbishop of Canterbury, 1452-1454', *FCCR*, 21 (1948), 26-27.

²⁵⁶ Christopher Wilson, 'The Medieval Monuments', in *A History of Canterbury Cathedral*, ed. by Patrick Collinson et al. (Oxford: Oxford University Press, 1995), pp. 451-510 (p. 482, note 140).

Edward of Woodstock, or even Archbishop Chichele, the tomb chest bears no effigy, and there does not seem to have been a large amount of statuary even before the later iconoclastic deprivations of reforming mobs.²⁵⁷

Nevertheless, E.W. Tristram, the conservator who oversaw the tomb's restoration in the 1940s, remarked that many of its features 'intrigue the imagination' and make it 'one of the most remarkable tombs of its period'.²⁵⁸ The myriad of intricately carved pinnacles and spires that make up the canopy bring to mind the beauty of the heavenly city, which was doubtlessly the intent, while the tester above is so delicately poised that it almost appears to be floating; around the crest of the tester are winged seraphs, completing the celestial impression.²⁵⁹ In light of the plain tomb chest juxtaposed with the breath-taking canopy, Christopher Wilson argues that the spiritual symbolism is inherent: 'the earthly body and its receptacle are of little importance by comparison with the resurrected body and its heavenly dwelling-place

²⁵⁷ It was once thought that the tomb chest originally included an effigy that was lost at some point after the Reformation, but this has since been disproven: E.W. Tristram, 'The Tomb of Cardinal Kempe', *FCCR*, 21 (1948), 27; Wilson, 'Medieval Monuments', p. 482. However, the tomb chest does bear an inscription in brass lettering, which reads thus: *'HIC IACET REUERENDISSIMUS IN XPO. PATER ET DOMINUS DOMINUS JOHANNES KEMPE TITULI SANCTE RUFINE SACROSANCTE ROMANE ECCLESIE EPISCOPUS CARDINALIS ARCHIEPISCOPUS CANTUARIENSIS QUI OBIT VICESIMO SECUNDO DIE MENSIS MARCII ANNO DOMINI MILLESIMO CCCCLIIJ. CUIUS ANIME PROPICIETUR DEUS. AMEN.'* 'Here lies the most reverend in Christ father and lord, the Lord John Kempe, cardinal bishop by the title of St. Rufina of the holy Roman Church, archbishop of Canterbury, who died the twenty-second day of the month of March, anno domini 1453 [according to the Julian calendar]; to whose soul may God be merciful. Amen.'

²⁵⁸ Tristram, 'Tomb of Cardinal Kempe', p. 27.

²⁵⁹ Wilson, 'Medieval Monuments', pp. 481–82; Tristram, 'Tomb of Cardinal Kempe', p. 27.

evoked by the canopy'.²⁶⁰ Woven throughout the design is Kemp's personal armorial motif, a wheatsheaf, and eagles, which are perhaps in honour of the apostle for whom he was named or, indeed, a purposeful link with traditional Lancastrian symbolism.²⁶¹

With Kemp dead and buried, royal government continued to work as best it could under the anomalous circumstances, but without the cardinal, it was a very different administration, indeed. While York's authority as protector may have been carefully limited, he still managed to appoint his foremost supporter, the earl of Salisbury, as chancellor in place of Kemp, the duke of Somerset remained in prison without being charged, and Somerset's closest supporters among the peerage abstained from attending the council.²⁶² After the king recovered at last in December 1454, he released Somerset and allowed a complete regime change by March 1455, largely ushering York's supporters out of office.²⁶³ Within another two months, the duke of York and his allies raised their banners against the king at St. Albans, and the

²⁶⁰ Wilson, 'Medieval Monuments', p. 482.

²⁶¹ For more on Lancastrian iconography and the importance of the eagle motif, particularly in the context of Henry IV's tomb in Canterbury Cathedral, see 'Chapter 3: The Tomb' in J.M. Grussenmeyer, 'The Tomb of a King and the Ideology of a Dynasty: Henry IV and the Lancastrian Connection to Canterbury Cathedral', (unpublished MA dissertation, University of Kent, 2012); Christopher Wilson, 'The Tomb of Henry IV and the Holy Oil of St Thomas of Canterbury', in *Medieval Architecture and Its Intellectual Context: Studies in Honour of Peter Kidson*, ed. by Eric Fernie and Paul Crossley (London: The Hambledon Press, 1990), pp. 181-190.

²⁶² Griffiths, *Henry VI*, pp. 726-27; Grummitt asserts that Kemp had been a loyal servant of the Lancastrian Crown with a conciliatory influence upon the government and that 'the contrast with Salisbury could not have been lost on the regime's opponents': *Henry VI*, p. 175.

²⁶³ Griffiths, *Henry VI*, pp. 738-41.

Wars of the Roses began, plunging England into thirty years of intermittent chaos and bloodshed.²⁶⁴

Cardinal Kemp truly was the last great Lancastrian statesman. By 1454, he was one of the only members of royal government alive who had been raised in the service of Henry V and whose careers had been forged in the crucible of Lancastrian-held France and, subsequently, that of the minority government after the king's death in 1422. The younger generation of political prelates, such as Archbishop Thomas Bourchier and, especially, Bishop George Neville, did not have the same experience and were far more tied to the interests of their individual families than they were to any abstract ideal of the Lancastrian Crown.²⁶⁵ Kemp was 'a man of wisdom, experience, and moderation', who had prevented a 'stark polarisation of view' and thus the outbreak of unrestrained factionalism while he lived.²⁶⁶ Storey names him 'the last great civil servant of the house of Lancaster', a man of firm purpose and 'a desire for sound administration and justice' who 'would not yield an inch on matters of principle'.²⁶⁷ He faithfully served the Crown for an impressive number of years and through some of the realm's most difficult crises, yet he managed to avoid faction and

²⁶⁴ Ibid., pp. 741–46.

²⁶⁵ Linda Clark, 'Bourchier, Thomas (c. 1411–1486)', *ODNB*, VI, pp. 823–26; Griffiths, *Henry VI*, pp. 721–23, 798, 817; Michael Hicks, 'Neville, George (1432–1476)', *ODNB*, XL, pp. 492–95. Harriss makes a similar observation while reflecting on the last years of Cardinal Beaufort's life: *Cardinal Beaufort*, p. 276.

²⁶⁶ Griffiths, *Henry VI*, pp. 724, 726. Grummitt similarly observes that 'Kemp had been a stalwart of the Lancastrian regime, a churchman who had served Henry V and had been a voice of moderation throughout Henry VI's reign': *Henry VI*, p. 175.

²⁶⁷ Storey, *End of Lancaster*, p. 82.

to conduct himself in such a way that he hardly ever attracted the disapprobation of the people, even in the midst of tumultuous events such as Cade's rebellion.

The author of Giles's Chronicle lauded Kemp's character and sense of justice, asserting that 'he died a proven model of rectitude, not only for his own compatriots but for all time, in that he could not be overcome by menaces, nor brought to diverge from the highway of righteousness by favours...I cannot believe that there was any predecessor or will be any successor of his calibre'.²⁶⁸ In light of his personal and political character, it is hardly a stretch to say that Kemp stood as the last deterrent to those who would sunder the realm through factional strife. In the words of R.G. Davies, 'Had he survived until the king recovered his health, the civil wars might not have happened; with his death, they were certain'.²⁶⁹

In Conclusion

It is the final years of Kemp's life that we can obtain perhaps the clearest picture of his strength of character and the extent of his influence upon royal policy. When he shouldered the burden of the chancellorship once more in January 1450, the government was in complete disarray, with the duke of Suffolk imprisoned and the Commons howling for his head. Kemp's hand can be seen behind the politic decision to banish the duke, saving him from a traitor's death despite the fact that the cardinal

²⁶⁸ *'Sed cecidit non solum suae patriae sed multis seculis speculum probatum veritatis, qui nec timore vinci potuit, aut muneris a justo tramite declinare Veritatis...cui similem priorem puto nec habere sequentem'*: Giles's Chron., p. 45.

²⁶⁹ Davies, 'Kemp, John', p. 176.

probably had little personal sympathy for him. But even Suffolk's subsequent murder could not assuage the discontentment seething among the commons, and within a month Jack Cade's rebels were encamped outside the city of London. Again, Kemp exerted his powers of persuasion, and perhaps also his identity as a Kentishman, to induce the rebel army to disperse. Afterwards, the chancellor stayed true to his reputation for upholding justice as he led a markedly sympathetic commission of oyer and terminer into his home county.

The duke of York provided the next set of crises that Kemp was obliged to help resolve. No doubt mindful of the forceful pretensions of Duke Humphrey that had plagued the minority council, the chancellor opposed York's ambitions, and we can detect his influence once again in the king's response that decisively rejected Duke Richard's offer to lead the royal government and defended conciliar principle. During the parliament of November 1450, Kemp skilfully navigated the rancorous pro-York Commons by delivering a mutually beneficial act of resumption while firmly denying their presumptuous demands for a purge of the royal household. While his name cannot be explicitly linked to any of these decisions, Kemp's personal influence on them provides a clear thread of continuity. The clever legal construction of the responses to the Commons and the duke of York and the constitutional principles that underpin them provide a marked difference in governing style from the moment that he took up the chancellorship in the beginning of 1450.

Furthermore, the perceptible change brought about by Kemp's appointment as chancellor largely disappears after his death in March 1454 and the subsequent rise of the Yorkist party. Under his leadership of the royal administration, neither the faction of York nor the faction of Somerset was able to claim hegemony, and many of Suffolk's erstwhile partisans were denied positions of public authority, particularly those at the county level who had so provoked the ire of Cade's rebels. When the king became

incapacitated in the summer of 1453, the parliamentary record shows that, true to form, Kemp intended to bolster the royal government with a 'sadde and a wyse counsaill', reminiscent not only of the minority council but also of the councils set up during Henry IV's repeated illnesses.²⁷⁰ Kemp truly was the last Lancastrian statesman, and his death removed the only man capable of resisting the wholesale factionalisation of the government and allowed the duke of York to claim the protectorate of the realm. The age of broad Lancastrian consensus fostered by Henry V was definitively over; a new age of competing aspirations and uncertain allegiance had begun.

²⁷⁰ *PROME*, XII, p. 256.

Chapter 5

Kemp as Chancellor: Parliament and the Court of Chancery

After having examined John Kemp's impact upon the grand narrative of events during the reign of Henry VI, let us now turn our attention specifically to his career as chancellor. Traditionally, the chancellor was the king's chief minister and the keeper of the great seal. By the fifteenth century, however, the chancellor's connection to the king through his keeping of the seal had become more distant due to increasingly elaborate government bureaucracy and the rise of offices such as the privy seal.¹ As Bertie Wilkinson notes, 'If the chancellor had developed no other duties than his oldest function as the king's secretary, he would long ago have become an official of little importance in the state'.²

Chancery did, indeed, develop other duties throughout the fourteenth and, especially, fifteenth centuries. First, the chancellor maintained his influence as a chief member of the king's council, a role that became ever more important under the Lancastrian kings as formal councils often ensured stability and good governance during the illnesses of Henry IV, the extended absences of Henry V, and the ineptitude and occasional incapacity of Henry VI. The chancellor's status was also made obvious in his traditional role of opening parliament on behalf of the king, laying out the reasons that the assembly had been called and usually preaching an opening sermon.³ Secondly, the chancellor significantly expanded his legal authority through the court

¹ B. Wilkinson, *Constitutional History of England in the Fifteenth Century, 1399–1485* (London: Longmans, 1964), p. 264.

² *Ibid.*, p. 264.

³ The role of the chancellor in parliament is evidenced throughout the fourteenth and fifteenth-century parliament rolls, as we shall discuss directly below.

of chancery, which decided cases of equity and conscience.⁴ This chapter will focus primarily upon two aspects of Kemp's career in chancery: his two parliamentary addresses for which we have records, both from his first term, and two specific chancery cases that illuminate his character in a judicial capacity, one from each term. Through these examples, we can see the same principles that drove Kemp at the council table and the royal court informing his actions and decisions as the chief officer of state.

Kemp's Parliamentary Addresses in his First Chancellorship, 1426-32

As we discussed in Chapter 2, the first few years of Kemp's chancellorship occurred during Henry VI's minority and continued after the protectorate put in place in 1422 terminated with the king's English coronation in November 1429, technically placing the realm under the authority of Henry VI himself instead of a protector such as Bedford or Gloucester. However, the king was not yet eight years old at the time of

⁴ Wilkinson, *Constitutional History of England*, p. 264-66. For different historiographical viewpoints on the development of chancery and the power of the chancellor, see also Willard Barbour, 'Some Aspects of Fifteenth-Century Chancery', *EHR*, 31 (1918), 834-59; M.E. Avery, 'The History of the Equitable Jurisdiction of Chancery before 1460', *BIHR*, 42 (1969), 129-44; Nicholas Pronay, 'The Chancellor, the Chancery, and the Council at the End of the Fifteenth Century', in *British Government and Administration: Studies Presented to S.B. Chrimes*, ed. by H. Hearder and H.R. Loyn (Cardiff: University of Wales Press, 1974), pp. 87-103; P. Tucker, 'The Early History of the Court of Chancery: A Comparative Study', *EHR*, 115 (2000), 791-811; John H. Fisher, 'Chancery and the Emergence of Standard Written English in the Fifteenth Century', *Speculum*, 52 (1977), 870-99 (pp. 872-77).

his coronation at Westminster, and a royal council thus continued to rule the realm directly for a number of years, with Gloucester (or Bedford, should he return from France) acting as chief councillor.⁵ As the preeminent officer of state, Chancellor Kemp, too, played a crucial role in royal government – in parliament, council, and the court of chancery.

Let us first explore Kemp's interaction with parliament as chancellor. After receiving his office partway through the parliament that sat from February to June 1426, Kemp presided over a further three parliaments during his first chancellorship, delivering two opening addresses (as discussed in Chapter 3, he was too ill to open parliament in January 1431). He delivered his first parliamentary sermon on 13 October 1427, almost seven months after the duke of Bedford had returned to France accompanied by Cardinal Beaufort. Both of the addresses that Kemp gave during his first term in chancery are highly illustrative regarding his political principles. At first glance, the parliament rolls seem too businesslike and devoid of detail to offer anything useful in determining a person's character; in terms of each opening address itself, the clerk of the parliaments only recorded (at best) a very condensed version, with varying degrees of detail depending on the clerk and the parliament in question. Nevertheless, much can be gleaned from these basic summaries, often indicating the political, social, or religious issues that each chancellor chose to emphasise, how they supported (or, potentially, opposed) royal policy, and even how they interacted with the political classes of the realm within the context of parliament.⁶

⁵ R.A. Griffiths, *The Reign of King Henry VI* (Stroud: Sutton Publishing, 2004), pp. 38–39; John Watts, *Henry VI and the Politics of Kingship* (Cambridge: Cambridge University Press, 1999), pp. 117–22.

⁶ For more on the recording of the parliament rolls, particularly the influence that individual clerks could exert over the rolls' overall makeup, see G.R. Elton, 'The Rolls of Parliament, 1449–

Before delving into Kemp's parliamentary sermons, let us first examine the nature of these sources. The author of the fourteenth-century *Modus Tenendi Parliamentum* claimed that the opening of parliament should feature a sermon from one of the archbishops that would 'humbly beseech God and implore him for the peace and tranquillity of the King and kingdom', after which the chancellor would declare the reasons for the summonses of that particular assembly.⁷ By the fifteenth century, these roles had coalesced, with the chancellor (or another prominent figure if the chancellor could not attend) delivering both sermon and declaration, presumably in English.⁸ This is evident throughout the later medieval parliament rolls. For example, the roll for the parliament of January 1431 notes that it was the chancellor's duty 'to pronounce and declare the reasons for the summons of the aforesaid parliament by reason of his office, according to laudable, ancient, custom used in the realm of

1547', *The Historical Journal*, 22 (1979), 1-29; A.F. Pollard, 'Fifteenth-Century Clerks of Parliament', *BIHR*, 15 (1938), 137-61; Chris Given-Wilson, 'The Rolls of Parliament, 1399-1421', in *Parchment and People: Parliament in the Middle Ages*, ed. by Linda Clark (Edinburgh: Edinburgh University Press, 2004), pp. 57-72; W.M. Ormrod, 'On – and Off – the Record: The Rolls of Parliament, 1337-1377', in *Parchment and People: Parliament in the Middle Ages*, ed. by Linda Clark (Edinburgh: Edinburgh University Press, 2004), pp. 39-56. For a study on all of the recorded opening addresses delivered by chancellors under the Lancastrian dynasty, see J.M. Grussenmeyer, 'Preaching Politics: Lancastrian Chancellors in Parliament', in *The Fifteenth Century XV: Writing, Records and Rhetoric*, ed. by Linda Clark (Woodbridge: The Boydell Press, 2017), pp. 125-43.

⁷ *Parliamentary Texts of the Later Middle Ages*, ed. by Nicholas Pronay and John Taylor (Oxford: Clarendon Press, 1980), p. 71.

⁸ Aside from the obvious practicality of preaching in the vernacular to a diverse parliamentary assembly, several parliament rolls explicitly state that chancellors delivered their sermons in English: see *PROME*, V, p. 176; VI, p. 212.

England' before proceeding to record a summary of the address that was both declaration and address combined (though in this case delivered by another clerical royal servant, as Chancellor Kemp was indisposed).⁹ As late medieval chancellors were nearly always clerics, this conflation was natural, and this chapter will therefore use the terms 'sermon' and 'address' synonymously.

Kemp's first parliamentary address as chancellor, delivered 'in fine fashion', expounded upon the theme of II Maccabees 4:6: 'Without royal providence, it is impossible to give peace to public affairs'.¹⁰ He outlined two sets of obligations: the obligations of rulers to their subjects and those of subjects to their rulers. Rulers had three main obligations to those over whom they governed: to protect and defend their subjects from attack by foreign enemies, to preserve peace and tranquillity within the realm, and to administer full and impartial justice to all. Kemp then paralleled these points with the three main obligations of subjects: to give effective assistance to their rulers for their protection and defence, to humbly obey their rulers to maintain peace and tranquillity, and to observe and obey the laws of the realm 'without trying to set right their own grievances themselves'.¹¹ It was to maintain the equilibrium of these mutual obligations that the king, with the advice of his council, summoned Lords and Commons to the present parliament.

On the surface, this was a fairly typical parliamentary sermon, explaining the broad reasons for the summonses, stressing the king's commitment to good governance, and reminding the Commons of their financial responsibility to the Crown. However, when considered in the context of surrounding events, Kemp's address shows that, after becoming chancellor, he engaged directly and immediately

⁹ *PROME*, X, p. 444.

¹⁰ *PROME*, X, p. 326.

¹¹ *Ibid.*

with the political problems facing the minority government. His choice of scriptural quotation was apt, as everyone yearned for 'peace to public affairs' after the political upheaval caused by the Beaufort-Gloucester dispute. His emphasis upon the role of royal authority in maintaining peace might seem an obvious choice except for the fact that the king himself was not yet six years old. Thus, Kemp was not referring to the child king when he laid out the practical ways in which royal governance was to be supported and obeyed but rather the council that ruled in his name.

As we have already seen from our examination of Kemp's interviews with Bedford and Gloucester earlier that same year, the chancellor had always stressed the divine authority resting in the person of Henry VI, but he also upheld conciliar authority as parliament had decreed, declaring that royal authority during the king's minority 'stondeth as now in his lordes assembled, either by auctorite of his parlement or in his consail and in especiale in the lordes of his consail...auctorite resteth not in oon singuler persone but in alle my said lordes togidres'.¹² When he called on the Lords and Commons assembled in parliament to 'humbly obey' their rulers in order to maintain political tranquillity, Kemp was reminding them that they were to acknowledge and respect the sovereign authority vested in the minority council. Indeed, following the dispute between Beaufort and Gloucester, the parliament of 1426 had required all of the councillors to swear an oath to uphold the peace and stability of the realm, opposing anyone who might disrupt it, regardless of his rank or station.¹³ Over a year later, Kemp made his point crystal clear by declaring that no subject had the right individually to pursue his personal grievances; no one listening to the chancellor's sermon could have had any doubt that he was referring to Gloucester's

¹² *POPC*, III, pp. 238–39.

¹³ *PROME*, X, pp. 286–87.

past actions, from his struggle for power with Henry Beaufort to his ill-advised personal campaign in the Low Countries.¹⁴

As chancellor and as a long-standing member of the minority council, Kemp was no doubt aware of Duke Humphrey's continued resentment over his lack of authority as protector of the realm, which made his pointed sermon all the more urgent in nature. Gloucester made his sentiments very clear during the second session of parliament, which met from 27 January to 25 March 1428. As we have already seen, the protector informed the Lords that he would absent himself from parliamentary proceedings until they clarified the parameters of his authority, obviously hoping to obtain the regnal power that had so far eluded him. The Lords responded with what amounted to a sharp rebuke, although Kemp was spared delivering the rebuttal, which was announced instead by Archbishop Chichele. Nonetheless, the chancellor's name topped the list of signatories, and his opening address—and his subsequent actions both as a councillor and as chancellor—evidence his opposition to Gloucester's relentless attempts to accrue more influence over the government.¹⁵

The parliament that next opened on 22 September 1429 convened under a cloud of anxiety and uncertainty. The war in France had taken a grave turn for the worse with the emergence of Jeanne d'Arc sparking a surge of French victories and culminating in Charles VII's coronation at Rheims in July 1429. As we have already discussed, this caused the duke of Bedford to call urgently for Henry VI's coronation both as king of England and of France to visually remind the king's subjects — especially those in the English-held regions of France — of their duty to the Lancastrian dynasty.¹⁶ The English coronation occurred in November while

¹⁴ See Chapter 2, pp. 76–87.

¹⁵ *PROME*, X, pp. 347–49. See Chapter 2, pp. 85–94 for a discussion of these events.

¹⁶ See Chapter 2, pp. 104–05.

parliament was still in session, and several chronicles recorded that parliament also discussed the logistics of the French coronation expedition that eventually departed in April 1430.¹⁷ Although the expedition is not explicitly mentioned in the parliament roll, the fact that parliament made no less than two grants of taxation, both to be collected within a very short space of time, indicates parliament's acknowledgement of the coronations' urgency and the part that they played in supporting the venture. Significantly, these were the first lay subsidies to be granted since the reign of Henry V.¹⁸

Domestic political stability was also once more under threat with the return of Cardinal Beaufort and Gloucester's implacable enmity towards him, as evidenced by the dispute over the St. George's Day celebrations in April 1429 and the great council's subsequent ominous reference to Beaufort's unprecedented retention of his see after accepting his cardinal's hat.¹⁹ Kemp and others who were central to royal government appear to have suspected that Duke Humphrey was beginning to stir up trouble against his rival and to try to reassert his own political dominance once again – the revised set of conciliar ordinances passed in the current parliament and the further ordinances agreed upon at Canterbury just before the departure of the coronation evidence an attempt to ensure political peace and stability.²⁰

In light of the context in which he opened parliament, it is hardly surprising that Kemp took as his theme Luke 11:18, asking, 'How will the realm stand?' Although the parliament roll only records the chancellor as quoting this portion of the verse, the implication, of course, was that the kingdom was divided against itself. Kemp

¹⁷ Amundesham's Chron., I, p. 46; Gregory's Chron., p. 171; *Brut*, I, pp. 438, 443.

¹⁸ *PROME*, X, pp. 371–72, 378–80, 390–92.

¹⁹ See Chapter 2, pp. 105–06.

²⁰ *PROME*, X, pp. 392–95. For more on the Canterbury ordinances, see Chapter 2, pp. 110–11.

identified three main problems that caused such division: 'lack of the true faith', 'lack of due dread', and 'lack of proper justice'. These three problems each effected three notable consequences. Lacking true faith resulted in heresy, obstinacy, and wilfully perverse wrong-doing, and he used the kingdom of Bohemia as a prime example of a kingdom divided by loss of the true faith, a somewhat ironic choice of exemplar considering that the government had so recently diverted Cardinal Beaufort's crusading army from fighting Hussites to fighting the French.²¹ Kemp lamented the fate of Bohemia as Christ did over the city of Jerusalem, paraphrasing Luke 19:42, crying, 'Jerusalem, if you had known...'.²²

Addressing the topic of a sense of due dread, Kemp posited that there were two types of fear: one 'spiritual and virtuous', the other 'worldly and vicious'. Virtuous fear manifested itself both as fear of God and as an appropriate fear of man 'on account of God'. However, he declared that the more unpleasant, 'vicious' form of fear had been made necessary in the realm because many had lost their sense of godly fear. Kemp vividly illustrated the effects of lacking virtuous fear and the resulting consequences of temporal, punishing fear by reminding his listeners of the fate of the

²¹ For a discussion of Beaufort's commandeered crusading force, see Chapter 2, pp. 102-04.

²² *PROME*, X, pp. 376-77. Kemp may well have quoted this gospel passage verbatim, but the parliament roll provides only the paraphrase '*Jerusalem si cognovisses et tu etc.* The Latin Vulgate has Luke 19:14 thus: '*Quia si cognovisses et tu, et quidem in hac die tua, quae ad pacem tibi: nunc autem abscondita sunt ab oculis tuis*', rendered in the Douay-Rheims as 'If thou also hadst known, and that in this thy day, the things that are to thy peace; but now they are hidden from thy eyes'. In order to best preserve the words and intentions of medieval orators and writers, this thesis uses the Latin Vulgate and Douay-Rheims version of the Bible: *The Holy Bible: Douay-Rheims Version and Biblia Sacra: Juxta Vulgatam Clementinam*, ed. by Richard Challonder and Michael Tweedale (London: Baronius Press Ltd, 2015).

rebels who rose up against Moses and Aaron in Numbers 16. In this passage, a group of Israelites questioned the right of Moses and Aaron to govern them, accusing them of tyranny. Consequently, God caused the earth to open and swallow the rebel leaders and then consumed the remaining two hundred and fifty malcontents with fire from heaven. Kemp's message was clear: those who chose to resist divinely anointed rulers opposed God Himself, and they did so at their own grave peril. This was a potent reminder of the gravity of subjects' obligations to their monarch, but in the context of a child king, Kemp's warning also extended to those who disregarded the authority of the royal council who ruled in the king's name.²³

Finally, Kemp declared that lack of justice had caused the realm of England to suffer 'extremely abundant' oppression and evil-doing. He warned that such a breakdown of true justice had led to the fall of other kingdoms, quoting Ecclesiasticus 10:8: 'A kingdom is translated from one people to another, because of injustices and injuries'.²⁴ With this dire warning still ringing in his audience's ears, the chancellor claimed that such 'untruths and vices' had recently increased in the realm, in light of which he repeated his first question, 'How will the realm stand?'²⁵ Kemp finished on a more positive note, reassuring parliament that the realm could still stand firm if 'true faith, due fear, and true justice [were] reborn' and if the aforementioned evils were destroyed at their roots.

²³ *PROME*, X, p. 376.

²⁴ *Ibid.* In its English translation of the parliament roll, *PROME* misleadingly attributes this passage to 'Wisdom chapter 10', though the clerk of the parliaments actually recorded it as '*Sap' Eccl' .x.º capitulo*' – the book of Ecclesiasticus was alternatively known as 'Wisdom of Sirach', which the clerk seems to have conflated with 'Ecclesiasticus'.

²⁵ *Ibid.*, pp. 376–77.

He concluded by reminding his listeners of their duty to support the royal government's efforts to destroy internal and external threats and to maintain peace and harmony throughout the kingdom, especially when 'their princes' own faculties are not adequate to fulfil the foregoing'. Kemp's choice of the word '*facultas*' must have been intended to refer to the king's status as a minor as much as to the state of the royal treasury; classically, the word could mean 'capability' or 'skill' as well as 'means' or 'resources', and since the fourteenth century, the word also carried the connotations of both 'authority' and 'constitutional practice'.²⁶ It is worth remembering that it was this parliament that witnessed the seven-year-old Henry VI's English coronation, planned his French coronation, and debated the weighty matter of abolishing the protectorate while necessarily maintaining a governing royal council until the king entered adulthood.²⁷

Fortunately, this sermon appears at a time when the clerk of the parliaments recorded more detailed summaries of the opening addresses – indeed, between 1449 and 1478, none of the sermons receive even a cursory summary.²⁸ Even so, the summaries of both of Kemp's sermons are decidedly lengthier than many addresses delivered by other chancellors of the period, which may well be due to his famed

²⁶ For the various definitions and historic usages of '*facultas*', see the *Oxford Latin Dictionary's* entry for '*facultas*', the *OED's* etymological discussion of the English word 'faculty', and '*facultas*' in *Revised Medieval Latin Word-List from British and Irish Sources*, ed. by R.E. Latham (Oxford: Oxford University Press, 2012).

²⁷ See Chapter 2, pp. 107–08.

²⁸ As we have already discussed, individual clerks made their own mark upon the rolls, and the clerk of the parliaments from 1447 to 1470, John Fawkes, was notably succinct in his businesslike method of enrolment. For more on Fawkes and his effects upon the parliament rolls, see Elton, 'Rolls of Parliament', pp. 4–6.

eloquence.²⁹ Regardless, they are an invaluable source in discerning his political sentiments and how he communicated them to the wider political community. The theme of unity runs strongly through his parliamentary addresses, giving fiery warnings about the dangers of schism ecclesiastically and politically and calling the subjects of the realm harmoniously to support the king, or the royal council in the king's minority, in order to preserve good governance and a strong, tranquil kingdom. As we observed in Chapter 4, Kemp was to become the main force for unity in later years as the kingdom edged ever closer to the precipice of political instability, the last royal servant with sufficient influence, experience, and strength of character to command the respect of opposing factions and effect compromise.

²⁹ Kemp's contemporaries remarked upon his skills of oratory. While the clerk of the parliaments' observation that he delivered sermons 'in fine fashion' can be regarded as perfunctory courtesy, Archbishop Chichele's register states that Kemp 'explained certain difficulties on behalf of the king in an ornate succession of words' (*'certa negotia ex parte regis in ornate verborum serie explanavit'*) before the Canterbury convocation in April 1426: *Reg. Chichele*, III, p. 177. Even more convincingly, Amundesham's chronicle records Kemp as being 'a man of eloquent speech and profound discourse' (*'vir facundus eloquio, profundusque sermone'*) despite the fact that, in this account, Kemp was arguing against the abbot of St. Albans in the abbey's dispute with the bishop of Norwich: Amundesham's *Chron.*, I, p. 329. According to the journal of Antoine de la Taverne, when Kemp delivered his opening sermon at the Congress of Arras in 1435, he spoke 'very solemnly in Latin, in rhetorical language and very ornately' (*'en latin moult sollempnellement en langage retorique et bien orné'*): Antoine de la Taverne, *Journal*, pp. 26–27. At the Calais peace conference in 1439, Thomas Bekynton recorded that Kemp gave another opening sermon 'in elegant Latin'. As Bekynton was an important figure in early English humanism, this was significant praise: *POPC*, V, p. 352; Robert W. Dunning, 'Beckington [Bekynton], Thomas (1390?–1465)', *ODNB*, IV, pp. 738–40.

Kemp was too ill to attend the opening of the last parliament during his first tenure as chancellor, and William Lyndwood, an eminent ecclesiastical lawyer and future bishop of St. David's, delivered the address in his stead.³⁰ There is no way of knowing whether Lyndwood delivered a speech written by Kemp or one of his own composition, but either way, the sermon continued Kemp's defence of conciliar authority and his urgent calls for unity. Lyndwood declared that the king's governance of England should be supported by three virtues: unity, peace, and justice, mirroring Kemp's last parliamentary address. However, he contended that such virtues were in decline, to the detriment of the king and his realm. Significantly, Lyndwood stressed that lack of unity had been caused 'by people trying to exceed the powers of their own status', while peace eluded the kingdom due to 'rumours and false and idle double-talk'. Instead of true justice being maintained 'by the handing out of wise and good counsel', justice was suffering at the hands of 'maintainers of suits' and 'oppressors of the poor'.³¹ Once again we see the striking emphasis that Lancastrian writers and orators placed upon political, social, and religious unity, themes that Kemp himself promoted so earnestly.³²

When Kemp served his second term as chancellor, from 1450 to 1454, he delivered one more opening address in November 1450 (for reasons unknown, he was unable to attend the opening of his last parliament in March 1453).³³ Unfortunately for our purposes, the clerk of the parliaments at this time, John Fawkes, took a more business-minded approach to the parliament rolls, and descriptive summaries of

³⁰ R.H. Helmholz, 'Lyndwood, William (c. 1375–1446)', *ODNB*, XXXIV, pp. 892–94.

³¹ *PROME*, X, p. 444.

³² For more on the broader context of Lancastrian political literature, see the discussion of recent literary scholarship on this topic in Introduction, pp. 14–21.

³³ *PROME*, XII, pp. 172, 229.

opening sermons disappeared between 1449 and 1478.³⁴ For the parliament of November 1450, Fawkes simply recorded Kemp's reiteration of the usual reasons for parliament being summoned – defence of the realm, safekeeping of the sea, the French war effort, etc. The only reason specific to that parliament was the mention of insurrection in the wake of Cade's rebellion. For the remainder of Kemp's sermon, we must content ourselves with Fawkes's laconic observation that it was 'spoken and declared in fine fashion'.³⁵

Kemp and the Court of Chancery

As chancellor, Kemp also presided over the court of chancery, which saw a notable increase in legal business throughout the fourteenth and fifteenth centuries. This was largely due to the fact that, as a court of equity, petitions could often be dealt with on a quicker basis than the Courts of Common Pleas and King's Bench could accommodate.³⁶ By the fifteenth century, litigants could submit bills directly to the chancellor, soliciting the court's assistance in their cases; in contrast, the Courts

³⁴ Fawkes served as clerk of the parliaments from 1447 to 1470, compiling the rolls of no fewer than eleven parliaments during that time. Perhaps the most influential clerk of the fifteenth century, his method of enrolment became the 'standard form', and he is also the first clerk of the parliaments known to have kept a journal for the House of Lords. Summaries of opening addresses were not the only casualty of Fawkes's marked succinctness; unlike many of his predecessors, he chose not to enrol many private bills, usually enrolling only those that became part of the statutes passed in each parliament: Elton, 'Rolls of Parliament', pp. 4–6.

³⁵ *PROME*, XII, p. 172.

³⁶ Tucker, 'Early History of Chancery', p. 791; Barbour, 'Fifteenth-Century Chancery', *passim*, especially pp. 834–36, 848–59; Fisher, 'Chancery and Emergence of English', pp. 874–77.

Common Pleas and King's Bench, though technically open to all subjects of the Crown, required the purchase of an original writ to formally commence the legal process.³⁷ Importantly, the court of chancery was also unencumbered by common law – chancellors could decide cases according to conscience, sometimes referred to as the 'law of reason' or 'natural justice' – or, as Penny Tucker succinctly terms it, 'common sense'.³⁸ While the other courts made decisions based upon witness testimonies made before juries, the chancellor could directly cross-examine defendants under oath, and he possessed the authority to level sanctions that were more effective in compelling defendants to appear before his court than were those available to the common law courts.³⁹

Obviously, these legal differences caused friction between the various judicial branches of royal government, and it is not difficult to see how unfriendly observers might perceive the chancellor's decisions as being biased or entirely capricious.⁴⁰ However, there were certainly benefits to having recourse to a court of equity. Chancery could decide cases that were too complicated for common law, and it was not bound by adherence to past precedent.⁴¹ Nonetheless, contrary to critics' complaints and chancery's later characterisation by early modern legal theorists, medieval chancellors did often consult past decisions made in the court of chancery and other legal authorities.⁴² Additionally, the less bureaucratized, more flexible

³⁷ Tucker, 'Early History of Chancery', p. 791.

³⁸ *Ibid.*, p. 795.

³⁹ *Ibid.*, p. 791; Barbour, 'Fifteenth-Century Chancery', p. 854.

⁴⁰ Barbour, 'Fifteenth-Century Chancery', 835–36, 840; Tucker, 'Early History of Chancery', pp. 796–97.

⁴¹ *Ibid.*, pp. 854–55.

⁴² *Ibid.*, p. 842.

nature of late medieval chancery had the potential to allow litigants from diverse social backgrounds to have their cases heard.⁴³ We know that many cases were presented orally in the court of chancery, certainly before the mid-fifteenth century, and these 'may well have been made by petitioners who were on average significantly poorer than those who presented bills'.⁴⁴

In particular, the court of chancery saw a large number of cases involving disputed results of enfeoffments to uses.⁴⁵ Landowners increasingly sought to avoid the restrictions of common law (and feudal incidents) in order to dispose of their property as they saw fit. Especially prominent in chancery cases are pleas from widows and heirs coming of age who claimed that lands and possessions were being withheld from them by feoffees.⁴⁶ Enfeoffments to uses were often made verbally and only later sometimes written into a last will, and in any case, the very nature of such

⁴³ Nicholas Pronay declares that the court of chancery would not have bothered to hear cases that provided neither 'political capital' nor 'financial incentive'. However, he does not offer any evidence to support his cynical viewpoint, and he notes the rise of chancery business under the Lancastrian kings without addressing the link between this phenomenon and the Lancastrians' emphasis upon '*bone et substancialle gouvernance*': Pronay, 'Chancellor, Chancery and Council', p. 94. For a discussion of Lancastrian ideas of good governance, see Introduction, pp. 19–20 and David Grummitt, *Henry VI* (London: Routledge, 2015), pp. 14–32.

⁴⁴ Tucker, 'Early History of Chancery', pp. 793–94. Scholars have debated the number of oral cases presented to medieval chancellors and, especially, the date after which they became less common. Pronay claims that 'up to 1440 many petitions were oral', though Tucker objects, pointing out that his claim is left unsubstantiated: Pronay, 'Chancellor, Chancery, and Council', p. 89; Tucker, 'Early History of Chancery', p. 793.

⁴⁵ Barbour, 'Fifteenth-Century Chancery', p. 838; Avery, 'History of Equitable Jurisdiction of Chancery', pp. 135–41.

⁴⁶ *Ibid.*, pp. 139–40.

grants made it difficult for litigants to receive succour from common law courts. Thus, chancery performed an important role in late medieval society, having the potential to dispense justice on behalf of those who could not turn to common law, regardless of social station.⁴⁷

Fifteenth-century chancery records do pose some problems to the historian attempting to reconstruct a given chancellor's actions and decisions. For one, any number of written bills may have not survived to the present day, while oral cases, of course, remained unrecorded. While many bills submitted to the court of chancery do survive, the court's decisions were not enrolled. Thus, except in rare cases in which the chancellor's decree is noted on the dorse of the bill itself, we usually do not know what his decisions may have been.⁴⁸ Most bills do not even include a date, leaving us to work out the identity of the chancellor from the bill's salutation, if possible.⁴⁹

Nevertheless, we can still piece together the evidence gleaned from chancery records to provide more detail in our portrait of Kemp's political (and personal) character. Two examples – one from each of his terms as chancellor – while not particularly noteworthy cases in and of themselves, shed considerable light upon him in his judicial capacity. Both involve disputes over enfeoffments, seeking the unique form of justice available in chancery's court of conscience. The first example is of interest for its content but especially for its context, hinting at Kemp's reputation as a fair-minded man even against familial interests, though we do not have a record of his decision in this case. The second example is far lengthier and is a rare example of

⁴⁷ *Ibid.*, p. 137.

⁴⁸ Barbour, 'Fifteenth-Century Chancery', pp. 841–42; Avery, 'History of Equitable Jurisdiction of Chancery', p. 129.

⁴⁹ Avery, 'History of Equitable Jurisdiction of Chancery', p. 130; Tucker, 'Early History of Chancery', p. 793.

chancery court proceedings from start to finish, including Kemp's judgement, making it worth discussing simply for insight into the workings of fifteenth-century chancery, as well as his character.

The first case occurred during Kemp's first term in office, between 1428 and 1429. William Yevenet, a Kentish landowner, sent a bill to Chancellor Kemp in which he accused 'William Scot of Brabourne your uncle now Sherref of Kent', a feoffee of the plaintiff, of illegally seizing 'a parcell of land' near Brabourne and Wye that Scot had allegedly agreed to rent from Yevenet for twenty shillings per annum.⁵⁰ The litigant complained that Scot, 'beynge Sherref be colour of his office with strong hand and withowte cause resonable hath entred and put owt the said suppliant...to gret harm of the said suppliant'. Even worse, Yevenet claimed that Scot had recently, 'of evyl herte', waylaid him as he attempted to go to church, arresting him and his two sons and incarcerating them in Canterbury Castle 'among felones' under the guise of keeping the peace. Yevenet begged Kemp to 'redresse these oppressions', that the circumstances might 'be reformed after your hegh and ryght wys discession'. Lacking an indorsement, we do not know the result of this case. However, Yevenet evidently believed that Chancellor Kemp would give his case a just hearing despite the familial connection with Scot.⁵¹ After all, if the petitioner had doubted Kemp's sense of fairness, he could easily have submitted such a case to the common law courts;

⁵⁰ TNA, C 1/20/16. The file C 1/20 assembles undated bills that can be variously identified to chancellorships occurring during 1426, 1450-52, 1465-67, or 1480-83. However, the identification of William Scot as the chancellor's uncle definitively dates this bill to one of Kemp's chancellorships. Scot himself died in 1434, which narrows the date to Kemp's first term, and as he was appointed sheriff of Kent twice – first in 1413 and then again in 1428 – the Yevenet case must have occurred between 1428 and 1429.

⁵¹ For more on Kemp's ties to the Scot family, see Chapter 1, p. 56 (note 52).

as the so-called Giles's Chronicle said of Chancellor Kemp, 'he could not be...brought to diverge from the highway of righteousness by favours'.⁵²

The second case that we shall examine comes from Kemp's second tenure as chancellor, providing a fascinating window into the workings of late medieval chancery, as well as into Kemp's character in a judicial capacity. The case involved an elderly widow, Emma Cressy, suing one John Cook in a disagreement over the terms of his enfeoffment to use by her late husband. Remarkably detailed, the main record of this case includes Emma Cressy's original bill, John Cook's answer, Cressy's replication, and Cook's rejoinder all compiled on one parchment, with Kemp's final judgement recorded on the dorse.⁵³ However, upon a deeper exploration of chancery files, I discovered that legal proceedings for this case were begun at the end of Archbishop Stafford's chancellorship, considered and resolved under Kemp between autumn 1451 and 11 May 1452, and then reopened after Kemp's death under the chancellorship of Richard Neville, earl of Salisbury, who apparently overturned his predecessor's decision.⁵⁴

⁵² Giles's Chron., p. 45.

⁵³ TNA, C 1/18/214.

⁵⁴ Cressy later noted in her bill to Salisbury that she had submitted her previous bill to Kemp in 'Michellterme the yer of our seid lord kyng xxx', or autumn of 1451, and that bill's indorsement is dated '*undecimo die Maii anno regni Regis Henrici sexti post conquestum tricesimo*': TNA, C 1/24/116; C 1/18/214. The original bill and answer, found in TNA, C 1/17/5-6, were submitted to 'the right reverent and worshipfull father in God the Archebischop of Cantirbury and Chaunceler of Englund'; as they did not refer to the chancellor as 'cardinal', the only possible addressees are Archbishop John Stafford (chancellor from 1432 to 1450) or Archbishop Thomas Bourchier (chancellor from 1455 to 1456). However, since Emma Cressy did not reference a previous decision under Kemp, the bill must have been submitted just prior to

The case itself is fairly mundane, regarding a dispute over the terms of an enfeoffment to use. Emma Cressy, widow of the late William Cressy, claimed that John Cook, who William Cressy had enfeoffed along with the late William Taylor, a priest, with two properties in Hertfordshire, refused to honour the terms of the enfeoffment, which (she claimed) stated that Cook was to make estate of the two properties to her upon her husband's death. This Cook denied vigorously, stating that no such arrangement had ever existed. No explicit mention was made of documentation for the original enfeoffment, though Emma Cressy declared that she possessed 'diverse evidences here redy in the court', probably including her husband's last will, which she referenced throughout her petitions.⁵⁵

Interestingly, in his answer to Cressy's first bill, submitted to Chancellor Stafford, Cook simply denied the charges and said that he was 'redy to prove as the Court woll awarde'.⁵⁶ However, when the case was resubmitted to the consideration of Chancellor Kemp shortly thereafter, Cook repeatedly protested that the case at hand was 'determinable by the comon lawe of thys londe and not in this court be wey of consience'.⁵⁷ By the time that the case was reopened under the earl of Salisbury, the defendant again changed tack, simply declaring once more that he was 'redy to prove

Kemp's chancellorship under Archbishop Stafford. The reopening of the case under Chancellor Neville is found in TNA, C 1/24/115-116, with the chancellor's decision noted at the bottom of Cressy's bill: C 1/24/116. TNA, C 1/19/299-302a contains nearly identical copies of the items recorded in C 1/18/214 (addressed to the 'Cardinall Archibisschop of York'); as they are each on a separate parchment and written in different hands, it would seem that they were simply compiled onto one parchment (C 1/18/214) for record-keeping purposes.

⁵⁵ TNA, C 1/18/214.

⁵⁶ TNA, C 1/17/5.

⁵⁷ TNA, C 1/18/214; C 1/19/299, 301.

as this Court will awarde'.⁵⁸ Cook's reluctance to be judged by Chancellor Kemp holds significant implications as we seek to ascertain the sort of justice that he dispensed in the court of chancery. It is also illustrative of the uncertainty that surrounded decisions made by a court of equity – John Cook seems to have been fairly sure that Emma Cressy's case would falter before the strictures of common law, and he appears to have been considerably less certain of the outcome when faced with a decision made by conscience, or at least Kemp's conscience.

There are other significant features to this case that warrant closer examination. Willard Barbour does not believe that late medieval ecclesiastical chancellors made much effort to learn or practice common law in their own court, and his view is certainly echoed by medieval and early modern legal authorities with hostile views of the court of chancery.⁵⁹ If this was, indeed, largely true, Kemp operated in a very different manner. The bill's lengthy indorsement and Cressy's later bill to the earl of Salisbury both state that Kemp sought the advice of two justices from the Court of Common Pleas, Richard Byngham and Robert Danvers, who heard the case and examined the litigant and defendant along with the chancellor.⁶⁰ All three agreed that the widow was in the right and required John Cook to make estate of the two properties to her with immediate effect.⁶¹

⁵⁸ TNA, C 1/24/115.

⁵⁹ Barbour, 'Fifteenth-Century Chancery', pp. 837–39.

⁶⁰ Richard Byngham can be found in the records as a justice of the Common Pleas from as early as 1445: TNA, CP 40/736, rot. 340. For a contemporary account of Robert Danvers's appointment as justice in the Court of Common Pleas in 1450, see 'Letter XX', in *Original Letters, Written during the Reigns of Henry VI, Edward IV, and Richard III*, ed. by John Fenn, 4 vols (London: G.G.J. and J. Robinson, 1787–89), III (1789), pp. 87–90 (p. 90).

⁶¹ TNA, C 1/18/214; C 1/24/115.

Unfortunately for Emma Cressy, Cook never seems to have complied with Kemp's ruling. She thus submitted another bill seeking justice at the court of chancery, this time addressed to Chancellor Richard Neville, earl of Salisbury. Salisbury, who was emerging as one of the duke of York's key supporters, had been appointed chancellor on 2 April 1454, directly following parliament's appointment of York as protector after Kemp's sudden death on 22 March.⁶² The memorandum included at the bottom of the bill states that Salisbury gave his judgement on 28 June 1454, so the case was dealt with quite rapidly.⁶³

In her bill, Cressy complained that Cook had failed to comply with chancery's previous ruling, 'ymagenynge deceivably to voide the seid feffement and to adnulle and destroie the seid jugement'. She claimed that he had appeared to abide by Kemp's decision by enfeoffing her and her heirs to the contested properties, all the time knowing that he had previously secretly enfeoffed 'diverse persones unknowen'. She beseeched the chancellor to compel Cook to return to the court of chancery and 'do that reson treuth and Conciense requireth'. Cressy included a thorough summary of the previous hearing, describing how, on 11 May 1452, Cook had appeared before the

⁶² *CCR* (1447-54), pp. 508-09. This account also provides fascinating insight into the details of replacing Kemp as chancellor after his death, describing the chancellor's chest containing the three great seals, Salisbury's oath, the inspection of the great seals, and the re-storage of the seals under Salisbury's personal seal before the chest was taken to his London residence. In the event, Salisbury's was a short-lived chancellorship – with the recovery of the king and the resurgence of Somerset's party, Salisbury resigned his office less than a year later on 7 March 1455, at which time Thomas Bourchier, archbishop of Canterbury, took up the great seal: *CCR* (1454-61), p. 71; A.J. Pollard, 'Neville, Richard, fifth earl of Salisbury (1400-1460)', *ODNB*, XL, p. 527. For York's appointment as protector, see *PROME*, XII, pp. 259-64.

⁶³ TNA, C 1/24/116.

court, 'by force of a byll ordred ayenst hym by the seid Emme'. She noted that Justices Byngham and Danvers of the Court of Common Pleas were present and that, with their advice, Kemp's court of chancery had ruled in her favour and commanded Cook to make due restoration.

Offering a tantalising glimpse of medieval record-keeping procedure, she informed the new chancellor that she had sent her original bill to Kemp during Michaelmas term in 1451 and that it could be found 'in the first bundell called chaunceler bundell'.⁶⁴ There are few similar contemporary references to how fifteenth-century royal bureaucracy stored documents, and this passing comment in Emma Cressy's bill triggers further questions, such as how she knew such details of chancery's filing procedures or whether she knew that Kemp had indorsed his copy of the bill and thus wished to direct Salisbury's attention to that specific copy.⁶⁵

John Cook's answer to Cressy's last bill altered its approach slightly, probably in light of the previous decision made against him. Instead of denying her claims outright, he admitted that 'trewe it is' that the late William Cressy had enfeoffed him with the two disputed properties but protested that 'to what intent he wist never but be the informacion and reporte of the seid William Tayllour his cofeffe', a rather convenient protestation as Cook's deceased cofeoffee was unable to confirm or deny his supposed 'informacion and reporte'. He denied that he had tried to circumvent Kemp's decision with secret, illegal enfeoffments of his own, claiming that he drawn

⁶⁴ Ibid.

⁶⁵ In light of the separate copies of bill, answer, replication, and rejoinder found in C 1/19/299-302a, did she also perhaps know that Kemp's chancery had compiled all of them onto the one parchment found in C 1/18/214? Though it is beyond the scope of this thesis to explore, the questions raised by her reference to the 'chaunceler bundell' – and any other similar observations buried within TNA's chancery files – deserve further attention.

up the enfeoffments before departing on a business trip to Calais, long before Cressy had submitted her first bill to chancery. Cook also provides the identities of these feoffees – the ‘diverse persones unknowen’ to whom Cressy had referred: ‘Rauff lord Cromwell, Robert Ayscogh, William Moile, and Nicolas Broun’.⁶⁶

Unfortunately for Emma Cressy, the earl of Salisbury proved to be neither as sympathetic nor as inclined to take advice as Chancellor Kemp. Without explaining why the previous decision was now deemed to be insufficient, Salisbury overturned Kemp’s judgement, acknowledging Cook’s right to enfeoff the four aforementioned men, which in turn acknowledged him as rightful holder of the two Wheathampstead properties in the first place. The chancellor also required Cressy to pay the defendant’s ‘costes and damages for his wrongfull vexacion’, as Cook had requested in his answer, naming two ‘gentlemen, late of Yorkshire’ to offer mainprise for the requisite sums.⁶⁷ While Kemp’s decision was noted in a lengthy indorsement, Salisbury’s reassessment of the case is provided in a far briefer note added to the bottom of the bill in a hasty, untidy script, with no indication that the chancellor sought any advice from common law authorities.

This episode casts some doubt upon Barbour’s view of ‘ecclesiastical chancellors’ and their uninterest in common law.⁶⁸ Cardinal-Archbishop John Kemp requested the presence of two justices of the Court of Common Pleas when he presided over the case, perhaps even in deference to Cook’s concerns that the matter was best decided by common law, and his decision corresponded with their advice. In contrast, the earl of Salisbury, a rare fifteenth-century lay chancellor, showed far more ‘whim and caprice’ when he overturned that carefully considered decision without

⁶⁶ TNA, C 1/24/115.

⁶⁷ TNA, C 1/24/115–116.

⁶⁸ Barbour, ‘Fifteenth-Century Chancery’, pp. 837–39.

explanation or consultation.⁶⁹ Salisbury's decision might well have been made with nepotistic considerations, as he had recently become connected through marriage to the most influential of Cook's feoffees, Lord Cromwell.⁷⁰ If so, it is curious that Cook did not try to use this connection to his advantage earlier, as Cromwell was a long-time friend and ally of Kemp, unless, of course, Kemp's reputation for justice was such that Cook did not attempt to gain leverage in such an underhanded way.⁷¹

Of course, the simple fact that Kemp took the part of an elderly widow against that of a well-connected man with business interests on both sides of the Channel and against the supposed word of the late William Taylor, a priest, reflects well upon his judicial character. His consultation with two common law justices points to the thorough and conscientious manner with which he executed his duties as chancellor, and it also echoes the conciliar ideals that he championed in every other arena of royal government, from parliament to the council table. It would appear that he carried those principles to the court of chancery, as well.

In Conclusion

We have seen ample evidence that Kemp was a man of strong political principles, which informed his decisions as a councillor, as an ambassador, and even

⁶⁹ *Ibid.*, p. 840.

⁷⁰ A.C. Reeves, 'Cromwell, Ralph, third Baron Cromwell (1393?-1456)', *ODNB*, XIV, pp. 354-55; Pollard, 'Neville, Richard', p. 526.

⁷¹ For a discussion of Kemp's long relationship with Cromwell, see Chapter 2, pp. 95, 115-16, 128-30; Chapter 3, p. 140; and Chapter 4, pp. 231-32.

as a prelate. His character as chancellor proved no different. In the parliamentary addresses for which we have records, his principal ideals are immediately evident – defence of conciliar sovereignty during Henry VI's minority and, above all, the pursuit of unity throughout the realm. Many of the points made in his sermons clearly referenced the duke of Gloucester's disregard for the council's corporate authority, and Kemp judiciously chose supporting scriptural quotations that reminded his listeners of the divine mandate to obey the king or, in the current absence of an active adult monarch, the council that ruled in his stead by decree of parliament stretching back to 1422. In terms of unity, Kemp's addresses displayed his abhorrence for heresy and all other types of division, spiritual and temporal, warning the assembled Lords and Commons that a house divided against itself could not stand. As we shall see in the next chapter, the value that Kemp placed upon unity also drove his ecclesiastical agenda, a fact made clear in his ultimate defence of the papacy against the claims of the Council of Basel.

Kemp's career as chancellor also allows us to obtain a deeper understanding of his commitment to justice. If the so-called Giles's Chronicle is any indication, Kemp had developed a reputation for impartiality among his contemporaries; the chronicle declares him to have been a 'proven model of rectitude...in that he could not be overcome by menaces, nor brought to diverge from the highway of righteousness by favours'.⁷² Obviously, some were bound to disagree with this glowing assessment of Kemp's judicial character, but his record in the court of chancery shows him to have been meticulous in the pursuit of due justice.⁷³ He may have dispensed patronage to

⁷² Giles's Chron., p. 45.

⁷³ For an unfavourable view of Kemp's judicial decisions, see the letter from Thomas Denyes to John Paston in Chapter 4, pp. 251–52.

Kentish relatives such as William Scot, but the fact that William Yevenet felt that he could plead his case against Scot in the court of chancery signifies that Kemp did not allow nepotism to colour his judicial decisions.⁷⁴

In the case of Emma Cressy, which also presents fascinating details about chancery process and record-keeping, Kemp chose to consult two common law justices before giving a decision (with their agreement), rebelling against the norm for medieval ecclesiastical chancellors, who supposedly seldom followed common law procedure within chancery's court of equity. No doubt partially due to his training in civil law, Kemp meticulously observed legal procedure in every aspect of his career, including the decisions that he made as chancellor. However, the fact that he decided in favour of a widow over a merchant with connections to the nobility and to an old friend and colleague of Kemp speaks to his personal character, aside from his legal training. The arbitrary reversal of his decision by the earl of Salisbury, his successor in chancery, provides us with a stark dichotomy between the *modus operandi* of York's foremost partisan and that of Chancellor Kemp. As David Grummitt wryly observes of Neville's appointment, 'Kemp had been a stalwart of the Lancastrian regime, a churchman who had...been a voice of moderation throughout Henry VI's reign; the contrast with Salisbury could not have been lost on the regime's opponents'.⁷⁵

⁷⁴ For more on Kemp's local patronage of his Kentish relations, see Chapter 1, p. 56, note 52.

⁷⁵ David Grummitt, *Henry VI* (London: Routledge, 2015), p. 175.

Chapter 6

The Prelate

The present work is primarily an analysis of John Kemp's political career, and thus I must leave a detailed discussion of his service to the Church to a future study. However, his identity as a secular administrator certainly cannot be entirely divorced from his identity as a cleric. Therefore, this chapter will analyse specific aspects of his ecclesiastical career that shed light upon his character as a statesman and how he helped to shape the politics of his age.

First, we shall examine his relationship with the papacy, particularly during the pontificates of Martin V and Eugenius IV. As the post-Constance popes attempted to rebuild their influence and to reassert papal prerogatives, they came into direct conflict with the rising interests of the English Church, epitomised by the Statute of Provisors. As a prelate, Kemp owed his allegiance to the Holy See, but as a leading member of the Lancastrian political establishment, he also owed allegiance to the king of England. This potential conflict of interests became all the more pronounced under Henry VI's extended minority, as clerical councillors like Kemp attempted to fulfil their duties to the pope while faithfully protecting the rights and interests of the infant king. As we shall see, Kemp proved to be remarkably adept at pleasing Rome (at least superficially) while in fact never failing to support the interests of the Crown. R.G. Davies provides a valuable analysis of the relationship between Martin V and the English prelates, but this chapter seeks to make Kemp more central to the study of the controversial Statute of Provisors, utilising his correspondence with William Swan,

diocesan records, and the parallels that we can draw between his actions and decisions as a leading churchman and his character as a secular statesman.¹

Second, Kemp's relationship with the Council of Basel requires our attention, for it says much about both his political and spiritual beliefs. The evidence suggests that he was initially sympathetic to the Council's aims, which is hardly surprising considering his ardent defence of conciliar principle in the secular realm. However, his later condemnation of the Council and their antipope, Felix V, reflects his abhorrence of schism and the dedication to unity that is evident throughout his orations and political undertakings. A.N.E.D. Schofield's three articles on England and the Council of Basel provide the basis of this discussion, but, again, we must take his research and add it to the broader evidence of Kemp's career in Church and state to fully understand both his personal values and the subsequent impact that his views on the Council had upon relations between England and Rome.² Of course, his ultimate opposition to the assembly at Basel also holds individual significance for Kemp in that it directly led to his promotion to the cardinalate.

Third, Kemp's elevation to the cardinalate in 1439 made him the first cardinal-archbishop in England in over two hundred years. Cardinal Beaufort had fought long and hard to retain his cardinalate and the see of Winchester, but his eventual victory set a precedent for Kemp and later prelates to follow. Nonetheless, possessing the cardinal's hat still exposed Kemp to objections from Archbishop Chichele, who feared (as he had with Beaufort) that the archbishop of York would use his status as a cardinal

¹ Richard G. Davies, 'Martin V and the English Episcopate, with Particular Reference to His Campaign for the Repeal of the Statute of Provisors', *EHR*, 92 (1977), 309–44.

² A.N.E.D. Schofield, 'England, the Pope, and the Council of Basel, 1435–1449', *Church History*, 33 (1964), 248–78; Id., 'The First English Delegation to the Council of Basel', *JEH*, 12 (1961), 167–96; Id., 'The Second English Delegation to the Council of Basel', *JEH*, 17 (1966), 29–64.

to exempt himself from the primacy of Canterbury. The resulting struggle between Kemp and Chichele – though almost completely non-existent in official English records – says much about the former’s political reputation, and it was the catalyst for Eugenius IV’s bull *Non mediocri dolore*, which was foundational to the papacy’s official view of cardinalatial status. This episode in Kemp’s career is not often discussed, with only two articles having been written on the topic.³ However, the dispute bears further discussion, as it carries important implications regarding Kemp’s character and personality, as well as the influence that he could command even at the papal court.

Kemp and the Papacy

After the Council of Constance ended the Great Schism in 1417, Pope Martin V did his best to re-establish papal influence over Western Christendom, asserting his canonical prerogatives and general authority as extensively as possible. This proved to be no easy task. Many European churchmen now questioned the right of the papacy to claim absolute monarchical power over the Church, instead promoting a more representative, conciliar approach as more conducive to reform and less likely to succumb to the danger of further division. In addition, the schism had allowed secular

³ Walter Ullmann, ‘Eugenius IV, Cardinal Kemp, and Archbishop Chichele’, in *Medieval Studies: Presented to Aubrey Gwynn, S.J.*, ed. by J.A. Watt et al. (Dublin: Colm O Lochlainn, 1961), pp. 359–83; Margaret Harvey ‘Eugenius IV, Cardinal Kemp, and Archbishop Chichele: a Reconsideration of the Role of Antonio Caffarelli’, in *Studies in Church History Subsidiary IX: The Church and Sovereignty, c. 590–1918*, ed. by Diana Wood (Oxford: Basil Blackwell, 1991), pp. 329–44.

leaders to exert far more influence over their national Churches than had hitherto been possible, and many were loath to relinquish it.⁴

In England, resistance to papal intrusion in the years leading up to the Great Schism took shape in parliamentary statutes, which historians generally group into the Statutes of Provisors and of Praemunire.⁵ The Statute of Provisors in fact incorporated several different statutes of increasing severity that were passed throughout the fourteenth century.⁶ By 1351, parliament passed the most comprehensive statute to date, which protected the king's right of collation to all elective positions within the English ecclesiastical hierarchy, including abbacies, bishoprics, and archbishoprics. Anyone who attempted to circumvent the king by seeking papal provision was

⁴ Davies, 'Martin V and Episcopate', p. 309. For more on popes and councils during and after the Great Schism, as well as the ways in which national Churches developed as a result, see Howard Kaminsky, 'The Great Schism', in *The New Cambridge Medieval History Volume VI, c. 1300–c. 1415*, ed. by Michael Jones (Cambridge: Cambridge University Press, 2000), pp. 674–96; Anthony Black, 'Popes and Councils', in *The New Cambridge Medieval History Volume VII: c. 1415–c. 1500*, ed. by Christopher Allmand (Cambridge: Cambridge University Press, 1998), pp. 65–86; R.N. Swanson, 'A Survey of views on the Great Schism, c. 1385', *AHP*, 21 (1983), 79–104; Swanson, 'Obedience and Disobedience in the Great Schism', *AHP*, 22 (1984), 377–87. For a discussion of England's jealous protection of the liberty of its Church throughout the Avignon papacy and the Great Schism, as well as under Martin V, see Christopher Allmand, *Henry V* (London: Methuen London, 1992), pp. 257–79. Finally, for a broad examination of the conciliar movement and its impact upon European religion and society, see Anthony Black, *Council and Commune: The Conciliar Movement and the Fifteenth-Century Heritage* (London: Burns & Oates, 1979).

⁵ For a discussion of these statutes, see Davies, 'Martin V and Episcopate', pp. 309–44; W.T. Waugh, 'The Great Statute of Praemunire', *EHR*, 37 (1922), 173–205.

⁶ Waugh, 'Statute of Praemunire', pp. 173–79.

henceforth subject to imprisonment and prohibition from receiving the collation in question, while subsequent provision reverted to the king himself, regardless of previous rights to advowry or free election.⁷ In 1390, the rights of the Crown and the English Church were bolstered by a further statute that stipulated even harsher consequences. Anyone who accepted a benefice in violation of the statute was now to be considered an outlaw and all of his property and goods declared forfeit. It also called for the imprisonment of any papal envoy bearing summons, sentences, or excommunications from the pope in reference to the enforcement of the Statute of Provisors.⁸

The Statute of Praemunire was fully legislated in 1393, decreeing that if any Englishman 'purchase or pursue...in the court of Rome, or elsewhere, any such translations, processes, sentences of excommunications, bulls, instruments, or any other things whatsoever, which touch the king our lord, against him, his crown, and his regalty [sic], or his realm...shall be put out of the king's protection, and their lands and tenements, their goods and chattels, forfeit to our lord the king'.⁹ While it overlapped some issues also addressed in the Statute of Provisors, the Statute of

⁷ *PROME*, V, pp. 25–27; *Select Documents of Constitutional History*, ed. by S.B. Chrimes and A.L. Brown (London: Adam & Charles Black, 1961), pp. 72–76; *SR*, I, pp. 316–18.

⁸ *Select Documents*, pp. 155–57; *SR*, II, pp. 84–86; *PROME*, VII, pp. 151–53, 159. We have already seen this being put into practice with the imprisonment of Giovanni Obizzi, who delivered Martin V's bulls that stripped Archbishop Chichele of his legatine authority in retaliation for the archbishop's inability to repeal the Statute of Provisors: Chapter 2, p. 95.

⁹ *Select Documents*, pp. 162–64; *SR*, II, p. 85; *PROME*, VII, pp. 227, 233–34. The quote in translation (as the original is in Anglo-Norman French) is taken from *Select Documents of English Constitutional History*, ed. by George Burton Adams and H. Morse Stephens (London: Macmillan & Co., Ltd., 1919), p. 158.

Praemunire essentially guarded against subjects of the English Crown seeking justice from any other source (specifically the court of Rome) than the royal courts in matters that pertained to the rights and prerogatives of the king. As W.T. Waugh succinctly puts it, the Statutes of Provisors were ‘acts which explicitly sought to defeat the pope’s claim to dispose of all ecclesiastical benefices’, while ‘acts which strove to maintain the jurisdiction of the king’s court against the rival claims of other tribunals are commonly called “statutes of praemunire”’.¹⁰ The name of the statute itself is derived from the writ of *praemunire facias*, the process by which those accused of breaking the statute could be compelled to appear before the king and his council.¹¹

Both of these statutes had great impact upon Kemp’s career. As we have seen, the issue of *praemunire* haunted his colleague and eventual ally, Cardinal Beaufort, from his first attempt to accept the cardinal’s hat in 1417 until the duke of Gloucester’s final legal assault upon him in 1440.¹² Fortunately for Kemp, his own elevation to the cardinalate while holding the see of York *in commendam* avoided the potential sanctions arising from the Statute of Praemunire by receiving the king’s enthusiastic support. Henry VI pre-empted any potential infractions of the statute by immediately requesting that the pope allow Kemp to possess both his archbishopric and the cardinal’s dignity, officially confirming his approval for the arrangement in letters

¹⁰ Waugh, ‘Statute of Praemunire’, p. 174, note 2.

¹¹ *Ibid.*; *SR*, II, p. 86. For an in-depth discussion of the long-term significance of the Statute of Praemunire, see Daniel Frederick Gosling, ‘Church, State, and Reformation: The Use and Interpretation of Praemunire from its Creation to the English Break with Rome’ (unpublished doctoral thesis, University of Leeds, 2016).

¹² G.L. Harriss, *Cardinal Beaufort: A Study of Lancastrian Ascendancy and Decline* (Oxford: Oxford University Press, 1988), pp. 91–114; 306–11; K.B. McFarlane, ‘Henry V, Bishop Beaufort and the Red Hat, 1417–1421’, *EHR*, 60 (1945), 316–48; Allmand, *Henry V*, pp. 260–61.

patent.¹³ However, the Statute of Provisors proved far more troublesome as Kemp stretched his diplomatic abilities to their utmost in order to faithfully serve the Crown while maintaining good relations with the papacy.

It is not at all surprising that Martin V, after being elected pope at the Council of Constance in 1417 at the end of the schism, should have sought the abolition of the Statute of Provisors, which restricted the ability of the papacy to fully assert its prerogatives within the realm of England. He had cautiously attempted to exercise his papal authority during the reign of Henry V, although he had then shown himself to be open to compromise. No doubt Pope Martin was mindful that the English delegation at Constance had played a major role in his election, and in any case, he and Henry V desired each other's mutual support too much to permit a combative relationship.¹⁴ However, after King Henry's untimely death in 1422, the pope perceptibly increased his efforts to pressure the English government into abolishing the statute. The minority council set up to rule in the infant Henry VI's stead possessed a large proportion of prelates; the simultaneous absence of an active monarch and a ruling assembly dominated by clergy made episcopal provisions a matter of vital importance.¹⁵ It also set the stage for future conflict between the council and the papacy.

As we have discussed, Kemp first benefited from papal favour when Martin V provided him to the see of London against Henry V's candidate, Thomas Polton, in

¹³ *Bekynton Correspondence*, I, pp. 43–45, 51. See Chapter 3, pp. 175–76.

¹⁴ While Martin V wanted and needed the king's support to rebuild papal influence in England, Henry V himself desired the pope's approval of his claim to the French throne: Davies, 'Martin V and Episcopate', pp. 313–14; Allmand, *Henry V*, pp. 253–54, 257–64.

¹⁵ Davies, 'Martin V and Episcopate', p. 310.

1421.¹⁶ That Kemp succeeded says much about the high regard in which the king held him, but the pope, too, understandably viewed him as indebted to the papacy. It certainly did not take the pope long to remind the bishop of his debt. In 1423, Kemp provided one of his old Merton associates, John Bernyngham, to a prebend within his diocese that had been occupied by a former papal tax collector, Walter Medford.¹⁷ Pope Martin, who had someone else in mind, strongly objected to what he saw as Kemp's audacity, claiming that he had the right of collation to any benefice occupied by a papal official. The pontiff testily reminded Kemp that he had consistently promoted his career with the hope that he would be a 'defender and fighter' for the Roman Church in England, and he ordered him to collate the papal candidate, simultaneously promising reward for following the papal command.¹⁸

Kemp did not, however, yield to such pressure. In a letter to William Swan, he stated that, according to an ordinance passed by the Council of Constance, the pope could only fill a benefice vacated by the death of a papal official if the holder of the benefice was still in the papacy's service at the time of his death. In this case, Medford had retired from his papal tax collecting three years before he died, making his prebend in the gift of the bishop of London. Kemp asked Swan to ensure that Bernyngham's collation was accepted in the curia and to 'administer costs and

¹⁶ See Chapter 1, pp. 57–61.

¹⁷ Reg. Kemp London, fols 202^v–208^v; J. Haller, 'England und Rom unter Martin V', *Quellen und Forschungen aus italienischen Archiven und Bibliotheken*, 8 (1905), 249–304 (p. 253).

¹⁸ Davies, 'Martin V and Episcopate', p. 318; Haller, 'England und Rom', p. 253, note 1; BL, Cotton MS Cleopatra C IV, fols 151^r–152^v.

expenses' that might be necessary, paid by Kemp himself.¹⁹ He clearly felt no compunction about failing to submit to the pope's commands, and he also showed himself to be knowledgeable of the legal intricacies of canon law and protective of his own episcopal rights and privileges.

Perhaps the legality of Kemp's stance placated the pope, for shortly thereafter Martin V once again showed himself willing to promote the bishop's career. In October 1423, Archbishop Bowet of York died, and the dean and chapter swiftly elected Philip Morgan, bishop of Worcester. Morgan was a faithful attendee of the minority council and had served as Henry V's chancellor of Normandy, and on 25 January 1424, the minority council sent word to the pope that Morgan's election had received royal assent.²⁰ Pope Martin, however, had other plans for York, instead translating Richard Fleming, bishop of Lincoln, who was currently serving the pope loyally at the Council of Siena.²¹ It was a bold statement of papal authority, and the English council was not prepared to accept it.²²

¹⁹ '*...id fieri procuretis meis sumptibus et expensis*': BL, Cotton MS Cleopatra C IV, fol. 152^v. This also shows Kemp's loyalty to a member of his old Merton circle who had followed him in his service throughout his career: see Chapter 1, p. 50, note 32.

²⁰ *CPR* (1422–29), p. 169; R.G. Davies, 'Morgan, Philip [Philip *ap* Morgan] (d. 1435)', *ODNB*, XXXIX, pp. 136–37.

²¹ *CPL*, VII (1906), p. 345; R.N. Swanson, 'Flemming [Fleming], Richard (d. 1431)', *ODNB*, XX, pp. 79–80; Davies, 'Martin V and Episcopate', p. 320.

²² In June 1424, the minority council sent an envoy to Rome to complain against the pope's disregard in translating Fleming without consulting the council. In a letter to Henry VI and his council, Martin V complained that the envoy had not been empowered to discuss the problematic Statute of Provisors, as he had hoped, but rather 'certain other matters far removed from the pope's thoughts': *CPL*, VII (1906), p. 28.

In the meantime, William Swan kept Kemp abreast of developments in Rome, and as intrigue swirled around potential translations Kemp wrote to advise him of those sees that he did not want. However, he did not name those that he did desire, suggesting that at this point he still did not think it likely that he would receive an offer good enough to tempt him away from London. Significantly, he also thanked Swan for so assiduously promoting him in the curia and, especially, for helping Kemp to obtain the enduring support of Cardinal Orsini, one of the most powerful figures in the curia who proved to be a valuable ally, indeed.²³ Kemp also informed his proctor that he had secured the friendship of two influential Lancastrian French clerics – Jean de la Rochetaillée, archbishop of Rouen, and Bernard de la Planche, prior of Senlac and future bishop of Dax – both of whom likewise proved to be important contacts throughout his career.²⁴

²³ BL, Cotton MS Cleopatra C IV, fol. 152^r. Orsini was, indeed, a powerful figure. Rising to become dean of the College of Cardinals, he was greatly trusted by Martin V and was a close friend of his successor, Eugenius IV. He was also sent as a papal legate to try to effect a peace settlement between England and France, and he likewise carried out crucial papal diplomacy in Bohemia and at the Council of Basel. For more on the cardinal and his career, see Erich König, *Kardinal Giordano Orsini († 1439): Ein Lebensbild aus der Zeit der großen Konzilien und des Humanismus* (Freiburg: Herderiche Berlagshandlung, 1906); Christopher S. Celenza, 'The Will of Cardinal Giordano Orsini (ob. 1438)', *Traditio*, 51 (1996), 257–86.

²⁴ BL, Cotton MS Cleopatra C IV, fols 157^r–157^v. See also Chapter 2, pp. 75, 78 and Chapter 3, p. 152. In particular, Jean de la Rochetaillée became an influential member of the curia, elevated to the cardinalate in 1426 and appointed papal vice chancellor in 1434: *Fasti Ecclesiae Gallicanae: Répertoire prosopographique des évêques, dignitaires et chanoines des diocèses de France de 1200 à 1500, Diocèse de Rouen*, ed. by Jean-Michel Matz et al., 18 vols (Turnhout: Brepols, 1996–2018), II (1998), pp. 118–21. The Kemp-Swan correspondence bears evidence of Rochetaillée's continued

Kemp was by no means the only cleric to solicit the services of William Swan. In fact, in the convoluted manoeuvrings surrounding the see of York, the 'overworked' proctor found it increasingly difficult to please all of his patrons at once.²⁵ John Stafford, treasurer of England and a long-time servant of the Lancastrian Crown, was one of these patrons. Despite his lengthy career (R.G. Davies estimates him to have been in his forties by the 1420s), he had yet to secure a bishopric, and his letters to Swan show him to be eager to do so.²⁶ Hoping to replace Philip Morgan as bishop of Worcester, he obtained the support of the royal council by January 1424 and wrote to seek the support of Cardinal Orsini.²⁷ Unfortunately for Stafford, Orsini was already supporting Kemp's interests, and it had already become clear in the curia that Morgan would not be accepted by Pope Martin for the see of York. Swan wrote to Stafford in January with what Stafford obviously took as optimistic news regarding Worcester, but the proctor also ominously asked for instructions should Worcester not become available, suggesting the sees of Chichester or Hereford, a hint that Stafford seems to have missed.²⁸ It also implied that Swan knew that Bishop Polton of Chichester had his sights set on Worcester, which in the end he did secure.²⁹ As Davies points out, the correspondence contained in Swan's letter-books shows that the proctor felt that he

support for Kemp after his ascension to the highest ranks of the curia: BL, Cotton MS Cleopatra C IV, fols 159^r-159^v, 163^r-163^v.

²⁵ Davies, 'Martin V and Episcopate', p. 325.

²⁶ R.G. Davies, 'Stafford, John (d. 1452)', *ODNB*, LII, p. 56.; E.F. Jacob, 'Archbishop John Stafford', *TRHS*, 12 (1962), 1-23 (pp. 6-9).

²⁷ BL, Cotton MS Cleopatra C IV, fols 163^v-164^r.

²⁸ *Ibid.*, fol. 169^r; Davies, 'Martin V and Episcopate', p. 325.

²⁹ Davies, 'Martin V and Episcopate', p. 325; Margaret Harvey, 'Polton, Thomas (d. 1433)', *ODNB*, LXIV, p. 784.

could be far more frank with Kemp, who was a friend as well as a patron, than he could with Stafford, with whom he had merely a professional relationship.³⁰

The standoff between council and papacy continued for some months before Fleming finally capitulated on 21 October 1424 and agreed to give up his ambition of being translated to York. In return, the council promised not to charge him with the severe penalties stipulated by the Statutes of Provisors and of Praemunire, and they allowed him to retain his old see of Lincoln. They also required him to strive for papal acceptance of Morgan's provision to York and Stafford's to Worcester.³¹ However, events suddenly changed once again with the death of Bishop Bubwith of Bath and Wells three days later. Instead of waiting for the uncertain chance of providing Stafford to Worcester, the council chose to nominate him to succeed Bubwith.³² The chapters of Bath and Wells duly elected Stafford shortly thereafter, and the council sent Pope Martin a letter urging him officially to provide him, which he swiftly did in December 1424, perhaps in an attempt to smooth relations with the English government.³³ They also asked him to promote William Alnwick, keeper of the privy seal and another long-serving Lancastrian administrator, should the opportunity arise.³⁴

³⁰ Davies, 'Martin V and Episcopate', p. 325. The letters between Kemp and Swan evidence a comfortable, open relationship, while Stafford's correspondence is generally far more businesslike and cautious in tone.

³¹ *POPC*, III, pp. 210–12.

³² BL, Cotton MS Cleopatra C IV, fols 169^v–170^r.

³³ *CPR* (1422–29), p. 265; *CPL*, VII, p. 408.

³⁴ BL, Cotton MS Cleopatra C IV, fol. 170^r; Rosemary C.E. Hayes, 'Alnwick, William (d. 1449)', *ODNB*, I, pp. 889–90.

In the meantime, the political situation in England was deteriorating quickly, with the duke of Gloucester independently pursuing his campaign in Hainault to cost of the Anglo-Burgundian alliance and with tensions rising between Gloucester and Beaufort. Kemp spent the summer and autumn of 1425 in France representing Duke Humphrey's interests as the problem of his proposed duel with the duke of Burgundy was resolved. As we have discussed, his efforts clearly earned him the respect and support of the regent of France, the duke of Bedford, who remained Kemp's patron for the rest of his life.³⁵ Even if the pope accepted Bishop Fleming's renunciation of his provision to York, he was unlikely to go so far as to allow the council to succeed in their plan to provide Bishop Morgan, so Bedford negotiated with Martin V to reach a separate arrangement – the translation of John Kemp as a compromise candidate.³⁶ The pope officially translated him on 20 July, and Kemp received news of his provision by September.³⁷ On 26 September, he wrote to Swan expressing his delight, and the letter evinces his genuine surprise at the unexpected translation.³⁸ While it might be easy to be sceptical of Kemp's professed astonishment, his earlier letters do not indicate any expectation of receiving so valuable a prize as York, and in any case, Swan was deeply involved enough in his intrigues that there would have been no point in any pretence.

³⁵ For an examination of the Beaufort-Gloucester dispute that climaxed in 1425, Kemp's hand in defusing the conflict with Burgundy, and Bedford's subsequent patronage, see Chapter 2, pp. 76–80.

³⁶ In a letter to William Swan, Kemp refers to Bedford's exertions on his behalf: BL, Cotton MS Cleopatra C IV, fols 162^r–162^v; R.G. Davies, 'Kemp [Kempe], John (1380/81–1454)', *ODNB*, XXXI, pp. 173–74; Davies, 'Martin V and Episcopate', p. 328.

³⁷ Reg. Kemp York, fol. ix^v; *CPL*, VII, p. 389; Davies, 'Martin V and Episcopate', p. 328.

³⁸ BL, Cotton MS Cleopatra C IV, fols 159^v–160^r.

In the event, the political chaos developing in England prevented Kemp from receiving the council's approval, despite prompting letters from the duke of Bedford.³⁹ As Bedford did not have the individual authority to confirm his provision, the pope's translation potentially left Kemp open to charges of *praemunire*. Thus, he asked Swan cautiously to seek to secure the official bull of provision and the pallium, soliciting the aid of Cardinal Branda Castiglione, one of Kemp's important supporters in the curia.⁴⁰ Bedford, too, had written to Castiglione to obtain the bull and pallium for Kemp.⁴¹ As part of wider negotiations regarding papal recognition of English rights in France, Bedford finally agreed in November to allow the pope the right to grant all benefices in Lancastrian France, where the Statute of Provisors did not technically apply.⁴² On 30 November, Kemp wrote to both Martin V and Cardinal Castiglione to register his support for papal rights in France, insinuating that he had helped to persuade the regent to decide in favour of the papacy.⁴³ Kemp had done what he could to secure his position with pope and curia; he now needed to do the same with the English council.

In the event, the violent dispute between Beaufort and Gloucester so impeded the daily workings of government that it was not until 14 January 1426, when Bedford had returned to England to restore political stability, that Kemp finally received the

³⁹ *Ibid.*, fol. 153v.

⁴⁰ Castiglione, a 'man of great influence at the curia' appears regularly throughout the Kemp-Swan correspondence. The Italian cardinal was also provided to the see of Lisieux in 1420, and he proved to be quite friendly towards English interests: Allmand, *Henry V*, p. 263.

⁴¹ *Ibid.* In his letters to Swan, Kemp nearly always referred to Cardinal Castiglione, who had been bishop of Piacenza, as '*dominus Placentinus*'.

⁴² Harriss, *Cardinal Beaufort*, p. 155; Ralph Griffiths, *The Reign of King Henry VI* (Stroud: Sutton Publishing, 2004), p. 72.

⁴³ BL, Cotton MS Cleopatra C IV, fols 150v-151r, 166r.

assent of the minority council to accept his provision to York, though he still had to wait until 22 April to receive the temporalities.⁴⁴ Death had further thinned the episcopal ranks in the intervening months, and the subsequent vacancies allowed the council to reshuffle those who had been seeking promotion since Archbishop Bowet's death in 1423. Richard Fleming was sent back to Lincoln, Philip Morgan went to Ely, Thomas Polton succeeded in obtaining Worcester, William Alnwick received Norwich, and John Stafford was obliged to content himself with Bath and Wells. The dean of York, William Gray, replaced Kemp at London.⁴⁵ Stafford clearly regarded the final result of his translation as something of a disappointment, accusing William Swan of duplicitously working against him, instead colluding with Polton. Swan indignantly denied these charges, informing his disgruntled patron that he had done his best and that, when Worcester had proved impossible, he had striven to 'recommend [Stafford] to the next best ecclesiastical vacancy'.⁴⁶

Kemp had now twice benefited significantly from papal favour, rising to the highest ranks of the English episcopal hierarchy in the process, and Martin V's expectations for Kemp's support of papal interests rose accordingly. At the same time, however, he was appointed chancellor on 18 March 1426, after Beaufort's resignation.⁴⁷ While he had served as a member of the minority council since 1422, as chancellor he now effectively headed the administration that ran the government in the place of the

⁴⁴ *POPC*, III, pp. 180–81, 192; *CPR* (1422–29), p. 331.

⁴⁵ Davies, 'Martin V and Episcopate', pp. 328–33; Harriss, *Cardinal Beaufort*, pp. 154–55; Swanson, 'Fleming, Richard', p. 79; Davies, 'Morgan, Philip', p. 137; Harvey, 'Polton, Thomas', p. 784; Hayes, 'Alnwick, William', p. 890; Jacob, 'Archbishop Stafford', pp. 7–8; Roy Martin Haines, 'Gray, William (c. 1388–1436)', *ODNB* <www.oxforddnb.com> [20 August 2018].

⁴⁶ BL, Cotton MS Cleopatra C IV, fols 147^r–148^v.

⁴⁷ For a discussion of the political backdrop

child king, alongside the protector of the realm. In that role, Kemp was naturally expected to defend the rights and privileges of Henry VI, making a conflict of interests ever more likely. Contemporaries such as Beaufort must have wondered what line Kemp would take, although if nothing else, the dexterity and independence that he had shown in the recent swirl of curial intrigue should have amply communicated that 'he was neither partisan nor catspaw'.⁴⁸

As we have seen, Martin V grew weary of what he saw as Chichele's unwillingness to press for the repeal of the Statute of Provisors, finally moving to punish the archbishop in February 1427 with the revocation of his legatine status.⁴⁹ Combined with Beaufort's simultaneous elevation to the cardinalate, which was soon augmented by his own appointment as papal legate (though for the purpose of leading his Hussite crusade), the pope could hardly have made his displeasure with Chichele any clearer.⁵⁰ In addition, Pope Martin began obstinately to refuse to provide royal nominees to bishoprics, even when the nominee in question was Robert Neville, nephew to Cardinal Beaufort.⁵¹ He went so far as to intimate to the duke of Bedford, another figure who generally maintained cordial relations with Rome, that his papal petitions would not be answered until parliament made a decision regarding the Statute of Provisors.⁵² The pope was growing impatient, and he looked to men like

⁴⁸ Davies, 'Martin V and Episcopate', p. 335.

⁴⁹ *Concilia*, III, pp. 484–85.

⁵⁰ For a discussion of these developments, and of the subsequent imprisonment of the papal envoy, see Chapter 2, p. 95.

⁵¹ A.J. Pollard, 'Neville, Robert (1404–1457)', *ODNB*, LX, pp. 540–41; Harriss, *Cardinal Beaufort*, p. 173; Davies, 'Martin V and Episcopate', pp. 337–39.

⁵² Davies, 'Martin V and Episcopate', p. 339.

Kemp, who had benefited much from his favour, to be a decisive influence upon the English government.

Unfortunately for Martin V, Kemp had neither the authority nor the inclination to do any such thing. The duke of Gloucester, once again protector of the realm with Bedford's return to France in March 1427, was a staunch defender of the Statute of Provisors, and on this one issue the majority (if not all) of the council agreed with him. Thus, they promptly imprisoned Giovanni Obizzi, the papal envoy who delivered the bulls depriving Chichele of his legatine authority, as per the penalties stipulated in the Statutes of Provisors and Praemunire.⁵³ R.G. Davies and G.L. Harriss both argue convincingly that the council – including Kemp – may have 'harboured resentment' against Bedford and Beaufort for the way in which they had courted papal favour, raising Pope Martin's expectations, but then had returned to France when their own ends had been achieved, leaving the council to deal with the ensuing conflict with Rome.⁵⁴ In light of this, it is significant that Kemp, Gloucester, and the rest of the council turned their backs upon Robert Neville in his nomination to the see of Salisbury, instead switching their support to the rival capitular electee once Bedford and Gloucester had left the realm.⁵⁵

Of course, we have also seen that Kemp and Gloucester were by no means on bad terms with one another in the later 1420s and that Kemp and Beaufort had yet to forge their eventual friendship. It is thus not particularly remarkable that both chancellor and protector worked hard to defend Archbishop Chichele from what they saw as grossly unwarranted papal ire. As discussed in Chapter 2, Kemp and the other prelates of England sent the pope a letter strongly defending Chichele and supporting

⁵³ Harriss, *Cardinal Beaufort*, pp. 172–73

⁵⁴ *Ibid.*; Davies, 'Martin V and Episcopate', pp. 339–40.

⁵⁵ *POPC*, III, p. 269.

his work as archbishop and his faithfulness to the Roman Church. Members of the council also sent letters of their own, including one from Kemp that lent additional support to Duke Humphrey, alleging that he, too, had done his best to please the pope in the matter of the statutes.⁵⁶ However unlikely these protestations may have been, particularly in reference to Gloucester's efforts, Kemp was evidently not above actively working to pacify the pope with claims of questionable veracity.

He and Chichele did make a public effort on behalf of Martin V, coming before parliament in January 1428 with all of the other prelates then present in London to put the pope's case before the Lords and Commons. Appropriately taking as his theme Matthew 22:21, 'Render therefore to Caesar the things that are Caesar's; and to God, the things that are God's', Chichele argued for the abolition of the Statute of Provisors on the basis of the papacy's supreme spiritual authority. He even added his own personal plea, 'from his heart, as it appeared', according to the clerk, that the realm might avoid the terrible consequences of papal censure. The archbishop attempted to make the genuineness of his sentiments crystal clear: 'Perhaps it seems to certain of you that I do not proffer these things which most strongly concern the prelates of the realm from the heart. May you know for certain and in the faith by which I am bound to God and to the church, [that] I affirm before you that it would be more acceptable to me never to confer or even to have nay ecclesiastical benefice than that any such danger or proceedings should in my time result in the scandal of the English church'.⁵⁷

⁵⁶ See Chapter 2, pp. 96–97.

⁵⁷ *PROME*, X, pp. 365–66, no. 5. The record included in *PROME* is a translation of the original Latin record printed in *Concilia*, III, pp. 483–84 (though Chichele specifically gave his oration 'in vulgari').

Whether or not Chichele's pleas truly were heartfelt is debatable; Harriss, for one, refers to it as 'a half-hearted ritual'.⁵⁸ The very nature of the carefully detailed account, featuring extended verbatim quotations from the archbishop, suggests that the entire event was purposefully crafted for public consumption in Rome as part of the general effort to assure Martin V that his claims were being given all due consideration. In any case, it usefully provided the entire English episcopate the opportunity to inform the pope that they had done their part in attempting to sway parliament in the papacy's favour. It even gave Kemp the opportunity, however misleadingly, to inform Pope Martin through his regular correspondent, Bishop de la Planche of Dax, that the estates of the realm had diligently striven to satisfy papal desires and that an embassy would soon depart for Rome to bring him news of parliament's final decision.⁵⁹ John Stafford, bishop of Bath and Wells, also wrote to the pope hinting that he would most likely be pleased with the result of the debate over the statute. It would be entirely understandable if Pope Martin's expectations were unrealistically raised by such communications, though if they were, he was to be mercilessly disabused by the English ambassadors when they arrived in Rome later that year with news of parliament's obstinance.⁶⁰

Regardless of his personal opinion of the Statute of Provisors, Archbishop Chichele may well have been genuinely afraid of drastic papal sanctions, and with good reason. In December 1426, just prior to the revocation of the archbishop's legatine status, Martin V had sent him and Kemp a bull to be distributed and publicised

⁵⁸ Harriss, *Cardinal Beaufort*, p. 173.

⁵⁹ BL, Cotton MS Cleopatra C IV, fols 164r-164v.

⁶⁰ For more on this unenviable task bestowed upon Lord Scrope and Bishop Gray of London, see Chapter 2, pp. 102-04.

throughout their provinces.⁶¹ It dictated that any bishop or other ecclesiastical official, secular or monastic, would henceforth be placed under a sentence of excommunication if they refused to collate papal nominees to all benefices. Anyone who acted otherwise did so 'to the peril of their own souls', holding the apostolic see in contempt and causing much scandal.⁶² With this threat hovering ominously overhead, Pope Martin sought to test Kemp's loyalty. The multiple deaths and translations that occurred between 1424 and 1427 left vacant benefices across the archdiocese of York, and on 28 July 1427, the pope peremptorily provided Nicholas Bildeston, an associate of Cardinal Beaufort, to a canonry and prebend at Beverley. He issued the bull of provision *motu proprio*, claiming that the benefice was reserved 'to the pope's gift'.⁶³ At the same time, the pope granted Kemp the faculty to collate anyone of his choice to two fairly valuable benefices recently vacated by Robert Neville when he was provided to Salisbury – his canonry and prebend at York and the provostship of Beverley, which the pope pointed out was a 'principal dignity'.⁶⁴ He also allowed the archbishop to confer the office of notary upon any four people in his archdiocese and to receive their oaths of fealty, as well as granting him a one-year plenary indulgence.⁶⁵

It would seem that the pope was utilising a persuasive carrot and stick policy with Kemp, but the archbishop was not to be persuaded. Completely ignoring the papal command, he instead provided Thomas Swan, nephew of his faithful proctor, to the prebend at the church of Beverley, and he provided Robert Rolleston, keeper of the great wardrobe and an important member of the royal administration, to the

⁶¹ *Concilia*, III, pp. 471–72.

⁶² *Ibid.*, p. 471.

⁶³ *CPL*, VIII, p. 208.

⁶⁴ *Ibid.*, VII, p. 523.

⁶⁵ *Ibid.*, pp. 524, 554.

provostship.⁶⁶ Then, in a shrewdly conciliatory gesture, he voluntarily provided the pope's own nephew, Cardinal Prospero Colonna, to another lucrative benefice.⁶⁷ Such a collation of a foreigner to a local benefice may have exposed the archbishop to critics such as Thomas Gascoigne, who later complained that Kemp had provided 'evil and foreign...Romans' to many influential positions throughout the archdiocese of York, but it also cunningly sought to satisfy the pope personally while refusing to yield on the principle of the Statute of Provisors.⁶⁸ If Kemp wrote a letter explaining his disobedience to Pope Martin, it is no longer extant. However, given that there is likewise no record of a written response from Rome, it seems that the pope was placated and simply allowed the matter to drop.

Even more significantly, the pope never again tested Kemp by ordering him to accept papal provisions, perhaps realising that the archbishop was far too invested in the governing of the realm to allow the papacy's claims to supersede royal and national interests. After Chichele, Kemp, and the rest of the prelate had made their public statement of support for the pope's cause in parliament, Pope Martin decided to reinvest the archbishop of Canterbury with his customary legatine authority in July 1428.⁶⁹ Davies suggests that the pope was 'disillusioned' by this point and that, even if he continued to suspect Chichele's loyalty regarding the statutes, he realised that the

⁶⁶ Reg. Kemp York, fols 5^v-6^r.

⁶⁷ Ibid., fol. 5^v. Kemp had already favoured Colonna with a previous collation within his gift earlier the same year: Ibid., fol. 4^v.

⁶⁸ *Loci e Libro*, p. 38. Aside from the collation of nephews of Martin V and Eugenius IV, Kemp's archiepiscopal register does not at all suggest that he made a habit of providing foreigners to English benefices. As we are about to discuss, the other curialists that he provided were Englishmen with a strong record of service to the Crown.

⁶⁹ *Cal. Pap. Reg.*, VIII, pp. 64-65.

archbishop was not at all alone in his stance, being supported even by those who Martin had fully expected to be allies (such as Kemp).⁷⁰ Harriss sees even more symbolic significance in the Chichele's reinvestment, arguing that it represented the pope's recognition that his long campaign against the Statute of Provisors had failed.⁷¹

Kemp continued his extraordinary diplomatic balancing act under Pope Martin's successor, Eugenius IV, managing to safeguard the liberties of the English Church while retaining the goodwill and even active support of the papacy. By 1435, the archbishop was once again wilfully ignoring papal provisions, refusing to collate an English proctor at the curia and another associate of Cardinal Beaufort.⁷² Afterwards, just as he had done to placate Martin V, Kemp chose to provide Pope Eugenius's nephew to a Yorkshire prebend in 1437. Although perhaps subtler, many of his other provisions worked to please Eugenius while upholding the Statute of Provisors. For example, Kemp extensively promoted two prominent English curialists, Andrew Holes and William Gray, providing them to a number of successive benefices within his gift.⁷³ However, both of these men were also valued royal servants: in addition to being a close friend of Eugenius IV, Holes had been Henry VI's faithful proctor at the curia since 1432, and Gray succeeded him in this role in 1445.⁷⁴ Even in

⁷⁰ Davies, 'Martin V and Episcopate', p. 342.

⁷¹ Harriss, *Cardinal Beaufort*, p. 173.

⁷² *CPL*, VIII, pp. 235–36.

⁷³ Between 1431 and 1443, Kemp successively provided Holes to three Yorkshire prebends, and he likewise provided Gray to four benefices, including the archdeaconry of Richmond, between 1447 and 1452: Reg. Kemp York, fols 9^v, 50^r, 62^v, 68^r–70^r, 77^v.

⁷⁴ Jonathan Hughes, 'Holes, Andrew (d. 1470)', *ODNB*, XXVII, pp. 635–36; Roy Martin Haines, 'Grey [Gray], William (c. 1414–1478)', *ODNB*, XXIII, p. 891. Incidentally, both men were also notable humanist scholars and collectors. They bear the distinction of being the only two

his preferment of papal favourites, Kemp thus advanced the interests of the state at the same time, never allowing his ecclesiastical ambitions to undermine his dedication to the Lancastrian Crown.

Kemp and the Council of Basel

However, it was not the Statute of Provisors that most defined Kemp's relationship with Pope Eugenius but the conflict between the papacy and the Council of Basel. The Council had been summoned by Martin V shortly before his death in 1431, but it quickly took on a life of its own quite distinct from papal wishes. The assembly was initially dominated by academics from Central Europe and, especially, Paris, where ecclesiastical conciliar ideology was particularly strong.⁷⁵ Sensing the undesirable direction in which the Council seemed to be going, Eugenius ordered it to dissolve in December 1431. Instead of meekly dispersing, the Council's representatives passed decrees confirming the right of general councils to meet and the independent authority that they possessed, even over the papacy.⁷⁶

In June 1432, the Council sent Bishop Gerardo Landriano of Lodi to England to solicit the royal council's support. Although the English had recently been informed

Englishmen mentioned in Vespasiano's *Memoirs* – for example, the Italian humanist admiringly describes how Holes had acquired such a vast number of books that he was obliged to charter a ship to transport them all to England when he returned in late 1444: Vespasiano da Bisticci, *The Vespasiano Memoirs: Lives of Illustrious Men of the XVth Century*, trans. by William George and Emily Waters (Toronto: University of Toronto Press, 1997), pp. 184–86, 206–08.

⁷⁵ Black, 'Popes and Councils', p. 70.

⁷⁶ *Ibid.*; Schofield, 'England and Council of Basel', p. 248.

of Pope Eugenius's bull dissolving the Council of Basel, they allowed Landriano to speak before the king and his council, where he gave an impassioned defence of the Council's validity and importance. He also cleverly played upon English fears of Lollard dissidence and rebellion by claiming that the Council was the only viable remedy for heresy, lingering over the dangers posed by heretic preachers who stirred up the commons against the secular hierarchy as well as the established Church. In addition, he intimated that the Council was willing and able to assist in reaching a peace settlement between Henry VI and Charles VII.⁷⁷ The envoy received strong encouragement and support from the duke of Gloucester; when other royal councillors looked unlikely to commit to sending a delegation to Basel, Landriano appealed to Duke Humphrey, who he described as his mission's only certain hope (*'unicam certam spem legacionis'*).⁷⁸ In the end, England sent a modest delegation led by Bishop Polton of Worcester and Bishop Fitzhugh of London, although they did not reach Basel until February 1433.⁷⁹

A.N.E.D. Schofield suggests that, aside from any genuine interest in the conciliar movement in the Church, Duke Humphrey may have used this opportunity to make his mark within the Council of Basel before his rival, Cardinal Beaufort, had the chance to do so. He also suggests that the eventual departure of the English delegation represented something of a minor victory for Gloucester over any political rivals who may have opposed the proceedings at Basel.⁸⁰ If this assessment is correct, it certainly presents a somewhat unexpected view of the English council at this time. Although the rather sparse conciliar documents of this period do not reveal him to

⁷⁷ Schofield, 'First English Delegation', pp. 167–71.

⁷⁸ *Ibid.*, p. 174.

⁷⁹ *Ibid.*, pp. 178–79.

⁸⁰ *Ibid.*, pp. 175–76.

have been at council the council table until late November 1432, Kemp was clearly present for meetings at which Landriano delivered his orations on behalf of the Council of Basel.⁸¹ Landriano reported him to have been particularly friendly towards the aims of those assembled at Basel, and when he departed, Kemp sent with him a letter of encouragement to the Council.⁸²

In his letter, Kemp praised the Council for its pursuit of stamping out heresy, ending warfare and division, and effecting reform throughout the Church. He also spoke highly of Bishop Landriano and his eloquent testimony on behalf of the Council.⁸³ Kemp offered such overt statements of sympathy for the aims of the Council of Basel despite the fact that the papal envoy Pietro de Mera had already arrived in England and delivered Pope Eugenius's bulls of dissolution to the minority council on 6 July; indeed, de Mera is recorded to have been present at the council session that heard Landriano's oration.⁸⁴ As we shall see, Kemp would not support the Council to the point of schism, but at this stage, he was clearly enthusiastic about the good that the assembly might achieve. When we place his remarks within the context of his consistent defence of conciliarism in royal government, they are hardly surprising. In addition, as the pope's resolve hardened against the Council, even some of his erstwhile supporters among the cardinals defected to Basel. These included Kemp's influential friends Cardinals Castiglione and Rochetaillée, and even Cardinal Albergati, who remained faithful to the interests of the papacy, maintained close contact with the representatives at Basel and provided balanced mediation between

⁸¹ See Chapter 3, pp. 134–36.

⁸² *Ibid.*, p. 176; *Sacrorum*, XXX, pp. 156–57. Another copy of the letter can be found in BL, Add MS 8266.

⁸³ *Sacrorum*, XXX, pp. 156–57.

⁸⁴ *POPC*, IV, p. 120; Schofield, 'First English Delegation', p. 171.

them and the pope in these early days.⁸⁵ In contrast, Archbishop Chichele, who is often seen as friendly towards Gloucester and who had suffered much at the hands of the papacy, kept his distance from the Council's embassy from the start and noticeably refrained from offering any support whatsoever.⁸⁶ If Kemp truly was sincere in his earlier assertions to Swan that he intended to divest himself of secular burdens and instead devote himself to ecclesiastical pursuits, it is entirely possible that he envisioned a role for himself at the Council, or perhaps even as a mediator between Basel and Rome.

The first English delegation finally arrived at Basel in February 1433 but failed to make much of an impression on the assembly. They objected to any procedure or decision that infringed upon their king's prerogatives, the liberty of the English Church, or the rights and customs of the province of Canterbury, and they proved wary of anything that expressly opposed papal authority. In particular, they refused to accept the Council's oath of incorporation demanded of delegates, which bound them to work primarily for the aims of the Council, to remain in Basel unless given permission to leave, and to uphold all decrees that the Council might pass.⁸⁷ As a result, the English representatives could only play a limited role in the assembly, mostly taking part in the debates against the Hussite envoys who had come to argue their viewpoints (and who had also refused to take the oath). One of the Hussite spokesmen was an English Lollard, Peter Payne, and the English eventually accused him of heresy and treason and angrily demanded the right to seize him for trial in

⁸⁵ Noël Valois, *La Crise Religieuse du XV^e Siècle: Le Pape et le Concile (1418–1450)*, 2 vols (Paris: Librairie Alphonse Picard et Fils, 1909), I, pp. 193–95.

⁸⁶ For a discussion of Chichele's relationship with Duke Humphrey, see Chapter 2, p. 100, note 109.

⁸⁷ Schofield, 'First English Delegation', pp. 179–83.

England. This request was not granted, and the Hussites subsequently returned to Bohemia unmolested.⁸⁸

However, despite the disappointments faced by these first English delegates, they retained the hope of reaching some sort of peace settlement with France through the Council's mediation. To this end, the English government informed the Council of Basel that it was sending more representatives to bolster those already present. These included such prestigious personages as Cardinal Beaufort, Lord Hungerford, the earl of Huntingdon, and the bishop of Rochester, and Archbishop Kemp was given an independent commission to represent the king and the English Church both to the Council and to Pope Eugenius IV.⁸⁹ As it happened, this instalment of reinforcements never got beyond Calais, where they were detained by a joint meeting of the English and Lancastrian French councils in April and May 1433 that discussed whether or not negotiations should be opened with Charles VII of France. In addition, relations between the Council of Basel and Pope Eugenius had further declined, raising fears of division in the Church as well as between Henry VI's two realms, should English and French clerics take opposing sides in the resulting schism. In the end, Beaufort, Kemp, and Hungerford remained in England to assist the royal government, and by the end of the summer of 1433, most of the original English delegation appears to have left Basel.⁹⁰

As we discussed in Chapter 3, Pope Eugenius had sent Kemp a letter requesting his presence in Rome in June 1432 so that he could consult the archbishop

⁸⁸ *Ibid.*, pp. 183–84.

⁸⁹ *Ibid.*, pp. 184–85.

⁹⁰ *Ibid.*, pp. 188–91; Schofield, 'England and Council of Basel', p. 249. For further discussion on Kemp's aborted trip to Basel and the politics surrounding the joint council meeting at Calais, see Chapter 3, pp. 135–39.

on diverse matters.⁹¹ Specifically, he had asked Kemp to attend the council that he had recently called to meet in Bologna in opposition to the Council of Basel, for he had need of the advice of such a veteran counsellor and diplomat.⁹² After returning to England from Calais at the end of May 1432, Kemp seems to have abandoned any hopes that he may have had of embarking upon a career abroad as an international churchman, but he still tried to use his influence to prevent division in the Church. Writing to the pope and the College of Cardinals from his Kentish residence of Olantigh on 2 June, he implored Eugenius to preserve Christian unity, claiming that he and ‘all of the prelates of the English nation’ had lamented the pope’s decision to actively oppose those assembled at Basel.⁹³

Kemp warned of the schism and ‘disfigurement’ that awaited the body of the Church militant should pope and Council abandon attempts to reconcile, and he exhorted Eugenius ‘in all humility’ to remember that Christ Himself had voluntarily submitted to the will of the Father despite being one with Him. He also drew upon the humble example of King David when he ‘spontaneously disposed of his royal regalia’ to dance nude before the Ark of the Covenant, which in no way ‘incurred infamy’ or ‘diminished his regality’.⁹⁴ Kemp suggested that the pope, although indisputably imbued with the ‘authority of Peter’, would be wise to compromise for the good of the entire Church, especially in such ‘turbulent days’ already rife with ‘infestations of

⁹¹ BL, Cotton MS Cleopatra C IV, fols 142^r, 191^v–192^r; Chapter 3, p. 137.

⁹² BL, Cotton MS Cleopatra C IV, fol. 192^r; *POPC*, IV, pp. 120–21; Schofield, ‘First English Delegation’, pp. 6–8.

⁹³ *Concilium Basiliense: Studien und Quellen zur Geschichte des Concils von Basel*, ed. by Johannes Haller, 8 vols (Basel: R. Reich, 1896–36), II (1896), pp. 316–18.

⁹⁴ *Ibid.*, p. 317.

heresy' and the 'lack of devotion of some laypeople'.⁹⁵ As we have seen, the pursuit of unity occupied many of Kemp's parliamentary addresses and stimulated his vigorous opposition to heresy, and his letter to Pope Eugenius highlights his fervent desire to avoid division in the universal Church, although it is also distinctly sympathetic towards the Council of Basel, implicitly treating it as a legitimate ecclesiastical authority along with the papacy.⁹⁶

In October 1433, Bishop Landriano returned to England to solicit further support from the royal government. Although the first delegation had not achieved much success, the council decided to send another embassy that included the bishops of London and Rochester and Bernard de la Planche, bishop of Dax and friend of Kemp.⁹⁷ Tensions had not eased between Basel and Rome, and the new representatives received specific instructions to use their influence to prevent schism in the Church. However, they were still given a fair amount of independence, using their discretion if proceedings were started against the pope himself but awaiting further orders from England should Eugenius actually be deposed and another elected in his place.⁹⁸ Nevertheless, the procurations did not evidence much interest in pursuing Church reform at Basel, instead focusing almost entirely on the prospects of negotiating peace with France. The envoys were instructed to work for a temporary truce rather than

⁹⁵ *Ibid.*, pp. 316–17.

⁹⁶ See Chapter 4, pp. 275–87, for an examination of Kemp's parliamentary addresses as chancellor.

⁹⁷ Schofield, 'England and Council of Basel', p. 249; Schofield, 'Second English Delegation', p. 35. For Kemp's relationship with Bishop de la Planche and their correspondence, see Chapter 2, pp. 78 (note 39), 96–97.

⁹⁸ Schofield, 'England and Council of Basel', pp. 249–50.

any sort of permanent peace settlement and to encourage the mediation of impartial arbitrators supplied by the Council fathers.⁹⁹

As anti-papal sentiments rose in the Council, the English delegates found themselves increasingly opposed to conciliar decrees, and they eventually left Basel in the summer of 1435, once again having little effect upon the general council.¹⁰⁰ However, they did manage to achieve what seems to have been their primary objective, laying the groundwork for the Congress of Arras, the peace conference between the English, French, and Burgundians co-arbitrated by Cardinal Hugues de Lusignan, representing the Council of Basel, and Cardinal Albergati, representing the papacy. As we have seen, the Congress was ultimately a failure, failing to achieve even a temporary truce with France and paving the way for the duke of Burgundy to reconcile with Charles VII. When it became clear that the English envoys, led by Kemp, would not negotiate their king's claim to the French throne or his sovereign right to the French territories that he had inherited from his father, the mediating cardinals had angry words with them and subsequently absolved Burgundy from the oath that

⁹⁹ *Ibid.*, p. 250; Schofield, 'Second English Delegation', p. 38; *Bekynton Correspondence*, II, pp. 260–69.

¹⁰⁰ For instance, the English delegates vigorously opposed the decree abolishing annates and other payments traditionally made to the papacy upon receiving ecclesiastical offices and dignities. But while they were decidedly wary of anti-papal decrees, they were also zealous guardians of the rights of the English Church and the prerogatives of the province of Canterbury therein. We can see these interests at work in the embassy's opposition to the decree restoring capitular elections: Schofield, 'England and Council of Basel', p. 251; Schofield, 'Second English Delegation', pp. 58–62.

he had taken to support the Treaty of Troyes, allowing him to make a treaty with France.¹⁰¹

Kemp himself deeply resented what he saw to be the cardinals' clear bias against the English cause, explicitly blaming them for the disastrous consequences of the Congress.¹⁰² The royal council's enthusiasm for the Council of Basel cooled perceptibly after this point, suggesting that perhaps they viewed it as partially responsible for the Congress's failure. While Albergati had taken the lead in arbitrating (and was afterwards referred to in England as a 'wolf in sheep's clothing'), Cardinal Lusignan, a man of distinguished French lineage, may well have favoured the cause of Charles VII.¹⁰³ Rightly or wrongly, the English certainly viewed him and his fellow arbitrator in this light, and the triumphant mass celebrated in Basel on the occasion of the reconciliation between France and Burgundy, followed by public thanks given to the Council by the archbishop of Lyons for its pursuit of peace, did nothing to improve English impressions.¹⁰⁴ To make matters worse, a longstanding argument over seating precedence between the Spaniards and the Lancastrian French delegates who had remained at the Council culminated in violence when the Castilian embassy dragged the bishop of Dax out of his seat and threatened him with swords in the very nave of the cathedral of Basel, while the archdeacon of Limerick was forcibly thrown down the steep tiered seating upon which the representatives sat. The Council failed to

¹⁰¹ For a detailed examination of the Congress of Arras and Kemp's role in it, see Chapter 3, pp. 143–56.

¹⁰² He was clearly still nettled by the stance taken by the cardinals when he spoke at the Calais peace conference several years later in 1439: *POPC*, V, p. 365.

¹⁰³ Joycelyne Gledhill Dickinson, *The Congress of Arras, 1435: A Study in Medieval Diplomacy* (Oxford: Clarendon Press, 1955), pp. 130–31.

¹⁰⁴ Schofield, 'England and Council of Basel', pp. 252–54.

suitably punish the perpetrators of this violence despite protests even from the Holy Roman Emperor, and the ensuing investigation into seating order awarded the Castilians their desired places.¹⁰⁵

Thus, the English government had little reason to continue supporting the Council of Basel by sending further delegations, and their waning support soon turned to outright opposition. Between 1436 and 1438, Piera da Monte, papal envoy and tax collector in England, delivered three addresses that argued against the presumption of those gathered at Basel. He ably defended papal authority and particularly played upon the problems already encountered by the English embassies – the abolishing of annates, the leniency showed to the Hussites, the controversial oath of incorporation, and the part played by the Council in the failed Congress of Arras (which was rather hypocritical considering the leading role taken by Cardinal Albertgati on behalf of the papacy). Most importantly, da Monte claimed that many at Basel hoped to move the Council to Avignon, where they planned to elect a rival French pope, a troubling prospect for the royal council, indeed.¹⁰⁶ Schofield doubts that the papal collector's orations did much to further sway English opinion against the Council, though he does accept that da Monte certainly improved England's relation with Pope Eugenius.¹⁰⁷ In the end, while the royal government never ceased to defend its rights under the Statute of Provisors, it simultaneously proved determinedly loyal to the papacy; the English did not even attempt to use the threat of supporting the Council of Basel to coerce the pope into respecting the prerogatives of the English Church.¹⁰⁸

¹⁰⁵ *Ibid.*, pp. 254–56; Schofield, 'Second English Delegation', pp. 55–57.

¹⁰⁶ Schofield, 'England and Council of Basel', pp. 256–57.

¹⁰⁷ *Ibid.*, p. 257.

¹⁰⁸ *Ibid.*

The conflict between Eugenius IV and the Council of Basel climaxed in 1437. The pope had continued his predecessor's ambition of reuniting the Greek and Roman Churches, and by 1436 to 1437, the Greeks agreed to discuss such a reconciliation in return for aid against Ottoman expansion.¹⁰⁹ They stipulated that the pope himself be present and requested that the negotiations take place along the Italian coast. In response, the Council conducted rival talks with the Greeks, suggesting Basel, Avignon, or Savoy as alternate locations. However, some members of the Council disagreed, attempting to select a location more agreeable to both Eugenius and the Greeks; when the majority of the Council rejected this conciliatory effort, those who had pursued it left Basel. On 18 September 1437, the pope issued a bull that transferred the Council from Basel to Ferrara for the purpose of meeting the Greek Christians, no doubt knowing full well that those still adhering to the Council would adamantly refuse to move.¹¹⁰ In January 1438, Eugenius's 'new' council convened at Ferrara under his presidency, with the Greeks arriving in March. The Council of Basel retaliated by suspending Pope Eugenius from office, and in November of the following year, they declared him a heretic and formally deposed him, electing an antipope, Duke Amadeus of Savoy, who assumed the name Felix V upon his election.¹¹¹ The schism that Kemp had dreaded from the beginning was now a reality.

From 1437, Henry VI began taking an increasingly active role in the daily government of the realm, and he soon made his personal sentiments known regarding the schism between Council and papacy. By the time that Eugenius's council convened at Ferrara early in 1438, the king announced his support for the papally-sanctioned

¹⁰⁹ Black, 'Popes and Councils', p. 71.

¹¹⁰ *Ibid.*, pp. 71-72; Schofield, 'England and Council of Basel', pp. 257-58.

¹¹¹ Schofield, 'England and Council of Basel', pp. 268-69; Black, 'Popes and Councils', pp. 72-73.

assembly and ordered his subjects to withdraw from Basel.¹¹² In February, Kemp presided over convocation for the northern province, which approved a delegation to be sent to Ferrara.¹¹³ Piero da Monte certainly viewed the archbishop as a papal ally at this point, writing him a letter in March that referred to Kemp's ecclesiastical merits in glowing terms.¹¹⁴ In May 1438, the Council of Basel once again sent an embassy to England seeking support, but this time they did not find the English to be at all friendly to their cause. The young king disapproved when the envoys referred to Pope Eugenius disrespectfully, and Archbishop Chichele angrily interrupted them to demand that they pay the 'true pope' due honour, especially as they were in a realm that still regarded Eugenius as the legitimate pontiff. Even the duke of Gloucester, who had shown such enthusiasm for the Council of Basel several years earlier, rebuked the Council's representatives.¹¹⁵ In his report to Pope Eugenius, da Monte specifically noted that Kemp, along with many other prelates, had refused the individual advances made by the delegation from Basel.¹¹⁶

Kemp's next interaction with representatives from Basel occurred during the peace conference that took place near Calais from July to September 1439.¹¹⁷ On 16 July, a delegation from the Council arrived at the conference to offer its services in the pursuit of peace and, ostensibly, to revive English support. As the head of the English

¹¹² Schofield, 'England and Council of Basel', pp. 260–62.

¹¹³ Reg. Kemp York, fols 41r–41v, 497v–498r; Johannes Haller, *Piero da Monte: ein Gelehrter und päpstlicher Beamter des 15 Jahrhunderts* (Rome: Bottega d'Erasmus, 1941), p. 68.

¹¹⁴ Haller, *Piero da Monte*, pp. 53–55. For example, da Monte concludes his letter by addressing Kemp as '*decus pontificum et splendor ecclesie Anglicane*'.

¹¹⁵ *Ibid.*, pp. 62–70; Schofield, 'England and the Council of Basel', p. 262, 264–65.

¹¹⁶ Haller, *Piero da Monte*, p. 68.

¹¹⁷ For a discussion of this peace conference, see Chapter 3, pp. 162–70.

embassy at Calais, Kemp addressed the envoys, responding 'very elegantly'. He thanked them for their apparent zeal for peace but firmly rejected their participation in the proceedings, declaring his support of Eugenius IV and admonishing the Council for dividing the Church.¹¹⁸ The ubiquitous Piero da Monte subsequently sent the pope a letter that described Kemp's loyal speech in vivid (if perhaps somewhat exaggerated) terms, and within months Pope Eugenius elevated Kemp to the cardinalate.¹¹⁹ Henry VI, too, intensified his adherence to the papal cause in 1440, sending a strong letter of support to Rome and commanding all of his Norman subjects to remain obedient to Eugenius on pain of forfeiture of property and confiscation of goods.¹²⁰

Despite Henry VI's firm defence of Pope Eugenius as the true head of the Church, the antipope, Felix V, nevertheless sent a nuncio to England in April 1440 in an attempt to gain English recognition of his claim to the papacy. Kemp addressed the nuncio, and da Monte once again provided a description of his oration in a report to Eugenius. According to the report, Kemp strongly denounced Felix as a false usurper

¹¹⁸ *POPC*, V, pp. 364–66.

¹¹⁹ Haller, *Piero da Monte*, pp. 112–15. In Thomas Bekynton's official account, Kemp is recorded to have firmly refused the offer from the envoys but in a simple, fairly polite manner. Da Monte, on the other hand, presents Kemp as a fiery defender of the pope's honour, inserting vivid examples of what he claims to be verbatim quotations from Kemp's oration. These quotations depict the archbishop thoroughly castigating the representatives from Basel; for example, according to da Monte, Kemp began by furiously exclaiming, 'Truly, I say, from the very beginning of your assembly you have saturated the entire Church with innumerable scandals, divisions, and disturbances!' (*Vos enim, inquit, ab ipso conventionis vestre exordio innumera scandalis divisionibus ac perturbationibus totam replevistis ecclesiam*): Haller, *Piero da Monte*, pp. 112–13.

¹²⁰ *Bekynton Correspondence*, II, pp. 91–94; Schofield, 'England and Council of Basel', p. 269.

and even went so far as to mock his notable lack of spiritual training and theological education for one who laid claim to the highest office in Christendom.¹²¹ Eugenius certainly appreciated Kemp's loyalty and pressed him repeatedly to come to lend his wisdom and experience to the curia.¹²² In the autumn of 1440, the pope was still expecting his new cardinal to make the journey, with a detour to the Holy Roman Empire to exhort the princes there to defend more decisively Eugenius's cause.¹²³ As usual, however, political affairs kept Kemp in England and France and prevented him from ever departing for Rome, if ever he had genuinely been so disposed. While we have observed his refusal to allow papal interests to interfere with the Statute of Provisors, Kemp's fidelity to the papacy amidst Eugenius's conflict with the Council of Basel made its mark and earned him a cardinal's hat in the process.

The Two Archbishops and the Cardinal's Hat

When news of Kemp's elevation to the cardinalate reached England at the end of January 1440, not everyone greeted it with the exuberance expressed by Henry VI.¹²⁴

¹²¹ Haller, *Piero da Monte*, pp. 278–80. The reference to Felix V's lack of the usual experience was certainly true; he had been duke of Savoy before retiring to a quasi-monastic life with a group of fellow hermetic knights, but he had no formal training in the Church: Ursula Giessmann, 'Felix V, the Last Antipope', in *A Companion to the Council of Basel*, ed. by Michiel Decaluwe et al., *Brill's Companions to the Christian Tradition*, 74 (Leiden: Brill, 2017), pp. 443–67 (pp. 443–47).

¹²² Chapter 3, pp. 175–76.

¹²³ Haller, *Piero da Monte*, pp. 228–29.

¹²⁴ For a discussion of the king's enthusiastic letters to Eugenius IV upon Kemp's elevation, see Chapter 3, pp. 175–77.

Archbishop Chichele had vigorously opposed Henry Beaufort's elevation for years and had even managed to delay it with the help of Henry V in 1417.¹²⁵ Even though the duke of Bedford finally managed to procure Beaufort's long-desired red hat in 1427, the archbishop of Canterbury remained mistrustful, and opposition to him from Beaufort partisans such as Thomas Polton, who worked to undermine Chichele at the curia by insinuating that he opposed the pope's attempts to abolish the Statute of Provisors, only reinforced his opinion of the cardinal.¹²⁶ Now the archbishop was faced with the prospect of two cardinals, and the fact that Kemp was also archbishop of York made the idea even more unpalatable — after all, York had not always gladly accepted the authority of Canterbury in the past.

Ultimately, the dispute that arose between Kemp and Chichele stimulated a papal bull, known as *Non mediocri dolore*, that shaped the position of cardinals within the Church hierarchy for the next five hundred years. Despite such important ramifications, however, there is not one trace of the debate in existing English records, which perhaps explains why so few scholars have addressed it. Indeed, there is only one article entirely devoted to the subject, written by Walter Ullmann in 1961; thirty years later, Margaret Harvey wrote a complementary article re-evaluating Ullmann's assessment of the role played by the papal lawyer Antonio Caffarelli.¹²⁷ Aside from the resulting bull, the only evidence of the conflict over Kemp's elevation to the cardinalate comes from two letters written by Piero da Monte, one to Eugenius IV and

¹²⁵ Allmand, *Henry V*, pp. 260–61; Harriss, *Cardinal Beaufort*, pp. 94–98.

¹²⁶ See Chapter 1, p. 58.

¹²⁷ As cited above, note 3; Ullmann, 'Eugenius, Kemp, and Chichele', pp. 359–83; Harvey 'Role of Caffarelli', pp. 329–44.

the other to the College of Cardinals.¹²⁸ Da Monte did not state when the dispute began, although it may have begun during parliament between late January (when word of Kemp's elevation reached England) and the end of parliament on 24 February 1440. However, as Kemp did not begin using the title of cardinal in government documents until June, it may well be that this is the point at which Chichele's vocal opposition began, and this later date is supported by the fact that da Monte's letter urgently requesting papal action on behalf of the new cardinal was written on 1 August.¹²⁹

The origins of the dispute arose from Kemp claiming precedence over all prelates 'in seating, in placement, and in voting' in parliament, based on his new status as cardinal.¹³⁰ Cardinal Beaufort's name had appeared before the archbishop of Canterbury's on conciliar documents and parliamentary records ever since his own elevation, and it appears that Kemp demanded the same courtesy. According to da

¹²⁸ Da Monte's letter to Eugenius IV is fully transcribed by Haller, *Piero da Monte*, pp. 168–69. As Haller does not transcribe the letter to the College of Cardinals in his collection of da Monte's writings (it is merely listed under a heading with the first line of the letter), Ullmann provides a complete transcription in 'Eugenius, Kemp, and Chichele', p. 363, note 22. Eugenius's letter was first transcribed by Cardinal Dominic Jacobazzi in his early sixteenth-century collection *De Concilio Tractatus* (Rome, 1538). Jacobazzi is the first scholar known to have discussed the dispute between Kemp and Chichele; a complete edition of his work commences Joannes Dominicus Mansi's colossal eighteenth-century work on Church councils, *Sacrorum Conciliorum Nova, et Amplissima Collectio*, 0 (Introductio).

¹²⁹ TNA, E 28/63; Harvey, 'Role of Cafarelli', pp. 334–35; Ullmann, 'Eugenius, Kemp, and Chichele', p. 363. In his letter of 1 August, da Monte also refers to Chichele's 'recent' insolence.

¹³⁰ '...erat enim controversia inter archiepiscopum...et inter cardinalem sanctae Balbinae in sedendo, in loco et in voto et aliis in parlamentis regni Angliae': *Sacrorum*, 0 (Introductio), p. 35; Ullmann, 'Eugenius, Kemp, and Chichele', p. 360.

Monte, Chichele indignantly protested what he saw to be a usurpation of his rights and authority as primate of England, 'asserting that a superior place was owed to himself and his church of Canterbury' and claiming precedence in voting 'in the king's council as elsewhere'.¹³¹ The archbishop had made known his displeasure by releasing a public document declaring the lawful privileges that the archbishops of Canterbury traditionally possessed; da Monte noted that he had enclosed a copy of this declaration along with his letter to the pope, though frustratingly, no such copy is now extant.¹³² The papal tax collector, who held Kemp in very high regard, was thoroughly incensed by Chichele's opposition and warned the pope and the cardinals that this display of insubordination must be firmly squashed for the security of the entire Church hierarchy.¹³³ In his letter to the College of Cardinals, he specifically highlighted the damage that the archbishop's campaign could do to the status and authority of all cardinals, a sure way to galvanise the curia into taking immediate action.¹³⁴

Based on Dominicus Jacobazzi's assessment, Ullmann claims that Archbishop Chichele, 'adamant and in a pugnacious frame of mind', hired the services of a famous

¹³¹ '*...asserens sibi et ecclesie sue Cantuariensi priorem ac superiorem locum deberi, in prestandis quoque suffragiis tam in consilio regio [sic] quam alibi*': Haller, *Piero da Monte*, p. 168.

¹³² *Ibid.*, p. 169.

¹³³ We have seen da Monte's esteem for Kemp in his letters, discussed above, p. 334, note 114. In 1436, da Monte wrote a letter to William Wells, abbot of the Abbey of St. Mary in York that likewise lavished the archbishop with praise, calling him 'the singular light of the English Church' and dwelling upon his unmatched knowledge and virtue (*'Domino meo precipuo domino archiepiscopo Eboracensi, qui singulare quoddam lumen est ecclesie Anglicane, me plurimum commendabis, eius prestantie scientie ac vertuti adeo deditus sum ut nemini magis'*): Haller, *Piero da Monte*, p. 14.

¹³⁴ *Ibid.*; Ullmann, 'Eugenius, Kemp, and Chichele', pp. 362–63.

Roman lawyer, Antonio Caffarelli.¹³⁵ He goes on to assert, again based upon Jacobazzi's observations, that Caffarelli argued his case by drawing a distinction between cardinals who resided at the curia and those who did not, declaring that a non-resident cardinal such as Kemp should not enjoy the same rights and privileges of curial cardinals. A cardinal absent from the papal curia was likened to a 'fish out of water'.¹³⁶ To judge from the counterarguments contained in Pope Eugenius's bull, it appears that Chichele (and, according to Ullmann, Caffarelli) argued that Kemp's status as a cardinal-priest (his new title was the cardinal-priest of St. Balbina) stripped him of his episcopal *ordo* when acting as a cardinal, placing him decidedly below the *ordo* of the archbishop of Canterbury.¹³⁷

When Ullmann wrote his article, there were no known extant works by Antonio Caffarelli, so he was obliged to base his assumptions solely on his interpretation of Jacobazzi's remarks and the contents of Eugenius's resulting bull.¹³⁸ Since 1961, however, writings by Caffarelli himself have come to light, the most important of which are several *consilia* dating to the 1430s and 1440s and pertaining to the nature and status of the cardinalate. These show Caffarelli to in fact argue on behalf of papal authority and the pre-eminence of cardinals over bishops, casting doubt upon Ullmann's assertions that the lawyer had defended Archbishop Chichele's claims. In the first *concilium*, composed in 1435, Caffarelli declared popes to be superior to

¹³⁵ Ullmann, 'Eugenius, Kemp, and Chichele', p. 364.

¹³⁶ Ibid., p. 365. '*...quod cardinalis absens a curia est sicut piscis extra aquam*': *Sacrorum*, 0 (Introductio), p. 35.

¹³⁷ *Sacrorum*, 0 (Introductio), p. 36.

¹³⁸ Writing less than a century after the events in question, Jacobazzi notes that he had consulted works by Caffarelli, though any trace of these subsequently disappeared until fairly recently: *Sacrorum*, 0 (Introductio), p. 35 Harvey, 'Role of Caffarelli', pp. 329-30.

general councils according to canon law, simultaneously claiming that cardinals, as a part of the papal body itself, were entitled to some of the same divine rights as the pope (in this case, the annates abolished by the Council of Basel).¹³⁹

More directly pertinent to the Kemp-Chichele dispute, two other *consilia* written by Caffarelli deal with the status of cardinals. The first answers the question of who could appoint cardinals – the pope alone, the pope with his curia, or the College of Cardinals itself. The second suggests much about Caffarelli’s role in the later dispute and the papal response that favoured Kemp’s stance. It discusses at length the nature of the cardinalate, considering three main questions: was the cardinalate an ecclesiastical dignity or a simple office; if it was a dignity, was it a higher dignity than that of bishops; and – most significantly for our purposes – if a cardinal was indeed inherently superior to a bishop, did that give the newly elevated archbishop of York the right to claim precedence over the archbishop of Canterbury in seating and voting at English parliaments?¹⁴⁰

As Harvey observes, this second *consilium* is clearly that which was prepared for the Kemp-Chichele case.¹⁴¹ Unfortunately, only half of the manuscript survives, in which Caffarelli presented the opposition’s arguments before continuing to make his own counterarguments. However, by combining the opposing arguments that Caffarelli discussed with his full views contained in the other two extant *consilia*, Harvey manages to develop a convincing narrative that sheds greater light upon

¹³⁹ Harvey, ‘Role of Caffarelli’, pp. 331–32.

¹⁴⁰ ‘...in universalibus regni Anglie parliamentis tam in loco quam in voto precedere debeat Archiepiscopum Cantuariensem dicti regni primate, apostolice sedis natum legatum, qui ex consuetudine de qua non est memoria in parliamentis huiusmodi primaciam loci votique tenuerat immediate post regem’: Ibid., pp. 329–330.

¹⁴¹ Ibid., p. 330.

Kemp and his conflict with Chichele. The other *consilium* pertaining to the cardinalate appears to have been drafted on behalf of Gerardo Landriano, the bishop of Lodi who had been elevated to the cardinalate at the same time as Kemp.¹⁴² As we have already discussed, Landriano had been an early defender of the Council of Basel, travelling to England twice to garner support for the conciliar movement, but he had become disillusioned with the Council's combative stance towards the papacy and had subsequently returned to the curia in 1437.¹⁴³ The arguments that Caffarelli presented throughout this *consilium*, as well as the one pertaining to annates, consistently promoted both papal prerogative and the exalted status of cardinals. Most significantly, the lawyer set forth a complex but definitive stance on the place of cardinals within the Church hierarchy, stating that while a cardinal-priest might be inferior in *ordo* to a bishop, the cardinal's dignity and administrative authority was far greater, giving him precedence over any mere bishop.¹⁴⁴ Although we are missing the section of the *consilium* that deals with the Kemp-Chichele dispute specifically, Caffarelli's arguments in Landriano's case suggest that he considered the two archbishops to be equal in *ordo* and Kemp to be superior in office and dignity by right of his cardinalate.

Pope Eugenius's bull borrows heavily from Caffarelli's arguments, though making some adjustments to further emphasise papal prerogative, which lends further credence to Harvey's view of the role that the lawyer played in the Kemp-Chichele case. In fact, it presents the distinct possibility that, contrary to Ullmann's belief, Caffarelli in fact acted on Kemp's behalf rather than Chichele's, perhaps with the

¹⁴² *Ibid.*, pp. 330–33.

¹⁴³ See above, pp. 323–25, 329; Lorenzo Cardella, *Memorie Storiche de' Cardinali della Santa Romana Chiesa*, 9 vols (Rome: Pagliarini, 1792–97), III (1793), pp. 80–81.

¹⁴⁴ Harvey, 'Role of Caffarelli', pp. 339–41.

additional support of Cardinal Landriano, who had known Kemp for years and had shown the highest regard for him in his previous correspondence with the Council of Basel.¹⁴⁵ In *Non mediocri dolore*, the pope repeated Caffarelli's important distinctions between *ordo*, office, and dignity and added the sensible observation that, if Chichele's claim that an archbishop was superior to a cardinal-priest were considered valid, then the elevation of a prelate to the cardinalate was 'not a promotion, but a demotion; not an honour, but a dishonour'.¹⁴⁶ At the same time, with his own dispute with the Council of Basel at the forefront of his mind, the pope cleverly asserted that, while the cardinals metaphorically formed part of the pope's body, they received their authority through the *potestas jurisdictionis* that God invested in the pope alone. Through a neat separation of *potestas ordinis* and *potestas jurisdictionis*, he allowed that the cardinalate partially shared in the divine rights of the papacy (again using Caffarelli's arguments) while also declaring the pope, as vicar of Christ, to be the sole dispenser of jurisdictional offices such as the cardinalate.¹⁴⁷ In conclusion, Eugenius informed Archbishop Chichele in no uncertain terms that his cause was 'irrational', and he commanded him to abandon his opposition to Kemp's claims, ending with the dire warning that further obstruction would result in the breakdown of essential order and stability within the ranks of those who served the Church.¹⁴⁸

In the event, there is nothing in the records to suggest that Kemp ever actually used his hard-won acknowledgement of precedence in an attempt to exert his

¹⁴⁵ Ibid., pp. 336–37, 342–44; above, pp. 323–25.

¹⁴⁶ '*Quinimo si eis suas priores ecclesias in titul. dimittat, non amplius sub nomine ecclesiarum sed tituli cardinalatus scribit, quasi ad maiorem dignitatem, et jurisdictionem assumpserit: alioquin non ascendisse sed descendisse, non honorari sed dehonori viderentur*': *Sacrorum*, 0 (Introductio), p. 37.

¹⁴⁷ Ibid., pp. 51–52; Ullmann, 'Eugenius, Kemp and Chichele', pp. 373–77.

¹⁴⁸ *Sacrorum*, 0 (Introductio), pp. 37–38.

authority within the southern province or to otherwise usurp the traditional rights of the see of Canterbury. His sole concern appears to have been the principle behind his claims; his name did, indeed, henceforth appear before that of the archbishop of Canterbury (and even before that of the heir presumptive, the duke of Gloucester), but there the matter ended.¹⁴⁹ The conflict also shows how highly the king and other leading figures of the realm regarded Kemp. When Archbishop Chichele had complained against Henry Beaufort's first attempt at obtaining the cardinal's hat in 1417, it had very nearly ruined Beaufort, despite his wealth and bloodline.¹⁵⁰ Even after his eventual elevation in 1427, Cardinal Beaufort remained vulnerable to Duke Humphrey's attacks and, perhaps, Chichele's lingering resentment. Kemp, on the other hand, proved remarkably impervious to the archbishop of Canterbury's furious public protests, receiving particularly enthusiastic support from Henry VI himself. As Davies remarks: 'This time, [Chichele's] protests were treated with contempt. Crown and papacy were in agreement over Kemp's merits and position'.¹⁵¹ John Kemp thus became the first cardinal-archbishop in England since Stephen Langton in the early

¹⁴⁹ For example, in the roll for the parliament of February 1445, he tops the list of triers of petitions for England, Ireland, Wales, and Scotland before the dukes of Gloucester and Norfolk. In the same roll, a royal grant again places Kemp first, ahead of Archbishop John Stafford, Chichele's successor at Canterbury: *PROME*, XI, pp. 396, 404–07.

¹⁵⁰ For a discussion of the debacle surrounding Beaufort's initial elevation in 1417, see Harriss, *Cardinal Beaufort*, pp. 91–114.

¹⁵¹ R.G. Davies, 'Kemp [Kemp], John (1380/81–1454)', *ODNB*, XXXI, p. 174.

thirteenth century, and he has the honour of being the first sitting English archbishop to be elevated to the cardinalate while holding his archdiocese *in commendam*.¹⁵²

While the Kemp-Chichele dispute may have passed without notice in contemporary English records, it carried significant implications for the development of the Roman Church. Although various writings and papal decrees had addressed individual aspects of the unique status of cardinals within the Church hierarchy, until 1440 no pope had ever explicitly outlined the reasons for which the cardinalate was superior to all other ecclesiastical offices and dignities. Kemp's defence of his rights and privileges engendered a detailed exposition by Antonio Caffarelli, one of the foremost lawyers of the day, in a case that 'forced the papacy to declare itself'.¹⁵³ Amidst the conflict between Eugenius IV and the Council of Basel and the general decline of papal authority since the beginning of the Great Schism in the fourteenth century, *Non mediocri dolore* stands as a monument of first-rate importance to the re-emerging confidence and power of the papacy, as well as to the ability of Pope Eugenius in masterfully defending the exalted status of cardinals while at the same time reaffirming the supremacy of the Holy See. Its influence was long felt, for the bull informed all subsequent canon law regarding the position of the cardinalate until the latter half of the twentieth century.¹⁵⁴

¹⁵² Stephen Langton was already a cardinal when Pope Innocent III provided him to the see of Canterbury in 1206: Christopher Holdsworth, 'Langton, Stephen (c. 1150–1228)', *ODNB*, XXXII, p. 518.

¹⁵³ Ullmann, 'Eugenius, Kemp and Chichele', p. 367.

¹⁵⁴ *Ibid.*, pp. 382–83; Harvey, 'Role of Caffarelli', p. 329.

In Conclusion

From the reign of Henry V, service to the Crown secured Kemp's ascent through the ranks of both the royal government and the episcopal hierarchy, earning him the posthumous reputation of being a 'thoroughly political ecclesiastic'.¹⁵⁵ Nonetheless, he remained ever mindful of his position as a churchman, especially in the defence of orthodoxy and the pursuit of Christian unity. Based on his actions and decisions as a prelate, it is clear, however, that he viewed his ultimate duty to lie with the intertwined interests of the Lancastrian Crown and the English Church, even if such loyalty came at the expense of papal agendas. But even when he found himself obliged to ignore the pope's requests or commands, he managed to navigate the competing demands of Church and state with such a remarkable degree of diplomacy that he nearly always remained in favour with both king and pontiff. In light of the difficulties faced by contemporary prelates – Cardinal Beaufort, Archbishop Chichele, and Bishop Fleming, just to name a few discussed in this chapter – in similar endeavours, Kemp's feat is all the more remarkable.

In his refusal to act against the liberties of the English Church and the Crown as enshrined in the Statute of Provisors, Kemp unequivocally showed that he was first and foremost a devoted Lancastrian servant. At the same time, he dexterously managed to retain the esteem of Martin V and Eugenius IV, receiving extraordinary promotions and favourable decisions from both pontiffs. In the pursuit of maintaining good relations between England and Rome while also preserving national interests, Kemp showed himself to be willing to compromise, for example cleverly choosing to provide papal relatives to benefices within his gift. The collation of such foreigners may have received censure from implacable critics such as Gascoigne, but it was

¹⁵⁵ T.F. Tout, 'Kemp or Kempe, John (1380?-1454)', *DNB*, III, p. 388.

undeniably effective in pacifying Rome and in avoiding pointless open strife between Church and state.

Yet Kemp's dedication to the Crown should not be taken as evidence of his indifference towards the Church and spiritual matters. As we have seen, he genuinely hoped that the Council of Basel might provide effective solutions to the spread of heresy and even to conflict between nations. As tensions rose between the Council and Eugenius IV, Kemp attempted to strive for Christian unity in person by travelling to meet with the pope and the fathers at Basel, and when that proved impossible, he wrote a letter strongly advising Eugenius to compromise for the sake of the entire Western Church. However, when the conflict disintegrated into actual schism and the Council elected its own antipope, his faith in the good that might have arisen from the general council gave way to opposition as he fiercely defended unity under the authority of the Holy See. There is no reason to believe that his *volte-face* on the issue of the Council was politically calculated for his own advancement.¹⁵⁶ Indeed, when considered in the context of his words and actions as a councillor and as a chancellor, his decisions in this matter are entirely in keeping both with his commitment to

¹⁵⁶ For instance, the evidence shows that he was genuinely surprised by the pope's decision to elevate him to the cardinalate and that he was initially dubious about accepting the honour, making it doubtful that his defence of the papacy was designed to obtain further preferment. There is nothing to suggest that his gradual transition from supporting the Council of Basel to defending Eugenius IV arose from anything other than his personal beliefs regarding Christian unity and the fading potential of the Council to achieve its initial objectives of peace and reform: Chapter 3, pp. 174-76.

conciliar ideals and his dedication to preserving unity, whether in the realm of England or in the universal Church.¹⁵⁷

Finally, the dispute between Cardinal Kemp and Archbishop Chichele highlights Kemp's meticulous observation – and defence of – his rights and prerogatives.¹⁵⁸ However, it also illuminates something more about his character, for after winning the argument, and armed with a papal bull to support his claims, he never used his cardinalatial status to usurp the traditional authority of the archbishop of Canterbury.¹⁵⁹ Nevertheless, his insistence upon the principle of the matter provided the opportunity for Eugenius IV to masterfully assert his own papal authority and to finally make an explicit decision on the precise nature of the cardinalate in *Non mediocri dolore*. Beaufort may have broken the ground by prevailing over his enemies to retain both his hard-won cardinal's hat and the see of Winchester, but the definitiveness of Kemp's victory and the resulting bull set the tone for the

¹⁵⁷ See Chapter 5, pp. 275–87 and Conclusion, pp. 355–57, for a discussion of themes of unity within Kemp's parliamentary addresses. His strenuous endeavours to preserve unity within the royal government are discussed throughout this thesis, especially in Chapters 2 and 4.

¹⁵⁸ See Chapter 3, pp. 179–82, for an example of Kemp asserting his temporal prerogatives as archbishop of York against the resentment of the powerful earl of Northumberland.

¹⁵⁹ In his thesis on Stafford and Kemp as archbishops of Canterbury, David Blair Foss notes this fact but fails to give any of the credit to Kemp's character, instead opining: 'To Stafford's tact can probably be credited...the fact that Canterbury's status in relation to the northern metropolitical see and the powerful suffragan sees of his own province retained its delicate pre-eminence, despite the existence now of cardinals at both Winchester and York': 'The Canterbury Archiepiscopates of John Stafford (1443–52) and John Kemp (1452–54) with Editions of their Registers' (unpublished doctoral thesis, University of London, 1986), p. 244.

remainder of the late medieval English Church, with another four cardinals holding episcopates *in commendam* until Henry VIII's reforms.¹⁶⁰

It is easy to dismiss John Kemp merely as a 'thoroughly political ecclesiastic', as T.F. Tout did, or as one of the 'most ambitious prelates among the higher clergy', as E.F. Jacob opined.¹⁶¹ In his thesis on the Canterbury archiepiscopates of Kemp and Stafford, David Blair Foss takes a fairly dim view of both men overall, based mostly upon the relative lack of attention that they paid to their archdioceses, though his regrettably overgeneralised statement that fifteenth-century bishops were, on the whole, 'mediocre' suggests that we should take his views with a pinch of salt.¹⁶²

¹⁶⁰ These were Kemp's immediate successors at Canterbury, Cardinals Thomas Bourchier and John Morton, as well as Cardinal-Archbishops Christopher Bainbridge and Thomas Wolsey of York: Linda Clark, 'Bourchier, Thomas (c. 1411-1486)', *ODNB*, VI, pp. 824-25; Christopher Harper-Bill, 'Morton, John (d. 1500)', *ODNB*, XXXIX, p. 423; D.S. Chambers, 'Bainbridge, Christopher (1462/3-1514)', *ODNB*, III, pp. 319-20; Sybil M. Jack, 'Wolsey, Thomas (1470/71-1530)', *ODNB*, LX, p. 19. Bishop John Fisher of Rochester was also made a cardinal in 1535, although at that point Henry VIII had already imprisoned him and officially deprived him of his bishopric: Richard Rex, 'Fisher, John [St. John Fisher] (c. 1469-1535)', *ODNB*, XIX, pp. 691-92. Reginald Pole was the last Cardinal-Archbishop of Canterbury, under the restoration of Roman Catholicism during the reign of Mary I: T.F. Mayer, 'Pole, Reginald (1500-1558)', *ODNB*, XLIV, pp. 721-22. It is noteworthy that, previous to Kemp, the only two archbishops to have been elevated to the cardinalate during their archiepiscopates, Robert Kilwardby in 1278 and Simon Langham in 1368, both resigned their sees and took up residence in the curia: Simon Tugwell, 'Kilwardby, Robert (c. 1215-1279)', *ODNB*, XXXI, pp. 582-83; W.J. Dohar, 'Langham, Simon (d. 1376)', *ODNB*, XXXII, p. 483. See also Walter Gumbley, 'Cardinals of English Sees', *Blackfriars*, 19 (1938), 83-91.

¹⁶¹ Tout, 'Kemp, John', p. 388; *Reg. Chichele*, I, p. xcii.

¹⁶² Foss, 'Stafford and Kemp', pp. 240-45.

Despite writing a work with an entirely ecclesiastical focus, Foss also ventures to claim that ‘neither was the century a period of able statesmen and political leaders’, citing the crises that increasingly beset the realm, and characterised Kemp’s (and Stafford’s) career in royal service as one of ‘unspectacular reliability’, though ‘not of the calibre called for by the troubles of the time’.¹⁶³ We trust that this thesis stands as a refutation of such underinformed opinions.

Regarding the seriousness with which Kemp took his role as a prelate, all of the evidence shows that he earnestly strove to defend orthodoxy, to provide competent diocesan administration, and, above all, to promote unity – as Christians and as subjects of the English Crown. These two identities were inseparable to Kemp, mutually reliant upon one another. As we have seen, he was called upon more than once as the royal government’s best hope of restoring political harmony and stability; arguably, his prioritising the good of the whole realm goes a long way in exonerating him from the bitter accusations of spiritual neglect levelled by critics like Gascoigne.¹⁶⁴ And it appears that Kemp did, indeed, feel remorse that the inescapable responsibilities of state had taken their toll on his spiritual calling. He expressed as much in the royal license for the foundation of the College of St. Gregory and St. Martin at Wye and in his preamble to the college’s statute book, in which he lamented that his royal service had ‘left him no leisure for his cures of souls and the due performance of

¹⁶³ Ibid., p. 245.

¹⁶⁴ While there was not sufficient time or space to analyse Kemp’s diocesan record in the present work, suffice it to say that Gascoigne’s assertion that Kemp had spent barely two or three weeks in his archdiocese of York during the space of a decade is patently untrue: *Loci e Libro*, pp. 36–37. Kemp’s registers show that he in fact spent most summers in Yorkshire (while the royal council was in recess), and as we have seen, his periods of residence increasingly lengthened throughout the 1440s: Chapter 3, p. 179.

prayer'.¹⁶⁵ He professed that he was 'desirous so far as he may of repairing this defect' by founding a collegiate church that would provide the people of Wye with regular worship and the 'daily celebration namely of that inestimable and incomparable sacrifice, that is to say of the most precious body and blood of our Lord Jesus Christ'.¹⁶⁶ Perhaps historians of the twenty-first century would do well to re-evaluate the often heavy-handed and unsympathetic way in which their predecessors have judged the men who earnestly strove to serve both God and king.

¹⁶⁵ *CPR* (1429–36), p. 189.

¹⁶⁶ *Ibid.*; ICA, Statute Book for the College of St. Gregory and St. Martin at Wye, 1448 [uncatalogued], fol. 1^r.

Conclusion

Kemp Assessed

'The last great civil servant of the house of Lancaster'; 'a man of wisdom, experience, and moderation'; 'a thoroughly political ecclesiastic'; 'as honest a specimen of the political churchman as an essentially bad system could produce'; a cardinal guilty of 'treachery to the national Church': such are the range of wildly disparate views on Cardinal-Archbishop John Kemp that scholars have produced across the last two centuries.¹ A.H. Thompson once observed that we know more about many twelfth-century prelates than we do about most of their fifteenth-century successors: 'Anselm and Turstin, Becket and St. Hugh are living figures, but of Beaufort and Kemp, Bouchier and Rotherham, in spite of their prominence in the State, we have only faint outlines'.² Such a state of affairs might be said to excuse scholars for their confused or downright inaccurate statements about figures like Kemp. However, since Thompson's day, vital works such as G.L. Harriss's biography of Cardinal Beaufort have emerged, and in that tradition the present work has shown that it is likewise possible to construct a picture of Kemp, both as a political figure and as an individual.³ Frank Millard, despite viewing Kemp in an unusually negative light, has called for a

¹ R.L. Storey, *The End of the House of Lancaster* (Gloucester: Alan Sutton Publishing, 1986), p. 82; Ralph Griffiths, *The Reign of King Henry VI* (Stroud: Sutton Publishing, 2004), p. 724; T.F. Tout, 'Kemp or Kempe, John (1380?-1454)', *DNB*, III, p. 388; *Paston*, I, p. 142; *The Church Quarterly Review*, 169 vols (London: Spottiswoode, 1875-1968), XIII (1882), p. 351.

² A.H. Thompson, *The English Clergy and their Organization in the Later Middle Ages* (Oxford: Clarendon Press, 1947), p. 41.

³ G.L. Harriss, *Cardinal Beaufort: A Study of Lancastrian Ascendancy and Decline* (Oxford: Oxford University Press, 1988).

much more comprehensive study of the ‘ubiquitous’ prelate and his role in the Lancastrian government.⁴ Now that this has been accomplished, what conclusions can we draw about Kemp, both as an individual and as a leading participant in the late Lancastrian government and in broader fifteenth-century political culture?

As is well known, bishop-statesmen played a large role in late medieval English government, and they became especially prominent under the Lancastrian kings.⁵ Henry IV and Archbishop Arundel forged as close a union between Church and state as had yet been seen in England, and secular and spiritual authorities alike were vigorous in the defence of orthodoxy and the persecution of heresy.⁶ Throughout the many crises of Henry IV’s reign, the prelates formed an essential part of the group of lords who bulwarked the regime through a series of formalised councils, and episcopal administrators such as Arundel and Beaufort came to wholeheartedly espouse the necessity of conciliar principle in the pursuit of good governance.⁷ Henry

⁴ Frank Millard, ‘Politics and the Creation of Memory: The Afterlife of Humphrey Duke of Gloucester’ (unpublished doctoral thesis, University of London, 2008), p. 274.

⁵ See Lita-Rose Betcherman, ‘The Making of Bishops in the Lancastrian Period’, *Speculum*, 41 (1966), 397–419.

⁶ Jonathan Hughes, ‘Arundel [Fitzalan], Thomas (1353–1414)’, *ODNB*, II, pp. 565–69; Chris Given-Wilson, *Henry IV* (New Haven: Yale University Press, 2016), pp. 366–82.

⁷ This is especially noticeable in their parliamentary addresses: see J.M. Grussenmeyer, ‘Preaching Politics: Lancastrian Chancellors in Parliament’, in *The Fifteenth Century XV*, ed. by Linda Clark (Woodbridge: Boydell Press, 2017), pp. 125–43. For more discussion (from differing viewpoints) on the place of conciliarism in Lancastrian politics, see A.L. Brown, ‘The Commons and the Council in the Reign of Henry IV’, *EHR*, 79 (1964), 1–30; Chris Given-Wilson, *The Royal Household and the King’s Affinity: Service, Politics and Finance in England, 1360–1413* (New Haven: Yale University Press, 1986); John Watts, ‘The Counsels of King Henry VI, c. 1435–1445’, *EHR*, 106 (1991), 279–98; Douglas Biggs, ‘The Politics of Health: Henry IV and the Long Parliament

V, a famously pious man himself, relied significantly upon clerical administrators at home and abroad, giving men like Kemp their first taste of government service, as well as providing them with their initial offices and dignities in both Church and state.⁸

With the accession of the infant Henry VI in 1422, the role of political prelates became even more pronounced, forming as they did such a substantial segment of the minority council.⁹ Mitred men like Thomas Langley, John Stafford, Henry Chichele, and, of course, the redoubtable Henry Beaufort formed the backbone of the royal government of the 1420s, 1430s, and even beyond. Thus, John Kemp is by no means unique in the political nature of his prelacy, for he fits into a strong tradition of bishop-statesmen who were particularly conspicuous under the Lancastrian dynasty. What is noteworthy is his dedication to promoting the Lancastrian political ideals espoused by his early mentor, Archbishop Arundel,¹⁰ and the stabilising effect that his involvement clearly had upon the royal government. The latter is perhaps most evident in his chancellorships, both of which occurred during times of crisis and involved a great deal of personal sacrifice.¹¹ This is particularly true of his second tenure, which he

of 1406', in *Henry IV: The Establishment of the Regime*, ed. Gwilym Dodd and Douglas Biggs (York: York Medieval Press, 2003), 185–205; A.J. Pollard, 'The Lancastrian Constitutional Experiment Revisited: Henry IV, Sir John Tiptoft and the Parliament of 1406', *Parliamentary History*, 14 (1995), 103–19.

⁸ Chapter 1, pp. 61–64.

⁹ Chapter 2, pp. 72–73.

¹⁰ Chapter 1, pp. 45–49.

¹¹ Stepping up as chief officer of state during such difficult times could be considered a selfless act of its own, but in his first term he also voluntarily waved personal prerogatives and even salary in order to set a good example for the rest of the royal government. In thanks, he received the antipathy of Gloucester and several bouts of severe illness.

shouldered at the age of at least seventy while faced with a veritable mountain of political and economic crises that occupied him until his death.

In terms of dedication to Lancastrian political ideals, he, like Arundel before him, strove to uphold the execution of good governance, to which end he vigorously promoted the importance of conciliar authority, especially over the authority of any would-be regent. This was evident first during Henry VI's minority, when he opposed the ambitions of the duke of Gloucester and defended the council's sovereignty, and again during the king's physical and mental incapacity after the summer of 1453, this time against the designs of the duke of York.¹² Many historians have argued that it was only with Kemp's death that York was able to claim the protectorate at all in 1454.¹³ The bold manner in which Kemp confronted the dukes of Bedford and Gloucester in January 1427 in defence of the council's authority also speaks to both his political convictions and his strength of character.

The parliamentary addresses that Kemp delivered as chancellor displayed his deep roots in Lancastrian ideology, stressing the need for social, political, and religious unity and continuing his defence (during Henry VI's minority) of conciliar authority.¹⁴ The pursuit of unity in particular was a driving force throughout his career. In his well-recorded address given before the parliament of 1429, he warned of the dire perils of division, reminding his listeners that a divided realm could not stand and presenting the fall of Jerusalem and the current strife in Bohemia as vivid examples.¹⁵ His political decisions always strove to achieve conciliation and harmony, whether at the council

¹² See Chapter 2, throughout, and Chapter 4, pp. 218–37, 243–66.

¹³ Chapter 4, p. 256, note 218.

¹⁴ For a discussion of the core tenets of Lancastrian political ideology, see David Grummitt, *Henry VI* (London: Routledge, 2015), pp. 14–32.

¹⁵ *PROME*, X, pp. 376–77.

table or in dealings with the papacy. The revocation of his support for the Council of Basel also arose from his fear of schism; even his high opinion of the potential offered by conciliar forms of government was subject to his zeal for preserving unity. His later reputation for peace-mongering with the French, though grossly exaggerated by Gloucester, may well have arisen, at least partially, from this principle, though it is likely that he was also simply trying to preserve what could realistically be preserved of Henry VI's crumbling Continental patrimony.

While unity is hardly a theme unique to the Lancastrian period, due to the nature of Henry IV's accession in 1399, it is an unusually pervasive one during the sixty years of Lancastrian rule. Kemp's own rhetorical emphasis of unity corresponded with similar sentiments in literature, such as John Lydgate's *Serpent of Division*,¹⁶ and with other political speeches, most notably the lecture that Henry VI himself directed at a great council of the lords in January 1458, less than four years after Kemp's death. As England descended into political chaos and civil war, its king delivered a sermon worthy of any prelate as he attempted (unsuccessfully) to ensure unity and peace among the magnates of the realm, warning of the dangers faced by a kingdom divided against itself and using the fall of Thebes, Rome, and Judah as cautionary examples.¹⁷ Henry declared that 'nothing is more acceptable to God than the power of harmony and discretion', while 'nothing is more desirable to the devil than the extinction of

¹⁶ See John Lydgate, *The Serpent of Division*, ed. by Henry Noble MacCracken (London: Henry Frowde, 1911), pp. 49–67. Lydgate's political and moral philosophising on the theme of 'division', a specific word that was fairly new to common usage in the English language, made a great impact on subsequent Lancastrian rhetoric. For a more detailed analysis, see Maura Nolan, *John Lydgate and the Making of Public Culture* (Cambridge: Cambridge University Press, 2005), especially pp. 33–70.

¹⁷ *Reg. S. Albani*, I, pp. 296–97.

harmony and charity'.¹⁸ He ended with I John 4:16: 'God is charity: and he that abides in charity abides in God, and God in him',¹⁹ commanding his lords to ruminate on this truth and to henceforth act out of love and benevolence. Though perhaps a quixotic sentiment, this speech says much about Henry VI's way of thinking as the product of a conscientiously Lancastrian education, and it perfectly parallels the views that Kemp promulgated, especially as expressed in his parliamentary address of 1429 noted above.

Regarding his statesmanship in defending unity and constitutional principle, Kemp's second chancellorship provides the clearest picture. His influence is immediately evident in terms of effective political and economic policy. The king's response to the demands of the Commons for the duke of Suffolk's impeachment bears all the hallmarks of Kemp's handiwork, providing limited compromise in the form of exile, asserting royal prerogative, and avoiding the dangerous precedent of allowing the Commons to judicially condemn a peer of the realm. He likewise adroitly handled the discontented parliament of November 1450, again appearing to compromise – though always reminding the Commons of royal prerogative – while in actuality refusing to yield an inch on principle when it came to their presumptuous demands upon the royal household. In a similar vein, he firmly opposed the pretensions of the duke of York from the moment of his return in September 1450, and once again we can detect his hand behind the legally correct, constitutionally-minded royal response to York's presumptuous offer to personally take the government in hand.²⁰ It is in delicate, potentially explosive situations like these that we most fully see Kemp's

¹⁸ Ibid., p. 297: '*Deo nihil est acceptius virtute concordiae et discretionis, diabolo vero nihil desiderabilius extinctione concordiae et caritatis.*'

¹⁹ '*Deus caritas est, et qui manet in caritate in Deo manet, et Deus in eo.*'

²⁰ See Chapter 4, pp. 207–08, 221–22, 225–27, for a discussion of all three of these episodes.

cleverness, experience, and dedication to defending the Lancastrian Crown; on the other side of the coin, the aftermath of his death in 1454 shows just how vital his presence was to maintaining stable governance in the midst of factional strife and the incapacity of the king.

In the pursuit of good governance, Kemp also appears to have meticulously administered justice as chancellor. The bill submitted by William Yevenet in 1428 or 1429 shows the reputation for fairness that the chancellor must have obtained, as Yevenet brought a legal case against Kemp's own relation, William Scot. The case between Emma Cressy and John Cook is particularly indicative of Kemp's judicial character. Contrary to common scholarly opinions of late medieval chancellors, Kemp consulted common law justices, asked them to be present when the case was heard and to give a joint decision with him, and abided by their counsel. In doing so, he decided on behalf of a widow against a man who evidently possessed widespread business interests and whose contacts include Kemp's own friend and colleague, Lord Cromwell. In contrast, the next chancellor, the earl of Salisbury, arbitrarily overturned Kemp's careful decision, apparently without consulting any common law authorities, granting Cook the contested properties and forcing Cressy to compensate her opponent for all of his damages and legal fees.²¹

This last comparison brings us to our final point of analysis. Kemp's attributes as a statesman further stand out in contrast to other bishop-statesman of his own period and those of the years directly following his death. Cardinal Beaufort became Kemp's friend and ally after the latter's exhausted resignation of the chancellorship in 1432, and to all appearances, the cardinal shared Kemp's political goals and principles. However, closer inspection brings this into question. Beaufort did, indeed, defend

²¹ Chapter 5, pp. 290–300.

conciliar authority against the ambitions of Duke Humphrey, but it is far from clear whether that was due to any deep convictions or simply to the mutual hatred between the two men. Beaufort also frequently used his position as a leading member of the government to further the interests of his family. While this was not unusual in itself, his nepotism was extensive and sometimes came at the expense of the best interests of the realm. For instance, he had long attempted to gain his nephew, John, duke of Somerset, the lieutenancy of Normandy but had found himself thwarted by opponents such as Gloucester. In 1443, when the war in France took a further turn for the worse, the cardinal offered to lend the royal government sufficient funds to send a large relief force – but only if it was led by Somerset. Unfortunately, John Beaufort was not up to the task, and his campaign drew valuable reinforcements away from the defence of Normandy for his inconclusive but personally lucrative *chevauchée* into Maine and Anjou.²² Cardinal Beaufort also gained notoriety for securing very favourable grants from Henry VI after the king came of age, a fact that Duke Humphrey thoroughly exploited in his last great attack upon his uncle in 1440.²³

Despite Archbishop Parker's assertions that Kemp had wantonly enriched his relations while occupying positions of authority, the only member of his entire circle that he promoted for a bishopric was his nephew, Thomas Kemp, who received the see of London in 1450 after a protracted struggle with the duke of Suffolk.²⁴ This is hardly surprising; it seems that Thomas had been raised in his uncle's household, and

²² G.L. Harriss, 'Beaufort, John, duke of Somerset (1404–1444)', *ODNB*, IV, pp. 638–39.

²³ Though as Beaufort had lent unimaginable sums of money to the government over the years, with little hope of getting anything close to all of it repaid, perhaps he can be forgiven such connivances, at least in part: Harriss, *Cardinal Beaufort*, pp. 286–91.

²⁴ See Chapter 1, p. 56.

his later bequests certainly evidenced a sense of filial love for the cardinal.²⁵ However, other than this exception, all of Kemp's dispensation of patronage to relatives and servants remained notably parochial. Trusted servants received prebends and deaconries, while he granted family members like the Scots of Kent minor offices such as wardenships of archiepiscopal forests.²⁶ From the surviving evidence, it does not appear that Kemp abused his positions of influence to any great extent in terms of nepotistic rewards.

Two other prelates who rose to prominence during the Wars of the Roses also stand in stark contrast to Kemp. The first is Thomas Bourchier, the bishop of Ely who succeeded Kemp at Canterbury in 1454. His aristocratic pedigree seems to have been responsible for his impressive rise through the ecclesiastical ranks with 'no visible effort or talent'.²⁷ While Kemp had risked, and sometimes received, significant disfavour for his outspoken defence of the principles that underpinned his service to the Crown (his 1427 interviews with Bedford and Gloucester, for example), Bourchier apparently had no interest in such displays of statesmanship. R.G. Davies acidly observes that he 'turned lack-lustre mediocrity into an art', merely making himself as inoffensive as possible to all of the opposing factions.²⁸ His attachment to the house of Lancaster seems to have been lukewarm at best; he took an oath of allegiance to Henry VI at the parliament of 1459, but soon afterwards he became a partisan of the duke of

²⁵ See Chapter 4, p. 267, note 254.

²⁶ See Chapter 1, p. 56, note 52.

²⁷ R.G. Davies, 'The Church and the Wars of the Roses', in *The Wars of the Roses*, ed. by A.J. Pollard (Basingstoke: Palgrave, 1995), pp. 134–61 (p. 139).

²⁸ *Ibid.*

York, eventually helping to place Edward IV on the throne.²⁹ In 1483, he aided Richard of Gloucester in luring Edward's second son from sanctuary and then conspicuously failed to take any sort of moral stand in the subsequent disappearance of the two princes, compliantly crowning the usurper several weeks later. This lack of scruples or backbone is difficult to justify, for all of Mancini's talk of his reluctance in coronating Richard.³⁰

The other contrasting figure is George Neville, son of the earl of Salisbury and brother of Warwick the Kingmaker, who was provided to his first bishopric at the age of only twenty-four. He was highly educated and 'precociously talented', easily one of the most noteworthy prelates of the 1460s.³¹ Unfortunately, he had corresponding traits that did not endear him to all of his episcopal colleagues. Michael Hicks notes his 'conspicuous consumption', 'love of display and ceremony', and extensive patronage of friends and relations; Davies observes that Neville was 'more active, more intelligent, more eloquent, more experienced and...more famous than any other bishop serving...He soon added wealth and flamboyance, and never feigned modesty'.³² There are parallels to be drawn with Cardinal Beaufort in some of these character traits. Not surprisingly, the 'lack-lustre' Bouchier and the more serious-

²⁹ Linda Clark, 'Bouchier, Thomas (c. 1411-1486)', *ODNB*, VI, p. 825. Bouchier did publicly balk at the duke of York's claim to the throne in the parliament of 1460 following the battle of Northampton, although whether he was simply acting as the mouthpiece of the rest of the Lords spiritual and temporal or actually expressing reservations of his own is debatable: Davies, 'Church and Wars', p. 149.

³⁰ Clark, 'Bouchier, Thomas', p. 826; Davies, 'Church and Wars', pp. 140, 153.

³¹ Davies, 'Church and Wars', p. 138.

³² Michael Hicks, 'Neville, George (1432-1476)', *ODNB*, LX, p. 492; Davies, 'Church and Wars', p. 139.

minded, 'conscientious' Bishop Waynflete both apparently disliked him.³³ By 1465, Neville was archbishop of York, and he served as chancellor from 1461 to 1467.³⁴ But despite his lineage, talents, and early preferments, Archbishop Neville's promising career was cut short by his involvement with his brother's rebellion against Edward IV in 1469 – his 'one fatal flaw', as Davies puts it, was his unswerving loyalty to Warwick 'at the expense of prudence'.³⁵ After the battle of Barnet, he fell definitively from favour, spending long stretches of time in imprisonment under suspicion of continued treasonous activity until he died a broken man at the age of forty-four in 1476.³⁶

Unlike Beaufort and Neville, there is little to suggest that Kemp was flamboyant with his wealth or status; indeed, while Kemp may have zealously guarded his prerogatives as archbishop of York and as cardinal, the overriding impression of his public character is nevertheless one of restraint, even understatement. Perhaps this is not surprising, considering his common background, as opposed to Neville's comital lineage and Beaufort's status as a prince of the half-blood. Likewise, Kemp did not have the bevy of expectant aristocratic kinsfolk that came along with being a Beaufort or, especially, a Neville, which no doubt made it easier to avoid ostentatiously patronising his own relations across his long career. Additionally, the skill with which Kemp navigated the treacherous waters of royal and papal demands, combined with the remarkable ability that he showed in helping to

³³ Davies, 'Church and Wars', p. 139; Virginia Davis, 'Waynflete [Wainfleet, Patten], William (c. 1400–1486)', *ODNB*, LVII, p. 782.

³⁴ Hicks, 'Neville, George', p. 494.

³⁵ Davies, 'Church and Wars', p. 139.

³⁶ *Ibid.*; Hicks, 'Neville, George', p. 495.

lead the government as a councillor, a chancellor, and a diplomat, serve to set him apart from other political prelates of the age.

For example, in 1424 Bishop Fleming eagerly snatched at Martin V's favour in providing him to York without first preparing the ground among the royal councillors in England, easily exposing him to charges of *praemunire*, and he paid dearly for his lack of foresight.³⁷ Archbishop Chichele could not seem to convince the papacy that he was doing his part to repeal the Statute of Provisors, resulting in papal ire and the loss of his status as legate, and it took the combined efforts of parliament, council, and individual petitioners like Kemp to convince the pope to finally restore his legatine authority.³⁸ Even as experienced a politician as Henry Beaufort fell afoul of various important figures throughout his life in the pursuit of a cardinal's hat, his injudicious dealings with the papacy nearly ruining him in 1417 and continuing to haunt him until 1440.

Kemp, on the other hand, reaped numerous rewards from the hands of the papacy, yet he was careful to never promise Rome more than he could grant (or at least pretend to grant). He might indeed be accused at times of deliberately leading popes down the garden path, but his priorities ever lay first and foremost with the Crown and the English Church.³⁹ A scholar of medieval English political history will no doubt see this as a virtue, while a papal historian is rather more likely to look askance at Kemp's devious behaviour towards the pontiffs who had so consistently promoted his career. Unlike Beaufort, he was initially hesitant to accept his elevation to the cardinalate in 1440, waiting until Henry VI issued the crucial letters patent that confirmed the royal approval of his elevation and, particularly, the retention of York

³⁷ Chapter 6, pp. 309–12.

³⁸ Chapter 2, pp. 95–97; Chapter 6, pp. 321–22.

³⁹ Chapter 6, pp. 307–23.

in commendam.⁴⁰ No charges of *praemunire* could be levelled at the more cautious, perhaps even more prudent, Cardinal Kemp.

It is true that the Kemp-Swan correspondence reveals a healthy amount of calculated scheming on Kemp's part in order to ascend the episcopal ladder. Of course, there is no reason to believe that he was at all unique in this; from other letters in the collection, such as those to and from John Stafford, we know that prelates commonly sought promotion with varying degrees of subtlety. We simply have a fuller account of Kemp's plotting because his letters survive in such quantity and because he expressed himself quite candidly to Swan within those missives. To modern sensibilities, ambition of this kind seems inimical to the calling of a churchman, but to most late medieval minds it would have seemed perfectly normal.⁴¹ It is important to note that the extravagant reputation of swift-climbing prelates such as Beaufort and Neville never came to characterise Kemp.⁴² As with most other aspects of his career, he appeared primarily to utilise his promotions in the pursuit of the Crown's interests; for example, when he was elevated to the cardinalate, Henry VI emphasised the fact

⁴⁰ Chapter 3, p. 175.

⁴¹ We should also try to avoid cynically generalising all of the late medieval bishop-statesmen as ambitious ladder-climbers who spared little thought for conscience or spiritual calling. For further discussion on this topic, see Jeremy Catto, 'The Burden and Conscience of Government in the Fifteenth Century: The Prothero Lecture', *TRHS*, 17 (2007), 83–99.

⁴² Indeed, aside from the irascible Gascoigne, none of Kemp's contemporaries took issue with the manner of his climb to the top of the secular and ecclesiastical hierarchy, even if some occasionally took offence at specific aspects of his ascent, such as Polton's indignant response to losing the bishopric of London or Chichele's objection to Kemp's cardinalatial pre-eminence: Chapter 1, p. 58; Chapter 6, pp. 337–46.

that it would grant him even greater influence when negotiating for peace with the French.⁴³

It could be said that Kemp had an easier time remaining in more or less universal favour than did later prelates like Archbishops Neville and Bourchier because he was fortunate enough not to live through the turmoil of the Wars of the Roses. However, the tumultuous context of his own career hardly supports such a claim. In contrast to Neville, and even Beaufort, Kemp appears to have been regarded favourably, or at least neutrally, by most contemporaries for the entirety of his long career in royal service, even in the midst of the intense crises of 1450. While a very limited number of sources from the 1450s refer to Kemp unfavourably (Thomas Denyes's letter to John Paston, for instance), it is significant that a figure so heavily involved in the royal government received not a word of criticism from Cade's rebels or from any of those who rose up thereafter.

If we are to learn anything from the palpable contrasts between Kemp and many of his fellow political prelates, we must take care not to instantly explain away such differences by pointing only to external influences or ulterior motives, thereby removing all possibility of selflessness and integrity. One of the most unfortunate aspects of McFarlane's legacy is the tendency to assume that all late medieval individuals operated out of self-interested motives, implicitly denying any agency to principles and ideals.⁴⁴ As John Watts wisely cautions, 'the notion of an entirely unprincipled and unconstitutional society demands suspicion'.⁴⁵ Certainly, the principles underpinning Kemp's career reflect the reality of a distinct Lancastrian

⁴³ Chapter 3, p. 177.

⁴⁴ See Introduction, pp. 11–14.

⁴⁵ John Watts, *Henry VI and the Politics of Kingship* (Cambridge: Cambridge University Press, 1999), p. 4.

political ideology. And as for Kemp himself, looking at the mass of documentary evidence on his life and career, from personal letters to chancery bills, the overwhelming assessment of Cardinal Kemp is that he was a decent man who genuinely strove to carry out his duty to the Crown. The results of this can be seen not only in others' opinions of him but in the tangible effects that he had upon the government of Henry VI, which we have traced throughout this thesis. Thus, Davies can assert with confidence that in the 1450s the 'peerless' John Kemp 'provided an authority that none of the factions dared challenge until his death...Immediately thereafter, and in direct consequence, politics collapsed into violence'.⁴⁶ This, I think, is as fitting an epitaph as any for the last Lancastrian statesman.

⁴⁶ Davies, 'Church and Wars', p. 139.

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