



## APPENDIX I

### THE KINGS' OATHS OF GOVERNANCE

#### PLATO

13<sup>th</sup>-8<sup>th</sup> century B.C.

Ancient Greece: Mutual Oaths of the Kings of Argos, Messene, and Sparta

—from Plato, *The Laws*, c. 350s-340s B.C., translated and edited by Trevor J Saunders, Penguin Books, London, 1970, reprinted with minor revisions, 1975, 684a, pp. 128-129. The kingdoms were Argos (Temenos, king), Messene [Messenia] (Cresphontes, king), and Sparta (Procles and Eurysthenes, kings).

The facts are...: each of the three royal families, and each of the three royal states they ruled, exchanged oaths in accordance with mutually binding laws which they had adopted to regulate the exercise of authority and obedience to it. The kings swore never to stiffen their rule as the nation continued down the years; the others undertook, provided the rulers kept to their side of the bargain, never to attempt to overthrow the kingships nor tolerate an attempt to do so by others. The kings would help the kings and peoples if they were wronged, and the peoples would help the peoples and the kings likewise. [684, p. 129]

...the kings of that era ...were first infected by the acquisitive spirit in defiance of the law of the land. The precise point to which they had given their seal of approval by their word and oath became the ground of their disagreement, and this lack of harmony...put the whole arrangement jarringly off key and out of tune; hence its destruction. [691, p. 139]

#### CELTS

600-700 A.D.

Celtic Ordination : Celtic king's oath

—from The Marquess of Bute, *Scottish Coronations*, London, 1902, referred to and summarised in Herbert Thurston, *Coronation*, from the *Catholic Encyclopedia*, the Encyclopedia Press, Inc., 1913; transcribed by Douglas J Potter for the Electronic version, copyright 1997 by New Advent, Inc.:

...the Marquess of Bute gives the following ceremonial as representing in all probability the rite of 'ordination' of a Celtic king, say the Lord of the Isles, in the seventh and eighth centuries. There was a gathering of the principal people of the nation including, if possible, seven priests. The new ruler was elected unless a tanist (a lieutenant with right of succession) had been elected already. The king was clad in white and Mass was celebrated down to the Gospel. After the Gospel, the king was made

to set his right foot in the footprint of Fergus Mor Mac Erca, the impression of which was cut in stone; there he took an oath to preserve all the ancient customs of the country and to leave the succession to the tanist. His father's sword or some other sword was then placed in one of his hands and a white rod in the other, with suitable exhortations. After this, a bard or herald rehearsed his genealogy. Re-entering the church, seven prayers were recited over him by, if possible, as many priests, one at least of these prayers being called the Benediction, during which he who offered it laid his hand upon the king's head. The Mass was then finished and the king probably Communicated. At the conclusion of the whole he gave a feast and distributed a largess. (Bute, *Scottish Coronations*, 34)

## ARAGON

### 700-800 A.D. Apocryphal Aragon 'Oath'

We, who are worth as much as you, make you our King and Lord provided that you guard for us our *fueros* and liberties, and if not, not.

*Nos, que valemos tanto como vos, os hacemos nuestro Rey, y Señor, con tal que nos guardeys nuestros fueros, y libertades, y syno, No.*

This 'Oath' was supposedly uttered by the people of Aragon when they accepted a new king. As written down by Antonio Pérez, 1598, From Ralph E Giesey, *If Not, Not, The Oath of the Aragonese and the Legendary Laws of Sobrarbe*, Princeton University Press, Princeton, 1968, see p. 6, and Appendix 1.

## ECHBERHT PONTIFICAL

**732-736 Pontifical of Echberht**, Archbishop of York [sometimes called the 'Egbert pontifical'] - oldest copy of this is a manuscript in Paris, which professes to be a copy; - this prescribes a ceremonial for the hallowing of a king - discussed at some length in W J Loftie, *The Coronation Book of Edward VII, King of All the Britains and Emperor of India*, 1902, Cassell & Company, London, 1902, at pp. 108-109; Loftie notes that this is an older order of service than the earliest reproduced by Legg in *Coronation Records*.

The text of what appears in the Echberht Pontifical is noted in the ninth or tenth century Coronation Order (which draws heavily on the pontifical) as printed by Legg at p. 3 of *English Coronation Records*, and which is taken from a Rouen manuscript, Rouen, Bib. Munic. MS. A. 27. fo. 88. The Echberht text read as follows:

Missa pro rege in die benedictionis <sup>1</sup>

*The Mass for Kings on the Day of their Hallowing*<sup>2</sup>

*Ad Populum.*

Omnipotens sempiternus deus nostri regni defende regem atque rectores. ut in tua dextra confidentes. fiant hostibus suis fortiores uniuersis. per dominum<sup>3</sup>

*Over the people.*

*Almighty and everlasting God, defend our king and the rulers of our land, that trusting in thy right hand, they may be stronger than all their enemies, through our Lord Jesus Christ. Amen.*<sup>4</sup>

Primum mandatum regis ad populum hic uidere potes.<sup>5</sup>

<sup>1</sup> Leopold G Wickham Legg, *English Coronation Records*, Archibald Constable & Company Limited, Westminster, 1901, at p. 3.

<sup>2</sup> translation, *ibid.*, p. 9

<sup>3</sup> *ibid.*, pp. 8-9

<sup>4</sup> translation, *ibid.*, p. 13.

<sup>5</sup> *ibid.*, p. 9, n. 1; Legg notes that the Echberht pontifical includes these words as a heading.

Rectitudo regis est nouitier ordinati et in solium sublimati. haec tria precepta populo christiano sibi subdito precipere.

in primis ut aeclesia dei et omnis populus christianus ueram pacem seruent in omni tempore. Amen

Alia<sup>1</sup>.

Aliud est ut rapacitates et omnes iniquitates. omnibus gradibus interdicat. Amen.

Tertium est ut in omnibus iudiciis. aequitem et misericordiam precipiat.. ut [per hoc<sup>2</sup>] sibi et nobis indulgeat misericordiam suam clemens et misericors deus. Amen.<sup>3</sup>

*This is the first decree of a king to his people.*

*It is the duty of a king newly ordained and enthroned to enjoin on the Christian people subject to him these three precepts:*

*First, that the Church of God and all the Christian people preserve true peace at all times. Amen.*

*Secondly, that he forbid rapacity and all iniquities to all degrees. Amen.*

*Thirdly, that in all judgements he enjoin equity and mercy, that therefore the clement and merciful God may grant us his mercy. Amen.*<sup>4</sup>

The authoritative text of the 'Egbert Pontifical' is reproduced in *Two Anglo-Saxon Pontificals*, edited by H M J Banting, Boydell Press for the Henry Bradshaw Society, London, 1989, from MS Lat. 10575 in the Bibliotheque Nationale, at pp. 1 ff. The editor, Canon Banting, was 'obliged to leave unsolved the problem of the origin of the Egbert Pontifical', but tends to the view that it was of mid tenth century origin, perhaps in Wessex. [at p. xxxvii]. However, the Publication Secretary's Preface noted that Banting died before being able finally to check all footnote references, and had not had time to 'revise his Introduction in the light of developing trends in Anglo-Saxon scholarship, with the result that many of his conclusions will need revision (this is particularly so in the case of coronation ordines and the palaeography of tenth century manuscripts, for example).' [at p. viii] It therefore seems likely that an earlier origin than that postulated by Banting is possible. Any differences between the text published by the Henry Bradshaw Society and Legg are noted above with underlining. The entire Coronation Ordo in the Egbert Pontifical appears at folios 130v -137r, at pp. 110-113.

## 'FIRST' ENGLISH CORONATION ORDER

**c.800-900**      '**First' English Coronation Order**, Legg, *English Coronation Records*, p.3 at p. 13, from a Rouen manuscript, Rouen, Bib. Munic. MS. A. 27. fo. 88 [The Lanalet Pontifical]

Missa pro rege in die benedictionis eius<sup>5</sup>

*The Mass for Kings on the Day of their Hallowing<sup>6</sup>*

Ad Populum.

Omnipotens sempiterne deus nostri regni defende regem atque rectores. Ut in tua dextra confidentes. Fiant histibus suis fortiores uniuersis. Per dominum<sup>7</sup>

<sup>1</sup> This is inserted at this point in The Egbert Pontifical, as published in *Two Anglo-Saxon Pontificals*, edited by H M J Banting, Boydell Press for the Henry Bradshaw Society, London, 1989, at p. 113.

<sup>2</sup> 'per hoc' appears here in the Bradshaw manuscript (see note above) instead of 'sibi et'.

<sup>3</sup> *ibid.*, p. 9; Legg notes in n. 1 that the Echberht pontifical has the word 'Amen' after each of the three clauses..

<sup>4</sup> *ibid.*, p. 13.

<sup>5</sup> Leopold G Wickham Legg, *English Coronation Records*, Archibald Constable & Company Limited, Westminster, 1901, at p. 3.

<sup>6</sup> translation, *ibid.*, p. 9

<sup>7</sup> *ibid.*, pp. 8-9

*Over the people.*

*Almighty and everlasting God, defend our king and the rulers of our land, that trusting in thy right hand, they may be stronger than all their enemies, through our Lord Jesus Christ. Amen.<sup>1</sup>*

Rectitudo regis est noutier ordinati et in solium sublimati. Hec tria precepta populo christiano sibi subdito precipere.

In primis ut ecclesia dei et omnis populus christianus ueram pacem seruent in omni tempore.

Aliud est ut rapacitates et omnes iniquitates. Omnibus gradibus interdicat.

Tertium est ut in omnibus iudiciis. Equitem et misericordiam precipiat. Ut sibi et nobis indulgeat misericordiam suam clemes et misericors deus.

<sup>2</sup>*It is the duty of a king newly ordained and enthroned to enjoin on the Christian people subject to him these three precepts:*

*First, that the Church of God and all the Christian people preserve true peace at all times.*

*Secondly, that he forbid rapacity and all iniquities to all degrees.*

*Thirdly, that in all judgements he enjoin equity and mercy, that therefore the clement and merciful God may grant us his mercy.*

## ALFRED

**875??**      **Alfred (England)** — royal oath attributed to Alfred, and printed in English from an eighteenth century copy, (*Two Cartularies of .... Muchelney and Athelney*, ed. E H Bates, (London), 1899, in Somerset Record Society, p. 126; referred to in 'The Coronation ceremony in Medieval England', P L Ward, *Speculum, A Journal of Medieval Studies*, Vol. XIV, 1939, Medieval Academy of America, Cambridge, Mass., 160, at p. 166. 'This text seems to agree with the twelfth century oath'.

## EDWARD THE ELDER

**901**      **Edward the Elder, son of Alfred, crowned and consecrated** by Archbishop of Canterbury Plegmund at Kingston—from Edward Carpenter, *Cantaur, The Archbishops and their Office*, Cassell & Company, London, 1971, p. 32

## ÆTHELSTAN

**925**      **Æthelstan crowned King of England at Kingston-on-Thames.** [ 9 September 925, see Beaven, 'Regnal Dates', 522-5, referred to in 'Coronation and Propaganda: some Implications of the Norman Claim to the Throne of England in 1066', by George Garnett, *Transactions of the Royal Historical Society*, fifth series, Vol. 36, London, 1986, p. 91 at p. 92

— William of Malmesbury on Æthelstan in *De Gestis Regum Anglorum* ('Concerning the Acts of the Kings of the English') written about 1125; see the extract quoted in Whitelock, *English Historical Documents*, Vol. I, at pp. 303-310.

§131. In the year of our Lord's incarnation 924, Æthelstan, son of Edward, began to reign. His brother Ælfweard, departing this life a few days after his father, had been buried with him at Winchester. Accordingly, Æthelstan, elected with great unanimity by the nobles in that same place, was crowned at the royal residence which is called Kingston....

<sup>1</sup> translation, *ibid.*, p. 13.

<sup>2</sup> *ibid.*, p. 13; n. 1: Legg says: 'This version [i.e. translation of the oath] is taken from W. Stubbs, *Constitutional History of England*, Oxford, 1875, vol. i. P. 147, chap. vi § 61'

§133. ...Then by his father's command and testament, Æthelstan was acclaimed king... he was crowned at Kingston. Hence, at the glory of such happy events...the poet exclaims...:

'...the great Æthelstan... His father, famed to every age, fulfilled his destiny...; then the young man's name was acclaimed in omen of the kingdom, that he might hold auspiciously the hereditary reins. The nobles assemble and place the crown, pontiffs pronounce a curse on faithless men; fire glows among the people.... Each burns to show his affection to the king... One makes the harp resound, another contends with praises; there sounds in unison: "To thee the praise, to thee the glory, O Christ." The king drinks in this honour with eager gaze, graciously bestowing due courtesy on all.'

§134. When the ceremony of consecration had been performed, lest he should belie the hopes of the citizens and fall short of their opinion, Æthelstan entirely subjugated all England by the terror of his name alone [*except Northumbria, which he later obtained by 'ancient right and recent marriage alliance'*]

## EDMUND

942

Edmund king (England)

### Oath of Allegiance

*Dooms of Edmund III. This is the decree that King Edmund and his bishops, together with his witan, formulated at Cobyton for the [maintenance of] peace and the swearing of an oath.*

*1. In the first place [he commands] that all, in the name of God before whom this holy thing is holy, shall swear fealty to King Edmund, as a man should be faithful to his lord, without dissension or betrayal, both in public and in secret, loving what he loves and shunning what he shuns; and from the day on which this oath is sworn that no one shall conceal [the breach of] this [obligation] on the part of a brother or a relative any more than on the part of a stranger.'*

Edward Carpenter, *Cantuar, The Archbishops and their Office*, Cassell & Company, London, 1971, at p. 32, says Edmund was not crowned; but *contra*, Michael St John Parker, in *Britain's Kings & Queens*, at p. 5, who says Edmund was crowned at Kingston.

## EADRED

946

Eadred, King. (England and Britain)

Eadred crowned by Oda, Archbishop of Canterbury, see Edward Carpenter, *Cantuar, The Archbishops and their Office*, Cassell & Company, London, 1971, p. 33

Eadred's words on his accession on the death of Edmund:

it came to pass on the death of King Eadmund, who most royally governed the realms of the Anglo-Saxons, the Northumbrians, the Heathen, and the Britons, that in the same year, I, Eadred, his uterine brother was called by the choice of the witan, and by apostolic authority received catholic consecration as king and ruler of the fourfold realm.

—from J M Kemble, *Codex Diplomaticus*, p. 411,  
quoted in Jolliffe, p. 102.

## EADWIG

955

**Eadwig, (Eadwy) son of Edmund, becomes King of England at age 13; crowned Kingston-on-Thames, by Archbishop of Canterbury, Oda—see Edward Carpenter, *Cantuar, The Archbishops and their Office*, Cassell & Company, London, 1971, p. 33**

<sup>1</sup> see Stephenson, C, and Marcham, F G, (eds. and trans.), *Sources of English Constitutional History: Vol. I: A Selection of Documents from AD 600 to the Interregnum*, New York, Harper & Row, rev. edn. 1972; Vol. I, at p. 17.

## EDGAR

959 **Edgar succeeded as king (England; *Bretwalda*)**

973 **Edgar crowned King, Bath, 11 May 973; solemn anointing and coronation oath.** (Blair, p. 90)—

'With this ceremony which included not only the act of crowning, but also solemn anointing and a form of coronation oath, the continuous history of the English coronation service may be said to begin. Prominent churchmen played a major part in the ceremony and, by thus investing a corporate body which would survive the deaths of individual kings with certain rights and privileges, their action was not without importance in securing the continuity of the monarchy.' and at p. 208 'Edmund (939-6) had required an oath of allegiance from his subjects, and with Edgar's coronation we get the counterpart to this in the *promissio* or oath taken by the king towards his subjects, thus recognising the principle that the king is under obligations towards his subjects.'

**Edgar's Coronation Oath;** S&M, 18 -check original source from book, page not copied.

*In the name of the Holy trinity I promise three things to the Christian people my subjects: first, that God's church and all Christian people of my realm shall enjoy true peace; second, that I forbid to all ranks of men robbery and all wrongful deeds; third, that I urge and command justice and mercy in all judgements, so that the gracious and compassionate God who lives and reigns may grant us all his everlasting mercy.'*

Edward Carpenter, *Cantuar, The Archbishops and their Office*, Cassell & Company, London, 1971, at p. 32, suggests that Edgar delayed his crowning until he was 30 years of age, which was the age below which no man could be consecrated to an episcopate, because he saw the coronation to the kingship as analogous to such a consecration.

Note; D H Turner considers the Ordo represented by Edgar must have been in use as early as the coronation of Æthelstan in 925, finding its way to France through the coronation of Louis d'Outremer in 936 [Turner, *The Claudius Pontificals*, at p. xxxiii; as referred to in the Introduction to the Egbert Pontifical, as printed in *Two Anglo-Saxon Pontificals*, edited by H M J Banting, , Boydell Press for the Henry Bradshaw Society, , London, 1989

**The Edgar Ordo;** for a long time known as the ceremony of King Ethelred, without adequate reason. 'In recent years scholars have agreed that it was used, and probably was first used, by the Archbishops Dunstan and Oswald to crown King Edgar at Bath in 973. This was, we note, not the beginning, but the climax of a reign in which the unification of England had been achieved and the Anglo-Saxon church reformed with the innovations from the continent. The great event is [167] described in detail by a monk of Ramsey (ca 1000) in his *Vita sancti Oswaldi*. This record is evidence for the use of the ordo in 973.. [Schramm says p. 20 that the Edgar Ordo drew on the Egbert version]

975, or 978, 14 April [Liebermann's date]

**Promissio Regis** Coronation Oath in Anglo-Saxon

From 'Hs Cotton Cleopatra B XIII, vom XI. Jh., f. 56 (das ursprünglich neue Lage begann), verglichen mit Hs. Cv (Cotton Vitellius A VII, vom XI Jh.), welche verbrannt, aber in Ju (Hs. Oxford Bodley Junius 60) copirt ist.', as quoted in F Liebermann, *Die Gesetze der Angelsachsen, Text und Übersetzung, Unveränderter Neudruck der Ausgabe 1903-1916*, Scientia Aalen, Sindelfingen, Germany, 1960; in 3 Vols.; at Vol. I, p. 214

[214]

*Promissio regis*

*Prokl.*

Dis gewrit is gewriten stæf be stæfe be þam gewrite, þe Dunstan arcebisceop sealde urum hlaforde æt Cingestune, þa on dæg þa hine man halgode to cinge, 7 forbæd him ælc wedd to syllane, butan þysan wedde, þe he up on Cristes weofod lède, [king lays text of oath on altar] swa se bisceop him dihte:

‘On þære halgan þrinnesse naman! ic þing behæte Cristenum folce 7 me underðeoddem:

[216]

[1, 1] an ærest, t Godes cyrice 7 eall Cristen folc minra gewealda soðe sibbe healde;

[1, 2] oðer is, þæt ic reaf-lac 7 ealle unrihte þing eallum hādum forbeode;

[1, 3] þridde, þæt ic beæte 7 bebeode on eallum dōmum riht 7 mildheortnisse, þæt us eallum arfæst 7 mildheort God þurh þæt his ecean miltse forgiðe, so lifað 7 rixað’.

\*

and a slightly different text, reproduced by William Jerdan in his *Preface to the Rutland Papers, Original Documents illustrative of the Courts and Times of Henry VII and Henry VIII*, selected from the private archives of His Grace the Duke of Rutland, &c. &c. &c., printed for the Camden Society, 1842; reprinted with the permission of the Royal Historical Society by AMS Press, New York, 1968. appears therein at p. xi.

Jerdan says: ‘... I am indebted to my friend Mr Wright for the following illustrations being the Oath of King Edgar, reprinted from the *Relique Antiquæ*, vol. ii. p. 194, where it is given from a contemporary MS

#### *The King's Oath*

Dis ge-writ is ge-writen stæf be stæfe be þam ge-write, þe Dunstan arceb. sealde urum hlaforde æt Cingestune, þa on dæg þa hine man halgode to cinge, 7 for-bæd him ælc wedd to syllane, butan þysan wedde, þe he up on Cristes weofod lède, swa se b. him dihte:

‘On þære halgan þrinnesse naman, Ic þreo þing be-hæte cristenum folce, 7 me under-ðeoddem;

an ærest, Ð Godes cyrice 7 eall cristen folc minra ge-wealda soðe sibbe healde;

oðer is Ð reaf-lac 7 ealle unrihte þing eallum hādum for-beode;

þridde, Ð ic be-hæte 7 be-beode on eallum dōmum riht 7 mild-heortnisse, þæt us eallum arfæst 7 mild-heort God þurh Ð his ecean miltse for-giðe, so lifað 7 rixað’. Finit.

#### *Translation*

This writing is copied letter by letter after the writing which Dunstan the archbishop delivered to our lord at Kingston on the day on which they consecrated him king, and he forbade him to give any pledge except this pledge which he laid on Christ's altar, as the bishop appointed for him.

In the name of the holy Trinity, I promise three things to Christian people, and bind myself to them;

first that I will to God's church and to all Christian people of my realm hold true peace;

the second is, that I will forbid rapine and all injustice to all classes of society;

the third, that I vow and promise in all [my] judgements justice and mild-heartedness [mercy], that the gracious God through his everlasting mercy may forgive us all, who shall live and reign.

## ‘SECOND’ ENGLISH CORONATION ORDER

c.978 ‘Second’ English Coronation Order, sometimes called the coronation order of Ethelred II, possibly used by Harold and William; see Legg, *English Coronation Records*, at p.23; taken from manuscript at Corpus Christi College, Cambridge; [Corpus Christi College, Cambridge, MS. 146. p. 138] - [But Note; this is what modern scholars call the Edgar Ordo; see Ward, *Speculum*.]

And for a further text see J Wickham Legg, (ed.) *Three Coronation Orders*, for the Henry Bradshaw Society, Vol. XIX, printed for the society by Harrison and Sons, London, 1900, *Consecratio Regis Anglo-Saxonici*, at p. 53, ff., text of oath at p. 53, notes at pp. xxxviii-xliii. He gives the texts of all variations of the second recension of the English coronation order and their location at p. xxxix.

INCIPIT CONSECRATO REGIS.

.....

Pervenians ad ecclesiam prosternat se coram Altare et ymnizetvr

Te deum laudamus.

Fine Tenvs. Qvo ymnizato rex erigatvr de solo. Et ab Episcopis et a Plebe electvs hec /triplicia se servaturum promittat

Haec tria populo christiano et mihi subito in christi promitto nomine.

imprimis ut ecclesia dei et omnis populus christianus ueram oacem nostro arbitro in omni tempore seruet ;

Aliud ut rapacitates et omnes iniquitates omnibus gradus interdicam ;

Tertium ut in omnibus iudiciis equitatem et misericordiam precipiam. ut mihi et uobis indulgeat suam misericordiam clemens et misericors deus. qui uiuit.

Tvnc dicant omnes. amen Postea orationes he.<sup>1</sup>

*Here beginneth the consecration of a king.*

....

*When the king is come to the church, he shall lie prostrate before the altar:*

*and then the hymn Te Deum laudamus be sung to the end.*

*After which he shall arise from the ground : and the king chosen by the bishops and people shall promise to observe these three things.*

*I promise these three things to the Christian people subject to me:*

*First, that the Church of God and all the Christian people preserve true peace at all times.*

*Secondly, that he forbid rapacity and all iniquities to all degrees.*

*Thirdly, that in all judgements he enjoin equity and mercy, that therefore the clement and merciful God may grant us mercy. [- as for 'First' Coronation order.]<sup>2</sup>*

## ÆTHELRED

**979**            **Æthelred Unræd (England)** (OE trans. Noble-Counsel No-Counsel), half-brother to Edward and son of Ælfhryth, succeeded to the throne; nicknamed The Unready by later generations; crowned Kingston-on-Thames; Æthelred crowned Kingston-on-Thames, 4 May 979; see S Keynes, *The Diplomas of King Æthelred 'the Unready' 978-1016*, Cambridge, 1980, referred to in 'Coronation and Propaganda: some Implications of the Norman Claim to the Throne of England in 1066', by George Garnett, *Transactions of the Royal Historical Society*, fifth series, Vol. 36, London, 1986, p. 91 at p. 92 [note that David Lambert, and Randall Gray, *Kings and Queens*, Harper Collins Publishers, Glasgow, 1991 say he was crowned on 11 April 978]

makes coronation oath similar to that of Edgar (Blair 208)

'In the name of the Holy Trinity three things do I promise to this Christian people my subjects: first that God's church and all the Christian people of my realm hold true peace; secondly that I forbid all rapine and injustice to men in all conditions; thirdly I promise and enjoin justice and mercy in all judgements, that the just and merciful God of his everlasting mercy may forgive us all.' [Liebermann, *Gesetze der Angelsachsen*, Vol. I, p. 217; quoted in Maitland, *Constitutional History* 98]

<sup>1</sup> *ibid.*, p. 15.

<sup>2</sup> *ibid.*, p. 23.



Stubbs, in his *Constitutional History*, agrees with this text, and sources it to Kemble, *Saxons*, ii. 36, who used a source called *Relique Antiquae*, ii. 194; to Maskell, *Monumenta Ritualia*, iii. 5; and to *Memorials of S. Dunstan*, p. 355; see Stubbs, *Const Hist*, p. 164, n. 3. Stubbs says that Æthelred took this oath at the urging of St Dunstan.

**1014** Note: Stubbs says that on Æthelred's restoration in 1014 'shows the alteration in the relations of the king and his people which had taken place since the more ancient oath was drawn up;'

*'he promised that he would be to them a mild and devoted lord, would consent in all things to their will; whatever had been said of reproach or shame, or done frowardly to him or his, he would placably condone; if all with one mind and without perfidy would receive him to the kingdom'* [Stubbs, *Constitutional History*, Vol. I, p. 165, §61; n. 1. sources this text to *Flor. Wigorn.* AD 1014]

## CNUT

**1017** Cnut, crowned King of England, London, 1017

Consecrated London, by Archbishop Lyfing —see M K Lawson, *Cnut, The Danes in England in the Early Eleventh Century*, Longman Group, London, 1993, p. 82, sourced to Ralph of Diceto, *Abbreviationes Chronicorum*, William Stubbs, (ed.), i, 169, and Gervase, *Gesta Regum*, William Stubbs (ed.), ii, 55. Conquered England 1016.

### Coronation Oath, 1017

'At his coronation, he probably promised to preserve true peace, prohibit all iniquities and show equity and mercy in all his judgements'

—from M K Lawson, *Cnut, The Danes in England in the Early Eleventh Century*, Longman Group, London, 1993, p. 129, sourced to *Encomium Emmae Reginae*, A Campbell (ed.), Camden Society, Third Series, lxxii, 1949, at pp. xlvii-xlviii

## EDWARD THE CONFESSOR

**1043** Edward the Confessor; (England) crowned Winchester, Easter Day, 3 April  
Consecrated by Eadsige, Archbishop of Canterbury, assisted by Ælfric of York.

### Edward the Confessor oath

Ernst H Kantorowicz, in his *The Kings Two Bodies, A Study in Medieval Political Thought*, Princeton University Press, 1957, reprinted by Princeton University Press 1997, with an introduction by William Chester Jordan, at pp. 346-347 states:

The true importance of this author, however, [ i.e., of the author of the *Leges Anglorum*, parts of which were inserted or interpolated into the third version of the *Leges Edwardi Confessoris*] has to be sought in the passage where he imputes that Edward the Confessor had sworn an oath to restore all the rights, dignities, and lands which his predecessors "have alienated from the Crown of the realm," and to recognise it as his duty "to observe and defend all the dignities, rights, and liberties of the Crown of this realm in their wholeness.

[In footnote 116 to this passage, Kantorowicz says: 'For the oath see Liebermann, *Gesetze*, I, 635 (11, 1A, 2); also I, 640 (13, 1A), where it is said that the Confessor himself "seruauit sacramentum in quantum potuit; noluit sacramenti sui fieri transgressor." For the influence of the legend of Edward the Confessor on Edward II, see Richardson, in *BIHR*, xvi, (1938), 7 and 10; and in *TRHS*, 4<sup>th</sup> ser. xxiii (1941), 149 f.; his findings defeat the thesis of Schramm, *English Coronation*, 206, (also (*Arch UF*, xv, 1938, 350) according to which the rex *Edwardus* in the oath of Edward II referred to Edward I.]

—sourced to Liebermann, *Gesetze*, I, 635, 11, 1A, 2;  
and to I, 640, 13, 1A.

—Fritz Liebermann, *Die Gesetze der Angelsachsen, Text und Übersetzung*, Unveränderter Neudruck der Ausgabe 1903-1916, Scientia Aalen, Sindelfingen, Germany, 1960; in 3 Vols.; at Vol. I,

[p. 635]—*Leges Anglorum Lond. Coll. Zu Ecf. retr*

[11, 1 A 2] Debet uero de iure rex omnes terras et honores, omnes dignitates et iura et libertates corone regni huius in integrum cum omni integritate et sine diminutione observare et defendere, dispersa et dilapidata et amissa regni iura in pristinum statum et debitum uiribus omnibus reuocare.  
(c)

\*

[p. 640]—*Leges Anglorum Lond. Coll. Zu Ecf. retr. 13, 1 A*

(1) De regibus Norwiconum et Danorum post mortem Aluredi regis. Iste uero knutus, prefatus rex, et swennus rex danorum, pater suus, et Lachman rex Suecorum et olanus rex Norwegue et Haraldus Harefote rex danorum, filius Cnuti predicti et elwyne, et Hardechnutus rex Danorum, frater suus, filius Cnuti predicti et Emme, sororis Roberti Normannorum ducis et matris ultimi Edwardi, multa iura et dignitates et terras et insulas a corona regni huius alienauerunt et dilapidauerunt et Dacis suis et Norwicensibus suis illas dederunt, qui regnum illud infestantes destruxerunt. [13, 1 A 1] Idcirco donationes et alienationes eorum in irritum reuocari debent et in nichilum reduci et omnino extirpari. [13, 1 A 2] Ita fecit bonus rex Edwardus : facta eorum in quantum potuit reuocauit; sed non potuit omnia reuocare. Non habuit uim, quod potuit regnum in pristinum statum reducere et reformare; seruauit sacramentum in quantum potuit; noluit sacramenti sui fieri transgressor; fecit enim quod potuit. [13, 1 A 3] Temporibus uero regum Danorum sepultum fuit ius in regno, leges et consuetudines simul sopite; temporibus que illorum praua uoluntas et uis et uiolentia magis regnabant quam iudicium un terra

## FRANCE

?

### France Coronation Oath

From Jean Bodin, *Le Six Livres de la République*, Paris, 1576, Book I, Chapter 8, p. 136 [French edition], Julian H Franklin, (ed. and trans.) Book I, Chapter 8, 'On Sovereignty' from *Jean Bodin, On Sovereignty, Four Chapters from The Six Books of the Commonwealth*, Cambridge University Press, Cambridge, 1992, p. 17

But I have seen another version of our oath, in a very old little book in the abbey of St. Allier in Auvergne [later Latin version reads: 'Both these oaths have a priestly aroma about them. But I have copied, from the very ancient archives of a library in Auvergne, the purest and best form of oath that can be devised and I recommend it for all kings to admire and imitate'], which reads, 'I swear in the name of almighty God and I promise to govern well and duly the subjects committed to my care, and with all my strength to give (faire) judgment, justice and mercy.' This seems to be taken Jeremiah [9,

24] where it is said, 'I am the great God eternal who gives (fay) judgment, justice, and mercy, and in these things I take special delight.' This shows at a glance that the oaths contained in a printed book (recently) published on the coronation ceremony entitled *Sacre du Roy* have been much changed and altered from their ancient form. But one can see in either [of the above] version[s] of the oath that there is no obligation to keep the laws unless right and justice would be affected adversely (*sinon tant que et la justice souffrira*). Indeed it seems that the ancient kings of the Hebrews did not take any oath at all, not even those who were consecrated by Samuel, Elijah, and others.

But some kings take a more restrictive oath, (*serment plus précis*) like the oath of Henry III, king of France and Poland, which runs as follows:

? **France Coronation Oath** (continued from Bodin above)

From Jean Bodin, *Le Six Livres de la République*, Paris, 1576, Book I, Chapter 8, p. 136-137 [French edition], Julian H Franklin, (ed. and trans.) Book I, Chapter 8, 'On Sovereignty' from *Jean Bodin, On Sovereignty, Four Chapters from The Six Books of the Commonwealth*, Cambridge University Press, Cambridge, 1992, p. 17

*Ego Henricus Rex Poloniae, etc. iuro Deo omnipotenti, quod omnia iura, libertates, privilegia publica et privata, iuri communi non contraria, ecclesiis, principibus, baronibus, nobilibus, civibus, incolis per meos praedecessores Reges, etc. quoscumque principes dominos regni Poloniae iuste donata, ab ordinibusque tempore interregni statuta, sancta, nobis oblata, observabo, etc. iustitiamque omnibus incolis iuxta iura publica administrabo. Et si (quo absit) sacramentum meum violavero, nullam nobis incolae regni obedientiam praestare debebunt, etc. sic me deus adiuvet.*

I, Henry, king of Poland etc., swear by almighty God that I will observe all rights, liberties, and privileges public and private not contrary to common law that have been justly granted to churches, princes, barons, nobles, citizens, and inhabitants by the kings my predecessors or by any princes who were lords of the kingdom of Poland, including those established, confirmed, and presented to us by the Estates during the Interregnum; and that I will administer justice to all inhabitants in accordance with established public law. And if (may it never come to pass) I should violate my oath, the inhabitants of the kingdom shall not be bound to render me obedience etc., so help me God.

1058 **France, Philip, Coronation oath**

*Juliani ad Erigium Regem, Anno MLVIII, Henrico regnante XXXII. III Calend. Iunii: ... Ego Philippus Deo propiciante mox futurus Rex Francorum, in die ordinationis meae, promitto coram Deo et sanctis eius, quod unicuique de nobis commissis canonicum privilegium et debitam legem atque iustitiam conservabo, et defensionem, adiuvente Domino, quantum potero exhibebo, sicut Rex in suo regno unicuique Episcopo, et ecclesia sibi commissae per rectum exhibere debet; populo quoque nobis credito, me dispensationem legum in suo iure consistem, nostra auctoritate concessurum. Qua perlecta posuit eam in manus Archiepiscopi.*

From Julianus to Master (Regem) Erigius in the year 1058, the thirty-second in the reign of Henry I, on the twenty-ninth day of May... I Philip, God willing, about to become king of the French, do promise before God and His saints on this day of my coronation, to swear to secure canonical privilege, due law, and justice to every person entrusted to our charge, and with God's help, I will provide for their defence so far as I am able, as a king in his kingdom rightly ought to do for every bishop and church committed to his care. And to the people entrusted to our care, [I promise] that I will grant by our authority execution of the laws consistent with their right. After this was read he placed it in the hands of the archbishop.

—From Jean Bodin, *Le Six Livres de la République*, Paris, 1576, Book I, Chapter 8, p. 136 [French edition], Julian H Franklin, (ed. and trans.) Book I, Chapter 8, 'On Sovereignty' from *Jean Bodin, On Sovereignty, Four Chapters from The Six Books of the Commonwealth*, Cambridge University Press, Cambridge, 1992, p. 16

## HAROLD

1066 **Harold II; (England) crowned 6 January 1066**

— suggestion by Hoyt based on Florence of Worcester that Harold's oath was similar to William of Normandy's, Florence reporting that as soon as Harold undertook the governance of the realm *leges iniquas destruere, aequas coepit condere*.— *Florenti Wigorniensis monachi chronicon ex chronicis* I, 224, quoted in Robert S Hoyt, 'The Coronation Oath of 1308: the background of "Les Leys et les Custumes"', *Traditio*, Vol. XI, 1955, p. 235-257, at p. 239.

## WILLIAM I

**1066**            **William I, The Conqueror, (England)** King; crowned Westminster; defeated Harold 14 October 1066; crowned Christmas Day, 25 December 1066. Consecrated by Aldred, Archbishop of York [Pemberton, p. 17]

William swears coronation oath; 'that he would defend God's holy churches and their rulers, that he would "rule the whole people with righteousness and royal providence, that he would establish and hold fast right law, and utterly forbid rapine and unrighteous judgement."' [Maitland, *Constitutional History*, 98-99] [Richardson & Sayles, p. 137 source this to Florence of Worcester, their translation marginally different, substance the same.]

Stubbs in his *Constitutional History*, Vol. I, §95, p. 280, gives the text of the oath thus:

*'in the presence of the clergy and people he promised with an oath that he would defend God's holy churches and their rulers, that he would moreover rule the whole people subject to him with righteousness and royal providence, would enact and hold fast right law, utterly forbid rapine and unrighteous judgement.'* Stubbs in n. 2 sources this to 'Flor. Wig. A D 1066; *W' Pictav.* ed. Maseres, p. 145; and see Freeman, *Norm. Conq.* iii. 559. No doubt the coronation service used was that which had been employed in the case of Ethelred, and the words of Florence represent the coronation engagement: "*Sanctas Dei ecclesias ac rectores illarum defendere, necnon et cunctum populum subjectum juste et regali providentia regere, rectam legem statuere et tenere, rapinas injustaque judicia penitus interdiceret.*"

Florence, a monk of Worcester - compiler of *Florenti Wigorniensis monachi chronicon ex chronicis*, ed. B Thorpe, English Historical Society, London, 1848-1849; at I, 229; and see *The Chronicle of Florence of Worcester*, Thomas Forester, (trans. and ed.), Henry G. Bohn, London, 1854; reprinted from the 1854 edition by AMS Press, New York, 1968.

*...ab Aldredo Eboranecensium archiepiscopo in Westmonasterio consecratus est honorifice, prius, ut idem archpraesul ab eo exagebat, ante altare Sancti Petri Apostoli, coram clero et populo iurejurando promittens, se velle sanctas Dei ecclesias ac rectores illarum defendere, necnon et cunctum populum sibi subjectum juste et regali providentis regere, rectam legem statuere et tenere, rapinas injustaque judicia penitus interdiceret*

—quoted in Robert S Hoyt, 'The Coronation Oath of 1308: the background of "Les Leys et les Custumes"', *Traditio*, Vol. XI, 1955, p. 235-257, at p. 239

and:

[A.D. 1066] ....he was anointed by Aldred, archbishop of York, with great ceremony, at Westminster, on Christmas-day, which that year fell on a Monday; having first, as the archbishop required, sworn before the altar of St Peter the apostle, in the presence of the clergy and people, to protect the holy churches of God and their governor, and to rule the whole kingdom subject to him with justice and kingly providence, to make and maintain just laws, and straitly to forbid every sort of rapine and all unrighteous judgements

—from *The Chronicle of Florence of Worcester*, Thomas Forester, (trans. and ed.), Henry G. Bohn, London, 1854; reprinted from the 1854 edition by AMS Press, New York, 1968, at p. 171

Florence's version was followed by Simeon of Durham, *Historia Regum in Symeonis monachi opera omnia* (ed. T Arnold, Rolls Series, [RS]: London, 1882-85 II 182, who is followed by Howden, *Chronica magistri Rogeri de*

*Houedene* (ed. Stubbs, RS; London, 1868-71) I 116; - see n. 12 at p. 239 of Robert S Hoyt, 'The Coronation Oath of 1308: the background of "Les Leys et les Custumes", *Traditio*, Vol. XI, 1955, p. 235-257.

## WILLIAM II

**1087 William II (Rufus) (England)** succeeded 10 September 1087; crowned 26 September 1087; consecrated by Lanfranc, Archbishop of Canterbury; swears similar coronation oath to that of William I [Maitland, *Constitutional History*. 99]

Stubbs in his *Constitutional History*, Vol. I, §105, at p. 321 says:

*But far more important in principle than the demolition of the single feudatories is the relation created and strengthened between the king and the native English. The Conqueror's last wish for the disposal of England was confided to Lanfranc, as the head of the witangemot of the kingdom: and Lanfranc proceeded to secure the fulfilment of it in such a constitutional way as lay open to him, when the majority of the baronage were [sic] inclining to duke Robert. [William I had wanted his second son, William, not Robert, first born, to succeed to England] William was ready to make any promise to secure his crown. He swore to Lanfranc that if he were made king he would preserve justice and equity and mercy throughout the realm, would defend against all men the peace, liberty and security of the churches, and would in all things and through all things comply with his precepts and counsels.' [my underlining]*

[n. 1. 'Verens ne dilato consecrationis suae inferri ei dispendium cuopiti honoris, coepit, tam per se quam per omnes quos poterat, fide sacramentoque Lanfranco promittere justitiam, aequitatem et misericordiam se per titum regnum, si rex foret, in omni negotio servaturum; pacem, libertatem, securitatem ecclesiarum contra omnes defensurum; necnon praeceptis atque consitiis ejus omnia et in omnibus obtemperaturum.' Eadmer, Hist. Nov. I. p. 14.]

*'On this understanding Lanfranc crowned him and received the formal enunciation of the engagement in the coronation oaths.'*

## HENRY I

**1100 Henry I (England) King;** succeeded 2 August 1100; crowned 5 August 1100; [note that Pemberton, p. 20, says Henry I was crowned on 15 August, the Feast of the Assumption.]

swears coronation oath similar to that of Æthelred. [Maitland 99];

Text from Stubbs, *Select Charters* at p. 99, and Stubbs, *CONSTITUTIONAL HISTORY*, p. 329, §108; taken from Maskell. *Mon. Rit.* iii. 5, 6

*'In Christi nomine promitto haec tria populo Christiano mihi subdito. In primis me praeceptum et opem pro viribus impensurum ut ecclesia Dei et omnis populus Christianus veram pacem nostro arbitrio in omni tempore servet; aliud ut rapacitates et omnes iniquitates omnibus gradibus interdicam; tertium ut in omnibus judiciis aequitatem et misericordiam praecipiam, ut mihi et vobis indulgeat Suam misericordiam clemens et misericors Deus.'*

**1100 Coronation Charter, or Charter of Liberties, Henry I (England) (S&M, pp. 46-48)**

'Henry, King of the English, ...

'Know that by the mercy of God, and by the common counsel of the barons of the whole kingdom of England, I have been crowned king of the same kingdom. And since the kingdom has been oppressed by unjust exactions, I, through the fear of God and through the love that I have for you all, in the first place make the holy church of God free.... And I henceforth remove all the bad customs through which the kingdom of England has been unjustly oppressed; ... I establish my firm peace throughout the whole kingdom and command that it henceforth be maintained. I restore to

you the law of King Edward, together with those amendments by which my father, with the counsel of his barons, amended it. ...'

text from the Latin in F Liebermann, *Gesetze*, I, 521 ff.

Note that according to Stubbs (*Select Charters*, p. 99), 'this charter was published at Henry's coronation, and probably reissued from time to time; ... It is in form an amplification of his Coronation Oath, the exact words of which are still preserved, and agree with the ancient form used at the coronation of Æthelred: ... It is thus a deliberate expression of the articles of the covenant made by the king with his people, in consideration of which he receives the threefold sanction of election by the nation, unction and coronation by the Church, and homage from the feudal vassals. ... It is a deliberate limitation of the power which had been exercised by William the Conqueror, and William Rufus, a renunciation of the evil customs introduced by the latter, and a restoration of the ancient customs of the nation. ...'[99] a precursor of the Magna Carta

— Full Latin text also in Stubbs, *Select Charters*, pp. 99-102, sourced to *Ancient Laws and Institutes*, p. 215.

#### 1100 Henry I (England) crowned 5 August 1100; succeeded 2 August 1100

Florence, a monk of Worcester - compiler of *Florenti Wigorniensis monachi chronicon ex chronicis*, B Thorpe, (ed.), English Historical Society, London, 1848-1849; at I, 229; and see *The Chronicle of Florence of Worcester*, Thomas Forester, (trans. and ed.), Henry G. Bohn, London, 1854; reprinted from the 1854 edition by AMS Press, New York, 1968.

Qui consecrationis suae die, sanctam Dei ecclesiam, quae fratris sui tempore vendita et ad firmam erat posita, liberam fecit, ac omnes malas consuetudines et injustas exactiones quibus regnam Angliae injuste opprimebatur, abstulit, pacem firmam in toto suo regno posuit et teneri praecepit, legem regis Eadwardi omnibus in commune reddidit, cum illis emendationibus quibus pater suus illam emendavit,

—quoted from *Flor. Wig.* II 46f. by Robert S Hoyt, 'The Coronation Oath of 1308: the background of "Les Leys et les Custumes"', *Traditio*, Vol. XI, 1955, p. 235-257, at p. 239

and:

On the day of his consecration he gave freedom to the church of God, which in his brother's time was put up for sale and let to farm; he discontinued the exaction of the unjust dues and oppressive taxes with which the kingdom of England was burthened, and firmly established peace in his dominions, and ordered it to be preserved; he restored the laws of king Edward to all in common. with such amendments as his father had made, but he retained in his own hands the forests which he made and possessed.

—quoted in *The Chronicle of Florence of Worcester*, Thomas Forester, (trans. and ed.), Henry G. Bohn, London, 1854; reprinted from the 1854 edition by AMS Press, New York, 1968, at pp. 207-208

#### 1100 Henry I Coronation Oath, crowned 5 August 1100; succeeded 2 August 1100

Before the altar at Westminster Henry vowed to God and all the people to put down all the injustices that there were in his brother's time, and to maintain the best laws that had stood in any king's day before him. And after that Maurice, the bishop of London, consecrated him king, and all in this country submitted to him and swore oaths and became his men

—quoted from *English Historical Documents*, Vol. II, 176; by Hoyt, Robert S, 'The Coronation Oath of 1308: the background of "Les Leys et les Custumes"', *Traditio*, Vol. XI, 1955, p. 235-257, at p. 242 and n. 28. 'A Latin version derived from this account will be found in the *Annales monasterii de Waverleia*, in *Annales Monastici* (ed. H R Luard,

*Deinde iurat quod leges malas et consuetudines peruersas ... delebit et bonas custodiet*

—quoted in H G Richardson, 'The Coronation in Medieval England', *Traditio*, Vol. 16, 1960, p. 111, from Liebermann, *Gesetze der Angelsachsen* I, 521.

## 'TWELFTH CENTURY CORONATION ORDER'

**c. 1100** 'Twelfth century Coronation Order', [Third recension of the English Coronation order] from Legg, *English Coronation Records*, at p. 30. Legg sources this text to a manuscript pontifical in the British Museum, dating from the twelfth century [Brit. Mus. Cotton. MS. Tib. B. viii. fo. 81]. Legg notes that this is sometimes called the coronation order of Henry I, but says that there is no evidence for this.

*INCIPIIT consecratio regis.*<sup>1</sup>

Here beginneth the consecration of a king.<sup>2</sup>

....

*Firmetur manus tua et exaltetur dextra iusticia et iudicium preparatio sedis tue misericordia et ueritas precedant faciem tuam alleluia. Gloria patri et filio et spiritui sancto.*<sup>3</sup>

Let thy hand be strengthened, etc [See below Doc. xxiii. p. 250]<sup>4</sup>

*Perueniens ad ecclesiam prosternat se super pauimentum ante altare. Pauimentum autem /stratum sit tapetibus at palliis. Finita Antiphona fiat letania. Et episcopi prosternant se super pauimentum hinc et inde circa electum regum. Expleta autem letania ; erigant se. Erectus autem ab episcopis electus rex ; hec tria seruaturum se esse promittat dicens.*<sup>5</sup>

And when the king is come to the church, he shall lie prostrate on the floor before the altar. Now the floor must be spread with carpets and cloths. When the anthem is finished a litany shall be said. And the bishops shall lie prostrate on the floor on both sides of the king elect. At the end of the litany they shall arise. And the king elect when raised by the bishops shall promise to observe these three things, saying<sup>6</sup>

*In christi nomine promitto hec tria populo christiano mihi sibi. In primis me precepturum et opem pro uiribus impersurum : ut ecclesia dei et omnis populus christianus. ueram pacem nostro arbitrio in omni tempore seruet.*

In the name of Christ I promise these three things to the Christian people subject to me:

First, that I will enjoin and give my aid, that the Church of God and all the Christian people preserve true peace at all times.<sup>7</sup>

*Aliud ut rapacitates et omnibus gradibus interdiciam.*<sup>8</sup>

Secondly, that he forbid rapacity and all iniquities to all degrees.<sup>9</sup>

*Tercium ut in omnibus iudiciis equitatem et misericordiam precipiam. ut mihi uobis indulgeat suam misericordiam clemens et misericors deus.*<sup>10</sup>

<sup>1</sup> *ibid.*, p. 30

<sup>2</sup> *ibid.*, p. 39

<sup>3</sup> *ibid.*, p. 30

<sup>4</sup> *ibid.*, p. 39

<sup>5</sup> *ibid.*, p. 30

<sup>6</sup> *ibid.*, p. 39

<sup>7</sup> *ibid.*, p. 39, 13.

<sup>8</sup> *ibid.*, p. 30

<sup>9</sup> *ibid.*, p. 39, 13

<sup>10</sup> *ibid.*, p. 30

Thirdly, that in all judgements he enjoin equity and mercy, that therefore the clement and merciful God may grant us mercy<sup>1</sup> [ - as for the 'First' Coronation order.]

## LEGES ANGLORUM

1115-50; (wohl 1130-35) [recte 1130-35]      **Leges Edwardi Confessoris; Leges Anglorum [interpolation]**

—from F Liebermann, *Die Gesetze der Angelsachsen, Text und Übersetzung, Unveränderter Neudruck der Ausgabe 1903-1916*, Scientia Aalen, Sindelfingen, Germany, 1960; in 3 Vols.; at Vol. I, pp 635-37; referred to in Hoyt, Robert S, 'The Coronation Oath of 1308: the background of "Les Leys et les Custumes", *Traditio*, Vol. XI, 1955, p. 235-257, at p. 249; and discussed in H G Richardson, 'The Coronation in Medieval England', *Traditio*, Vol. 16, 1960, p. 111, at pp 166 ff. Richardson tends to date this coronation 'interpolation' before 1161, (see p. 167)

Liebermann, at p. 635 [Leges Angl. s. XIII in Lond. coll. zu Ecf. rctr 11, 1 A]

De iure et de appendiciis corone regni Britannie; et quod sit officium regis. Rex autem, qui uicarius summi Regis est, ad hoc constitutus, ut regnum terrenum et populum Domini et super omnia sanctam Eius ueneretur ecclesiam et regat et ab iniuriis defendat et maleficos ab ea eullat et destruat et penitus disperdat.

[11, 1 A 1]      Quod nisi fecerit, nec nomen regis in eo constabit, uerum, papa Iohanne testante, nomen regis perdit; cui Pipinus et Karolus filius eius, necdum reges sed principes sub rege Francorum stulto, scripserunt, querentes, si ita permanere deberent Francorum reges, solo regio nomine contenti. A quo responsum est: Illos decet uocari reges qui uigilanter defendunt et regunt ecclesiam Dei et populum eius, imitati regem psalmigraphum dicentem: Non habitabit in medio domus mee qui facit superbiam' etc.

[11, 1 A 2]      Debet uero de iure rex omnes terras et honores, omnes dignitates et iura et libertates corone regni huius in integrum cum omni integritate et sine diminutione obseruare et defendere, dispersa et dilapidata et amissa regni iura in pristinum statum et debitum uiribus omnibus reuocare. (c)

[11, 1 A 3]      Uniersa uero terra et tota et insule omnes usque Norwegiam et usque Daciam pertinent ad coronam regni eius et sunt de appendiciis et dignitate regis

[11, 1 A4] Et una (c) est monarchia et unum est regnum; et uocabatur quondam regnum Britannie, modo uero uocatur regnum Anglorum

[Here Liebermann in footnote (c) says 'wörtlich deckt sich dies, wie 11, 1 A 9 citirt, mit einem Krönungseid [possibly that of Edward I.' (Stubbs Constit. Hist. II 105), ebenso Pollock and Maitland HEL. I 366]: Il gardera toutes ses terres, honours et dignitees droiturelx et franks del coron du roialme d'Engliture en tout maner d'entierre sans nul maner d'amenusement; et les droites disperges dilides ou perdus de la corone a son pouoir reappeller en l'auncien estate. Vgl. auch Lond. in 13, 1 A 1 ff. und Flea I 8: antiqua maneria uel iura coronæ annexa regi non licebit alienare, sed omnis rex coronæ suæ alienata reuocare tenetur. Vielleicht stand die Forderung im Programm der Staatsreformer nach Richards I. Zeit, in dessen Eid sie noch fehlt

[11, 1 A 5]      Tales enim metas et fines, ut predictæ sunt, constituit et imposuit corone regni huius dominus Eleutherius papa sententia sua - anno scilicet CXXXVII post passionem Christi --, qui primo destinauit coronam benedictam Britannie et Christianitatem, Deo inspirante, Lucio regi Britonum.

[11, 1 A 6]      Debet etiam rex omnia rite facere in regno et per iudicium procerum regni, Debet enim ius et iustitia magis regnare in regno quam uoluntas praua; lex est semper quod ius facit uoluntas uero et uolentia et uis non est ius.

<sup>1</sup> *ibid.*, p. 39, 13



[11, 1 A 7] Debet uero rex Deum timere super omnia et diligere et mandata eius per totum regnum suum seruare. Debet etiam sanctam ecclesiam regni sui cum omni integritate et libertate iuxta constitutiones patrum et [p. 636] predecessorum seruare, fouere, manutenere, regere et contra inimicos defendere, ita ut Deus pre ceteris honoretur et pre oculis semper habeatur.

[11, 1 A 8] Debet etiam banas leges et consuetudines approbatas erigere, prauas autem delere et omnia a regno deponere. Debet iudicium rectum in regno facere et iustitiam per consilium procerum regni sui tenere.

[11, 1 A 9] Ista uero debet omnia rex in propria persona, inspectis et tactis sacrosanctis euangelis, et super sacras et sanctas reliquias coram regno et sacerdotio et clero iurare, antequam ab archiepiscopis et episcopis regni coronetur.

[11, 1 A 10] Tres enim rex habere seruos debet, scilicet luxuriam, auaritiam et cupiditatem; quos si habuerit seruos, bene et illustre regnabit. regno omnia debet premeditari; et hoc regis est. Quia 'male cuncta ministrat impetus'; iuxta Euangelium 'omni regnum in seipsum diuisum'. Hec hactenus.

...

[p. 640]—**Leges Anglorum Lond.** Coll. Zu Ecf. retr. 13, 1 A

(1) De regibus Norwicorum et Danorum post mortem Aluredi regis. Iste uero knutus, prefatus rex, et swennus rex danorum, pater suus, et Lachman rex Sueourum et olanus rex Norwegue et Haraldus Harefote rex danorum, filius Cnuti predicti et elwyne, et Hardechnutus rex Danorum, frater suus, filius Knuti predicti et Emme, sororis Roberti Normannorum ducis et matris ultimi Edwardi, multa iura et dignitates et terras et insulas a corona regni huius alienauerunt et dilapidauerunt et Dacis suis et Norwicensibus suis illas dederunt, qui regnum illud infestantes destruxerunt. [13, 1 A 1] Idcirco donationes et alienationes eorum in irritum reuocari debent et in nichilum reduci et omnino extirpari. [13, 1 A 2] Ita fecit bonus rex Edwardus : facta eorum in quabrum potuit reuocauit; sed non potuit omnia reuocare. Non habuit uim, quod potuit regnum in pristinum statum reducere et reformare; serauit sacramentum in quantum potuit; noluit sacramenti sui fieri transgressor; fecit enim quod potuit. [13, 1 A 3] Temporibus uero regum Danorum sepultum fuit ius in regno, leges et consuetudines simul sopite; temporibusque illorum praua uoluntas et uis et uiolentia magis regnabant quam iudicium in terra

Richardson, in *Traditio*, says at p. 169: 'His [i.e. the author of the interpolation] work, like the previous recension of the *Leges*, is in a sense a work of fiction : yet it bears witness to a form of oath much simpler than his expanded version, consisting of three traditional clauses with a new additional clause; ...'

## STEPHEN

**1135** **Stephen (England)**—Succeeded to throne 22 December 1135; **crowned on Feast of St Stephen, 26 December 1135.** was captured by Matilda in 1141; but reigned from 1135-1154.

### Stephen's coronation oath,

From Sir Matthew Hale, *The Prerogatives of the King*, edited for the Selden Society by D E C Yale, Selden Society, London, 1976, at p. 66.

*Vide apud Matthew Paris in coronatione regis Stephani. [Chronica Majora (Rolls ed.) II, p. 163; Richard I, II, pp 348-50; John, II, pp 455-456; Henry III, III, pp 1-2] His oath was to grant free elections of bishops, mitigation of the oppression of the forests, relocation of the danegelds.*

*Vide apud eundem in coronatione Ricardi primi. Iurauit quod [in] populo sibi commisso rectam iusticiam exercebat, et quod malas leges et iniquas consuetudines delebit, et bonas observabit. Vide eundem in coronatione Johannis. Quod sanctam ecclesiam et ejus ordinates diligeret et eam ab incursione malignantium indemnem conservaret, et quod perversis legibus destructis, bonas substitueret et rectam iusticiam in regno Angliae exercebat. Vide eundem in coronatione Henrici tertii. Iurauit coram clero et populo quod honorem pacem et reuerentiam portabit deo et sanctae ecclesiae et ejus ordinatis, omnibus diebus uitae suae, et quod [in] populo sibi commisso, rectam iusticiam tenebit et quod malas leges et*

*iniquas consuetudines delebit, et bonas observabit, et observari faciet. Vide Bracton who wrote in his time, lib. 3, cap. 9.*

[My rough translation :

Similarly applies the same in the coronation of Richard I. Swears in public ? to execute right justice, and to get rid of utterly bad laws and iniquitous customs and to observe the good. Similarly the same in the coronation of John. Said would protect the holy church and the ordinary people, and would proscribe the incursions of malignant customs and destroy bad laws, and substitute right laws in the realm of England. Similarly in the coronation of Henry III. Swore? to the clergy and the people to bring honour and peace and to reverence god and the holy church and the ordinary people, altogether to live in harmony??, and the laws? the people commissioned, to hold to right laws and to get rid of bad laws and customs, and observe the good? ]

—But note that Stubbs, in *Select Charters* at p. 120 notes that neither of Stephen's charters say anything about promises to the people about getting rid of the Danegeld, or to the clergy of entire freedom of election, as Henry of Huntingdon's account suggested. Stubbs quotes Henry of Huntingdon, lib. V, iii, at p. 115

HEN. HUNT. lib. viii. Inde perrexit rex Stephanus apud Oxineforde, ubi recordatus est et confirmavit pacta quae Deo et populo et sanctae Ecclesiae concesserat in die coronationis suae; quae sunt haec; primo vovit quod defunctis episcopis nunquam retineret ecclesias in manu sua, sed statim electioni canonicae consentiens episcopis eas investiret. Secundo vovit quod nullius clerici vel laici silvas in manu sua retineret, sicut rex Henricus fecerat, qui singulis annis implacitaverat eos, si vel venationem cepissent in silvis propriis, vel si eas ad necessitates suas extirparent vel diminuerent.... Tertio vovit quod Danegeldum, id est, duos solidos ad hidam, quos antecessores sui accipere solebant singulis annis, in aeternum condonaret. Haec principaliter Deo vovit et alia, sed nihil horum tenuit.

and see references in Hoyt, Robert S, 'The Coronation Oath of 1308: the background of "Les Leys et les Custumes", *Traditio*, Vol. XI, 1955, p. 235-257, at p. 243, especially where he states

... During the council held at Winchester. in 1141, bishop Henry [brother of Stephen] made a long speech reported by William of Malmesbury (who was present), in which the legate refers to the fact that before his brother had become king, he, the legate, had been surety that Stephen 'sanctam ecclesiam honoraret et exaltaret, et bonas leges manuteneret, malas vero abrogaret.' [from Wm. Malm. *Gesta regum* II 470, [n. 31, p. 243]

### Stephen's Coronation Charter

Stubbs in *Select Charters*, quotes Stephen's first Charter, saying 'This is probably the charter issued by Stephen at his coronation...', at p. 119

Stephanus Dei gratia rex Anglorum, Justitiis, Vicecomitibus, baronibus et omnibus ministris et fidelibus suis Francis et Anglicis salutem.

Sciatis me concessisse et praesenti carta mea confirmasse omnibus baronibus et hominibus meis de Anglia omnes libertates et bonas leges quas Henricus rex Anglorum avunculus meus eis dedit et concessit, et omnes bonas leges et bonas consuetudines eis concedo quas habuerunt tempore Regis Edwardi.

Quare volo et firmiter presecipio quod habeant et teneant omnes illas bonas leges et libertates de me et haeredibus meis ipsi et haeredes sui libere quiete et plenarie, et prohibeo ne quis eis super hiis molestiam vel impedimentum, vel diminutionem faciat super forisfacturam mean.

*Teste Willelmo Martel apud Londonias – Statutes of the Realm – Charters of Liberties, p. 4.*

## MATILDA

### 1141 Matilda (daughter of Henry I and Matilda of Scotland)

Proclaimed by a clerical council 'Lady of the English' after long civil war with Stephen and Stephen's capture in April 1141, but was expelled from London by the Londoners before her coronation.. She left England in 1148. Mother of Henry II.

## HENRY II

**1154** Henry II (England) elected and crowned 19 December 1154; [Note, Pemberton says Henry II was crowned on the Sunday after Christmas, p. 21.] [Note also that Stephen died on 25 October 1154, and Henry's accession dates only from 19 December 1154, the date of his coronation.]

Ernst H Kantorowicz, *The Kings Two Bodies, A Study in Medieval Political Thought*, Princeton University Press, 1957, first Princeton Paperback printing, 1981, seventh paperback printing with an introduction by William Chester Jordan, 1997, at p. at 167, says:

...but the essential factor was that Henry II created a *de facto* inalienable complex of rights and lands which later, in the thirteenth century, came to be known as the 'ancient demesne', and which formed, in the language of Roman law, the *bona publica* or fiscal property of the realm. Moreover, the sheer existence of the 'ancient demesne'—a supra-personal compound of rights and lands which was separate from the individual king and definitely not his private property—gave substance to the notion of an impersonal 'Crown' which developed simultaneously. The officers of Henry II were compelled to distinguish administratively 'between lands falling into the monarchy by feudal right, and the lands which were more properly the royal demesne of the king, or of the Crown.' The result of this development may be gathered from an unofficial proposition made at the very beginning of the thirteenth century. The anonymous compiler of a legal memorandum, jotting down his ideas about what the king's coronation oath should contain, suggested that the king swear to 'preserve all the lands of the Crown of this realm in their wholeness (*in integrum cum omni integritate*), and without diminution,' and also to recover all that had been alienated or lost.' [and here Kantorowicz refers to Liebermann, *Gesetze*, I, 635f.]

\*

Charter of Liberties ; Stubbs, *Select Charters* p. 135, from *Statutes of the Realm*, Charters of Liberties, p. 4) — probably issued at Henry's coronation, Stubbs at p. 134

Carta Regis Henrici Secundi

HENRICUS Dei gratia Rex Angliae, dux Normanniae et Aquitanniae, et comes Andegaviae, omnibus comitibus, baronibus et fidelibus suis Francis et Anglicis salutem Sciatis me ad honorem Dei et sanctae ecclesiae et pro communi emendatione totius regni mei, concessisse et reddidisse et praesenti carta mea confirmasse Deo et sanctae ecclesiae et omnibus comitibus et baronibus et omnibus hominibus meis omnes concessionem et donationes et libertates et liberas consuetudines quas rex Henricus avus meus eis dedit et concessit. Similiter etiam omnes malas consuetudines quas ipse delevit et remisit, ego remitto et deleri concedo pro me et haeredibus meis. Quare volo et firmiter praecipio quod sancta ecclesia et omnes comites et barones et omnes mei homines, omnes illas consuetudines et donationes et libertates et liberas consuetudines habeant et teneant, libere et quiete, bene et in pace et integre, de me et haeredibus meis, sibi et haeredibus suis, adeo libere et quiete et plenarie in omnibus sicut Rex Henricus avus meus eis dedit et concessit et carta sua confirmavit Teste Ricardo de Luci apud Westmonasterium.

Note: H G Richardson, 'The Coronation in Medieval England', *Traditio*, Vol. 16, 1960, p. 111, at p.166, after rehearsing all the evidence, states: ... for it seems hardly open to doubt that Henry II gave an undertaking [to safeguard the rights of the Crown] at his coronation.'

**1166** Thomas a'Becket Letter to Henry II

—as quoted in J B Ross and M M McLaughlin (eds.), *The Portable Medieval Reader*, The Viking Press, New York, 1949; 22nd printing, 1967, at pp 248-250; sourced to *St Thomas of Canterbury*, W H Hutton, ed. (London: D Nutt, 1889). H G Richardson, 'The Coronation in Medieval England', *Traditio*, Vol. 16, 1960, pp 111-202, t p. 125-26, n. 68 sources this to *Materials for the History of Thomas Becket* [Rolls Series 1881] V 282.

[248] These are the words of the archbishop of Canterbury to the king of the English.

...

[249] ...And since it is certain that kings receive their power from the church, not she from them but from Christ, so, if I may speak with your pardon, you have not the power to give rules to bishops, nor to absolve or excommunicate anyone, to draw clerks before secular [250] tribunals, to judge concerning churches and tithes to forbid bishops to adjudge causes concerning breach of faith or oath, and many other things of this sort which are written among your customs which you call ancient. ... Remember also the promise which you made, and which you placed in writing on the altar at Westminster when you were consecrated and anointed king by my predecessor, of preserving to the Church her liberty. ...

#### 1170                      **Henry II's son crowned while Henry II alive, 14 June 1170<sup>1</sup>**

—swore to preserve '*regni consuetudines quas avitas dicunt*'; quoted in Hoyt, Robert S, 'The Coronation Oath of 1308: the background of "Les Leys et les Custumes"', *Traditio*, Vol. XI, 1955, p. 235-257, at p. 244; it included 'an additional promise to maintain unimpaired the ancient customs of the realm'; see Richardson, H G, 'The English Coronation Oath', *Speculum*, Vol. 24, 1949, p. 44, at p. 47.

—dies during a revolt by Henry II's sons against Henry II, June 1183; never succeeded.

#### 1170?                      **Pope Alexander III writes to Henry about alleged breach of coronation oath**

In coratione autem illius nulla ex more de conservanda ecclesie libertate cautio est prestita, vel, sicut aiunt, exacta; sed iuramento potius asseritur confirmatum ut regni consuetudines, quas avitas dicunt, sub quibus dignitas perticlitur ecclesie, illibatas debeat omni tempore conservare

—quoted in Richardson, H G, 'The English Coronation Oath', *Speculum*, Vol. 24, 1949, p. 44, at p. 47, n. 17; sourced to Jaffe, n. 11836; printed in *Materials for the History of Thomas Becket* I, 93; VII, 366 *Foedera*, I, I, 26, from Roger of Howden (ed. Stubbs, II. 7-9).; says young Henry's oath omitted any reference to maintaining 'the liberty of the church', but included an additional promise to maintain unimpaired the ancient customs of the realm, 'whereby', says the pope, 'the authority of the Church is imperilled'. Richardson later (in H G Richardson, 'The Coronation in Medieval England', *Traditio*, Vol. 16, 1960, p. 111, at p. 163, n. 15], says 'Alexander III, ... is undoubtedly repeating Becket. (JL 11836)]

#### 1177                      **Henry II creates John Lord of Ireland**

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<sup>1</sup> H G Richardson, 'The Coronation in Medieval England', *Traditio*, Vol. 16, 1960, pp. 111-202, at p. 127

## RICHARD I

**1189**                      **Richard I King (England) (*Coeur de Lion*) Crowned, 3 September, 1189; consecrated by Baldwin, Archbishop of Canterbury.**

Richard crowned Westminster 3 September, 1189, and a few months later left not to return til 1194, when he stayed only from March 13 to May 12; kingdom was governed by four successive justiciars, whose action was that of independent sovereigns. (Stubbs, *Select Charters* 249). Maitland says that the coronation oath differed somewhat from the ancient form of Æthelred, and that he promised to 'observe the peace, to reverence the church and clergy, to administer right justice to the people, to abolish evil laws and customs, and to maintain the good.' [Maitland, *Const. Hist.*, 99]

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from Stubbs, *Select Charters* at p. 251, quoted from *Bened. Abb.* ii. 78:

A.D. 1189. BENED. ABB. ii. 78 [Benedictus Abbas]. Deinde Ricardus dux Normanniae venit Lundenias, et congregatis ibi archiepiscopis et episcopis, comitibus et baronibus et copiosa militum multitudine, III<sup>no</sup> nonas Septembris die Dominica . . . consecratus et coronatus est in regem Angliae . . .

Ib. p. 8.. Cum vero perventum esset ad altare, coram . archiepiscopis et episcopis, abbatibus, comitibus, baronibus, clero et populo, haec tria fecit Ricardus dux sacramenta. Juravit itaque et vovit coram positis sacrosanctis Evangelis et plurimorum Sanctorum reliquiis, quod pacem et honorem et reverentiam omnibus diebus vitae suae portabit Deo et Sanctae Ecclesiae et ejus ordinatis.

Deinde juravit quod rectam justitiam exercebit in populo sibi commisso.

Deinde juravit quod leges malas et consuetudines perversas, si aliquae sunt in regno suo, delebit et bonas custodiet.

\*

from *Radulfi de Diceto decani Londoniensis opera historica*, ed. Stubbs, RS, London, 1876; II, 68f.; quoted in Hoyt, Robert S, 'The Coronation Oath of 1308: the background of "Les Leys et les Custumes"', *Traditio*, Vol. XI, 1955, p. 235-257:

...quod impendet pro viribus, ut ecclesia dei populusque christianus veram pacem optineat,

quod interdicet omnibus rapacitatem,

quod in judiciis aequitatem praecipiet et misericordiam.

\*

from Howden [Legg refers to him as Hoveden], [Bodl. Laud. MS. 582, fo. 52], as quoted in *English Coronation Records*, Legg, p. 46, at p.49:

Cum autem Dux ad altare ueniret: coram archiepiscopis, episcopis. et clero et populo flexis genibus ante altare coram positis sacrosanctis euangelis et plurimorum sanctorum Reliquiis: iuravit. quod ipse omnibus diebus uite sue pacem et honorem atque reuerentiam deo et sancte ecclesie et euis ordinatus: portaret.

Deinde iuravit quod rectam iusticiam et equitatem exerceret in populo sibi commisso.

Deinde iuravit quod malas leges et consuetudines peruersas si que in regno suo inducte sunt: deleberet. et bonas leges conderet et sine fraude et malo ingenio eas custodiret.

Translation, from Legg, pp. 51-52

Now when the Duke came to the altar he swore in the presence of the archbishops, Bishops, clergy and people, on his knees before the altar, and the most holy gospels laid thereupon, and the relics of

many saints, that he would keep peace, honour and duty towards God and holy church and her customs all the days of his life.

Secondly, he swore that he would exercise right justice and equity among the people committed to his charge.

Thirdly, he swore that he would annul any evil laws and customs that might have been introduced into the realm, and make good laws and keep them without fraud or evil intent.

—Note: according to Hoyt, Robert S, 'The Coronation Oath of 1308: the background of "Les Leys et les Custumes"', *Traditio*, Vol. XI, 1955, p. 235-257, at 247, this text is from Howden's *Chronicle*, III, 9-12. Howden had used a different text in his earlier *Gesta regis Ricardi*, II, 80-83:

Cum vero perventum esset [autem Dux] ad altare [ueniret]: coram praedictis archiepiscopis, et episcopis, abbatibus, comitibus, baronibus, [et] clero et populo haec tria fecit Ricardus [dux] sacramenta. [Juravit] itaque et vovit coram positas sacrosanctis evengeliiis et plurimorum sanctorum reliquiis, quod [pacem et honorem et [atque] reuerentiam omnibus diebus vitae suae portabit] deo et sancte ecclesie et euis ordinatus. [portaret.]

Deinde iuravit quod rectam iusticiam [et equitatem] exerceret in populo sibi commisso.

Deinde iuravit quod malas leges et consuetudines peruersas si alique [sunt] in regno suo inducte sunt: delebit. et bonas leges conderet [et sine fraude et malo ingenio eas custodiret]

[The underlining shows new words in the *Gesta*, the brackets shows words in the *Chronicle* but not in the *Gesta*. Hoyt thinks the *Gesta* text is 'as close as we can get to the wording of the consecration oath of Richard.' [at p. 248]

Note: H G Richardson, 'The Coronation in Medieval England', *Traditio*, Vol. 16, 1960, p. 111, at p.182, in Appendix II, says that the Howden text is not reliable, and '...[after going through his evidence], it is easy to understand why the terms of the oath in the document [the *Gesta*] are not those taken either by Richard or his father. If the oath had ever been taken in the terms the document sets out, it had been superseded. We have before us then, formulas which, in 1189, belonged to a distant past, formulas overtaken by new usages, though set in a ceremonial which, in its broad lines, in its liturgical content, remained the same.'; and at p. 183 'Wherever we can test Howden's document, its statements, or rather prescriptions, point away from 1189 to some date before 1154.'

\*

—From Roger of Wendover, 1189, *Flowers of History*, [*Flores Historiarum*] translated by J A Giles, quoted in *The Portable Medieval Reader*, J B Ross and M M McLaughlin (eds.), The Viking Press, New York, 1949; 22<sup>nd</sup> printing, 1967, at p. 274-275:

*Proceeding to the altar, as we have said, the holy Gospels were placed before him together with the relics of some of the saints, and he swore, in presence of the clergy and people, that he would observe peace, honour and reverence all his life, towards God, holy Church and its ordinances: he swore also that he would exercise true justice towards the people committed to his charge, and abrogating all bad laws and unjust customs, if any such might be found in his dominions, would steadily observe those which were good. [then the anointing: he receives the sword; shoes are put on his feet]...and when he had received the mantle, he was adjured by the archbishop, in the name of God, not to presume to accept these honours unless his mind was steadily purposed to observe the oaths which he had made; and he answered that, with God's assistance, he would faithfully observe everything which he had promised.' [then he was crowned]*

## JOHN

**1199**                    **John (King of England and Lord of Ireland)** King; crowned Westminster, 27 May, 1199; consecrated by Hubert, Archbishop of (Canterbury?)

Maitland says that the coronation oath differed somewhat from the ancient form of Æthelred, and that he promised to 'observe the peace, to reverence the church and clergy, to administer right justice to the people, to abolish evil laws and customs, and to maintain the good.' [Maitland, *Constitutional History*, 99]

—from Stubbs, *Select Charters* at p. 270-271, quoting Matthew Paris, (ed. Watts), p. 197:

A. D. 1199. MATT. PARIS (ed. Watts), p. 197. 'Dux Normanniae Johannes transfretavit in Angliam et apud Sorham applicuit octavo kalendas Junii; et in crastino, in vigilia videlicet Dominicae

Ascensionis, Londonias venit ibidem coronandus. Congregatis itaque in adventu ejus archiepiscopis, episcopis, comitibus et baronibus atque aliis omnibus qui ejus coronationi interesse debuerant; archiepiscopus stans in medio omnium dixit,

'Audite universi. Noverit discretio vestra quod nullus praevia ratione alii succedere habet in regnum, nisi ab universitate regni unanimiter invocata Sancti Spiritus gratia electus, et secundum morum suorum eminentiam praelectus ad exemplum et similitudinem Saul primi regis inuncti, quem praeposuit Dominus populo Suo, non regis filium nec de regali stirpe procreatum; similiter post eum David Jessae filium; hunc quia strenuum et aptum dignitati regiae, illum quia sanctum et humilem; ut sic qui cunctos in regno supereminet strenuitate, omnibus praesit et potestate et regimine. Verum si quis ex stirpe regis defuncti aliis praepolleret, pronius et promptius in electionem ejus est consentiendum. Haec idcirco diximus pro inclyto comite Johanne, qui praesens est frater illustrissimi regis nostri Ricardi jam defuncti, qui haerede caruit ab eo egrediente, qui providus et strenuus et manifeste nobilis, quem nos, invocata Spiritus Sancti gratia, ratione tam meritum quam sanguinis regii unanimiter elegimus universi.'

Erat autem archiepiscopus vir profundi pectoris et in regno singularis columna stabilitatis et sapientiae incomparabilis; nec ausi sunt alii super his adhuc ambigere, scientes quod sine causa hoc non sic diffiniverat. Verum comes Johannes et omnes hoc acceptabant, ipsumque comitem in regem eligentes et assumentes exclamant dicentes 'Vivat rex.'

Interrogatus autem postea archiepiscopus Hubertus quare haec dixisset, respondit se praesaga mente conjecturare et quibusdam oraculis edoctum et certificatum fuisse, quod ipse Johannes regnum et coronam Angliae foret aliquando corrupturus et in magnam confusionem praecipitaturus; et ne haberet liberas habenas hoc faciendi, ipsum electione non successione haereditaria eligi dehere affirmabat. Archiepiscopus autem imponens capiti ejus coronam unxit eum in regem apud Westmonasterium, scilicet in ecclesia principis apostolorum, Dominicae Ascensionis die, sexto kalendas Junii, Philippo Dunelmensi episcopo appellante sed non obtinente, ne coronatio illa fieret in absentia Gaufridi archiepiscopi Eboracensis.

In hac coronatione rex Johannes triplici involutus est sacramento; quod videlicet sanctam ecclesiam et ejus ordinatos diligeret et eam ab incursione malignantium indemnem conservaret, et quod, perversis legibus destructis, bonas substitueret, et rectam justitiam in regno Angliae exerceret. Deinde adjuratus est ab eodem archiepiscopo ex parte Dei et districte prohibitus ne honorem hunc accipere praesumeret nisi in mente habeat opere quod juraverat adimplere. Ad hoc ille respondens promisit se per auxilium Dei, bona fide, ea quae juraverat servaturum... Et sic brevissimam in Anglia moram faciens, ea quae statuenda erant in regno cum consilio magnatum rite peregit.

Stubbs in *Constitutional History*, §151 Vol. I p. 553, says:

'...the form of election and the solemn promises of good government were repeated. But a speech is preserved by Matthew Paris, which, whether or no the words are genuine, seems to show there was something exceptional in the proceedings; some attempt on the archbishop's part to give the formality of election a real validity, which perhaps might be useful if the claims of Arthur should ever be revived. Hubert declared, the historian tells us, that the right to reign is conferred by the election which the nation makes after invoking the grace of the Holy Ghost: Saul and David were made kings, not because they were of royal race, but the one because of his strength and fitness, the other because of his sanctity and humility. Still, if in the royal stock there were one of distinct pre-eminence, the choice should fall more readily on him. Richard died without an heir; the grace of the Holy Ghost had been asked for: in John were united royal blood, and the good qualities of prudence and energy: all together then elected John. The cry "Vivat rex" was the answer of the assembled crowd. The archbishop moreover, when he received the coronation oath, adjured him on God's [554] behalf that he would not take the honour to himself without a full purpose to keep his oath, and John replied that by God's help in good faith he would keep all he had sworn.'

[n.1 Matthew Paris, ii. 454,455. 'In the declaration made by Lewis, on his invasion of England in 1216, long before Matthew Paris wrote, this speech of Hubert is distinctly referred to as affecting the claim of inheritance. See Foedera, I. 140]

## HENRY III

**1216** Henry III (King of England and Lord of Ireland) King; succeeded 18 October 1216; crowned first Gloucester, 28 October 1216; (crowned on Feast of St Simon and St Jude (Pemberton, p. 21),

by Peter des Roches, Bishop of Winchester (Wilkinson, *Later Middle Ages*, p. 49); second coronation 17 May 1220. [Stubbs, *Constitutional History*, Vol. ii, p. 18]

Maitland says that the coronation oath differed somewhat from the ancient form of Æthelred, and that he promised to 'observe the peace, to reverence the church and clergy, to administer right justice to the people, to abolish evil laws and customs, and to maintain the good.' [Maitland, *Constitutional History*, 99]

Writing between 1250 and 1260, [Henry III] Bracton, in f. 107 of *De Legibus et Consuetudinibus Angliæ*, *On the Laws and Customs of England*, in the section "Of Actions", states

De sacramento quod rex facere debet in coronatione sua

Of the oath the king must swear at his coronation

*Imprimis se esse præcepturum et pro viribus opem impensurum ut ecclesiæ dei et omni populo christiano vera pax omni suo tempore observetur. Secundo, ut rapacitates et omnes iniquitates omnibus gradibus interdicat. Tercio ut in omnibus iudiciis æquitatem præcipiat et misericordiam, ut indulgeat ei suam misericordiam clemens et misericors deus, et ut per iustitiam suam firma pace gaudeant univerti.*

In the first place, that to the utmost of his power he will employ his might to secure and will enjoin that true peace shall be maintained for the Church of God and all Christian people throughout his reign. Secondly, that he will forbid rapacity to his subjects of all degrees. Thirdly, that he will secure all judgments to be given with equity and mercy, so that he may himself be shown the mercy of a clement and merciful God, in order that by his justice all men may enjoy unbroken peace.

H G Richardson, 'The Coronation in Medieval England', *Traditio*, Vol. 16, 1960, p. 111; he says at p. 172 'We have good reason to believe that at each coronation the king had a written form of oath before him. Henry II. like his predecessors and like continental kings, laid this writing upon the altar.' [n. 51 see above, chapter 1, note 65; there is no chapter 1 note 65 in his article; I presume he must therefore refer to Three Coronation Orders, the only text which may have chapters, in the preceding footnote]. He goes on to say '... We are driven to conjecture, and our ignorance reflects the slight regard that was had to the precise wording of the spoken oath. It is a striking fact that Bracton was without knowledge of the oath that Henry III had taken and that his sources of knowledge were the Third recension and the *Leges Edwardi Confessoris*: that he chose the former, which gave a simpler form, as representative shows how much in the dark he was. [note. 52. *Traditio*, 6 (1948) 75-77] Even more striking is the fact that when Richard II was charged with violating his coronation oath, its terms were sought in bishops' pontificals [note. 53 {reference to sources and argument}], which certainly did not contain it.'

Stubbs in his *Constitutional History*, Vol. II, at p. 18 states concerning Henry III:

The boy of nine years old was made to take the solemn constitutional oaths, dictated by the bishop of Bath, and to do homage also to the pope in the person of the legate Gualo. [n.1 Rot. Claus. I. 335; Foed. I. 145; Ann. Waverley, p. 286; W. Cov. ii. 233. Matthew Paris, *Chronica Majora*, iii. 1, gives the form of the oath:

*Quod honorem, pacem ac reverentiam portabit Deo et sancte ecclesiæ et ejus ordinatus, omnibus diebus vitæ suæ; quod in populo sibi commissio rectam justiciam tenebit; quodque leges malas et iniquas consuetudines, si quæ sint in regno, delebit et bonas observabit et ab omnibus faciet observari.*

Bertie Wilkinson, *Later Middle Ages*, says, at 50:

[the reissue of the Great Charter in 1216 gave] John's Charter the character of the coronation charter of Henry I and Stephen. ... The king's advisers may have taken an oath not to allow his lands to be diminished; and the king's vassals shortly assumed a responsibility to maintain the 'state' of the crown...



17 May 1220 - Westminster - 'regarded as typical of the full restoration of peace and good government. The young king renewed his coronation oaths and received the diadem of S Edward. [Stubbs, *Constitutional History*, Vol. II, p. 31-32.

at p. 31, n. 3, Stubbs sources this to W. Cov. ii. 244 : the coronation oath was renewed, 'scilicet quod ecclesiam Dei tueretur, pacemque tam cleri quam populi, et bonas regni leges custodiret illaesas.'

## BRACTON

**1250 -1260      Bracton**

Writing between 1250 and 1260, [Henry III] Bracton, in *De Legibus et Consuetudinibus Angliæ*, *On the Laws and Customs of England*, in his Introduction, under the heading, 'Laws command and forbid', writes:

*Leges iubent et vetant*

*Huiusmodi vero leges Anglicanæ et consuetudines regum auctoritate iubent quandoque, quandoque vetant, quandoque vindicant et puniunt transgressores. Quæ quidem, cum fuerint approbatæ consensu utentium et sacramento regum confirmatæ, mutari non poterunt nec destrui sine communi consensu eorum omnium quorum consilio et consensu fuerint promulgatæ ...*

[And because] in truth these English laws and customs, by the authority of kings, sometimes command, sometimes forbid, sometimes castigate and punish offenders. Since they have been approved by the consent of those who use them and confirmed by the oath of kings, they cannot be changed without the common consent of all those by whose counsel and consent they were promulgated. ...

and in f. 107 the section "Of Actions", states:

*De sacramento quod rex facere debet in coronatione sua*

Of the oath the king must swear at his coronation

*Imprimis se esse præcepturum et pro viribus opem impensurum ut ecclesiæ dei et omni populo christiano vera pax omni suo tempore observetur. Secundo, ut rapacitates et omnes iniquitates omnibus gradibus interdicat. Tertio ut in omnibus iudiciis æquitatem præcipiat et misericordiam, ut indulgeat ei suam misericordiam clemens et misericors deus, et ut per iustitiam suam firma pace gaudeant universi.*

In the first place, that to the utmost of his power he will employ his might to secure and will enjoin that true peace shall be maintained for the Church of God and all Christian people throughout his reign. Secondly, that he will forbid rapacity to his subjects of all degrees. Thirdly, that he will secure all judgments to be given with equity and mercy, so that he may himself be shown the mercy of a clement and merciful God, in order that by his justice all men may enjoy unbroken peace.<sup>1</sup>

## EDWARD I

**1272      Edward I (England)** succeeded 20 November 1272

**1274      Edward I (King of England and Lord of Ireland)** King, 20 November 1272, crowned Westminster, 19 August 1274 [Stubbs, *Constitutional History*, v. II, p. 109][ David Lambert and Randal Gray, *Kings and Queens*, Harper Collins, 1991, says he was crowned on 18 August]

Kantorowicz, *King's Two Bodies*, (1997 reprint) at 356, says:

If the influence of Canon law may have been less prominent with regard to Henry III, there is no ambiguity whatever with regard to Edward I. By his time, the decretal of Honorius III, mentioning in so many words the inalienable rights of the Crown, began to be effective too. When Edward, ten

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<sup>1</sup> Bracton *De Legibus et Consuetudinibus Angliæ*, edited by George E. Woodbine, *Bracton On the Laws and Customs of England*, translated, with revisions and notes, by Samuel E. Thorne, Vol. 2; Woodbine's Latin text, Yale University Press, Yale, 1922; Thorne's translation and Woodbine's text, Harvard University Press and the Selden Society, Cambridge, Mass., 1968; at p. 21, and p. 304 respectively.

months after his coronation, referred for the first time to his coronation oath, his clerk alleged verbatim to the Honorian decretal saying the king was obliged 'to maintain unimpaired the rights of the realm.'

—sourced in note 147, p. 356, to *Parliamentary Writs*, I, 381 ff., '...et iureiurando in coronacione nostra prestito sumus astricti quod iura regni nostri servabimus illibata'.

Barons take oath of fealty; Edward away on crusade; crowned Westminster; coronation oath, but some doubt as to its form, as that of Edward II differs from that of Henry markedly; Maitland says 'a French form has been preserved which is possibly that used by Edward I and it had these words - "and that he will cause to be made in all his judgements equal and right justice with discretion and mercy, and that he will grant to hold the laws and customs of the realm which the people shall have made and chosen (*que les gentes averont faitz et eslies*), and will maintain and uphold them and will put out all bad laws and customs.'" [Maitland *Const. Hist.* 99, but no source]

Stubbs, in *Const. Hist.*, Vol. II, §179, p. 109, n. 2, says:

'The oath taken on this occasion is not recorded. This is unfortunate, as that taken by Edward II was very differently worded from that of Henry III, and it would be an important point to ascertain when the change was introduced. We know from Edward's own statement at the parliament of Lincoln in 1301 that he had sworn not to alienate the rights of the crown; and there is a form of coronation oath preserved in Machlinia's edition of the Statutes, which contains this promise, although it does not occur in any of the Pontificals or other ritual books. It is as follows:

'Ceo est serement que le roy jura a son [soun] coronement, que il gardera et mainteynera les droites et les fraunchises de seynt esglise grauntez auncienment dez droitez roys Chrestiens d'Engltere, et que il gardera tout[es] ses terres honour[es] et dignitees droiturelx et franks del coron du roialme d'Engltere, en tout maner d'entierre sans null maner d'amenusement, et les droites disperges dilapides ou perdues de la a son [soun] pouvoir [poair] reappeller en launcien estate, et que il gardera la peas de seynt esglise, et al clergie et al people le bon a[c]corde, et que il face faire en tou[te]z ses jugement[es] owel et droit justice ove discretion et misericorde[ce] et que il grauntera a tenure les leyes et custumes du roialme, et a son [soun] pouvoir [poair] les face garder et affirmer, que les gentes de people averont fai[te]z et eslies et les malvoys leys et customez de tout oustera, et ferme peas et establie al people de son [soun] roialme en ceo garde esgardera a son [soun] pouvoir [poair]; come Dieu luy ayde.'

'*Statutes of the Realm*, i. 168; Taylor, *Glory of Regality*, pp. 411, 412. This oath certainly has a transitional character, and may possibly be that of Edward I. Trokelowe, p. 37, says of him, 'Nihil erat quod rex Edwardus III tunc pro necessitate temporis non polliceretur,' possibly referring to some novelty in the oath. The following extract from a MS. Chronicle perhaps may illustrate the point; 'Qui statim coronam deposuit, dicens quod nunquam capiti suo redideret donec terras in unum congregaret ad coronam pertinentes quas pater suus alienavit, dando comitibus et baronibus et militibus Angliæ et alienigenis.' MS. Rawlinson, B. 414; and Ann. Hagnebie.'

—Note: Those parts of this oath that are underlined are where it varies from the text supplied by Blackstone, at p. 229 of Vol. I of his *Commentaries on the Laws of England*. The differences, assuming that both Blackstone and Stubbs correctly transcribed the texts that they had in front of them, are of such a consistent nature to suggest that they were from two quite separate sources; Stubbs sources it to Machlinia's edition of the *Statutes of the Realm*, while Blackstone sources it to an old folio abridgement of the statutes, printed by Lettou and Machlinia in the reign of Edward IV. According to Henry R Plomer, in *Wynkyn de Worde & His Contemporaries from the death of Caxton to 1535, a Chapter in English Printing*, Grafton & Co, London, 1925:

[159] John Lettou is next found in partnership with William de Machlinia, a native of Mechlin in Belgium. During 1482 and a part of 1483, Lettou and Machlinia printed an edition of Sir Thomas Littleton's *Tenores Nouelli*, the *Abbreuiamentum Statutorum*, and Year Books for the three years of Henry VI. This change in the character of the work was evidently due to the new partner, who realised that there was an opening for a printer with a knowledge of law French. These five books were printed in two new [160] founts of type, an evenly cast Black Letter with numerous contractions and joined letter, and a larger fount for the opening words of divisions, these founts being clearly modelled on the law hand of the period. None of these books bore any date, neither had they any title-pages, and the work became slovenly. Only one of them bore any kind of address, the *Tenures*

having an imprint, "Juxta ecclesiam omnium sanctorum," but as there was more than one church in London called All Saints', it was not much help in identifying the position of the printing house.

After printing these five books, the partnership was dissolved and John Lettou ceased to print, and nothing more is known about him. William de Machlinia continued printing alone for some time in 1483 until 1490. ....

[162] ... As a printer Machlinia was much inferior to Lettou. Not only was he careless about dates, but in the matter of signatures his books were unlike those of the majority of printers, some having them and some being without.

—Note: H G Richardson, after many articles, said in H G Richardson, 'The Coronation in Medieval England', *Traditio*, Vol. 16, 1960, p. 111, at pp 172-173 [re Edward I's coronation oath] 'It is noteworthy that the directory which was drawn up at Westminster Abbey fails to give any indication of the terms of the oath. The monks were little interested in anything beyond the ceremonial and their own rights. Besides, they still had available the twelfth-century directory which did contain a form of oath. There is no reason to suppose that there was any substantial change from [173] that form, apart from the addition of the oath to maintain the rights of the Crown, which indeed may well have been noted in the copy of the directory preserved in the abbey. ...'

## ANGLO-FRENCH VERSION OF *LIBER REGALIS*

### 1272-1377      Anglo-French Version of *Liber Regalis*

—from J Wickham Legg, (ed.) *Three Coronation Orders*, for the Henry Bradshaw Society, Vol. XIX, printed for the society by Harrison and Sons, London, 1900.

Said to be a Norman-French version of the *Liber Regalis* collated from a shorter recension of the *Liber Regalis* 'to be found under the symbol O in the second fasciculus of the Westminster Missal, or in the Coronation Order ascribed to Edward II printed by Rymer [T Rymer, *Foedera*, London, 1818, Vol. II. pars i. p. 33.] which again is almost identical with a manuscript in the British Museum, Harl. 2901.' —p. xxxi

This actual text is to be found 'in a manuscript, No. 20, belonging to Corpus Christi College, Cambridge.' —p. xxxi

Legg says —'Dr Montague R James has spoken of this manuscript as "a very fine book, a folio of perhaps the early xivth century, and of Norman work..." (p. xxxi—from M R James, "on the Fine Art as applied to the illustration of the Bible" &c. in *Proceedings of the Cambridge Antiquarian Society*, Oct, 29, 1888, to May, 1889. Cambridge, 1891. No. xxxi. Vol. vii. pp. 47-49.) Legg says 'the prince to be crowned is repeatedly named Edward.' (p. xxxi)

Legg dates this between 1272 and 1377—see p. xxxii. Also he thinks that because the figure seated on the throne in the accompanying picture (reproduced in J Strutt, *Horda Angel-gynnan*, London, 1776, Vol. iii, plate xxvii, and in J R Green, *Short History of the English People*, Illustrated Edition, London, 1892, Vol. I, against p. 414.) has a beard, then it is more likely to be Edward II who succeeded at the age of 23, rather than Edward III, who succeeded at fourteen; see p. xxxvi. But it is of course possible that the king depicted was supposed to be Edward I, who succeeded at the age of 33 (b. 1239, d. 1307, acceded 1272, crowned 1274—*Britannica*)

[in the light of the foregoing, and the possibility that this ordo could have been referring to Edward I, not Edward II or Edward III, the original text would probably repay modern scrutiny and analysis with a view to dating in the light of modern techniques; but so far as I have been able to determine, no work of this kind has been done.—mrlk]

Le iour que nouel roy serra corone bien matin vendrunt ereuesques & euesques & altres prelatz & les grans dengleterre a palays le roy de westm'et trestirent del coronament de lour roys & de les leys & les custumus de la tere a cofermer & ferement establer. [p. 39. The meeting of nobles and prelates before the coronation to consult about the laws and customs, and the coronation]

[p. 40] Et puis apres prechera le erceusque et quant il auera preche si demaundera de celui que est a coroner. Si uoudra granter & garder et par sermant & confermer a seint eglise & a son people les leys & les custumus que grante furent des aunciens roys & que a deu furent deuout & nomement les leys coustumus & les franchises que furent grantees a la clergie & al people par seint edward'

Et il oudra promettre & se assents a tut ceque lerceuesque lui ad demande.

Donks lui dirra lerceuesque sur que le chose il iurra.

Garderet uous a seint eglise la clergie & al people la pes entierement & lamur en deu solompk oustre poer.

E li roy respoundera. Ie les garderoy.

Freetz faire en touz uos iugementz owel & droiturel myse et descrecio od uerite & merci solont uostre poer.

Et il respo.' Ieo les fray.

Grantez vous les leys & les custimus & promittiez a tenir les & defendre al honur de dieu que la commune de uostre realme eslirra.

Respo' Ieo les grant & les promet.

Et puis a ceo serra aiustee ceo que comune uoudera ordiner solonc ceo que hom entendra que bien soit.

Et quant tut ceo serra fait et lui roy serra corone il auera tut [p. 41] ceo grante il fera le serment en la manere que le ereusque luy chargera.

Et apres ceo lerceuesque comencera deuotementez.

Ueni creator. ...

## MIRROUR OF JUSTICES

**1290-1328**      **The Mirroure of Justices**, by Andrew Horne [note: unclear whether this is a supposed compilation of law at the time of Horne's writing, and compiled by Horne, or whether it is a translation by Horne of laws purporting to be an editing by Horne of ancient matter dating prior to the Conquest]

*The Mirroure of Justices*, written originally in the Old French, long before the Conquest, and many things added, by Andrew Horne, to which is added *The Diversity of Courts and their Jurisdictions*, translated into English by W. H. [William Hughes], of Gray's Inn, Esq, 1642, John Byrne & Co, Washington DC, 1903; reprinted from the 1903 edition by Rothman Reprints, Inc, N J; Augustus M Kelley, Publishers, New York NY, 1968.

At pp. 18-19

SECT. 2.

*Of the coming of the English into this realm.*[18]

*These princes called this land (England) which before was called Great Britain, or Britania Major. These princes after great wars, tribulations, and troubles, suffered for a long time, chose themselves one king to reign over them, to govern God's people, and to maintain and defend their persons and their goods in peace by rules of law. And at the beginning they made the king to swear, that he should maintain the christian faith with all his power, and govern his people by law, without having regard to the person of any one; and that he should be obedient to suffer right as well as his other people should be.*[19]

\*

*The Mirror of Justices*, edited for the Selden Society by William Joseph Whittaker, with an introduction by Frederic William Maitland; Publications of the Selden society, Vol. VII, 1898; reissued, 1978:

Maitland: [p. ix] 'Coke obtained [a manuscript copy], and, as his habit was, devoured its contents with uncritical voracity. "I have," he said, "a very ancient and learned treatise of the laws [p. x] and usages of this kingdom whereby the commonwealth of our nation was governed about eleven hundred years past." [n. 1 Coke, preface to 9 Rep.]

[p. x] 'It would be long to tell how much harm was thus done to the sober study of English legal history...

[p. x] 'Meanwhile it had been put into print. This happened in 1642, a marvellously appropriate date for the appearance of a book which proclaimed as the first and sovereign [p. xi] 'Abuse' that the king is beyond the law to which he ought to be subject.'

Maitland says the writer of this book is a liar. [p. xxvi - 'The right to lie he exercise unblushingly.' and at p. xxxvii 'That he deliberately stated as law what he knew was not law, if by law we mean the settled doctrines of the king's court, will be sufficiently obvious to anyone who knows anything of the plea rolls of the thirteenth century.']

Maitland says: 'His political theory is simple. He is strongly opposed to an unfettered monarchy and to a king who is above the law.' at p. xxxviii. and '... he is fantastic and irresponsible.' at p. xlv.

and '... We feel sure that in Paradise, or wherever else he may be, he was pleasantly surprised when Coke repeated his fictions as gospel truth, and erudite men spoke of him in the same breath with Glanvill and Bracton,' at p. xlviii

From the *Mirroure* :

*Ceux apres grants guerres, tribulacions e peynes par longe tens suffertz ellurent il de eus a Roi pur regner sur eus e pur gouverner la people Dieu, meyntenir e defendre les persones e les biens en quite par les riules de droit.*

*Al coronement le firent jurer qil meintendreit la seinte foi cristienne a tut son poer, e son people guieroit par droit saunz regard a nule persone, e serreit obeissant a seinte eglise e justisiable a souffrir droit com autre de son people. e pus est le reume torne en heritage.*

And they, after great wars and tribulations and pains long time suffered, chose from among themselves a king to reign over them and to govern the people of God and to maintain and defend their persons and goods by rules of right.

And at his crowning they made him swear that he would maintain the Christian faith with all his power, and would guide his people by law without respect of any person, and would be obedient to holy Church, and would submit to justice and would suffer right like any other of his people. And after this the kingdom became inheritable. [at p.6]

## COROUNEMENT DE NOUEL ROI

? Writing dates from First Half of the Fourteenth Century *Corounement de nouel Roi*

—from J Wickham Legg, (ed.) *Three Coronation Orders*, for the Henry Bradshaw Society, Vol. XIX, printed for the society by Harrison and Sons, London, 1900, Appendix XI, pp. 121-124. Extract from a Chancery Miscell. Roll 18/3 (dors.), Public Record Office. Legg says that 'The writing, Mr Salisbury tells me, is of the first half of the fourteenth century.' [refers to an English coronation—references to Westminster]

### *Corounement de nouel Roi*

...

*et a donques a lieu auantdit, issi appareilez se assemberont les Prelatz, et les nobles de la tere de la consecracion de nouel prince et de confermer et establer fermer les lays et les custumes du Roialme:*

...

*et ouek la processoun soit mene, tant qua pulpit ci pur li est aparele, le quel pulpit deuant la processoun doyt estre couert des totes partz de tapitz, et de draps de parauail et paramont par ses Ministres, et deinz cest pulpit soit un chayer ordeyne honorablement couert de draps de soie, et quissus com il affiert, et deinz le pulpit demura tant que vne antime soit chaunte, Firmetur.*

*Que le antime parchantee, lercheuek qi la mess chauntere oue les autres prelatz, menera le dit prince yanyque al haute autere sur quele le dit Roi est tenu doffrir un drap dore ou de soye, et un liuer dore, et meintenat apres se doit abesser deuant le dit autere sur le pavement, qi sera deuant couert de tapitz, par se Ministres, adonc dirra le dit Ercheuek outer li ceste orisoun, Deus humilium,*

*Apres sarra un sermon conuenable dit par ascun prelat, si le temps le soffre.*

*<sup>1</sup>Apres li demandera lercheuek oue mene et distincte voice, sil voil les lays et les custumes anciens, et droiturels de terroiturels Rois, et a dieu deuotz, granter al people dengleterre oue confirmacion de serement, garantir, et garder et*

<sup>1</sup> This and the following two paragraphs are combined into the one paragraph in the text in Legg; I have separated them out so one may see the text of the oath more clearly. The italics are mine, to highlight the king's responses. Note the reference to the rights pertaining to the royal estate. [Legg's text contains numerous italicisations, which represent his extension of abbreviations in the original manuscript. I have not included them here.]

*numement les lays, et les custumes, et les Franchis, grantiz al clergie, et al people de Glorouse Roi Saint Edward et sil promette assentir atotes cestes choses, adonc li die l'archeveue de queles choses ile iurra; vous garderez a saint eglise et a clergie, et al people pees de tut, et concord en dieu solonc vostre poer: et le Roi respondera, Jeo garderay:*

*vous freez faire entoutz voz ingementz ouel et droiturel iustice et descretioun en mercy et en verite solonc vestre poer: le Roi respondera, ieo fray:*

*vous grantez les droiturels leys et les custumes estre a tenir, et promettez a defendre, et al honour de dieu confermer les droiturels leis quels le people eslira solonc vostre poer; et le roi se abessera deuant lautere, jeo grante et jeo promette.*

*Cestes chose parfaites, encomence l'archeveue par haut voice, veni creator...*

—my rough translation (Legg gives no translation)

The Coronation of the new king

And [a donques a lieu avantdit?] [issi appaialez] there gathers? an assembly of the prelates and the nobles of the land to discuss the coronation of the new king and the confirmation and firm establishment of the laws and customs of the realm:

...

?

?

and after the sermon...??

And the [cleric?] demands in a loud and distinct voice, Will you the laws and the ancient customs, and the rights of the territories of the king (the rights of the royal estate), and xxx

## EDWARD II

**1308**                      **Edward II (King of England and Lord of Ireland);** succeeded 7 July 1307; **crowned, 25 February 1308;** Consecrated by Woodlock, Bishop of Winchester (Pemberton, p. 18)

Stubbs, in his *Constitutional History*, Vol. II, §249, p. 331, states:

‘An elaborate record drawn up on the occasion contains the form of the coronation oath taken by the new king. [n. 1 Foed.[Foedera] ii. 32-36; Parl. Writs. II. ii. 10; Statutes, I. 168] ...

‘The new promises, four in number, are more definite, and to some extent combine the terms of the more ancient forms.

‘Sire,’ says the primate or his substitute, ‘ will you grant and keep, and by your oath confirm, to the people of England, the laws and customs to them granted by the ancient kings of England your righteous and godly predecessors, and especially the laws, customs, and privileges granted to the clergy and people by the glorious king, saint Edward, your predecessor?’ The king replies, ‘I grant and promise.’

‘Sire, will you keep towards God and holy Church, and to clergy and people, peace and accord, entirely, after your power?’ ‘I will keep them.’

‘Sire, will you, cause to be done in all your judgments equal and right justice and discretion, in mercy and truth, to your power?’ ‘I will do so.’

‘Sire, do you grant to hold and to keep the laws and righteous customs which the community of your realm shall have chosen, and will you defend and strengthen them to the honour of God, to the utmost of your power?’ ‘I grant and promise.’

**1308**                      **Edward II (England) Coronation Oath 25 February 1308; succeeded 7 July 1307**

'Sire, will you grant and keep and by your oath confirm to the people of England the laws and customs given to them by the previous just and God-fearing kings, your ancestors, and especially the laws, customs, and liberties granted to the clergy and people by the glorious king, the sainted Edward, your predecessor?' 'I grant and promise them.'

'Sire, will you in all your judgements, so far as in you lies, preserve to God and Holy church, and to the people and clergy, entire peace and concord before God?' 'I will preserve them.'

'Sire, will you, so far as in you lies, cause justice to be rendered rightly, impartially, and wisely, in compassion and in truth?' 'I will do so.'

'Sire, do you grant to be held and observed the just laws and customs that the community of your realm shall determine, and will you, so far as in you lies, defend and strengthen them to the honour of God?' 'I grant and promise them.' (S&M1, 192; from the French, Statutes of the Realm, I, 168)

## 1308 Edward II (England) Coronation Oath

From Sir Matthew Hale, *The Prerogatives of the King*, 1640-1660, D E C Yale (ed.), Selden Society, London, 1976, at p. 66

(a) Concerning the king's oath at his coronation. The king's coronation oath was various in ancient times according to the variety of the occasions and the prevalence of parties that sought thereby to secure some particular interest. ...

In the coronation of Edward 2.[ note 3: Rot. claus. 1 Edw. 2, m.10 (schedule); *Cal C.R.* (1307-1313) p.12 ; *Foedera*, iii, 63, for coronation Oath]

*Sieur, voilez vous graunter et garder et per votre serement confirmer au peuple d'Angleterre les leys et les custumes a eux grauntees per les anciens royes d'Angleterre vos predecessors droitures et devotes a Dieu et nomement les leys et custumes et franchises graunts au clergy et au peuple par le glorieus roy [seint] Edward votre predecessor ?*

*Respons. Jeo les graunt et promett.*

*Sieur, garderez vous a Dieu et a Sainct Eglise et au clergy, et au peuple paix et accord au dieu entyrement selonc votre poer ?*

*Respons. Jeo les garderai.*

*Sieur ferrez vous faire en toutes vos judgements, ovele et droit justice et discretion in misericord et verite a votre poer ?*

*Respons. Jeo le ferrai.[84]*

*Sieur, grant wus a tener et garder les leys et les custumes droitures, lesquelles le communaute de votre royaume aura esleu, et les defendere et afforcere alhonor de Dieu a votre poer?*

*Respons. Jeo le grant et promett.*

This is the entry of the oath, [rot. claus.] 1 E. 2, m. 10 dorso. [note 4 : *Supra*, p. 65, n. 6, and *supra*, n. 3— {these references are to *Cal. C. R.* (1307-1313), p. 53, and to the preceding footnote above}].

...

[at p. 67] (d), (e), (f) The ensigns of majesty and empire, the crown and coronation, the delivery of the sceptre and ball, the enthronization, and then the homage done by the temporal and ecclesiastical lords, and the several prayers and solemnities thereof, *vide inde optime Selden, Tit[ul]i Honoris, lib. 1, cap. 8*, [note 5 : *Opera Omnia* III, 234 et seq.], and therefore I omit them, and rather [68] choose to insert *verbatim* those two *formulae coronationis* which are entered of record, *viz.* that of Edward 2 and that of Richard 2.

*Claus. 1 E. 2, m. 12 dorso* : [note 1 : *Cal. C. R.* (1307-1313), p. 51; *Foedera*, iii, 51-53.] The king by several writs to the bishops and barons and other persons of eminence, signifies the time of his intended coronation, and commands *vobis mandamus quod hujusmodi coronationis nostrae solemnii personaliter intersitis*, and by writs directed to the several sheriffs of England commands the sheriffs to proclaim the day of the coronation : *et quod omnes milites cives et burgenses et alios [de comitatu] quos fore videris invitandos invitari facias quod intersint etc.* [86] And then the form of the coronation is entered. [note 2 : *Claus. 1 Edw. 2, m. 10d; Foedera*, iii, 63.]

*Memorandum quod die dominica proxima post festum Sancta Petri in cathedra, anno domini 1307, anno viz. Bisextili, concurrente litera dominicale F., coronatus fuit in Regem et inunctus Dominus Edwardus filius Regis*

Edwardi anno regni sui primo in Ecclesia beati Petri Westmonasterii ante magnum altare per manus venerabilis patris Henrici Wintoniensis Episcopi cui venerabilis pater Robertus Archiepiscopus Cantuariensis tunc agens in partibus transmarinis commiserat quoad hoc uices suas, et Praelati, Comites et alii nobiles subscripti deferebant insignia regalia infra scripta, viz. Willielmus le Mareschall portauit calcaria magna deaurata, post eum ueniebant, Comes Herefordiae portans sceptrum regale in cuius summitate erat crux, Henricus de Lancastre portans uirgam regalem in cuius summitate erat columba. Post eos uenerunt Comes Lancastriae, Comes Lincolniae et Comes Warwick portantes tres gladios. Et gladium qui uocatur Curtana portauit Comes Lancastriae. Postea portabatur unum scaccarium magnum super quod erant vestes regales quod portabant Comes Arandul, Thomas de Veere, filius et heres Comitis Oxoniae, Hugo [le] Despencer et Rogerus de Mortuomari de Wygemor. Postea sequebatur Thesaurus Regis, portans patenam de calice Sancti Edwardi. Deinde uenit Cancellarius Regis portans ipsum calicem. Deinde uenit Petrus de Gavaston Comes Cornubiae portans coronam regalem. Deinde sequebatur ipse coronandus. Et cum uenisset Rex ad magnum altare optulit super illud unam libram auri. Et fuerunt [87] uerba Regis in coronatione praedicta sub iuramento praestita ut patet in cedula annexa. And then ensues the oath which is inserted verbatim in this chapter before. [That is, the oath above in French].

1308

### Edward II (England) Coronation Oath, 25 February 1308; succeeded 7 July 1307

Note: Robert S Hoyt, in 'The Coronation Oath of 1308: the background of "Les Leys et les Custumes", *Traditio*, Vol. XI, 1955, p. 235-257, at p. 237, n. 6 reproduces what he says is the text of the oath, but does not give the source, though presumably it is the same as the one he quotes in n. 3 at p. 236 [*The Parliamentary Writs and Writs of Military Summons*, (ed. Francis Palgrave, n.p. 1827-34) II 2 Appendix, p. 10] in relation to his statement at p. 236: '... First there is the wording of the oath. On this deceptively simple question all that is necessary to say here is that there is little doubt that we know what Edward II actually swore. The coronation order, including the oath in Latin, is preserved in an official record [n. 2 *Foedera* (Record Commission ed. London 1816-69) II 1.33-6], and the oath itself in French is enrolled on the Close Rolls of the Chancery. [n. 3—*Parliamentary Writs and Writs of Military Summons*]. His text is:

*Sire, volvez vous graunter et garder, et per vostre ser[ement] confirmer au peuple d'Engleterre, les leys et les custumes a eux grauntees par les auncien[els] rois d'Engleterre voz predecessours droitures et deuotz a Dieu, et nomement les lois, et custumes et les fraunchises grauntez au clerge et au peuple par le glorieus roi seint Edward, vostre predecessor ?*

*Respons. Jeo les graunt et promette.*

*Sire, gardez vous a Dieu et [a] sain[c]t eglise et au clerge, et au peuple paes et a[c]cord en [au] Dieu entierment selonc vostre poer ?*

*Respons. Jeo les garderai.*

*Sire, freez [ferrez] vous faire, en toutz[es] vos ju[d]gementz, ouele et droite justice et discrecion in misericorde et verite, a vostre poer ?*

*Respons. Jeo le ferrai.*

*Sire, grauntez [grant] vous a tenir et garder les leys et les custumes droitures, les quils la [lesquelles le] communaute de vostre royaume aura es[eu], et les defendrez[er] et afforcerez al honor de Dieu a vostre poer ?*

*Respons. Jeo le graunte [grant] et promette.*

[The text underlined shows the differences between this text quoted by Hoyt from the Close Rolls of the Chancery, and the text quoted by Sir Matthew Hale in his *Prerogatives of the King*, quoted from 'Rot. Claus. 1 Edw. 2, m. 10 (schedule); Cal. C. R. (1307-1313), p. 12; *Foedera*, iii, 63, for coronation oath.', see n. 3 at p. 66 of the Selden Society text, p. 84 of Hale's original. Hale goes on to say [p. 66-67 Selden Society text, p. 85 his original text] 'This is the entry of the oath, [rot claus.] 1 E. 2, m. 10 dorso [n. 4. *Supra*, p. 65, n. 6, {i.e. Cal. C. R. (1307-1313), p. 53} and *supra*, n. 3.] The entry of the oath in *veteri magna carta*, fol. 164, agrees in substance with the former, and with that of Richard 2 hereinafter mentioned, and with the oath in the parliament roll, 1 H. 4, n. 17 [n. 1. R.P. iii, 4176], and he goes on to quote the Latin oath set out below under Henry IV]

1322

**Edward II (England);** 15 Edw. 2; *Statutes in Force*, Official Revised Edition, Revocation of New Ordinances (15 Edw. 2), revised to 1<sup>st</sup> February 1978; HMSO, London, 1978; known as the Statute of York; see also *Statutes of the Realm*, I, 189;

(—found that earlier ordinances wrongfully limited the 'royal power' of the king 'to the injury of his royal lordship and contrary to the estate of the crown.' (S&M 204);)



Whereas our Lord King Edward, Son of King Edward, on the Sixteenth Day of March in the Third Year of his reign, to the Honour of God, and for the Weal of Himself and his Realm, did grant unto the Prelates, earls, and Barons of his Realm, that they might choose certain Persons of the Prelates, Earls, and Barons, and of other lawful Men whom they should deem sufficient to be called unto them, for the ordaining and establishing the Estate of the Household of our said Lord the King, and of his Realm, according to Right and Reason, and in such Manner that their Ordinances should be made to the Honour of God, and to the Honour and Profit of Holy Church, and to the Honour of the said King, and to his Profit and to the Profit of his People, according to Right and Reason, and to the Oath which our said King made at his Coronation: and the Archbishop of Canterbury, Primate of all England, the Bishops, Earls, and Barons thereunto chosen, did make certain Ordinances which begin thus :

“Edward by the Grace of God, King of England, Lord of Ireland, and Duke of Aquitain, to all to whom these Letters shall come Greeting Know, That Whereas on the Sixteenth Day of March in the Third Year of our Reign, to the Honour of God, &c.” and which end thus “Given at London the Fifth Day of October in the Fifth Year of Our Reign.”

“The which Ordinances our said Lord the King, at his Parliament at York, in the Three Weeks from Easter in the Fifteenth Year of his Reign, did, by the Prelates, Earls, and Barons, among whom were the more part of the said Ordainers who were then living, and by the Commonalty of his Realm, there by his command assembled, cause to be rehearsed and examined; And forasmuch as upon that Examination it was found, in the said Parliament, that by the Matters so ordained the Royal Power of our said Lord the King was restrained in divers Things, contrary to what ought to be, to the blemishing of his Royal Sovereignty, and against the Estate of the Crown; And also, forasmuch as, in times past, by such Ordinances and Provisions, made by Subjects against the Royal Power of the Ancestors of our Lord the King, Troubles and Wars have happened in the Realm, whereby the Land hath been in Peril, It is accorded and established, at the said Parliament, by our Lord the King, and by the said Prelates, Earls, and Barons, and the whole Commonalty of the Realm, That all the Things, by the said Ordainers ordained and contained in the said Ordinances, shall from henceforth for the Time to come cease and shall lose their Name, Force, Virtue, and Effect for ever; The Statutes and Establishments duly made by our Lord the King and his Ancestors, before the said Ordinances, abiding in their force: And that for ever hereafter, all manner of Ordinances or Provisions, made by the Subjects of our Lord the King or his Heirs, or against the Estate of our said Lord the King or of his Heirs, or against the Estate of the Crown, shall be void and of no Avail or Force whatever. But the matters which are to be established for the Estate of our Lord the King and of his Heirs, and for the Estate of the Realm and of the People, shall be treated, accorded, and established in Parliaments, by our Lord the King, and by the assent of the Prelates, Earls, Barons, and the Commonalty of the Realm; according as it hath been heretofore accustomed. [here ends the text in Statutes in Force]

[And [it is decreed] that henceforth... every kind of ordinance ... made under any authority whatsoever by subjects of our lord the king... against the royal power of our lord the king or his heirs, or contrary to the estate of the crown, shall be null and shall have no validity or force whatsoever; but matters which are to be determined with regard to the estate of our lord the king and his heirs or with regard to the estate of the kingdom and of the people, shall be considered, granted, and established in parliament by our lord the king with the consent of the prelates, earls, and barons, and of the community of the kingdom, as has been accustomed in times past.’ [S&M 205] [Maitland Constitutional History says this is ‘ the first declaration we may say of the supremacy of a fully representative parliament]

## EDWARD II DEPOSITION

1327                      Edward II, ‘Abdication’ 20 January 1327

(Lodge and Thornton, *English Constitutional Documents*, Latin and French, p.20-21, from *Foedera*, IV, 243):—

De Pace Regis proclamamda

Memorandum quod dictus Dominus Edwardus, vicesimo quarto die Januarii....

Pur ceo que Sire Edward, n’adgairs Roi d’Engleterre, de sa bone volunte, et de commun conseil et assent des Prelatx, Countes et barons, et autres Nobles, et tote la Communalte du realme, s’en est ouste del gouvrenement du realme, et ad grante, et veut que le Gouvrenement du dit Roialme deveigne a Sire Edward, son Fiutz eyne, at heir, et q’il gouverne Regne, et soit Roi Corone,

Par qai touz les Grantz ount fait Homage,

Nous crioms et publioms la Pees nostre dit Seignur Sire Edward, le Fiutz, ....

trans. S&M 205:—

'Whereas Sire Edward, recently king of England, of his free will and with the common counsel and assent of the prelates, earls, barons, and other nobles, and of the whole community of the realm, has abdicated the government of the realm; and whereas he has granted and wills that the government of the realm should devolve upon his eldest son and heir, Sire Edward, who should govern, reign, and be crowned king; and whereas all the great men have performed their homage [to the said heir]: we proclaim and publish the peace of our said lord Sire Edward, the son [of King Edward]; and on his part we command... every one ... not to break the peace of our said lord the king.... So if any one has some demand to make of another, let him make it by [legal] action, without resorting to force or violence.'

\*

—From *Historical Essays in Honour of James Tait*, J G Edwards, V H Galbraith, and E F Jacob, (eds.), Manchester, Printed for the Subscribers, 1933, 'Committees of Estates and the Deposition of Edward II', by M V Clarke, at pp. 27-45:

[p. 30] 'When Parliament met in January 1327, the deposition of the king was a foregone conclusion. Edward II had been hunted across England and taken prisoner in Wales. His chief advisers ... had been put to death. The Londoners had murdered Stapleton without any show of trial and were thus deeply committed to the queen's party. No compromise with the king was possible, nor was it desired by any of the leaders. Parliament was summoned to justify rebellion and to authorise the substitution of one king for another. Interest therefore lies less in the decision itself than in the legal forms adopted to carry it out. [no one complete or reliable account of the procedure has been preserved.]

'... There were no precedents and it was essential to make their [the queen's party's] legal position as secure as possible.

[p. 31] 'Writs were issued for a Parliament to be held on January 7. [1327]...

'When Parliament (Wednesday, January 7) met the London mob crowded into Westminster Hall...Orleton, bishop of Hereford, addressed the assembly. He explained that the king was absent because the queen was afraid of him and asked whether Parliament wished to be ruled by him any longer. Probably on the same day, archbishop Reynolds brought a series of charges against the king, as grounds for his deposition. On the following day (Thursday, January 8) Parliament was again asked to choose between father and son and apparently the great majority declared for the young prince. Homage was sworn to him forthwith, and Reynolds preached on the text, *Vox populi, vox Dei*.... Thus a new king was chosen before the old king was deposed.

[p. 32] 'The technical difficulty in the way was probably not so much the wish for a unanimous verdict as the absence of the king. ... In the eyes of contemporaries the charges brought against Edward II were unjust, not because they were vaguely worded and unsupported by eyewitnesses, but because he himself was not present to hear them. ...

[p.35] ' "...there came to the great hall at Westminster the archbishops and bishops, earls and barons, abbots and priors, and all others from the cities and boroughs, together with the whole commonalty of the land. Then, by common consent of them all, the archbishop of Canterbury declared....; how Gascony and Scotland had been as good as lost by evil counsel and evil ward; how, further, by evil counsel the son [Edward II] had destroyed the greater part of the noble blood of the realm, to the dishonour and loss of himself, his realm, and all the people; and how he had done many other marvels. Therefore it was agreed by all that he ought not to reign but that his eldest son, the Duke of Guinne, should reign and wear the crown in his stead. For since the bishops of Hereford and London [sic], who had been sent to him at Kenilworth as messengers for the commonalty of the land ... bore witness in Parliament that he still had the same cruelty and ill intent towards them that had moved him in the past, thereupon it was ordained and agreed that the great persons .... should go to

him and renounce their homage and that of all the land. ..." [n. 4; 'from a hitherto unpublished chronicle of Pipewell. MS. Cotton, Julius A 1, ff. 56-56<sup>b</sup>. See *infra*, Note A, pp. 44-5..']

[p. 36] '...The conclusion is that Parliament deposed Edward II and appointed delegates to go to Kenilworth on [January 13]

'The pitiful scenes at Kenilworth are well known. The bishops first saw the king by himself; by the threat that a successor outside the royal circle would be chosen instead of his son, they forced from him a promise to abdicate. The delegates were then ranged in the audience chamber in order of rank and the king was led out to them by Lancaster and the bishop of Winchester. After a railing speech [p. 37] from Orleton, Edward, half-fainting and with groans and tears, abdicated in favour of his son. On the following day, allegiance and homage were solemnly renounced in the name of the whole realm. This was done by William Trussel, a Lancastrian knight, who was styled proctor, or procurator "of all the land of England and of the whole Parliament." [n. 2 Cotton MS., Nero, DII. f.204<sup>b</sup>] News of Edward's abdication was reported to Parliament on Saturday, January 24, and the new king's peace was at once proclaimed.

'All authorities agree that the deposition was carried out by common consent.

[p. 42] '[William Trussel's] duty was put in a few words in a Winchester chronicle roll: "the king, as regni dilapidator, was renounced by all in Parliament, by William Trussel, knight, in whose mouth Parliament as a whole put their words." [n. 1. MS. Bodley, roll 23] There was, of course, nothing new in the use of a procurator or prolocutor universitatis who had *verbum commune* in ore. It was an accepted practice in ecclesiastical assemblies in the thirteenth century, as a natural development of the functions of the attorney or proctor. It is, however, possible that Trussel was regarded in a special sense as the Speaker of the committee of the estates, reduced by stages to the single person "who cannot disagree with himself, and, [therefore] shall ordain for all." [n.4 'A William Trussel, probably the same man, was Speaker and clerk of the commons in 1343, though not an elected Member of Parliament.']

'...The rights of the commons, guaranteed in the statute of York, were neatly exploited and the idea of a committee of estates, hitherto the monopoly of the magnates, was extended to include the lesser orders of the realm. It was, however, an extension not so much of power as of responsibility. On the one hand all were equally involved in the rejection of Edward II; on the other, the committee of regency was formed on the old lines and consisted of four prelates, four earls, and six barons. ...'

## EDWARD III

**1327**                    **Edward III (King of England and Lord of Ireland) Coronation, 29 January 1327;**  
succeeded 25 January 1327

[Schramm says he took the same oath as Edward II; see p. 79 and p. 211; Wilkinson (*Later Middle Ages*, p. 133) says he took 'substantially' the same oath; no source.]

**1341**                    **15 Edward III - repeals the previous statute (15 Edw. III of 1340) because it was made**  
without the king's assent.; re coronation oath and prerogatives.

"EDWARD by the Grace of God, &c. To the Sheriff of Lincoln, Greeting. Whereas at our Parliament summoned at Westminster in the Quinzime of Easter last past, certain Articles expressly contrary to the Laws and Customs of our Realm of England, and to our Prerogatives and Rights Royal, were pretended to be granted by us by the Manner of a Statute; we, considering how that by the Bond of our Oath we be tied to the Observance and Defence of such Laws, Customs, Rights, and Prerogatives, and providently willing to revoke such Things to their own State, which be so improvidently done, upon Conference and Treatise thereupon had with the Earls, Barons, and other wise Men of our said Realm, and because we never consented to the making of the said Statute, but as then it behoved us, we dissimuled in the Premises by Protestations of Revocation of the said Statute, if indeed it should proceed, to eschew the Dangers which by the denying of the same we feared to come, forasmuch as the said Parliament otherwise had been without dispatching any Thing in Discord dissolved, and so our earnest Business had likely been ruined (which God prohibit) and the said pretended Statute we permitted then to be sealed: It seemed to the said Earls, Barons, and other wise Men, that sithence the said Statute did not of our free Will proceed, the same be void, and ought not to have the Name nor Strength of a Statute;" 'and therefore by their [the earls, barons, and

other wise men of the realm] Counsel and Assent we have decreed the said statute to be void, and the same in as much as it proceeded of Fact, we have agreed to be adnulled; willing nevertheless That the Articles contained in the said pretended Statute, which by other of our Statutes, or of our Progenitors Kings of England, have been approved, shall, according to the Form of the sad Statute in every Point, as convenient is, be observed. And the same we do only to the Conservation and Reintegration of the Rights of our Crown, as we be bound, and not that we should in any wise grieve or oppress our Subjects, whom we desire to rule by Lenity and Gentleness. And therefore we do command thee, That all there Things thou cause to be openly proclaimed in such Places within thy Bailiwick where thou shalt see expedient. Witness myself at Westminster in the First Day of October, the fifteenth Year of our Reign.'

1341 Anno 15 Edw. III; p. 233 of Vol. I of *The Statutes at Large, from Magna Carta to the twenty-fifth year of the reign of George III*, by Owen Ruffhead, Eyre, Strahan, Woodfall and Strahan, His Majesty's Printers, London 1764; revised edition, Charles Runnington, (ed), 1786, Eyre, Strahan, Woodfall and Strahan, His Majesty's Printers, London

1350

**Edward III *The Statute of Provisors of Benefices.*** [n.1 Rot Parl. Vol. II. pp. 232-3; in French.]

Whereupon the said Commons have prayed our said lord the King, That sith the right of the Crown of England, and the law of the said realm, is such, that upon the mischieves and damages which happen to this realm, he ought, and is bound by his oath, with the accord of his people in his Parliament, thereof to make remedy and law, and, in removing the mischieves and damages which thereof ensue, that it may please him thereupon to ordain remedy

Our lord the King, seeing the mischieves and damages before mentioned, and having regard to the statute made in the time of his said grandfather, and to the causes contained in the same, which statute holdeth always in his force, and was never defeated, repealed or annulled in any point, and by so much he is bounden by his oath to cause the same to be kept as the law of his realm, though that by sufferance and negligence it hath been sithence attempted to the contrary; ....

[This statute is reproduced as Anno 25 Edw. III. Stat. 6, and Anno Dom. 1350 at p. 260 of Vol. I of *The Statutes at Large, from Magna Carta to the twenty-fifth year of the reign of George III*, by Owen Ruffhead, Eyre, Strahan, Woodfall and Strahan, His Majesty's Printers, London 1764; revised edition, Charles Runnington, (ed), 1786, Eyre, Strahan, Woodfall and Strahan, His Majesty's Printers, London. The text as quoted in the Commons' 'Remonstrance' of 1642 appears in the original French and the English translation at p. 262.]

## ***LIBER REGALIS***

**1351-1377<sup>1</sup> *Liber Regalis*<sup>2</sup> (*The Royal Book, or The Book of the Royal Offices*) —'Fourth' English Coronation Order**

—from Leopold G Wickham Legg, *English Coronation Records*, Archibald Constable & Company Limited, Westminster, 1901, at p. 81 (Latin Text); translation of Oath at p. 117; Legg uses a manuscript held by the Dean of Westminster, dated at about the time of Richard II; Legg gives no date.

*Hic est ordo secundum quem Rex debet coronari pariter et inungi.* [p.81]

<sup>1</sup> This is the date ascribed to it by H G Richardson, 'The Coronation in Medieval England', *Traditio*, Vol. 16, 1960, pp 111-202, see p. 112, and p. 149.

<sup>2</sup> Leopold G Wickham Legg, *English Coronation Records*, Archibald Constable & Company Limited, Westminster, 1901, at p. 81 (Latin Text); translation of Oath at p. 117

This is the order according to which a king must be crowned and anointed. [p. 112]

\* \* \*

\* \* \*

*memoratus vero princeps nocte precedente coronacionis sue diem uacabit contemplacioni diuine et oracioni intime considerans ad quem apicem sit uocatus. qualiter is per quem reges regnant ad populi sui ac plebis christiane gubernacionem ipsum specialius preelegit. Et cogitet illud sapientis. Prinsipem te constituerunt noli extolli. sed esto in illis quasi unus ex illis. Et cogitet dignitatem regalem sibi a deo prestitam tanquam homini mortali et ipsum iccirco ad tantam sublimitatem uocatum a deo ut ecclesie catholice sit defensor. fidei christiane dilator. ac regni sui et patrie sibi a deo commisse secundum uires protector. ... [p. 82]*

Now the said prince on the night before the day of his coronation shall give himself up to heavenly contemplation and to prayer, meditating to what a high place he has been called, and how he through whom kings reign has appointed him in especial to govern his people and the Christian folk. And let him ponder on these words of the wise man: If thou be made the master, lift no thyself up, but be among them as one of the rest. [Ecclesiastes. xxxii. I.] And let him meditate that the royal dignity has been given him by God as to a mortal man, and consider that he has been called to so high a position by God to be a defender of the Catholic Church, an extender of the Christian faith, and to protect, so far as he can, his realm and country which God has given into his charge. ... [p. 113]

\* \* \*

*Et si dictus abbas de medio fuerit sublatus. at alius in abbatem eiusdem loci nondum fuerit confirmatus qui dictum officium rite non poterit adimplere: aut dictus abbas aliunde fuerit impeditus quominus illud officium ualeat exequi: tunc eligatur unus ex assensu prioris et conventus dicti monasterii qui per omnia sit idoneus dictum principem in huiusmodi obseruanciis informare secundum modum et consuetudinem ab antiquissimis temporibus hactenus usitatum. Hiis sub uniuersorum concordia peractis. ...[p. 83]*

On the day appointed on which the new king is to be consecrated, early in the morning the prelates and nobles of the realm shall assemble in the royal palace of Westminster to consider about the consecration and election of the new king, and also about confirming and surely establishing the laws and customs of the realm.

When this has been done with the agreement of all ... [details about the king's seat][p. 114]

\* \* \*

*Finito quidem sermone ad plebem metropolitanus uel episcopus eundem mediocri distinctaque uoce interroget. [p. 87]*

The sermon ended, the Metropolitan or Bishop shall ask the king in a moderate and distinct voice: [p. 117]

*Si leges et consuetudines ab antiquis iustis et deo deuotis regibus plebi anglorum concessas cum sacramenti confirmatione eidem plebi concedere et seruare uoluerit. et presertim leges consuetudines et libertates a glorioso rege eduardo clero populoque concessas.*

*Dicto autem principe se promittente omnia premissa concessurum et seruaturum. [p. 87]*

Will you grant and keep, and by your oath Confirm, to the people of England, the Laws and Customs to them granted, by the Kings of England your lawfull and religious predecessors; and namely the Laws Customs and franchises granted to the Cleargy [and to the people]<sup>1</sup> by the glorious King St. Edward your predecessor?

I grant and promise to keep them. [p. 117]

*Tunc exponat ei metropolitanus de quibus iurabit ita dicendo. [p. 87]*

*Seruabis ecclesie dei cleroque et populo pacem ex integro et concordiam in deo secundum uires tuas.*

*Respondabit. Seruabo. [p. 88]*

And when the king says that he will grant and keep all these things the metropolitan shall set forth to him what he shall swear, saying:

Will you keep peace and godly agreement, entirely according to your power, both to God, the holy Church, your [the] Cleargy and your [the] People?

Response. I will keep it. [p. 117, 251]

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<sup>1</sup>Legg, *Coronation Records*, notes in n. 1, at p. 251, that 'In Ashm. MS. 863. p. 269. (the Coronation order of James I) the words *and the people*, which are to be found in the *Liber Regalis*, appear after *Clergy*. it would seem that a very important change was made here in the coronation oath of Charles I.'

*Facies fieri in omnibus iudiciis tuis equam et rectam iusticiam et discrecionem in misericordia et ueritate secundum uires tuas. Respondabit. Faciam.*[p. 88]

Will you to your power cause Lawe Justice and Discretion, in Mercy and truth, to be executed in all your Judgements?

Response. I will. [p. 117, 251]

*Concedis iustas leges et consuetudines esse tenendas. et promittis eas per te esse protegendas. et ad honorem dei roborandas quas uulgus elegerit secundum uires tuas.*

*Respondabit. Concedo et promitto.* [p. 88]

Will you grant to hold and keep, the Laws and rightful Customs, which the Commonalty of this your Kingdom have: and will you defend, and uphold them to the honour of God, so much as in you lieth?

I grant and promise so to do. [p. 117, 251]

*Sequitur admonitio episcoporum ad Regem, et legatur: ab uno episcopo coram omnibus, clara voce dicendo.<sup>1</sup>*

*Domine rex a uobis perdonari petimus ut unicuique de nobis et ecclesiis nobis commisis canonicum priuilegium as debitam legem atque iusticiam conseruetis. et defensionem exhibeatis: sicut rex in suo regno debet unicuique episcopo. abbatibus et ecclesiis sibi commisis.* [p. 88]

Then shall follow the admonition of the Bishops to the king, to be read by one of the Bishops before all in a loud voice saying:

Our Lord and King : We beseech you to pardon and to grant, and to preserve unto us and your [the] Churches committed to our Charge, all Canonical privileges, and due Law and Justice ; And that you would protect and defend us, as every good King in his Kingdom, ought to be Protector, and Defendor of the Bishops, and the Churches under their government. [p. 117, 252]

*Respondabit. Animo libenti et deuoto promitto uobis et perdono quai unicuique de uobis. et ecclesiis uobis commissis canonicum priuilegium et debitam legem atque iusticiam seruabo. et defensionem quantum potuero adiuuante domino exhibebo sicut rex in suo regno unicuique episcopo abbatibus et ecclesiis sibi commissis per rectum exhibere debet.* [p. 88]

He shall answer:

With a willing and devout heart, I grant My Pardon; and promise that I will preserve, and maintain to you, and the Churches committed to your Charge, all Canonical Privileges, and due Law, and Justice ; and that I will be your protector and defendor to my power, by the assistance of God, as every good King in his Kingdom, in right ought to protect and defend the Bishops and Churches under their government. [p. 117, 252]

*Adiciatur predictis interrogacionibus que iusta fuerint prenucciatis omnibus supradictis : dictus princeps confirmet se omnia predicta esse seruaturum : sacramento super altare coram cunctis protinus prestitio.*[p. 88]

Then shall be added to the aforesaid questions what is just ; when all the above have been put, then the prince shall confirm them by swearing upon the altar in sight of all that he shall keep all the above.<sup>2</sup> [p. 117]

*Finito uero ympno sequatur hec oracio.* [p. 88]

This done, the Metropolitan or Bishop shall kneel devoutly, and in a loud voice begin the hymn....<sup>3</sup> [p. 117]

## Liber Regalis

<sup>1</sup> Legg, at pp 251-251.

<sup>2</sup> Legg, at p. 117

<sup>3</sup> Legg, p. 117

The first question, as quoted in Lewis Broad, *Queens, Crowns and Coronations*, first published as *Crowning the King* in 1937; revised and reprinted edition, Hutchinson & Co, London, 1952, at p. 28:

'Sir, will you grant and keep and by your oath confirm to the people of England the laws and customs given to them by the Kings of England, your lawful and religious predecessors; and namely, the laws, customs and franchises, granted by the glorious King, St. Edward, your predecessor, according to the laws of God, the true profession of the Gospel established in this kingdom and according to the prerogatives of the Kings thereof, and the ancient customs of the realm?'

And the first question of the *Liber Regalis* as quoted in Francis C Eeles, (D. Litt, LLD) *The Coronation Service, Its Meaning and History*, A R Mowbray 7 Co. Ltd, London, 1952, at p. 51

'Sir, will you grant and keep and by your oath confirm, to the people of England, the Laws and Customs to them granted by the kings of England, your lawful and religious predecessors; and namely the laws, customs, and franchise granted to the clergy by the glorious King, S. Edward, your predecessor according to the laws of God, the true profession of the Gospel established in the Church of England, and agreeable to the prerogative of the king thereof, and the ancient customs of the realm?'

## ROBERT II

**1371 Robert II of Scotland**

crowned 1371; for details see R.P.C. (2<sup>nd</sup>), II, 393-395, examined by R J Lyall, 'The Medieval Scottish Coronation Service : Some Seventeenth Century Evidence', 28 *Innes Rev.*, 3, 6-11, referred to in David M Walker, *A Legal History of Scotland*, Volume III, The Sixteenth Century, T & T Clark Ltd., Edinburgh, 1995, at p. 121, and n. 5.

The form thereafter was that all the magnates present came forward and touched the crown, each saying 'sua mote God helpe me, as I sall support the.' The king thereafter took the coronation oath, promising to be loyal and true to God and the Holt Church, and to the three estates of the kingdom, making no changes in these save by consent of the Three estates. The first two estates, clergy and barons, then responded by their respective oaths, promising loyalty and good counsel. (p. 121)

Balfour of Denmylne's text of the Inauguration of Robert II contains the text of what purport to be the oaths of fealty by the prelates, and of fealty and homage of the barons, which are probable ancient, being found in the Monynet MS. (p. 122, n. 11, Sourced to R J Lyall, The Medieval Scottish Coronation Service : Some Seventeenth Century Evidence,' 28 *Innes Rev.*, 3, 6-12, and 15.

## RICHARD II

**1377 Richard II (King of England and Lord of Ireland)** Coronation oath; crowned 16 July 1377; succeeded 22 June 1367.

[This version from Legg, p. 131 ff., the *processus factus* of Richard II, from Close Roll I Ric. II, Mem. 45 in the Public Records Office. According to this document, the recognition followed the taking of the oath]

...Afterwards there was administered by the said archbishop to the lord king the oath

"to grant and keep and by his oath confirm to the people of England the laws and customs granted by the ancient kings of England, his lawful and religious predecessors; and namely the laws customs and franchises granted to the clergy and people of the said kingdom by the glorious king Saint Edward," and

“to keep peace and godly agreement, entirely according to his power, both to God, the Holy Church, the clergy and the people,” and

“to cause law justice and discretion in mercy and truth to be executed in all his judgments,” and also

“to grant to hold and keep the laws and rightful customs of the Church [NOTE], and to cause them to be upheld by the king, and defend them which the commonalty shall justly and reasonably choose, as much as in him lieth.”

The said Archbishop then went to the four sides of the stage and explained and told the whole people how the said lord king had taken such an oath as this; asking the same people if they would consent to have him as king and liege lord, and to obey him as their king and liege lord; and they unanimously consented. And when this was done the Archbishop began with a loud voice the hymn...

[subsequenterque capto perprefatum Archiepiscopum sacramento domini Regis corporali de concedendo et seruando cum sacramenti confirmacione leges et consuetudines ab antiquis iustis et deo deuotis Regibus Anglie progenitoribus ipsius Regis plebi regni Anglie concessas et presertim leges et consuetudines et libertates a gloriosissimo et sanctissimo Rege Edwardo Clero populoque regni predicti concessas et de seruando deo et ecclesie sancte dei cleroque et populo pacem et concordiam integre in deo iuxta vires suas et de faciendo fieri in omnibus iudiciis suis equam et rectam iusticiam et discrecionem in misericordia et veritate et eciam de tenendo et custodiendo iustas leges et consuetudines ecclesie\* [NOTE] ac de faciendo per ipsum dominum Regem eas esse protigendas et ad honorem dei corroborandas quas vulgus iuste et racionabiliter elegerit iuxta vires eiusdem domini Regis prefatus Archiepiscopus ad quatuor partes pulpiti predicti accedens exposuit et enarrauit vniuerso populo qualiter dictus dominus Rex huiusmodi prestitit sacramentum inquirens ab eodem populo si ipsi consentire vellent ad habendum ipsum Regem et dominum suum ligeum et ad obediendum ei tanquam Regi et domino ligeo qui vtique vnanimiter consenserunt huius itaque peractis incipiebat Archiepiscopus alta voce ymnum Veni creator spiritus.]<sup>1</sup>

H G Richardson, ‘The Coronation in Medieval England’, *Traditio*, Vol. 16, 1960, p. 111, at p. 171, n. 50, he says : ‘If the official account of Richard II’s coronation is reliable (*Munimenta Gildhallæ Londoniensis* II 478), the fourth clause of the oath (which is translated from the French into Latin with some help from the liturgical form) departed noticeably from the oath of 1308. The important deviations are italicised in the following extract.[underlined in the text above] Here *ecclesie* is a mistaken rendering of *droitureles*, for which there is no equivalent in the liturgical oath. The qualification *iuste et racionabiliter* is new and important.’

and, at p. 172 ‘We have good reason to believe that at each coronation the king had a written form of oath before him. Henry II, like his predecessors and like continental kings, laid this writing upon the altar.’ [n. 51 see above, chapter 1, note 65’; there is no chapter 1 note 65 in his article; I presume he must therefore refer to *Three Coronation Orders*, the only text which may have chapters, in the preceding footnote].

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[The following version is from Sir Matthew Hale’s *Prerogatives of the King*

(p. 67) (d), (e), (f) The ensigns of majesty and empire, the crown and coronation, the delivery of the sceptre and ball, the inthronization, and then the homage done by the temporal and ecclesiastical lords, and the several prayers and solemnities thereof, *vide inde optime Selden, Tit[ulū] Honoris, lib. 1, cap. 8*, [note 5 : *Opera Omnia* III, 234 *et seq.*], and therefore I omit them, and rather [68] choose to insert *verbatim* those two *formulae coronationis* which are entered of record, *viz.* that of Edward 2 and that of Richard 2.

...

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<sup>1</sup> This description is taken from Close Roll I Ric. II. Mem. 45 in the Public Records Office, and is quoted by Legg, who says, at p. 131 ‘Court Claims of Richard II. The processus factus of Richard II is the first known minutes of the proceedings of the Court of Claims held before the coronation.... The manuscript from which the document if printed is in the Public Records Office. With regard to the description of the coronation which follows the report of the proceedings of the Court of Claims..... has but little interest...’. The Latin is quoted by Legg at p. 147, , the English translation at pp 165-66.147,



But *Claus. 1 R. 2, m. 45*, [note 3 : *Cal. C. R. (1377-1381)*, pp. 1-5; *Monumenta Gildhallae* (Rolls ed.) II, pt. ii, pp. 456 *et seq.*], the solemnity is set out fuller. Where after the claim of the duke of Lancaster to be High steward of England allowed by the king himself, there follows the claims of those offices of honour to be performed in the coronation solemnity by reason of charter, tenure or prescription. Which are made before the High Steward and allowed or disallowed according to the satisfaction they gave thereof. And all these claims are entered and drawn up. And then ensues the *processus coronationis* drawn up by the High Steward and then delivered in the Chancery and there enrolled. [note 4 : F.H. inserts in B.M. Harg. MS. 94 : "Here Lord Hale's manuscript introduces at length the *processus coronationis* of 1 R. 2, which is now printed in Rymer's *Foedera*, vol. 7, p. 157." This edition adopts Hargrave's omission of the text, from p. 87 to p. 93 of the autograph; see *Foedera*, vii, 157-160, from *claus. 1 Ric. 2, m. 44*.]

—Note here that the *processus factus ad coronacionem domini Regis Anglie Ricardi secundi post conquestum Anno regni sui primo* which is reproduced by Legg in *English Coronation Records* at p. 131 ff., sources the document to Close Roll 1 Ric. II, m. 45, not m. 44. Note also that the text of the coronation oath written in that document for Richard II is different from that recorded by Hale in Latin for Henry IV, and from that that included in the *Liber Regalis*, and from the oath in French recorded by Hale from the roll for Edward II. Note also that the further different text of an oath for Richard II reproduced in *EHD* below, is taken from m. 44 (Hale), not m. 45 (Legg), and that there is a substantial difference between the two.

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[The following version from *English Historical Documents, 1327-1485*, A R Myers, ed., Eyre & Spottiswoode, London, 1969, translated from Rymer, *Foedera*, III, iii, 63 (Latin), from Close Roll, I Richard II, m. 44]

And after this a corporal oath was taken by the aforesaid archbishop from the king.

(1) About conceding and preserving, with the confirmation of his oath, the laws and customs, conceded by the ancient, just, and devout kings of England, predecessors of the present king, to the people of England, and especially the laws, customs and liberties conceded by the most glorious and holy King Edward to the clergy and people of the aforesaid kingdom.

(2) And about serving God, and keeping peace and concord for the Holy Church of God, and for the clergy and people, according to his strength,

(3) And about causing to be done, in all his judgements, equal and right justice and decisions in mercy and truth,

(4) And also about holding and maintaining the just laws and customs of the church, and about enforcing what the people shall justly and reasonably have chosen and which the king shall protect and strengthen for the honour of God, according to his strength.

The aforesaid archbishop, advancing to the four corners of the platform, expounded and narrated to the whole people how the said lord king had taken the oath, inquiring from the same people if they wished to have and obey him as king and liege lord, and they unanimously gave their consent.

When these things had been done, the archbishop began with a loud voice the hymn...<sup>1</sup>

1388                      **Richard II renews coronation oath**—Wilkinson, *Later Middle Ages*, p. 174

## ROBERT III

1390                      **Robert III king of Scotland 19 April 1390**

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<sup>1</sup> *English Historical Documents, 1327-1485*, A R Myers, (ed.), Eyre & Spottiswoode, London, 1969, at pp 404-405.

Coronation oath taken by Robert said to similar to that taken by the Duke of Rothesay when he acted as Robert's lieutenant in January 1399. In this oath

'Rothesay was to promise all the things that the king at his crowning was sworn to do, to holy kirk and the people, the laws and the lovable [*sic* I think this is a mistranslation of the Scots rendering of 'lawful'] customs to be kept to the people, manslaughterers, reivers, somers and generally all misdoers through strength to be restrained and punished.'

—from David M Walker, *A Legal History of Scotland*, Volume III, The Sixteenth Century, T & T Clark Ltd., Edinburgh, 1995, at p. 122, and n. 9, sourced to A.P.S., I, 572-573.

## RICHARD II DEPOSITION

### 1399 Richard II (England) deposed, 29 September 1399

Deposition of Richard II, Rot. Parl. III. 416 [Latin], from *English Historical Documents*, 1327-1485, A R Myers (ed.), 1969, Eyre & Spottiswoode, London, 1969, at p. 407 ff.; translated from the original in Rot. Parl. III., 416 (Latin):—

'The record and process of the renunciation of King Richard, the second after the Conquest, and of the acceptance of the same renunciation, together with the deposition of King Richard, follow hereafter.

'Memorandum that on Monday, the feast of St Michael the Archangel, in the 23rd year of King Richard II, the lords spiritual and temporal and other notable persons [16 names follow] deputed for the following act, came into the presence of the said king Richard, being within the Tower of London, at nine o'clock. And the Earl of Northumberland recited before the king on behalf of the aforesaid deputation, how the same king at Conway in North Wales, being still at liberty, promised to the lord Thomas Archbishop of Canterbury and to the Earl of Northumberland that he was willing to cede and renounce the crown of England and France and his royal majesty, because of the inability and insufficiency to which the same king confessed, and to do this in the best manner and form which could be done as might be best devised by the counsel of experienced men. The king in the presence of the lords and others named above benignly replied that he was willing to give effect to what he had formerly promised; he desired however to have speech with Henry of Lancaster and the archbishop (Arundel) his kinsmen, before he fulfilled his promise. He asked for a copy of the resignation to be made by him to be given to him, so that he might in the mean-time deliberate on it; this copy was given to him, and the lords and the others returned to their lodgings. Afterwards on the same day after dinner the king greatly desiring the arrival of the Duke of Lancaster, who tarried for a long time, at last the Duke, the lords and persons named above and also the Archbishop of Canterbury came into the king's presence in the Tower, the lords Roos, Willoughby, and Abergavenny and many others being present. And after the king had spoken apart with the duke and the archbishop, looking from one to the other with a cheerful countenance, as it seemed to the bystanders, at last the king, calling all those present to him, declared publicly in their presence, that he was ready to make the renunciation and resignation according to his promise. And although, to save the labour of such a lengthy reading, he might, as he was told, have had the resignation and renunciation, which was drawn up in a certain parchment schedule, read by a deputy the king willing, as it seemed, and with a cheerful countenance, holding the same schedule in his hand, said that he would read it himself, and he did read it distinctly. And he absolved his lieges and made renunciation and cession, and swore this . . . and he signed it with his own hand, as is more fully contained in the schedule, of which the tenor follows in these words....

'And immediately he added to the aforesaid renunciation and cession, in his own words, that if it were in his power the Duke of Lancaster should. succeed him in the realm. But because this was in no wise in his power, as he said, he asked the Archbishop of York and Bishop of Hereford, whom he appointed as his proctors to declare and intimate his renunciation to all the estates of the realm, to declare his intention and wish in this matter to the people. And as a token of his intention and wish in this matter, he took off his finger the gold ring with his signet, and put it on the duke's finger, desiring the same, as he affirmed, to be known to all the estates of the realm. And when this was done, all said farewell to him and left the Tower to return to their lodgings.

'On the morrow, Tuesday, the feast of St Jerome, in the great hall at Westminster, in the place honourably prepared for holding parliament, the Archbishops of Canterbury and York and the Duke of Lancaster, and other dukes, and lords both spiritual and temporal, whose names are written below,

and a great multitude of the people of the realm being gathered there on account of parliament, the Duke of Lancaster occupying his usual and proper place, and the royal throne, solemnly prepared with cloth of gold being vacant, without any president, the Archbishop of York and the Bishop of Hereford according to the king's injunction publicly declared the cession and renunciation to have been made by him, with the delivery of the seal, and the royal signature, and they caused the cession and renunciation to be read, first in Latin and then in English. And at once the Archbishop of Canterbury, to whom pertains by reason of the dignity and prerogative of the metropolitan church of Canterbury to have the first voice amongst the prelates and magnates of the realm, asked the estate of the people then present, whether they wished to accept the renunciation and cession for their interests and the good of the realm. The estates and people considering, for the reasons specified by the king himself in his renunciation and cession, that it would be very expedient, each one singly, and then in common with the people, unanimously and cordially gave his consent. After this acceptance it was publicly set forth that besides the cession and renunciation which had been accepted, it would in many ways be expedient and advantageous for the kingdom, to avoid all scruple and evil suspicion, that the many crimes and defects frequently committed by the king in the bad government of the realm - on account of which, as he himself had asserted in his abdication, he was worthy to be deposed - should by means of articles which had been drawn up in writing be publicly read, that they might be declared to the people. And so a large part of these articles was then publicly read, of which article the tenor is as follows:

'[Then follows a copy of the coronation oath of Richard II. After this comes the heading "Here follow the indictments against the king concerning his deposition".]

- ' 1. In the first place the king is indicted on account of his evil rule, that is, he has given the goods and possessions which belong to the crown to unworthy persons and otherwise dissipated them indiscreetly and therefore has imposed collections and other grave and insupportable burdens on his people without cause. And he has perpetrated innumerable other evils. By his assent and command certain prelates and other lords temporal were chosen and assigned by the whole parliament to govern the realm; and they faithfully laboured with their whole strength for the just government of the realm. Nevertheless the king made a conventicle with his accomplices and proposed to accuse of high treason the lords spiritual and temporal who were occupied for the good of the realm; and in order to strengthen his evil design he violently forced the justices of the realm by fear of death and torture of body to destroy the said lords.
6. [Although the king made proclamation when he arrested Gloucester, Arundel and Warwick, that he did not intend to proceed against any of their households, nevertheless many of the households of these lords were compelled by fear of death to make fines and redemptions as if they were traitors.]
7. Also, after many of these people had made fines and redemptions, then sought from the king letters patent of general pardon, concerning the above; but they could secure no advantage from these letters of pardon until they had paid new fines and redemptions to save their lives; by this they were much impoverished. On account of this the royal name and estate were brought into great disrepute.
8. [Also, in the parliament of Shrewsbury, the king secured the appointment of a commission to decide certain petitions.] By colour of this concession the persons thus deputed proceeded with other matters touching generally that parliament - and this at the will of the king, in derogation of the estate of parliament, and a great damage to the whole realm, and a pernicious example. And in order that those persons might seem to have a certain colour and authority for such deeds, the king caused the rolls of parliament to be deleted and changed to suit his purposes, against the intention of the commission.
9. [Contrary to his coronation oath he had denied justice to Henry duke of Lancaster.]
10. Also, although the crown of England and the rights of the crown, and the same realm, have been so free for all time past that neither the lord high pontiff nor anyone else outside the kingdom ought to intermeddle with the same, yet the king, in order to strengthen his erroneous statutes, begged the pope to confirm the statutes ordained in the last parliament. On which the king sought for apostolic letters, in which grave censures were threatened against all who presumed to contravene the statutes in any way...
16. Also, the king refused to keep and defend the just laws and customs of the realm, but according to the whim of his desire he wanted to do whatever appealed to his wishes. Sometimes - and often when the laws of the realm had been declared and expressed to him by the justices and others of his council and he should have done justice to those who sought it according to those laws - he said expressly, with harsh and determined looks, that the laws were in his own mouth, sometimes he said that they were in his breast, and that he alone could change or establish the laws of his realm. And deceived by this idea, he would not allow justice to be done to many of his lieges, but compelled very many persons to desist from suing for common justice by threats and fear.
17. Also, after certain statutes were established in his parliament, which should always bind until they should be especially repealed by the authority of another parliament the king, desiring to enjoy such liberty that no statutes should bind him . . . subtly procured that such a petition should be put forward in parliament on behalf of the community of the realm, and to be granted to him in general, that he might be as free as any of his predecessors were before him. By colour of this petition and concession the king frequently

did and ordered many things contrary to such statutes which had never been repealed, acting expressly and knowingly against his oath made in his coronation.

22. [He extorted large sums of money from abbots and priors for his expedition to Ireland.]
23. Also, in many great councils of the king, when the lords of the realm, the justices, and others were charged faithfully to counsel the king in matters touching the estate of himself and the realm, often the lords, justices and others when they were giving their advice according to their discretion were suddenly and sharply rebuked and censured by him, so that they did not dare to speak the truth about the state of the king and the kingdom in giving their advice.
24. [The king took the treasures and crown jewels to Ireland without the consent of the estates of the realm. He also falsified the records of the realm.]
25. [The king was so variable and dissimulating in his words and writings, especially to popes and rulers outside the realm that no one could trust him.]
26. Also, although the lands and tenements, goods and chattels of every freeman, according to the laws of the realm used through all past times, ought not to be seized unless they have been lawfully forfeited; nevertheless the kings proposing and determining to undo such laws, declared and affirmed in the presence of very many lords and others of the community of the realm that the lives of every one of his lieges and their lands, tenements, goods, and chattels are his at his pleasure, without any forfeiture; which is entirely against the laws and customs of the realm.
27. [Contrary to Clause 39 of Magna Carta of 1215 many persons were accused before the constable and marshal of England and were forced to defend themselves by trial by battle, regardless of their age or strength.]

It seemed to all the estates who were interrogated thereupon, singly and in common, that those accusations of crime and defaults were sufficient and notorious enough for the deposition of the king; and they also considered his confession of inadequacy and other matters contained in the renunciation and cession, publicly announced; whereupon all the estates unanimously agreed that there was abundant reason for proceeding to deposition, for the greater security and tranquillity of the realm and the good of the kingdom. Therefore the estates and communities unanimously and cordially constituted and publicly deputed certain commissioners, i.e. the Bishop of St Asaph, the Abbot of Glastonbury, the Earl of Gloucester, Lord Berkeley, Sir Thomas Erpingham, Sir Thomas Grey, and William Thirmyng, Justice, to carry out this sentence of deposition and to depose King Richard from all his royal dignity majesty, and honour, on behalf of, in the name of, and by authority of, all the estates, as has been observed in similar cases by the ancient custom of the realm. And soon the commissioners assuming the burden of the commission, and sitting before the royal seat as a tribunal, had some discussion on these matters and reduced the sentence of deposition to writing; and by the wish and authority of the commission the sentence was read and recited by the Bishop of St Asaph in these words....

And at once, it being manifest from the foregoing transactions and by reason of them that the realm of England with its appurtenances was vacant, Henry Duke of Lancaster, rising in his place, and standing erect so that he might be seen by the people, and humbly making the sign of the cross on his forehead and his breast, and invoking the name of Christ, claimed the realm of England, vacant as aforesaid, along with the crown and all its members and appurtenances, in his mother tongue in the following words:

In the name of the Father, Son, and Holy Ghost, I, Henry of Lancaster, [claim] challenge this realm of England and the crown with all its members and appurtenances, as I am descended by right line of the blood coming from the good lord King Henry III, and through that right that God of his grace has sent me, with the help of my kindred and my friends to recover it; the which realm was on the point of being undone for default of governance and undoing of good laws.

[The duke then showed Richard's signet to the assembly, whereupon the archbishop led him by the right hand to the throne. In front of it Henry knelt and prayed a while, after which both archbishops seated him on the throne, amid great applause. Archbishop Arundel then preached a sermon on the text "Vir dominabitur populo" (I Samuel ix, 17). {"And when Samuel saw Saul, the Lord said unto him, Behold the man whom I spake of to thee! This same shall rule over my people."}]

When this sermon was finished, the lord king Henry, in order to set at rest the minds of his subjects declared publicly in these words:—

Sires, I thank God and you lords spiritual and temporal and all the estates of the island; and let you know that it is not my will that any man should think that by way of conquest I would disinherit any man of his heritage, franchise, or other rights that he ought to have, nor put him out of what he has and has had by the good laws and customs of the realm; except those persons who have been against the good purpose and the common profit of the realm.

... And afterwards on the Wednesday next following the said proctors deputed as aforesaid, came to Richard lately king within the Tower and lord William Thirnyng, justice, on behalf of himself and his ... fellow proctors and all the estates and people aforesaid ... notified the ... sentence of deposition to the same Richard, and renounced homage and fealty to him ... in these words:

Sire, it is well known to you that there was a parliament summoned of all the estates of the realm to be at Westminster and to begin on the Tuesday, the morrow of the feast of St Michael the Archangel [30 September], that was yesterday, and because of this summons all the estates of the land were gathered there and made these same persons who have come here to you now their proctors and given them full authority and power and charged them to say the words that we shall say to you in their name and on their behalf; that is to say, the Bishop of St Asaph for archbishops and bishops, the Abbot of Glastonbury for abbots and priors, and all other men of holy church, secular and regular; the Earl of Gloucester for dukes and earls; Lord Berkeley for barons and bannerets; Sir Thomas Erpingham, chamberlain, for all the bachelors and commons of this land of the South, Sir Thomas Grey for all the bachelors and commons of the North; and my colleague John Markham and me, to come with them for all these estates. And so, sire, these words and the doing that we shall say to you are not only our words but the words and doings of all the estates of this land and our charge and in their name.

And he answered and said that he knew well that we would not speak but as we were charged

[Sir William Thirnyng then recounted the previous stages of the deposition -

Richard's abdication on Monday, Michaelmas Day, in the Tower, the reading of this renunciation to the estates and people at Westminster, the reading of the thirty-three articles of default of governance, and the declaration of deposition.]

And we, the proctors of all these estates and people, as we are charged by them, and by their authority given to us, and in their name, yield you up, for all the estates and people aforesaid, liege homage and fealty, and all allegiance and all other bonds, charges, and services which belong to it. And none of all these estates and people from this time forward shall bear you faith, nor do you obedience as to their king.

And he answered and said, that he looked not thereafter; but he said, that after all this he hoped that his cousin would be a good lord to him.

On Monday, the day of St Edward, King and Confessor, King Henry was crowned at Westminster, with all the solemnity and honour that was fitting; and certain lords and others did severally their services to king Henry according to their tenures, in the accustomed manner at the time of such a coronation.

\*

Richard declares he could not renounce his spiritual honour

—from S B Chrimes, *English Constitutional Ideas in the Fifteenth Century*, 1936, Cambridge University Press, Cambridge; reissued, American Scholar Publications, New York, 1965, p. 7 n. 2 *Annales Henrici Quarti*, 286

'Ubi vero Dominus Willelmus Thirnyng dixit ei quod renunciavit omnibus honoribus et dignitati Regi pertinentibus, responabit quod noluit renunciare spirituali honori characteris sibi impressi, et inunctioni, quibus renunciare nec potuit, nec ab his cessare.' Apparently Thirnyng was obliged tacitly to admit that this spiritual character had not been renounced by the cessation.

## 1399                      **Richard II Deposition**

From *Chronicle of Adam of Usk*, translated by E M Thompson, quoted in *The Portable Medieval Reader*, edited and with an introduction by James Bruce Ross and Mary Martin McLaughlin, The Viking Press, New York, 1949, 22nd printing 1967, at pp. 276-280.

Adam of Usk, a Chronicler, who wrote from 1399-1400, said:

Next, the matter of setting aside King Richard, and of choosing Henry, duke of Lancaster in his stead, and how it came to be done and for what reasons, was judicially committed to be debated on by certain doctors, bishops, and others, of whom I, who am now noting down these things, was one. And it was found by us that perjuries, [the breaking of an oath was considered a perjury: in Richard's case, the breaking of his coronation oath] sacrileges, unnatural crimes, oppression of his subjects, reduction of his people to slavery, cowardice and weakness of rule — with all of which crimes King Richard was known to be tainted — were cause enough for setting him aside, in accordance with the chapter: "Ad apostolicae dignitatis," under the title: "De re judicata," in the Sextus<sup>1</sup>; and although he was ready himself to yield up the crown, yet it was determined, for the aforesaid reasons, that he should be deposed by the authority of the clergy and the people, for which purpose they were summoned

...I was in the Tower, wherein King Richard was a prisoner....And there and then the king discoursed sorrowfully in these words: "My God! a wonderful land is this, and a fickle; which hath exiled slain, destroyed, or ruined so many kings, rulers, and great men, and is ever filled and toileth with strife and variance and envy"; ... Perceiving then the trouble of his mind, and how that none of his own men, nor such as were wont to serve him, but strangers who were but spies upon him, were appointed to his service, and musing on his ancient and wonted glory and on the fickle fortune of the world, I departed thence much moved at heart...

On St Michael's day there were sent to the king in the Tower, on behalf of the clergy, the archbishop of York and the bishop of Hereford; on behalf of the superior lords temporal, the earls of Northumberland and Westmorland; for the lower prelates, the abbat of Westminster and the prior of Canterbury; for the barons, the lords Berkley and Burnell; for the lower clergy, Master Thomas Stow and John Borbach; and for the commons of the kingdom, Sir Thomas Grey and Sir Thomas Erpingham, knights, to receive the surrender of the crown from King Richard. And when this was done, on the morrow, the said lords, on behalf of the whole parliament and the clergy and the people of the kingdom, altogether renounced their oath of allegiance, loyalty, submission, service, and what obedience soever, and their fealty to him, setting him aside, and holding him thenceforth not for a king, but for a private person. ... And this surrender [Richard's surrender of royal rank, read out by the archbishop of York] the consent of all and every in parliament being first called for, was openly and distinctly accepted .... and.. [the archbishop of Canterbury] spoke of the shortcomings of King Richard, and specially how he had most unjustly stifled in prison his uncle, the duke of Gloucester, treacherously, and without a hearing or leave to answer; and how he strove to overthrow the law of the land to which he had sworn. And so, in short, although he had sufficiently made resignation, the sentence of his deposition, drawn up in writing, by consent and authority of the whole parliament, was there openly, publicly and solemnly read by Master John Trevour of Powis, bishop of St Asaph. And so, the throne being vacant, by consent of the whole parliament, the said duke of Lancaster, being raised up to be king, forthwith had enthronement at the hands of the said archbishops, and thus, seated on the king's throne, he there straightway openly and publicly read a certain declaration in writing, wherein was set forth that he, seeing the kingdom of England to be vacant, by lawful right of succession by descent from the body of King Henry the Third, did claim and take to himself the crown as his by right; and that, in virtue of such succession or conquest, he would in no wise allow the state of the kingdom nor any man to suffer change in liberties, franchises, inheritances, or in any other right or custom. And he fixed the day of his coronation for St Edward's day next coming. ...

The lord Richard, late king, after his deposition, was carried away on the Thames, in silence of dark midnight, weeping and loudly lamenting that he had ever been born...

And now those in whom Richard, late king, did put his trust for help were fallen. And when he heard thereof, he grieved most sorely and mourned even to death, which came to him most miserably on the last day of February [1400], as he lay in chains in the castle of Pontefract, tortured by Sir N. Swinford with scant fare...

Richard, farewell! king indeed (if I may call thee so), most mighty; for after death all might praise thee, hadst thou, with the help of God and thy people, so ordered thy deeds as to deserve such praise. But though well endowed as Solomon, though fair as Absalom, though glorious as Ahasuerus, though a builder excellent as the great Belus, yet like Chosroes, king of Persia, who was delivered into the hands of Heraclius, didst thou in the midst of thy glory, as Fortune turned her wheel, fall most miserably into the hands of Duke Henry, amid the curses of thy people.

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<sup>1</sup> I don't know what this is FIND OUT

## HENRY IV

**1399**      **Henry IV (King of England and Lord of Ireland) ; crowned 13 October 1399;**  
succeeded 30 September 1399

**Henry's Coronation oath** similar to that of Edward II, 1 Henry IV, n17; reproduced in Latin in Hale, 67; 1 Henry IV, n 17, R. P. iii, 417b Coronation oath; Duchy of Lancaster lands annexed to the crown.

Hale, at p. 67:—

Metropolitanus vel episcopus mediocri distinctaque voce eum interroget. Leges et consuetudines et antiquis justis et eas denotis plebi Anglorum concessas cum sacramenti confirmatione eidem plebi concedere et servare voluerit et presertim leges et consuetudines et libertates a glorioso rege Edwardo clero populoque concessas.

Si autem his omnibus assentire se velle promiserit, exponat ei Metropolitanus vel episcopus de quibus iurabit ita dicendo;

servabis Ecclesiae Dei clero et populo pacem ex integro et concordiam in Deo secundum vires tuas?

Respondebit, servabo.

Facies fieri in omnibus judiciis tuis, equam et rectam justiciam et discretionem in misericordia et veritate secundum vires tuas ?

Respondebit, faciam.

Concedis justas leges et consuetudines esse tenendas et promittis eas per te esse protegendas, et ad honorem Dei corroborandas, quas vulgas elegerit, secundum vires tuas ?

Respondebit. concedo et promitto.

Adjicianturque predictis interrogationibus quae justa fuerint. Praenunciatisque omnibus, confirmet [rex] se omnia servaturum sacramento super altare prestito coram cunctis.

This text above is the one which was reproduced by the two houses of 'parliament', such as they were, in the Remonstrance of 26 May 1642. In the remonstrance, as reported by Edward, Earl of Clarendon in his *History of the Rebellion and Civil Wars in England*, written between 1641 and 1648, in Book V paragraphs 225 and 226, at Vol. II, (Books V and VI), p. 123 of the 'edition re-edited from a fresh collation of the original MS. in the Bodleian Library', by W Dunn Macray, in six Volumes, Clarendon Press, Oxford, 1888; reprinted Oxford University Press, Oxford, 1958.

'225. In conscience, in regard to the oath that is, or ought to be, taken by the kings of this realm at their coronation, as well to confirm by their royal assent such good laws as the people shall choose, and to remedy by law such inconveniences as the kingdom may suffer, as to keep and protect the laws already in being; as may appear both by the form of the oath upon record, and in books of good authority, and by the statute of the 25 of Edward III. entitles, The Statute of Provisors of Benefices; the form of which oath, and the clause of the statute that concerneth it, are as followeth:

'226.      Rot. Parliament. [1] H. IV. n. 17 [n. 1 Rot. Parl. vol. III. p. 417

*Forma juramenti soliti et consueti praestari per reges Angliae in eorum coronatione.*

*Servabis ecclesiae Dei, cleroque et populo, pacem ex integro et concordiam in Deo secundum vires tuas?*

Respondebit, *Servabo.*

*Facies fieri in omnibus judiciis tuis, aequam et rectam justiciam, et discretionem in misericordia et veritate secundum vires tuas ?* Respondebit, *Faciam.*

*Concedis justas leges et consuetudines esse tenendas et promittis eas per te esse protegendas, et ad honorem Dei corroborandas, quas vulgas elegerit, secundum vires tuas ?* Respondebit. *Concedo et promitto.*

*Adjicianturque predictis interrogationibus quae justa fuerint. Praenunciatisque omnibus, confirmet Rex se omnia servaturum sacramento super altare prestito coram cunctis.*

[and at paragraph 227, at p. 124 of the 1956 reprint, the Remonstrance goes on:

'227. A clause in the preamble of a statute made 25 Edw. III. entitled, The Statute of Provisors of Benefices. [n.1 Rot Parl. Vol. II. pp. 232-3; in French.] Whereupon the said Commons have prayed our said lord the King, That sith the right of the Crown of England, and the law of the said realm, is such, that upon the mischieves and damages which happen to this realm, he ought, and is bound by his oath, with the accord of his people in his Parliament, thereof to make remedy and law, and, in removing the mischieves and damages which thereof ensue, that it may please him thereupon to ordain remedy. Our lord the King, seeing the mischieves and damages before mentioned, and having regard to the statute made in the time of his said grandfather, and to the causes contained in the same, which statute holdeth always in his force, and was never defeated, repealed or annulled in any point, and by so much he is bounden by his oath to cause the same to be kept as the law of his realm, though that by sufferance and negligence it hath been sithence attempted to the contrary; ....

[This statute is reproduced as Anno 25 Edw. III. Stat. 6, and Anno Dom. 1350 at p. 260 of Vol. I of *The Statutes at Large, from Magna Carta to the twenty-fifth year of the reign of George III*, edited by Owen Ruffhead; Eyre, Strahan, Woodfall and Strahan, His Majesty's Printers, London, 1764; revised edition, Charles Runnington, (ed.), 1786, Eyre, Strahan, Woodfall and Strahan, His Majesty's Printers, London. The text as quoted in the 'Remonstrance' appears in the original French and the English translation at p. 262.]

### Henry's recorded statements.

And at once, it being manifest from the foregoing transactions and by reason of them that the realm of England with its appurtenances was vacant, Henry Duke of Lancaster, rising in his place, and standing erect so that he might be seen by the people, and humbly making the sign of the cross on his forehead and his breast, and invoking the name of Christ, claimed the realm of England, vacant as aforesaid, along with the crown and all its members and appurtenances, in his mother tongue in the following words:

In the name of the Father, Son, and Holy Ghost, I, Henry of Lancaster, [claim] challenge this realm of England and the crown with all its members and appurtenances, as I am descended by right line of the blood coming from the good lord King Henry III, and through that right that God of his grace has sent me, with the help of my kindred and my friends to recover it; the which realm was on the point of being undone for default of governance and undoing of good laws.

[The duke then showed Richard's signet to the assembly, whereupon the archbishop led him by the right hand to the throne. In front of it Henry knelt and prayed a while, after which both archbishops seated him on the throne, amid great applause. Archbishop Arundel then preached a sermon on the text "Vir dominabitur populo" (I Samuel ix, 17). {'And when Samuel saw Saul, the Lord said unto him, Behold the man whom I spake of to thee! This same shall rule over my people.'}]

When this sermon was finished, the lord king Henry, in order to set at rest the minds of his subjects declared publicly in these words:—

Sires, I thank God and you lords spiritual and temporal and all the estates of the island; and let you know that it is not my will that any man should think that by way of conquest I would disinherit any man of his heritage, franchise, or other rights that he ought to have, nor put him out of what he has and has had by the good laws and customs of the realm; except those persons who have been against the good purpose and the common profit of the realm.<sup>1</sup>

## HENRY V

**1413**                      **Henry V (King of England and Lord of Ireland) , crowned 9 April, 1413, succeeded**  
20 march 1413

**1420**                      **Henry V (England)—Oath in France**

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<sup>1</sup> *English Historical Documents, 1327-1485, ibid.*



Henry V, king of France and England, swore an oath when he married Catherine of France, sister of Charles VII,

...that he would maintain the *Parlement* in its liberties and sovereign prerogatives, and that he would administer justice in the kingdom in accordance with its rights and customs

The words are from the treaty, entered into on 21 May 1429, naming a successor to the crown of France. ...they made him take this oath because he was a stranger coming to a new kingdom, the legitimate successor {Charles VII} having been set aside by a decree of the *Parlement* of Paris

— From Jean Bodin, *Le Six Livres de la République*, Paris, 1576, Book I, Chapter 8, p. 137 [French edition], Julian H Franklin, (ed. and trans.) Book I, Chapter 8, 'On Sovereignty' from *Jean Bodin, On Sovereignty, Four Chapters from The Six Books of the Commonwealth*, Cambridge University Press, Cambridge, 1992, p. 18

## HENRY VI

**1421**                    **Henry VI (King of England and Lord of Ireland);** succeeded 1 September 1421; crowned 6 November 1429

**1429**                    **Henry VI, Crowned King of England** , 6 November, 1429

**1431**                    **Henry VI (King of France),** crowned 16 December, 1431<sup>1</sup>

## SCOTLAND 1445

**1445**                    **Scottish Estates restrict king's power**

In [1445] Parliament decided that the king should promise the law Christian and other statutes of the realm neither to add nor to diminish without the consent of the Three Estates and nothing to work or use touching the common profit of the realm without consent of the Three Estates. The privileges of the Church are not mentioned.

—from David M Walker, *A Legal History of Scotland*, Volume III, The Sixteenth Century, T & T Clark Ltd., Edinburgh, 1995, at p. 122, sourced at n. 12 to *Inauguration*, para 16, printed in R J Lyall, 'The Medieval Scottish Coronation Service: some Seventeenth Century Evidence,' (1977) 28 *Innes Rev.* 3, 9.

## JAMES II

**1445**                    **James II of Scotland takes coronation oath,** age 14 ; succeeded 21 February, 1437, aged 6. (born 16 October, 1430). (crowned Kelso Abbey)

The Monynet MS. of the late sixteenth century contains a short selection on coronation oaths, and includes one taken by James II, not at his coronation in 1437, but at the age of 14 in 1445. This may have been taken in implement (*sic*) of the Estates' decision in 1445. The allegedly undertook not to interfere with the statutes of the realm nor to do anything touching the common profit of the realm without the consent of the Three Estates.

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<sup>1</sup> Ralph A Griffiths, *The Reign of King Henry VI, The Exercise of Royal Authority 1422-1461*, University of California Press, Berkeley and Los Angeles, 1981, p. 2.

—from David M Walker, *A Legal History of Scotland*, Volume III, The Sixteenth Century, T & T Clark Ltd., Edinburgh, 1995, at p. 122.

## ***LIBER REGIE CAPELLE***

**1449 (from copy c. 1362)**

**Liber Regie Capelle**

*Liber Regie Capelle*, Manuscript in the *Biblioteca Publica*, Evora, edited by Walter Ullmann, Printed for the Henry Bradshaw Society at the University of Cambridge Press, 1961, Henry Bradshaw Society, Vol. XCII.

Copied c. 1449 (p. 6) from the *Liber Regalis* of Abbot Lytlington (1362-1368), as recorded in the Missal of Westminster (p. 22)

[fo. 14v], p. 82 Finito quidem sermone ad plebem metropolitanus uel episcopus eundem mediocri distinctaque uoce interroget, si leges et consuetudines ab antiquis iustis et Deo deuotis regibus plebi Anglorum concessas cum sacramenti confirmatione eidem plebi concedere et seruare uoluerit, et presertim leges, consuetudines et libertates a glorioso Rege Edwardo clero populoque concessas. Dicto autem principe se promittente omnia premissa concessurum et seruaturum, tunc exponat ei metropolitanus de quibus iurabit ita dicendo.

p. 83. Seruabis ecclesie Dei cleroque et populo pacem ex integro et concordiam in Deo secundum uires tuas?

Respondebit. Seruabo.

Facies fieri in omnibus iudiciis tuis equam et rectam iusticiam et discrecionem in misericordia et ueritate secundum uires tuas?

Respondebit. Faciam.

Concedis iustas leges et consuetudines esse tenendas et promittis eas per te esse protegendas. et ad honorem Dei roborandas quas uulgo elegerit [fo. 151]secundum uires tuas.

Respondebit. Concedo et promitto.

Sequitur admonitio episcoporum ad Regem, et legatur ab uno episcopo coram omnibus, clara uoce dicendo:

Domine rex a uobis perdonari petimus, ut unicuique de nobis et ecclesiis nobis commissis canonicum priuilegium ac debitam legem atque iusticiam conseruetis et defensionem exhibeatis, sicut rex in suo regno debet unicuique episcopo, abbatibus et ecclesiis sibi commissis.

Respondebit:

Animo libenti et deuoto promitto uobis et perdono, quai unicuique de uobis et ecclesiis uobis commissis canonicum priuilegium et debitam legem atque iusticiam seruabo, et defensionem, quantum potuero, adiuuante Domino exhibebo, sicut rex in suo regno unicuique episcopo, abbatibus et ecclesiis sibi commissis per rectum exhibere debet.

Adiciantur predictis interrogacionibus que iusta fuerint prenunciatis omnibus supradictis. Dictus princeps confirmet se omnia predicta esse seruaturum sacramento, super altare coram cunctis protinus prestito.

The sermon ended, the Metropolitan or Bishop shall ask the king in a moderate and distinct voice: Will you grant and keep, and by your oath Confirm, to the people of England, the Laws and Customs to them granted, by the Kings of England your lawfull and religious predecessors; and namely the Laws Customs and franchises granted to the Cleargy [and to the people] by the glorious King St. Edward your predecessor?

I grant and promise to keep them.

And when the king says that he will grant and keep all these things the metropolitan shall set forth to him what he shall swear, saying:

Will you keep peace and godly agreement, entirely according to your power, both to God, the holy Church, your [the] Cleargy and your [the] People?

Response. I will keep it.

Will you to your power cause Lawe Justice and Discretion, in Mercy and truth, to be executed in all your Judgements?

Response. I will.

Will you grant to hold and keep, the Laws and rightful Customs, which the Commonalty of this your Kingdom have: and will you defend, and uphold them to the honour of God, so much as in you lieth?

I grant and promise so to do.

Then shall follow the admonition of the Bishops to the king, to be read by one of the Bishops before all in a loud voice saying:

Our Lord and King : We beseech you to pardon and to grant, and to preserve unto us and your [the] Churches committed to our Charge, all Canonical privileges, and due Law and Justice ; And that you would protect and defend us, as every good King in his Kingdom, ought to be Protector, and Defendor of the Bishops, and the Churches under their government.

He shall answer:

With a willing and devout heart, I grant My Pardon; and promise that I will preserve, and maintain to you, and the Churches committed to your Charge, all Canonical Privileges, and due Law, and Justice ; and that I will be your protector and defendor to my power, by the assistance of God, as every good King in his Kingdom, in right ought to protect and defend the Bishops and Churches under their government.

Then shall be added to the aforesaid questions what is just ; when all the above have been put, then the prince shall confirm them by swearing upon the altar in sight of all that he shall keep all the above.

NOTE: Ullmann says at pp. 30-33 about the coronation oath:

...(p. 30). On the other (p. 31) hand, the English kings, especially John since in the early thirteenth century, had to watch their theocratic functions becoming steadily whittled down and their feudal functions so much emphasised that, in the fourteenth century, or to be more precise, since the coronation of Edward II, there is every justification for saying that the king had very markedly approached the position of a limited or constitutional monarch. The addition of the fourth clause to the coronation promises at Edward II's coronation transfers this constitutional development into the realm of the solemnity of the coronation—the *Liber Regalis* contains the same four clauses—and its significance emerges perhaps best when it is compared with the first clause: in the latter the king promises to keep the laws, and so forth, granted by his predecessors and especially by St Edward, this is, in a modified form, the old theocratic formula, according to which the King grants or concedes laws to his subjects who receive them as a *donum Dei*. The community of the realm—the body that in the course of the thirteenth century had arisen as a constitutional organ—had no place within the first three clauses, above all no place within the theocratic framework of the first clause. Differently expressed: the old theocratic devices could not only not accord any standing to a community of the realm, but, on the contrary, underlined the theocratic position of the king which was focused on the exercise of his *voluntas*. But the history of the thirteenth century and also the reign of Edward I had shown that the theocratic function of the king provided an easy escape from the obligations of the king, that is to say, obligations which were primarily of a feudal nature. But (p. 32) there was in the coronation promises no possibility for any body or any organ to make the king keep the laws and customs approved by the community of the realm. In order to remedy this defect, the coronation promises were expanded on the occasion of Edward II's coronation by the addition of the famous fourth clause. It is the counterpart for the three foregoing clauses and embodies the community of the realm as the organ which is entitled to force the king to keep the laws and customs. In parenthesis it may be observed that this fourth clause does not, as is so often maintained, mean that 'thus the king bound himself to observe future legislation by the people.' [here Ullmann in n. 1 is contradicting P E Schramm, *History of the English Coronation*, (Oxford, 1937), p. 206. Cf. also B

Wilkinson, *Constitutional History of Medieval England* (London, 1953), II, 12. See also H G Richardson in *Speculum*, XXIV, (1949), p. 65.] This view leaves the *consuetudines* (= 'les custumes droitureles' in the French version, probably used at the coronation of Edward II) all on one side. The promise of the king that he would '*tenir et garder les loys et les custumes droitureles, les quils la communité de vostre royaume aura esleu (elegerit)*' is perfectly concise and definite: the verb refers to both written and unwritten law, and to maintain that the 'people' will in the future choose customs, is simply to do violence to language. What this fourth clause signifies is (1) that, as well as the laws granted by the kings, especially St Edward, there is the written and unwritten law which is the expression of the consent and of approval by both king and community of the realm, hence this law is here considered as a result of a joint effort, in palpable contrast to the first clause; (2) that the community of the realm is now accorded a place (p. 33) in no lesser a framework than the coronation, precisely because it had a share in the making of law, not granted or conceded by the king, as the first clause had it; and (3) that the community of the realm was, because of its share in the making of the law, entitled to restrain the king in future, that is, to make him keep the laws and customs already established by their joint effort. The importance of this fourth clause lies therefore in that it reflects the constitutional development in the coronation service: coronation and constitutional principles are brought into line.'

## JAMES II

1455                      **James II (Scotland) oath not to alienate lordships.**

The Scottish Estates enacted in 1455 that James II and his successors should swear at their coronations that they would observe the statute annexing certain lordships to the crown inalienably—see David M Walker, *A Legal History of Scotland*, Volume III, The Sixteenth Century, T & T Clark Ltd., Edinburgh, 1995, at p. 122-123, and n. 16, sourced to Crown lands Act (Scotland), 1455, A.P.S., II, 42, c. 1.

## EDWARD IV

1461                      **Edward IV (King of England and Lord of Ireland) crowned 28 June 1461; succeeded 4 March 1461 (?); and 11 April 1471**

Blackstone has text of old coronation oath, from 'the old folio abridgement of the statutes, printed by Lettou and Machlinia in the reign of Edward IV, (*penes me*) there is preserved a copy of the old coronation oath; which, as the book is extremely scarce, I will here transcribe.' Blackstone, at note. h, p. 229

Ceo est serement que le roy jurre a soun coronement : que il gardera et maintenera lez droitez et lez franchisez de seynt esglise grauntez aucienment dez droitez roys christiens dEngleterre, et quil gardera toutes sez terreiz honoures et dignitees droiturelx et franks del coron du roialme dEngleterre en tout maner denterie sanz null maner damenusement, et lez droitez dispergez dilapidez ou perduz de la corone a soun poiair reappeller en launcien estate, et quil gardera le peas de seynt esglise et al clergie et al people de bon accorde, et quil face faire en toutes sez jugementez owel et droit justice oue discrecion et misericorde, et quil grauntera a tenure lez leyes et custumes du roialme, et a soun poiair lez face garder et affermer que lez gentez du people avont faitez et esliez, et les malveys leyz et custumes de tout oustera, et ferme peas et estable al people de soun roialme en ceo garde esgardera a soun poiair: come Dieu lay aide. *Tit. Sacramentum regis*. Fol. M. ij.

[My rough translation: know no old French:

Here is the sacramental oath for the king on his coronation.: Will you guard and maintain the (rights? laws? right laws? droitez) and the franchises of the English church granted of old by the just? (droitez) christian kings of England, and to guard the lands honours and the right? just? (droiturelx) dignities and rights of the crown of the realm of England in such a manner that (they shall not diminish), and the rights? (lez droitez) dispersed or dilapidated or lost? (ou perdu) of the crown will you to your power repair and restore to their ancient estate, and will you guard the peace of the English church and all the clergy and all the people in good concord, and will you judge fairly in your judgements and give right justice with discrecion and mercy, and will you grant a tenure to (grant and hold? uphold? maintain? grauntera a tenure) the laws and customs of the realm, and to your power guard the rights? laws? (? lez face garder) and affirm them, which the gentles of the people (the gentry and the people? representatives of the people? (lez gentez du people) have made (faitez have happened) and chosen?? laid down?? (esliez), and completely to oust the evil laws and customs, and firm peace establish for all people in your realm and here to guard it and continue to guard it to your power? May God give me aid. {Note: 'to your power' clearly means, 'as much as you can', or 'as much as in you lies'; 'to your power', is still used in the William and Mary oath)

Note:

H G Richardson and G O Sayles, in their article on 'Early Coronation records' in *Bulletin of the Institute of Historical Research*, [BIHR] Vol. 13, 1935-36, p. 129, at p. 144 state that

[this oath appears in abridgements published in 1499 and 1521. It may conveniently be read in Statutes of the Realm, i. 168, and Stubbs, Constitutional History, ii. 109n.]

'We cannot close this section of this paper without some reference to the anomalous form of oath printed by Lettou and Machlinia under Edward IV in an abridgement of statutes. Its appearance in an abridgement makes it not unlikely that it may have been shortened from some longer form. There is no ground whatsoever for believing it to be of an earlier date, as Stubbs suggested; [n. 3. Constit. Hist. P. 156 n. Cf. Maitland, Constitutional History, p. 99{NOTE I can find no ref. in Maitland to this oath}] and it is quite certain that what lay behind the abridgement was a fifteenth-century manuscript collection of statutes, with the usual apocrypha of statutes of uncertain dates and miscellaneous tracts. When this collection was digested under titles arranged in alphabetical order the compiler was careful to add, wherever possible, a precise reference to the chapter of the statute from which each paragraph was drawn; where this reference is omitted we may assume that he was abstracting from the apocrypha. We could, in fact, without great difficulty reconstruct the collection behind the abridgement. The 'sacramentum regis' is, of course, followed by no such reference, and we may be sure that it was of no authority; and since additions were constantly being made to the apocrypha in manuscript collections, the oath in this form may have been invented quite late in the fifteenth century.

'Abridgements based on Lettou and Machlinia's were frequently reprinted, and in this form the coronation oath became well known, better, perhaps, than the authentic forms. It appears in an English translation for the first time in Rastell's 'Abridgement' of 1527, and in a slightly different version in Redman's 'Abridgement' of the following year. It was Rastell's English version, however, that found its way into later abridgements [n. 4. E.g. an edition ascribed to 1533 and another to 1540] and, curiously enough, a manuscript copy being known with alterations in the hand of Henry VIII, devised, so it has been conjectured, for use at subsequent [p.145] coronations.. [n.1 L G W Legg, pp. xxx, 240-1: the document is reproduced in facsimile. Sir Henry Ellis, who also printed a facsimile, seems to have believed that the oath, as altered, was that used at Henry's coronation (Original Letters, second series, I. 176-7) Neither editor recognized the source of the manuscript copy.] If so, the mistake must have been discovered, and it is safe to say that this form was never used, whether in medieval or modern times, and can be dismissed from consideration by the constitutional historian.'

— NOTE ME This is full of assertion. It is not necessarily true. Treat with caution.; note with 'the usual apocrypha of statutes of uncertain dates and miscellaneous tracts' check out Prerogativa Regis. This is still on statute books, though supposed to be of uncertain date, and not a 'real statute': See Statutes in Force, Official Revised Edition, Prerogativa Regis, Of the King's Prerogative (temp. incert.) Cc. 13,17, revised to 1st February 1978; HMSO, London, 1978.; An explanatory note at the beginning of the Statute as reprinted in 1978 states: 'This is inserted in all the Printed Copies as a Statute 17 Edw. II :The Copy from MS. Cott. Claud. D. II. was printed by Cay: the Various Readings marked MS. Cott. and MS. Harl. are from a Cotton Manuscript, Appendix XVI. fo. 85, and a Harleian MS. No. 947.'

NOTE. From *English Constitutional Ideas in the fifteenth Century*, by S B Chrimes, Cambridge University Press, Cambridge, 1936; reissued American Scholar Publications, Inc., New York, 1965, at p. 19, note 1:

[Chrimes discusses the 17th century controversy about the meaning of the coronation oath, and then goes on to say] ' - It is interesting to notice that this part of the oath as it appears in a fifteenth century version has apparently a definite future sense in the place equivalent to the disputed word of the 1308 text. The *Vieux Abridgement* of the Statutes (v. Stat. R. I, 168) has : 'et que il grauntera a tenir les leyes et custumes du royaume et a sa pouvoir lez face garedr et affirmer que les gentes de people aver faitz et eslies.' [Since the above note was written, Dr B Wilkinson has shown, in his article on 'The Coronation Oath of Edward II' (*Historical Essays in Honour of James Tait* (1933)), that there is a good reason to suppose that the French version of the oath was probably the one actually used at Edward II's coronation; and that the clause in question was probably 'the product , not of constitutional growth, but of present discontent' (p. 407) - a mere polemical to the barons. This promise, once broken, he says, was not of great constitutional value - at least to the barons; though it was highly rated in the stormy early days of the reign.]

[NOTE here that the source for the oath is the same as that which Richardson & Sayles uses, and the text appears to be the same, tho' with some different spelling, as that used by Blackstone]

## EDWARD PLANTAGENET

**1483**                **Edward Plantagenet, called Edward V (England)** succeeded 9 April 1483 not crowned; presumed killed

—**Letter from Edward Plantagenet, 5 June 1483, to Otes Gilbert. squire**, MS. Harl. Brit. Mus. 433. Fol. 227, reproduced as Letter XLVII, at p. 147 of *Original Letters Illustrative of English History, including numerous Royal Letters from Monographs in the British Museum*, with notes and illustrations by Henry Ellis, Keeper of the Manuscripts in the British Museum, 2<sup>nd</sup> series, in 4 volumes, Vol. I.

Trusty and well beloved, we greet you well; and by the advice of our dearest Uncle the Duke of Gloucester, protector of this our Realm, during our young age, and of the Lords of our Council, we write unto you at this time, willing and nathless charging you to prepare and furnish yourself to receive the noble order of knighthood at our coronation; which by God's grace we intend shall be solemnised the 22<sup>nd</sup> day of this month at our palace of Westminster, commanding you to be here at our Tower of London 4 days before our said coronation, to have communication with our commissioners concerning that matter; not failing hereof in any wise, as you intend to please us, and as you will answer, Yours, etc, the 5<sup>th</sup> day of June

## RICHARD III

**1483**                **Richard III (England)** acceded 26 June 1483; crowned 6 July 1483

**1483**                **Richard III—takes coronation oath on accession, 26 June 1483**

Following the precedent set by Edward IV, Richard III left Baynard's Castle on the day of his accession and rode to Westminster Hall where, according to Croyland, 'he obtruded himself into the marble chair' called King's Bench. Thus enthroned, he took the sovereign's oath in the presence of a vast gathering that included his magnates, justices and serjeants-at law, exhorting the latter most sternly to 'justly administer his laws without delay or favour', dispensing justice 'indifferently to every person, as well as to poor as to rich.'

—see Allison Weir, *The Princes in the Tower*, The Bodley Head, London, 1992; Pimlico edition, London, 1993, at 128. [no specific source give; inferentially, Croyland's Chronicle]

\*

...Richard accepted the proposal, and on the morrow he enthroned himself, as Edward IV had done, in Westminster Hall and took the coronation oath (an innovation), received the crown jewels at the Abbey, and proclaimed himself king.

—see T F T Plucknett's 11<sup>th</sup> edition of *Taswell-Langmead's English Constitutional History From the Teutonic Conquest to the Present Time*, Sweet & Maxwell Limited, London, 1875, 11<sup>th</sup> edn. 1960, pp. 499-500 [no source given].

\*

...Next day he formally assumed the royal dignity. Accompanied by a large number of the nobility, he proceeded in great state to Westminster, where he entered the great hall and sat down in the marble chair. There stood at his right John, Lord Howard, an old adherent of the House of York; on his left, his own brother-in-law, the Duke of Suffolk. He took the royal oath, and called the judges before him, 'giving unto them a long exhortation and strait commandment for the ministering of his

laws, and to execute justice, and that without delay' [sourced by Gairdner to Fabyan, 669]; then declared to the people at large that he had that day begun to rule over them.

—from James Gairdner, *History of the Life and Reign of Richard the Third, to which is added the story of Perkin Warbeck from original documents*, Cambridge University Press, Cambridge, 1878, revised edition 1898, p. 94

### 1483                      **Richard III (King of England and Lord of Ireland) Coronation oath—6 July 1483** **[[Joint coronation of King Richard and Queen Anne]]**

This is taken from *The Little Device* for the Coronation of Richard III, as reproduced in *The Coronation of Richard III, the extant Documents*, edited by Anne F Sutton and P W Hammond, Alan Sutton Publishing Limited, Gloucester, 1983, at p. 213; British Library: Add. Ms. 18669. The first page of this manuscript is missing, as are the top lines of each page—see Sutton and Hammond, p. 212.<sup>1</sup>

The sermone ended if any suche be the Cardynall and the Kynge that is to be coronyd soo sitting as above saide the same Cardinall with an open and distincte voice shall aske the Kynge under this forme, Woll ye graunte and kepe to the peopill of England the lawes and the custumys to them as of olde rightfull ande devoute Kinges graunted and the same ratefye and conferme by your othe and specially the lawis custumys and liberties graunted to the clergie and peopell by your noble predecessours and glorieux Kyng Seinte Edward. The Kynge shall answer I graunte and promytt. And when the Kynge befor all the people hath promitted truly to graunte and kepe all the premisses [then shall the said Cardinall open unto him the speciall]<sup>2</sup> articulis wherunto the [king shalbe sworn the sa]<sup>3</sup> me cardinall sayyinge as folowith.

Ye shall kepe after youre strength and powoir to the chirch of God to the clergie and the people hoole peace and Goddely concord, the Kynge shall answer I shall kepe.

You shall male to be doon after your strength and powoyr egall and rightfull justice in all your doomyes and judgements and discretion with mercy and troueth. The Kynge shall answer I shall doo.

Doo ye graunte the rightfull lawes and custumes to be holden and promytt ye after your strength and pouer lawes as to the worship of God shalbe (made) chosyn<sup>4</sup> by your people (in *parlement*)<sup>5</sup> by you to be strengted and defended. The King shall answer I graunte and promytt.

Then<sup>6</sup> followeth the petition of the bisshoppis to the kynge whiche by (one of them) the Byshop of Lincoln shalbe openly read and in a gode and distincte voice sayinge Domine Rex etc. Syr Kynge we aske of you to be partlyt yeven and graunted unto us that ye shall kepe to us, and to eche of us and

<sup>1</sup> Note: Edward appears to be alive at least at the time of Richard's coronation, as the wardrobe account itemise provisions for his apparel at the coronation—see Sutton and Hammond, (eds.), *The Coronation of Richard III, the Extant Documents*, Alan Sutton Publishing, Gloucester, 1983, p. 171, notes concerning 'To Lord Edward, son of late King Edward the fourth, for his apparel...' and also for his 'henchmen'...see p. 172.

<sup>2</sup> *ibid.*, pp 219-220. Damaged in the original *Little Device*.

<sup>3</sup> *ibid.*, p. 220 Damaged in the original *Little Device*

<sup>4</sup> *ibid.*, p. 220 'Chosyn written above'.

<sup>5</sup> *ibid.*, P. 220 'Underlined, presumably as a deletion for either Richard III or Henry VII, although underlining is used for emphasis in this section, see note 80 etc. The words do not appear in the other versions of the Little Device (as collated by Legg, *Coronation Records*, 230) not in the oath as given in Archbishop Bourchier's Register (Registrum Thome Bourchier, ed. Du Boulay, 60-61). [This register is that of the Archbishop of Canterbury, and a copy of the oath in English exists in this register. The authors state that the text in the register represents the final and preferred translation, which exists in a rough form in the manuscript of the Little Device, or coronation programme, of 1483. - see Introduction, p. 3 and p. 4]

<sup>6</sup> *ibid.*, p. 220 'Above this line is written a now illegible note.'

to all the churches that be yeven and commytted unto us and to eche of us the pryveleges of the lawe canon and of Holy Church and deu lawe and rightfulness and us and them defende as a devoute Christen kynge aught to doo. And in like wise to graunte and doo through all your realme to every busshoppe, abbot and to all the churches to them commytted.

The Kyng shall aunswer libenti animo, with glad will and devoute soule I promytte and perfetely graunte that to you and to everich of you and to all the churches to you commytted I shall kepe the pryveleges of lawe canon and of holy churche and due lawe and rightfulness, And I shall in asmoche as I may be reason and roght by Goddes grace defende yow and everyche [of youe bishoppes and abbot thorough my realme and all churches to youe and them]<sup>1</sup> comytted yn this wyse [all thise]<sup>2</sup> things and every of theyme I Richard<sup>3</sup> Kinge of England promytte and conferme to kepe and observe, so help me God and thiese holy Evaungelistes by me bodely touched upon this holy sultre. And then the Kinge shall ryse out of his chayr and by the saide Busshoppes of Duresime and Bathe shalbe led to the high aulter wher he shall make a solempne othe apone the sacrament leide apone the same aultre in the sight of all the people to observe all the premisses

That doon the Cardinall knelynge And the King lynyng grovelynge affor the high autre as above and the said cardinall shall bygyn with an high voice this ympne....<sup>4</sup>

## HENRY VII

**1485**            **Henry VII (England)** took the crown, 22 August 1485; crowned 30 October 1485; dates reign from 21 August, 1483

**1485**            **Henry VII (King of England and Lord of Ireland)** *The Little Device*<sup>5</sup> (crowned 30 October, 1485)—coronation of King only

—taken from Legg, p. 219, at p.230; his source is a manuscript in the British museum, [Brit. Mus. Egerton MS. 983, fo. 1], which he is advised dates from early in the reign of **Henry VIII** (p. 220). He has collated it with three other copies of the *Little Device*, which he identifies thus: B, that copy in the possession of the Duke of Rutland, edited for the Camden Society by W Jerdan, 1842; D, Brit. Mus. Add. 18,669, supposedly dating from the early sixteenth century; and H, Brit Mus. Harl. 5111 (fo. 77), which Legg says is of a much later date than the other copies, and which he says contains a copy of the Little Device for Henry VIII. [see pp. 219-20]

— The text in the Duke of Rutland's papers was edited in 1842, and has recently been republished by the Camden Society in 1968. [see *Rutland Papers, Original Documents*, William Jerdan, (ed), Printed for the Camden Society, 1842; reprinted with permission of the Royal Historical Society, by AMS Press, New York, 1968.]

Jerdan in his prefatory remarks (p. 1) states : 'The following paper is not an account of Henry VII's coronation, of which there has not yet been discovered any narrative, but, in accordance with its title, is a device for that ceremony, prepared probably by some officer at the College of Arms, and intended to be submitted to the correction of the King and his advisers. It was framed on former models of the same kind, and .... it may be conjectured to have been adapted from some general form or precedent, perhaps contained in a Pontifical, or collection of ecclesiastical ceremonies. ...' In the following extract, where Jerdan's text differs from that appearing in Legg, with the exception of spelling differences and those already footnoted by him, the 'Jerdan-Rutland text' appears underlined in square brackets, while the 'Legg text' with which it disagrees appears in square brackets only; the round brackets are distinctions already noted by Legg.

It is very difficult to conclude that the *Little Device* prepared using Richard III's name and which was apparently recopied and allegedly used as a basis of Henry VII's coronation, was in fact so used, for two main

<sup>1</sup> *ibid.*, p. 220 'Ms. Damaged, Rutland Papers, 15'.

<sup>2</sup> *ibid.*, p. 220 'Ms. Damaged, Rutland Papers, 15'

<sup>3</sup> *ibid.*, 'Deleted and *Henry* inserted.'

<sup>4</sup> *ibid.*, p. 221

<sup>5</sup> Legg, p. 219, at p. 230.



reasons : the Richard *Little Device* refers to the joint coronation of a king and queen [Richard and Anne being crowned and anointed together]. But Henry VII had not married Elizabeth of York at the time of his coronation [they married on 18 January, 1485-1486, Bacon, *History of Henry VII*, p. 19, and note 17, pp. 239], and she was not in fact crowned until some two years later [on 25 November, 1487, Bacon, *History of Henry VII*, p. 40]. Any text therefore which refers to a 'wife' or to 'dame Elizabeth his wife' must have been prepared some considerable time after Henry's coronation, or was not used for Henry VII at all]

**Jerdan [2]** Here foloweth under co[rrect]ion a litle deuyse for the coronacion of the most high, myghty, and cristen prince, Henry the vij<sup>th</sup> [Jerdan notes that the original manuscript had the words 'viij<sup>th</sup>' (see p. 2, note b),] rightfull and undoubted enheritour of the coronas of England and of France, with their appurtenaunces, and by the hole assente of all the lordes spirituallis and temporellis, and also of all the comons of this land, electe, chosen, and required, the xxx<sup>v</sup> daye of October, the yer of our lord M<sup>i</sup>iii<sup>i</sup>ii<sup>i</sup>\*v, to be King of the same. Also of the moost noble princes Dame [Jerdan notes that here there is a blank in the manuscript, p. 2, note c)] his wiff, Quene of England and of France, &c., ...' [Henry 7 was not married when he was crowned]

**Legg [220]** Here foloweth vnder correction a litle devise for the coronacion of the most high and myghtie cristen Prince, Henry the vij<sup>th</sup>, rightfull and indoubted Heire and king of the crowne of England and of Fraunce w<sup>t</sup> their appurtenaunces and by the hole assent of all the Lordes both Sprituall and Temporall, and also of all the Commons of this Lande, elect, chosen, and required, the xxx<sup>v</sup> daye of October Anno Domini M<sup>i</sup>CCCCiiij\*v in London to be king of the same. Also of the most noble Princes dame Elizabeth hie weif Lawfull Queene of Englande, and fraunce, &c., to be solemnised at Westminster.' [Henry 7 was not married when he was crowned]

[The sermon ended, if eny such be, the Cardinal and the King that is to coroned so sitting as is above said, the same Cardinal] [The bussopp of Lincolne shall make a Sermon and the service being ended the] cardinall shall aske the king vnder this forme wt an open and dinstinct voyce Will ye graunt and keepe to the people of Englande the Lawes and customes to them as olde rightfull and devoute kinges graunted, and the same ratifie, and confirm by yor [othe? And specially] [oth, and specially (note b 'the spiritual' in MS.) the] lawes customes and Liberties graunted to the Clergie[,] and people by your Predecessors[,] [predecessor (note c 'predecessours' in MS.)] and glorious king Saynct Edward?

The king shall answer, I graunt[,] and promit.

And when the king before all the people hath promised trewly to graunte and kepe all [thes] [the]premisses, than shall the said Cardinall open vnto him the speciall Articles whervnto the king shalbe sworne the same Cardinall saying as followeth.

Ye shall keepe[,] after your strength and power[,] to the church of god[,] to the [Clergie. And] [clergy, and] the people hoole peace and [godlie] [goodly]concorde.

The king shall answer I shall keepe.

Ye shall make to be done[,] after your strength and power[,] egall and rightfull Justice in all your domes and iudgementes, and discrecion[,] wt mercie and trowthe.

The king shall answer I shall do.

Do ye graunte the rightfull Lawes and customes to be holden[,] and promitte yow[,] after your strength and power[,] such lawes as to the worship of god shalbe (chosen)<sup>1</sup> by your (people)<sup>2</sup> by yow to be strenghthenid and defended?

The king shall answer, I graunte and promitte.

<sup>1</sup> Legg, p. 230, n. 5. [note 5: made, *struck through and corrected to* chosyn - manuscript D, Brit. Mus. Add. 18669]

<sup>2</sup> Legg, p. 230, n. 6. [note 6: in *parlement: add. D, struck through* : D is Manuscript Brit. Mus. Add. 18669]

Then followeth the petition of the busshop † to the king, wch by the busshop of Lincoln shalbe openly redd in a good and dinstinct voice. Saying. Domine Rex, Sir king, We aske of yow to be perfectly geven and graunted vnto vs, that ye shall keepe to vs, and eche of vs the Privileges of the Lawe Canone and of holie church and dewe Lawes and rightfulness and vs and them defende as a devout and christian king owght to do. And in Likewise to do and graunte throughout all yor Realme to euery busshop and to all the churches to them committed.

The king shall answer With good will and devowt sowle I promit, and perfectly graunte, that to yow and euery of yow and all the churches to yow comitted, I shall keepe the privileges of Lawe [of] canon and of the holie church. And dewe Lawe and rightfulness. And I shall in asmoche as I may by reason and right, by gods grace defende yow, and euery of (yow)<sup>1</sup> throughout my Realme, and all the churches to (yow)<sup>2</sup> committed. All these things and euery of them I Henry king of Englande promit and [confirme, (?)] [conferme to kepe and obserue] so helpe me god, and [by] thes holie Evangelistes by me bodily towched vpon this holie altar.

And the king shall rise vpp of his Chaire, and by the Busshopps of Exceter and Ely shalbe ledde to the high Aulter, where he shall make a solempne othe vpon[(?)] [sacrament laide vppon] the same Aulter in the sight of all the people to observe all the premisses.

That done the cardinall kneling, and the king lying groveling afore the high altar as it is aboute the said Cardinall shall begynne wt an high voyce the Imme....<sup>5</sup>

## JAMES IV

1488

**James IV king of Scotland**

Crowned at Scone, based on ceremony for Robert II in 1371 —from David M Walker, *A Legal History of Scotland*, Volume III, The Sixteenth Century, T & T Clark Ltd., Edinburgh, 1995, at p. 121, and n. 5.

The form thereafter was that all the magnates present came forward and touched the crown, each saying 'sua mote God helpe me, as I sall support the.' The king thereafter took the coronation oath, promising to be loyal and true to God and the Holy Church, and to the three estates of the kingdom, making no changes in these save by consent of the Three estates. The first two estates, clergy and barons, then responded by their respective oaths, promising loyalty and good counsel.

## HENRY VIII

1509

**Henry VIII (King of England and Lord of Ireland) crowned 24 June 1509; succeeded 28 June 1509.** —joint coronation of King Henry and Queen Catherine

Legg in *English Coronation Records*, at p. 220, states that he has been advised that the manuscript which he uses as the *Little Device* for Henry VII [Brit. Mus. Egerton MS. 985, fo. I], actually dates 'from early in the reign of Henry VIII'.

Legg in *English Coronation Records*, at p. 220, states that the manuscript Brit Mus. Harl. 5111 (fo. 77), containing a copy of the *Little Device* for Henry VII (which is of a much later date than those manuscripts containing the other copies), also contains a copy of the *Little Device* for Henry VIII. [see pp. 219-20] He says that this manuscript agrees with one of the others in its main variants. From looking at Legg's footnotes on p. 230-231, he has noted some distinctions between the text of the oath printed above for Henry VII and some of the other manuscripts. He does not note any differences in the text from that in the manuscript Brit Mus.

<sup>1</sup> Legg, p. 231. n. 1. [note 1. Bissoppes, and Abbot; *add.* B. B is the Rutland version edited by Jerdan]

<sup>2</sup> Legg, p. 231 n. 2 [note 2 and them : *add.* B. B is the Rutland version edited by Jerdan]

<sup>3</sup> Legg, p. 231, note 4. [note 4 to kepe and obserue : *add.* D. D is Manuscript Brit. Mus. Add. 18669]

<sup>4</sup> Legg, p. 231, n. 7 [note 7. the sacrament leide apon : *add.* D. D is Manuscript Brit. Mus. Add. 18669]

<sup>5</sup> Legg, at p. 231.

Harl. 5111 (fo. 77), which he says contains a *Little Device* for Henry VIII. It seems then that the text for Henry VII's oath in both copies of the *Little Device* is identical; but whether this also means that the text of the oath in the *Little Device* for Henry VIII reproduces the same words, is not stated. The implication Legg makes by omission is that the texts are the same.

[NOTE There is no evidence to show that The *Little Device* allegedly prepared for Henry VII was in fact used for Henry VIII, nor is there any evidence to show what Elizabeth swore at her coronation — *contra* Schramm, at p. 213, who appears to rely ( see P E Schramm, *History of the English Coronation*, L. G W Legg, (trans.) Clarendon Press, Oxford, 1937 , Appendix , No 45) on Legg's *English Coronation Records*, at p. 220, where he implies that the *Little Device* for Henry VII was used for Henry VIII; but there is no evidence marshalled to support this implication. Sutton and Hammond note at p. 204, n. 20, that 'A version of the *Little Device* sometimes attributed to Henry VIII (BL :Cotton. Ms. Tiberius E VIII, ff. 90-100) is in fact another copy of that for Henry VII.']

NOTE Also: that the *Little Device* edited by Jerdan from the Rutland Papers (p. 2) at the frontispiece had the words—

' Here foloweth under co[rrect]ion a litle deuysse for the coronacion of the most high, myghty, and cristen prince, Henry the viii<sup>th</sup> [which Jerdan had in turn corrected to read 'vij<sup>th</sup>'(see p. 2, note b),] rightfull and undoubted enheritour of the coronas of England and of France, with their appurtenaunces, and by the hole assente of all the lordes spirituallis and temporellis, and also of all the comons of this land, electe, chosen, and required, the xxx<sup>ty</sup> daye of October, the yer of our lord M<sup>l</sup>iiij<sup>ty</sup> c<sup>ty</sup> v, to be King of the same. Also of the moost noble princes Dame [blank] his wiff, Quene of England and of France, &c., ...' [Henry 7 was not married when he was crowned—Henry VIII was however married to Catherine of Aragon when he was crowned]

Helen Miller, writing in *Henry VIII and the English Nobility*, Basil Blackwell, Oxford, 1986, about Henry VIII's coronation at p. 93, states: '... For the rest of the high nobility the only source for reconstructing attendance is the 'device' for the coronation drawn up by the heralds in preparation for the ceremonies. [n. 66. BL, Cotton Tiberius E.VIII, ff. 90-100 (LP, I(1), 81). Also College of Arms, Vincent 25, ff. 144-52, I.18, ff. 54-66] Unfortunately, they did not consistently update the model from which they worked, the order for the coronation of Henry VII. [n.67 *Rutland Papers*, ed. William Jerdan, Camden Society, xxi (London, 1842), pp. 2-24. This device wrongly assumed that Henry VII's queen would be crowned with him.]

—note here that C G Bayne in his article 'The Coronation of Queen Elizabeth', XXII *EHR*, October, 1907, 650-673, identifies the *Device* for Henry VIII as Cotton MS Tib. E. viii (see p. 660, n. 32), which clearly is that 'unupdated' version referred to by Helen Miller above. Bayne also relies on Legg in *English Coronation Records* for the *Device* for Henry VII. (see *ibid.*, p. 660, n. 31).

[ Original Draft]

The Othe of the kinges highnes

This is the othe that the king shall swere at ye coronacion that he shall kepe and mayntene the right and the liberties of holie church of old tyme graunted by the rightuous Cristen kinges of Englund.

And that he shall kepe all the londes honours and dignytes rightuous and fre of the crowne of Englund in all maner hole wtout any maner of mynysheiment,

and the rightes of the Crowne hurte decayed or lost to his power shall call agayn into the auncyent astate,

And that he shall kepe the peax of the holie churche and of the clergie and of the people wt good accorde,

And that he shall do in his iudgementes equitye and right justice wt discreccion and mercye

And that he shall graunte to holde lawes and customes of the realme and to his power kepe them and affirme them which the folk and people haue made and chosen

And the evil Lawes and customes hollie to put out, and stedfaste and stable peax to the people of his realme kepe and cause to be kept to his power.

[As Revised by Henry VIII]<sup>1</sup>

The Othe of the kinges highnes at every coronacion

The king shall then swere that he shall kepe and mayntene the lawfull right and the libertees of old tyme graunted by the rightuous Cristen kinges of Englund to the holy chirche of ingland nott preiudyciall to hys Jurysdiccion and dignite ryall and that he shall kepe all the londes honours and dignytes rightuous nott preiudiciall to hys Jurysdiccion and dygnite ryall and fredommes of the crowne of England in all maner hole wtout any maner of mynysheiment,

and the rightes of the Crowne hurte decayed or lost to his power shall call again into the auncyent astate,

And that he shall Indevore hymself to kepe vnite in hys clergy and temporell subiec[ts] And that he shall according to hys consienc[e] in all his iudgementes mynstere equitye right Justice shewing wher is to be shewed mercy

And that he shall graunte to holde lawes and approvyd customes of the realme and lawfull and not preiudiciall to hys crowne or Imperiall Juris[diction] to his power kepe them and affirme them which the noblys and people haue made and chosen wt hys consent,

And the evill Lawes and customes hollie to put out, and stedfaste and stable peax to the people of his realme kepe and cause to be kept to his power in that whych honour and equite do require.

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<sup>1</sup> British Museum Cotton Manuscript Tib. E. V iii. Fo. 89, as quoted in Legg, *English Coronation Records*, p. 240

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—The Rev. Joseph H Pemberton, *The Coronation Service according to the use of the Church of England* with Notes and introduction, with reproductions of the two celebrated pictures in medieval coronation Mss., inserted by special permission, with three pictures, viz. the Coronation of James II, and the vestments used thereat., 2<sup>nd</sup> Skeffington & Son, Piccadilly, (Publishers to His Majesty the King), London, 1902, pp. 14-15.

This text provides the following as the version of the oath administered before the rejection of papal supremacy, and is ascribed to Henry VIII. But Pemberton gives no source for this text. It is, in fact, almost identical with the text taken from the *Little Device* for Henry VII as edited by William Jerdan from the Duke of Rutland's papers (see *supra*). There are however spelling differences, and some minor differences of substance which are noted by underlining below. It would appear then, that Pemberton could have been working from a different copy of the *Little Device* than either Legg or Jerdan. (*Rutland Papers, Original Documents*, William Jerdan, (ed.), Printed for the Camden Society, 1842; reprinted with permission of the Royal Historical Society, by AMS Press, New York, 1968.)

Will ye graunte and keepe to the people of England the lawes and the custumes to theym, as of olde tyme rightfull and deuoute Kings graunted, and the same ratefye, and conserne by your othe, and the spiritual lawes, custumes, and libertees graunted to the clergy and people by your noble predecessors and glorious King Seint Edward?

The King shall answer: I graunte and promytte.

Ye shall kepe after your strength and power to the Church of God, to the clergy and the people, hoole pees and goodely concorde.

The King shall answer: I shall kepe.

Ye shall make to be done after your strength and power equall and rightfull justice in all your Domes and Judgements, and discrecion with mercie and trouthe.

The King shall answer: I will do.

Do ye graunte the rightfull lawes and custumes to be holden, and promytte after your strength and power such lawes, as to the honor [worship in Jerdan] of God shall be chosen by your people by you to be strengthened and defended?

The King shall answer: I graunte and promytte.

**1541**                      **Henry VIII King of England and King of Ireland**    33 Henry VIII, c.1, 1541 ; (Irish Act) King of England is King of Ireland, having been previously Lord of Ireland

## MARY OF SCOTLAND

**1543**                      **Mary Queen of Scots** crowned 9 September, 1543 (she was not yet one year old).

## EDWARD VI

**1547**                      **Edward VI (England and His other Realms [Ireland] and Dominions)** succeeded 28 January 1547; crowned 19 February 1547, Shrove Sunday (Quinquagesima); consecrated by Cranmer, Archbishop of Canterbury.

This the first coronation after the Reformation, so one would have expected some alterations.

—from John Strype, in *Memorials of the Most Reverend father in God Thomas Cranmer, sometime Lord Archbishop of Canterbury*..., first published 1694, in three books; new edition with additions, in 2 volumes, Oxford University Press, Oxford, MDCCCXL (1840), at Vol. 1 [Book II, Chapter 1, pp. 142 ff.], pp. 202-207, at p. 205. [p. 144-145], sourced by Strype to 'an excellent speech' made by the Archbishop at the coronation, found among the collections of Archbishop Usher, from *Foxes and Firebrands*, part 2.' The text is largely the same as that set out below taken from *English Historical Documents*, with the differences being indicated here by underlining, with the EHD text in brackets afterwards; punctuation and capitalisation differences have not been indicated.

Most dread and royal Sovereign: the promises your Highness hath made here, at your coronation, to forsake the devil and all his works, are not to be taken in the Bishop of Rome's sense, when you commit anything distasteful to that see, to hit your Majesty in the teeth, as Pope Paul the Third, late Bishop of Rome, sent to your royal father, saying, Didst thou not promise, at our permission of thy coronation, to forsake the devil and all his works, and dost thou turn to heresy? For the breach of this thy promise, knowest thou not, that it is in our power to dispose of thy sword and sceptre to whom we please? We, your Majesty's clergy, do humbly conceive, that this promise reacheth not at your Highness's sword, spiritual or temporal, or in the least at your Highness swaying the sceptre of this your dominion, as you and your predecessors have had them from God. Neither could your ancestors lawfully resign up their crowns to the Bishop of Rome or his legates, according to their ancient oaths then taken upon that ceremony.

The Bishops of Canterbury for the most part have crowned your predecessors, and anointed them Kings of this land: yet it was not in their power to receive or reject them, neither did it give them authority to prescribe them conditions to take or to leave their crowns, although the Bishops of Rome would encroach upon your predecessors by their [his bishop's] act and oil, that in the end they might possess those bishops with an interest to dispose of their crowns at their pleasure. But the wiser sort will look to their claws, and clip them.

The solemn rites of coronation have their ends and utility; yet neither direct force or necessity: they be good admonitions to put Kings in mind of their duty to God, but no increasement of their dignity: for they be God's anointed, not in respect of the oil which the bishop useth, but in consideration of their power, which is ordained; of the sword, which is authorized; of their persons, which are elected by God, and endued with the gifts of his Spirit for the better ruling and guiding of his people.

The oil, if added, is but a ceremony: if it be wanting, that King is yet a perfect monarch notwithstanding, and God's anointed, as well as if he was inoiled. Now for the person or bishop that doth anoint a King, it is proper to be done by the chiefest. But if they cannot, or will not, any bishop may perform this ceremony.

To condition with monarchs upon these ceremonies, the Bishop of Rome (or other bishops owning his supremacy) hath no authority: but he may faithfully declare what God requires at the hands of kings and rulers, that is, religion and virtue. Therefore not from the Bishop of Rome, but as a messenger from my Saviour Jesus Christ, I shall most humbly admonish your royal Majesty, what things your Highness is to perform.

Your Majesty is God's Vicegerent and Christ's Vicar within your own dominions, and to see, with your predecessor Josias [Josiah], God truly worshipped, and idolatry destroyed, the tyranny of the Bishops of Rome banished from your subjects, and images removed. These acts be signs of a second Josias [Josiah], who reformed the church of God in his days. You are to reward virtue, to revenge sin, to justify the innocent, to relieve the poor, to procure peace, to repress violence, and to execute justice throughout your realms. For precedents on those Kings who performed not these things, the old law shews how the Lord revenged his quarrel; and on those Kings who fulfilled these things, he poured forth his blessings in abundance. For example, it is written of Josiah, in the book of the Kings, thus; Like unto him there was no king [before him], that turned to the Lord with all his heart, according to all the law of Moses; neither after him rose there any like him. This was to that prince a perpetual fame of dignity, to remain to the end of days.

Being bound by my function to lay these things before your Royal Highness, the one as a reward, if you fulfil; the other as a judgment from God, if you neglect them: yet I openly declare, before the living God, and before these nobles of the land, that I have no commission to denounce your Majesty deprived, if your Highness miss in part, or in whole, of these performances, much less to draw up indentures between God and your Majesty, or to say you forfeit your crown with a clause for the Bishop of Rome, as have been done by your Majesty's predecessors, King John, and his son Henry of this land. The Almighty God of his mercy let the light of his countenance shine upon your

Majesty, grant you a prosperous and happy reign, defend you and save you; and let your subjects say, Amen!

—From *English Historical Documents*, Vol. V, 1485-1558, C H Williams, (*ed.*), David C Douglas (*gen. ed.*), Eyre & Spottiswoode, London, 1967, pp. 466-470

'(1) Arrangements for Edward VI's coronation

(From Dasent, *Acts of the Privy Council*, (A.P.C.), N.S., II, (1547-50), London, 1890, 1873, pp. 29-33)

"This day the Lord Protector and others his co-executors whose narrows be hereunto subscribed upon mature and deep deliberation had amongst them, did finally resolve that forasmuch as divers of the old observances and ceremonies to foretimes used at the Coronations of the kings of this realm were by them thought meet for sundry respects to be corrected, and name for the tedious length of the same which should weary and be hurtful peradventure to the king's majesty being yet of tender age fully to endure and bide out; and also for that many points of the same were such as by the laws of the realm at this present were not allowable; the king's majesty's coronation should be done and celebrated upon Shrove Sunday next ensuing in the cathedral church of Westminster after the form and order ensuing: -

First, the archbishop of Canterbury shall shew the king to the people at four parts of a great pulpit or stage to be made for the king, and shall say in thus wise: - Sirs here I present King Edward, rightful and undoubted inheritor by the laws of God and men to the royal dignity and crown imperial of this realm, whose consecration, enunction, and coronation is appointed by all the nobles and peers of this land to be this day. Will you serve at this time and give your good wills and assents to the said consecration, enunction, and coronation as by your duties of allegiance ye be bound to do?

The people to answer: yea, yea, yea King Edward, King Edward, King Edward !

This done, the archbishop of Canterbury being revested as he should go to Mass, with the bishops of London and Winchester on both sides, with other bishops and the dean of Westminster in the bishop's absence, to go in order before the King. The King shall be brought from his seat by them that assisted him to the church to the high altar, where after his prayer made to God for his grace he shall offer a pall and a pound of gold, xxiii li. in coin, which shall be to him delivered by the Lord Great Chamberlain.

Then shall the King fall grovelling before the Altar, and over him the archbishop shall say this Collect, Deus humilium. Then the King shall rise and go to his chair to be prepared before the altar, his face to the Altar. And standing one shall hold him a book, and the archbishop standing before the King shall ask with a loud and distinct voice in manner and form following: -

"Will ye grant to keep to the people of England and others your realms and dominions the laws and liberties of this realm and others your realms and dominions?"

"I grant and promise."

"You shall keep to your strength and power to the Church of God and to all the people holy peace and concord."

"I shall keep."

"You shall make to be done after your strength and power equal and rightful justice in all your dooms and judgments with mercy and truth."

"I shall do."

"Do ye grant to make no new laws but such as shall be to the honour and glory of God, and to the good of the common wealth, and that the same shall be made by the consent of your people as hath been accustomed."

"I grant and promise."

Then shall the King rise out of his chair and by them that before assisted him be led to the High Altar, where he shall make a solemn oath upon the Sacrament laid upon the said Altar, in the sight of all the people to observe the premisses, and laying his hand again on the book shall say, "The things which I have before promised I shall observe and keep; so God help me and these Holy Evangelists by me bodily touched upon this holy altar."

That done, the King shall fall again grovelling before the High Altar, and the said archbishop kneeling before him shall with a loud voice begin *Veni Creator Spiritus*, &c.

Which done, the said archbishop standing shall say over the King, *Te invocamus* and at the end shall kneel again. And then shall the King rise and be set in the chair again, and after a little pause he shall rise, and assisted with those that did before that office, go again to the High Altar, where he shall be unclothed by his Great Chamberlain unto his coat of crimson satin, which and also his shirt shall be opened before and behind on the shoulders and the both of the arms by the said Great Chamberlain, to the intent that on those places he be anointed, and while he is in the anointing Sir Anthony Denny and Sir William Herbert must hold a pall over him. And first the said archbishop shall anoint the King, kneeling, in the palms of his hands, saying these words *Ungas manus*, with this Collect *Respice Omnipotens Deus*. After he shall anoint him in the breast, in the middle of his back, on his two boths of his arms and on his head, making a Cross, and after making another Cross on his head with holy cream, saying as he anointeth the places aforesaid *Ungatur caput*, *Ungantur scapula* [sic], &c. During which time of unction the Quire shall continually sing *Ungerunt* [sic] *Regem* and the psalm *Domine in virtute tua letabitur Rex*. And it is to be remembered that the bishop or dean of Westminster after the King's enunciation shall dry all the places of his body where he was anointed with cotton or some linen cloth, which is to be burnt; and forthwith the places opened for the same are to be clothed by the Lord Great Chamberlain, and on the King's hands shall be put by the said archbishop of Canterbury a pair of linen gloves which the Lord Great Chamberlain shall before see prepared.

This done the King shall rise and the archbishop of Canterbury shall put on than King a tarberd of tarteron white, shaped in manner of a dalmatic; and he shall put upon the King's head a coif, the same to be brought by the Great Chamberlain. Then the King shall take the sword he was girt withal and offer it himself to God laying it on the altar in token that his strength and power should first come from God. And the same sword he shall take again from the Altar and deliver it to some great earl to be redeemed of the bishop or dean of Westminster for which sword shall be borne naked afterwards before the King.

Then the King being set in his chair before the Altar shall be crowned with St. Edward's Crown, and there shall be brought by the bishop or dean of Westminster the royal sandals and spurs to be presently put on by the Lord Great Chamberlain, and the spurs again immediately taken off that they do not encumber him.

Then the archbishop with all the peers and nobles shall convey the King sustained as before again into the pulpit, setting him in his Siege Royal. And then shall the archbishop begin *Te deem laudamus*, which done the archbishop shall say unto the King *Sta et retre immodo locum*.

And being the King thus set all the peers of the realm and bishops holding up their hands shall make unto him homage as followeth:- First the Lord Protector alone: then the archbishop of Canterbury and the Lord Chancellor; so two and two as they be placed.

"I, M. become your liege man of life and limb and of earthly worship, and faith and truth I shall bear unto you against all manner of folks, as I am bound by my allegiance and by the laws and statutes of his realm, so help us God and Allhallows."

And then every shall kiss the King's left cheek. Which done, all they holding up their hands together in token of their fidelity which with one voice on their knees say -

"We offer to sustain and defend you and your crown with our lives, lands, and goods against all the world." And then with one voice to cry "God save King Edward" which the people shall cry accordingly. Then shall the King be led to his traverse to hear the High Mass, and so depart home crowned in order as he set forth accordingly.

(ii) Cranmer's speech at the Coronation of Edward VI

(J. E. Cox (ed.), *Cranmer's Miscellaneous Writings*, 126)



'Most dread and royal sovereign: The promises your Highness hath made here at your Coronation to forsake the devil and all his works, are not to be taken in the bishop of Rome's sense, when you commit anything distasteful to that see, to hit your majesty in the teeth, as Pope Paul the third, late bishop of Rome, sent to your royal father, saying, "Didst thou not promise, at our permission of thy coronation, to forsake the devil and all his works, and dost thou turn to heresy? for the breach of this thy promise, knowest thou not, that it is in our power to dispose of thy sword and sceptre to whom we please?" We, your Majesty's clergy, do humbly conceive, that this Promise reacheth not at your highness's sword, spiritual or temporal, or in the least at your highness swaying the sceptre of this your dominion, as you and your predecessors have had them from God. Neither could your ancestors lawfully resign up their crowns to the bishop of Rome or his legates, according to their ancient oaths then taken upon that ceremony.

'The bishops of Canterbury for the most part have crowned your predecessors and anointed them kings of this land: yet it was not in their power to receive or reject them, neither did it give them authority to prescribe them conditions to take or to leave their crowns, although the bishops of Rome would encroach upon your predecessors by his bishop's act and oil, that in the end they might possess those bishops with an interest to dispose of their crowns at their pleasure. But the wiser sort will look to their claws and clip them.

'The solemn rites of coronation have their ends and utility, yet neither direct force or necessity: they be good admonitions to put kings in mind of their duty to God, but no increasement of their dignity. For they be God's anointed, not in respect of the oil which the bishop useth, but in consideration of their power which is ordained, of the sword which is authorized, of their persons which are elected by God, and endued with the gifts of his Spirit for the better ruling and guiding of his people. The oil, if added, is but a ceremony; if it be wanting, that king is yet a perfect monarch notwithstanding and God's anointed, as well as if he was inoiled. Now for the person or bishop that doth anoint a king, it is proper to be done by the chiefest; but if they cannot or will not, any bishop may perform this ceremony.

'To condition with monarchs upon these ceremonies, the bishop of Rome (or other bishops owning his supremacy) hath no authority: but he may faithfully declare what God requires at the hands of kings and rulers, that is, religion and virtue. Therefore not from the bishop of Rome, but as a messenger from my Saviour Jesus Christ, I shall most humbly admonish your royal majesty, what things your highness is to perform.

'Your majesty is God's vicegerent and Christ's vicar within your own dominions, and to see, with your predecessor Josiah, God truly worshipped, and idolatry destroyed, the tyranny of the bishops of Rome banished from your subjects, and images removed. These acts be signs of a second Josiah, who reformed the church of God in his days. You are to reward virtue, to revenge sin, to justify the innocent, to relieve the poor, to procure peace, to repress violence, and to execute justice throughout your realms. For precedents on those kings who performed not these things, the old law shews how the Lord revenged his quarrel; and on those kings who fulfilled these things, he poured forth his blessings in abundance. For example, it is written of Josiah in the book of the Kings thus; "Like unto him there was no king before him, that turned to the Lord with all his heart, according to all the law of Moses, neither after him rose there any like him." This was to that prince a perpetual fame of dignity, to remain to the end of days.

'Being bound by my function to lay these things before your royal highness, the one as a reward, if you fulfil, the other as a judgment from God, if you neglect them: yet I openly declare, before the living God, and before these nobles of the land, that I have no commission to denounce your majesty deprived, if your highness miss in part, or in whole, of these performances, much less to draw up indentures between God and your majesty, or to say you forfeit your crown with a clause, for the bishop of Rome, as have been done by your majesty's predecessors, King John and his son Henry of this land. The Almighty God of his mercy let the light of his countenans shine upon your majesty, grant you a prosperous and happy reign, defend you and save you; and let your subjects say, Amen!

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—From Schramm, Percy E, *A History of the English Coronation*, English translation by Leopold G Wickham Legg, Clarendon Press, Oxford, 1937.

The first question of the oath was so condensed that the King only promised "to keep the to the people ... the laws and liberties of this realm..." Stricter limitations all disappeared, so that it was left to the Crown to decide what should be recognised as law and liberty. It was no mere accident that peace and concord were promised only to Church and people and not to the clergy, for the fifth question, demanding the rights of the Church, was entirely deleted. Most difficult of all was the fourth question, which required the king to observe the laws of the people's choice.. Here any attempt to make the clause acceptable by alterations was given up, and there was substituted a new text more in accordance with the Royal prerogative: "Do ye grawnte to make no newe lawes but such as shalbe to thonour and Glory of God, and to the good of the Common Wealth, and that the same shalbe made by the consent of your people as hath been accustomed?" It was no longer the King, but the people, who were to agree to consent to the laws, and the conception of 1308 was twisted into its exact contradiction.

'At Edward's coronation Archbishop Cranmer preached before him a sermon in which he still further limited the meaning of the oath [n. 1. App. No. 47 - i.e. Regulations for the Coronation of Edward VI (1547). See Acts of the Privy Council, N. S. vol. ii (1547-50), London, 1890, 1873, pp 29-33; and Strype, p. 7]. He reminded his hearers that Pope Paul III had threatened Henry with deposition on the ground that contrary to his coronation oath, he had fallen into heresy. In the name of the people of England the Archbishop rejected this construction, and declared "that this promise reacheth not at your Highness's sword, spiritual or temporal, or in the least at Your Highness swaying the sceptre of this your dominion, as you and your predecessors have had them from God". Once more he recalled that feudal dependence was incompatible with the coronation oath, which was rather to be regarded (and this is the meaning of his exposition) as a bulwark of the royal supremacy, of which neither King nor anyone else might remove one iota'

—from P E Schramm, *History of the English Coronation*, L. G W Legg, (trans.) Clarendon Press, Oxford, 1937, at pp. 217-218

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—from W K Jordan, *Edward VI: The Young King*, George Allen & Unwin, London, 1968, at p.67:

'Cranmer reminded the King that in his coronation oath he had promised to forsake the devil and all his works and that England must stand inviolate against any intrusion of papal authority. The King, he continued, is by God anointed, "not in respect of the oil which the bishop useth, but in consideration of their power, which is ordained; of the sword, which is authorised; of their persons, which are elected of God". The King stands then as God's vicar to see Him "truly worshipped, and idolatry destroyed; the tyranny of the Bishops of Rome banished from your subjects, and images removed" [n. 1. 'For further accounts of the exercises and Cranmer's sermon, vide Strype, Cranmer, I, 206; Ridley, Cranmer, 262; Hayward, Edward VI, 272'] And to complete the formal assumption of power, the proclamation went forth on this same day announcing the regnal style of the young monarch: "the most high, most puissant, most excellent prince and victorious King Edward, by the Grace of God King of England, France, and Ireland, defender of the Faith, and in earth of the Church of England Supreme Head, and Sovereign of the most noble order of the garter" [Coll. Of Arms MSS I, 7, 32]'

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—from the Rev. Joseph H Pemberton, *The Coronation Service according to the use of the Church of England with Notes and introduction, with reproductions of the two celebrated pictures in medieval coronation Mss., inserted by special permission, with three pictures, viz. the Coronation of James II, and the vestments used thereat*, 2<sup>nd</sup> edn., Skeffington & Son, Piccadilly, (Publishers to His Majesty the King), London, 1902, pp. 21-26.

Pemberton in his Prefatory Note says ; '... to the Very Reverend the Dean of Ely my acknowledgement is due for permission to include in this book an account of the Coronation of King Edward VI, from the pen of Archbishop Cranmer, taken from a volume of "Extracts out of MSS. In Bennett College Library," in the Library of the Church of Ely.'

This text, though apparently written in Cranmer's own hand, contains no reference at all to the coronation oath. There is a reference to a space of time between the Recognition and the Anointing, which could have been used for the taking of the oath.

The Coronation of King Edward the Sixth on Shrove Sunday, being the 20<sup>th</sup> day of February A<sup>o</sup> 1546, at Monastery of Westminster. Written with Archbp. Cranmer's own hand.

First, a goodly stage richly hang'd wh. Cloth of Gold and Cloth of Arras, and the steps from Quire...

...

...Then after a certain Unction blessing and singing of his Gr. he was borne into a place by the High Altar where the King use always to kneel at the levation of the Parliamt Masse, and there his Grace was made ready of new Garments and after a certain space brought forth between 2 Noblemen and sat before the High Altar bare-headed, then after a while his Grace was anointed...[at p. 24]

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—from *The Last Tudor King, a Study of Edward VI*, by Hester W Chapman, The Macmillan Company, New York, 1959, at pp. 91-92:

'It had been decided that this ceremony should be cut down from its usual length of eleven or twelve hours, to seven, in view of Edward's age.' [91]

...recognition; anointing; sword; crowned; ring; then vows, and homage[92]

'Cranmer came to the foot of the dais. He turned to the crowned child in the Confessor's chair, speaking to him alone, but loud enough for everyone in the Abbey to hear.

"Most dread and royal Sovereign,' he began, "the promises Your Majesty hath made here, at your coronation, [are] to forsake the devil and all his works..." He then gave a brief account of Henry VIII's split with the Papacy, and went on: "The Bishops of Canterbury, for the most part, have crowned your predecessors and anointed them Kings of this land; yet it was not in their power to receive or reject them; neither did it give them any authority to prescribe or to leave them conditions to take or leave their crowns..."

'After a brief exposition of the subservience of the Church to the Monarchy, Cranmer paused. Then he resumed: "Therefore, not from the Bishop of Rome, but as a messenger from my Saviour Jesus Christ, I shall most humbly admonish Your Royal Majesty what things Your Highness is to perform. Your Majesty is God's Vice-Regent and Christ's Vicar within your own dominions, to see... God truly worshipped and idolatry destroyed.... You are the Supreme Head of the Church, elected of God, and only commanded by Him...." Cranmer then declared the divine Right of Kings as being "God's anointed.... in consideration of their power, which is ordained... of their persons, which are elected of God, and endued with the gift of His Spirit, for the better raising and guiding of His people."

'After citing precedents from the Old Testament, Cranmer reached the climax of his adjuration.

"I openly declare, before the living God, and before the nobles of this land, that I have no commission to declare Your majesty deprived, if Your Majesty misses in part or in whole of these performances, much less to draw up indentures between God and Your Majesty, or to say you forfeit your crown with a clause from the Bishop of Rome, as has been done by Your Majesty's predecessors. You are to reward virtue, to revenge sin, to justify the innocent, to relieve the poor, to procure peace, to repress violence, and to execute justice throughout your realms... On those kings who fulfilled these things, The Lord poured out His blessings in abundance."... [Strype, *Life of Cranmer*, Vol. I, pp 205-207]

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C G Bayne in his article 'The Coronation of Queen Elizabeth', XXII *EHR*, October, 1907, 650-673, gives as a source for his information of the coronation of Edward VI, Leland, *Collectanea*, iv, 327. —see Bayne, p. 660, note 35—but I have not been able to see, or to find a copy of this text. He also suggests in this note that

there is a 'report of the actual coronation' of Edward VI, which differs materially from the Privy Council's suggested order of service in Privy Council Acts, ii, 33 (which is the source also of the extract from Dasent, printed above from *EHD*.) But he gives no reference specifically for this report; I can assume that perhaps he means that used in Leland.

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According to *The Last Tudor King, a Study of Edward VI*, by Hester W Chapman, The Macmillan Company, New York, 1959, at p. 92, the recognition occurred, then he was anointed, then crowned, then the ring placed on his hand, and only then his vows made; then he was invested with the orb etc, and received homage.

## LADY JANE GREY

**1553**      **Lady Jane Grey—proclaimed Queen** 10 July 1553, under the aegis of the Duke of Northumberland—from *The Chronicle of Queen Jane, and of Two years of Queen Mary, and especially of the Rebellion of Sir Thomas Wyatt, written by a Resident in the Tower of London*, edited by John Gough Nichols, printed for the Camden Society, MDCCCL (1850), Camden Society; Harlean MS. 194, a pocket diary; reprinted by AMS Press, New York, 1968, Appendix II at p. 103 ff., and Appendix IV, at pp. 110 ff.

Lady Jane Grey was never recognised by the people nor crowned, and was beheaded in 1554 at the age of 16 under Mary I. She is often nevertheless referred to as 'Queen Jane'—see for example, T F T Plucknett, (ed.) *Taswell-Langmead's English Constitutional History From the Teutonic Conquest to the Present Time*, Sweet & Maxwell Limited, London, 1875, 11<sup>th</sup> edn. 1960.

## MARY OF ENGLAND

**1553**      **Mary I (England)** proclaimed herself Queen, 10 July 1553 [19 July London];

— see C.S.P. Spanish II, 103, London, 20 July, report to the emperor, and other dates of Mary's proclamation, together with text, at p. 3 of *Tudor Royal Proclamations*, Vol. II, *The Later Tudors (1553-1587)*, Paul L Hughes and James F Larkin (eds.), Yale University Press, New Haven, 1969; and for other dates and details see *The Chronicle of Queen Jane etc.*, Nichols (ed.), *loc. cit.*, at Appendix IV, pp. 110-111.

**1553**      **Mary I, (England and Ireland)** Coronation, Sunday, 1 October 1553, Consecrated by Stephen Gardiner, Bishop of Winchester.

—from *The Chronicle of Queen Jane and of two years of Queen Mary, and especially of the Rebellion of Sir Thomas Wyatt*, written by a resident in the Tower of London, 1553-1554; John Gough Nichols, esq., editor, Camden Society, London, 1850; reprinted by AMS Press, New York, 1968, Camden Society; Harlean MS. 194, a pocket diary., at pp. 30-31:

'Memorandum, the first daie of October, 1553, was quene Mary crowned; that daie she cam first by water to the old palice and there tarryed tyll about xj. Of the clock, and then went to the church on foot apon blew clothe being rayled on every syde; she was in a gown of blew velvett, lyned with pouderyd armyn, having the same cyrclet on hir hedd with whiche she cam thorough London the daye before. She was ledd betwen one bushope and (blank), and many bishopes in their myters and crosiars before hir.

'In the church, before she was anoynted, the lorde chauncellour went to the foure corners of the no. (?) and cried, "Yf eny man will or can alledge eny cause whie quene Mary shoulde not be crowned, let them speke now:" and then the people in every place of the church cried, "Quene Mary! Quene Mary!" The bushope of Winchester, being lorde chauncellour, proclaymed the quenes pardon, wherein was excepted all prysoners in the Tower, the Flet, certayn in the Marshalsey, and suche as had eny commandement to kepe the house, and certayn other.

'Note, she was ledd iiij. or v. Tymes on the alter, with so many and sondery cerymonyes in anyoynting, crowning, and other olde customes, that it was past iij. And almost iiij. Of the clockes at night or ever she cam from the church agayn.....'

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— The Rev. Joseph H Pemberton, *The Coronation Service according to the use of the Church of England with Notes and introduction, with reproductions of the two celebrated pictures in medieval coronation Mss., inserted by special permission, with three pictures, viz. the Coronation of James II, and the vestments used thereat*, 2<sup>nd</sup> edn., Skeffington & Son, Piccadilly, (Publishers to His Majesty the King), London, 1902, p. 74

Extract from Holinshed's Chronicles, 1586:

On the morrow which was the first daie of October, the Queene went by the water to the old palace, and there remained till about eleven of the clock, and then went on foot upon blew cloth being railed on either side until Saint Peter's church where she was solemnie crowned and anointed by Stephen Gardiner, bishop of Winchester, (for the archbishops of Canterbury and York were then prisoners in the Tower) which coronation, and other ceremonies and solemnities, then used according unto the old custome, was not fullie ended till it was nigh foure of the clocke at night that she returned from the church, before whom was then borne three swords sheathed and one naked. The great Service that daie doone in Westminster Hall at dinner by diverse noblemen would aske long time to write.

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—from Froude, James Anthony, *History of England from the Fall of Wolsey to the Defeat of the Spanish Armada*, 9 Vols., First issued in the Silver Library, 1893; new impression, Longmans Green and Co, London, 1907, Vol. V, at pp. 273-275:

[p. 273] '...the Lords of the Council supported the Bishop of Winchester. [about delaying the coronation]. They proposed to alter the form of the coronation oath, and to bind the Queen by an especial clause to maintain the independence of the English Church - a precaution, as it proved, not unnecessary, for the existing form was already inconvenient, and Mary was meditating how, when called on to swear to observe the laws and constitutions of the realm, she could introduce an adjective sub silentio; she intended to swear only that she would observe the JUST laws and constitutions.[note. 1. Tenard to Charles V. : Rolls House MSS.]. But she looked with the gravest alarm to the introduction of more awkward phrases; if words were added which would be equivalent (as she would understand them) to a denial of Christ and his church, she had resolved to refuse all hazards. [note 2. *ibid.*].

'But her courage was not put to the test. The true grounds on which the delay of the coronation was desired could not be avowed. The Queen was told that her passage through the streets would be unsafe until her accession had been sanctioned by Parliament, and the Act repealed by which she was illegitimatized. With Paget's help she faced down these objections, and declared that she would be crowned at once; she appointed the 1st of October for the ceremony; .....

[p. 274] '...On the 30th, the procession from the Tower to Westminster through the streets was safely accomplished. ... ..there was

[p. 275] 'no interruption; and the next day, Arras [the Bishop of Arras] having sent the necessary unction [note 1. Arras to Renard : Granville Papers, vol. iv. p.105] , the ceremony was performed at the Abbey without fresh burdens being laid on Mary's conscience.'

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Schramm says at p. 218: 'At Queen Mary's coronation a fresh attempt was apparently made to loosen the painful fetters of the oath. A report says that she adds a few words "having for object Her Majesty's integrity and good will". Unfortunately, so far as I know, the text neither of her oath nor of that of Queen Elizabeth has come to light.' [No footnote; but in the Appendix he refers to report of the Coronation of Queen Mary, (1553): see calendar of State papers..... Venice, ed. R Brown, vol. V. 1534-54, London, 1873, p. 431]

—P E Schramm, *History of the English Coronation*, L. G W Legg, (trans.) Clarendon Press, Oxford, 1937

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—from *The Age of Elizabeth*, by the Rt. Rev Mandell Creighton, Bishop of London, 13th edition, Longmans Green and Co., London, 1897, pp 29-30:

'Mary , at her accession, found herself without a friend whom she could entirely trust. She was fervently attached to the old religion, and her fondest desire was to restore it to England. She threw herself upon the Emperor {Charles V) for support in this, and trusted to his wisdom for her guidance...

'The ideas of Charles V were in the main points much the those of Henry VIII. He would have no change in doctrine or in Church discipline; but he wished to see flagrant abuses reformed, and the Pope's power rendered subordinate to his own.. We see in Mary and Philip the result of the struggle of the previous generation. They were both one-sided and bigoted; both submitted themselves entirely to the Pope, and by the severity of their reactionary measures rendered their success impossible. So scrupulous was Mary even about small matters that she put off her coronation till she had received the oil to be used at the ceremony from Granvella, Bishop of Arras. She was afraid that the English oil might have lost its virtue, owing to the schism from Rome. [29]

...

'The Queen's chief adviser was Gardiner, Bishop of Winchester, whom she had delivered from the Tower, where he had been confined during the late reign. Gardiner is the last of the great ecclesiastical statesmen in whom medieval England was so rich. He was a statesman rather than an ecclesiastic, and the odium which has been attached to his name as a persecutor does not seem to be fairly his due. Gardiner was a thorough Englishman. He had been one of the foremost in urging the abolition of the Pope's supremacy under Henry VIII. He wished for a national Church, but he did not wish in consequence to see any changes in doctrine or in ceremonies'

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C G Bayne in his article 'The Coronation of Queen Elizabeth', XXII *EHR*, October, 1907, 650-673, refers to an account of the coronation of Mary in MS. College of Arms, I 7, p. 72 [see Bayne, p. 660, note 36]; but I have not been able to see, or to locate a copy of this text.

**1558**                    **Mary Queen of Scots marries Francis, Dauphin** contract 19 April 1558; marriage 24 April 1558. By the *Queen's Marriage Act*, 1558, A.P.S., II. 506, c. 4, Francis, dauphin of France, became, Francis King of the Scots.

**1558**                    **Mary I of England dies November 1558.**

**1558**                    **Mary Queen of Scots, and Francis, King of Scots, proclaim themselves Queen and King of England.**

## ELIZABETH I

**1558**      **Elizabeth I (England)** succeeds 17 November 1558 [Note that The Rev. Joseph H Pemberton, in *The Coronation Service according to the use of the Church of England*, 2<sup>nd</sup> edn., Skeffington & Son, Piccadilly, (Publishers to His Majesty the King), London, 1902, gives as the date of Elizabeth's accession 6 July 1553; this is the date that Mary I acceded; I am not certain whether this is an error, or whether the Church of England does not recognise Mary I as queen of England.]

**1559**      **Elizabeth I (England and Ireland) Coronation** - Sunday, 15 January 1559, Consecrated by Owen Oglethorpe, Bishop of Carlisle [according to Pemberton] (Queen November 1558)

[Authentic contemporary documents describing the coronation are remarkably few. They are:—

- Narrative of an unknown English spectator; one copy of the narrative is in the Bodleian Library (Ashmole's collection); another is at the Record Office (S.P., Dom., Eliz., Addenda, Vol. IX. No. 9)
- A report by Il Schifanoia, an Italian resident in London, which is printed on pp. 16 and 17 of the *Venetian Calendar*, Vol. VII.
- Fragment of a few sentences in the College of arms which is bound in the volume entitled 'W Y'.
- Other (3) documents containing indirect information about the coronation.

—This information is from 'The Coronation of Queen Elizabeth', C G Bayne, in Vol. xxii, *EHR*, October 1907, 650-673, at pp. 650-651]

Bayne in 'The Coronation of Queen Elizabeth' dissects the three original texts, and concludes that the 'English' text is the most reliable. He appends the texts of the English report and the Italian report to his article.

The 'English' report by an unknown English spectator states:

...And after the Sermon done the Bishop bade the bedes her Grace voyde out of the chayre kneelyinge and said the Lordes Prayer.

And after that her Grace satt in hir Chayre. And the Bishop gave her a Booke which she had taking her oath. And after that the Bishop kneeling before the Aulter read in two Bookes; and her Grace gave a little booke to a Lord to deliver unto the Bishop. The Bishop returned the booke to the Lord, and red other Bookes. And immediately the Bishop took the Queenes booke and read it before the Quene hir grace.

—from Record Office, State Papers, Domestic, Elizabeth, Addenda, Vol. 9, no. 9, transcribed from Mr Anthony Anthony's collection; Bayne, *loc. cit.*, p. 667.

Bayne says: '...I am unable to make anything of this confused account. The 'Articles'<sup>1</sup> contain the following entry: 'Item a copy of the Othe that her Majestie shall take to be seene and perused by her highnes. The Bokes remayne with the Abbot of Westminster'. The oath was in the form of questions by the bishop and answers by the queen, and the books referred to in the 'Articles' as remaining with the abbot of Westminster were probably separate copies of the oath. [Bayne, *loc. cit.*, p. 667, n. 74]

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—From A L Rowse, 'The Coronation of Queen Elizabeth I,' *History Today*, Vol. 3, 1953, pp. 301-310, at p. 308

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<sup>1</sup> ['Article concerning the Queen's Coronation', Harleian MSS. British Museum, (no. 6064, p. 4; and copy in the Record Office, (S.P., Dom., Eliz., Vol. I, no. 51); dated from internal evidence to before 18 December 1558—see Bayne, p. 667, n. 74, and p. 651.]

'...At once the recognition ... took place. She was conducted between two lords to be proclaimed by the bishop and acclaimed by the people in four directions -north, south, east and west - the trumpets sounding at each proclamation....

'Next came the offering... Then ... she heard the sermon....After the sermon, the Queen now kneeling, came to the bidding of the beads - i.e. the bidding of the peoples' prayers - an old-established practice in England reaching back to earliest times, and of interest since it was the one part of the ceremony said in English amid all the other devotions sung or said in Latin.

'There followed the administering of the customary oaths by the bishop to the Queen : to keep the laws and customs of England, to keep peace to the Church and people, to execute justice in mercy and truth. Here there stepped forward that symptomatic figure, Secretary Cecil, master-mind of the new regime, to hand a copy of the oaths to the bishop. What was he doing here? he was no ecclesiastic : I cannot but think this the most symbolic move in the whole show. [Next came the anointing...] [no source]

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— The Rev. Joseph H Pemberton, *The Coronation Service according to the use of the Church of England with Notes and introduction, with reproductions of the two celebrated pictures in medieval coronation Mss., inserted by special permission, with three pictures, viz. the Coronation of James II, and the vestments used thereat*, 2<sup>nd</sup> edn., Skeffington & Son, Piccadilly, (Publishers to His Majesty the King), London, 1902, pp. 75-78:

extracts from Annals of the Reformation and establishment of Religion, and other various Occurrences in the Church of England, during the First Twelve Years of Queen Elizabeth's Happy Reign, by John Strype.

The Clergy and the Bishops from the very first showed themselves so wayward and disobliging... When she was to be consecrated by some Bishop at her Coronation, they all refused, till with much ado the aforesaid Bishop {Dr Oglethorpe of Carlisle} was prevailed upon to do it, who was the inferior almost of all the rest... And the Reason those Bishops refused to Crown her, and that they durst not invest her was for that they had evident Probabilities and Arguments to doubt, that she meant either not to take the Oath, or not to keep the same, which all Christian Kings, and especially ours in England, did make in the Coronation, for Maintenance of Holy Church's Laws, Honours, Peace and Privileges and other Duties due to every State; as in the Time and Grant of King Edward the Confessor. They doubted also, lest she would refuse in the very time of her Sacre, the solemn divine Ceremony of Unction, through the evil Advices of certain young Counsellors.

The Lords sent to Bonner, Bishop of London, to send to the Bishop of Carlisle who was appointed (as they writ) to execute the Solemnity of the Queen's Majesties Coronation. 'All the Pontifical Habit that Bishops were wont to use in such glorious inaugurations of most illustrious Kings.'

On the 15<sup>th</sup> day she was Crowned with the usual Ceremonies in Westminster Abbey. There went before her Trumpets, Knights and Lords, Herald of Arms in their rich Coats. Then the Nobles in their Scarlet and all the Bishops in Scarlet: then the Queen and all the Footmen waiting upon her to the Hall. There Her Grace's Apparel was changed. In the Hall they met the Bishop that was to perform the Ceremony, and all the Chappel, with three Crosses born before them, in their Copes, the Bishops mitred: and singing as they passed, *Salve festa Dies*. All the streets new laid with gravel and blue Cloth, and railed in on each side. And so to the Abbey to Mass. And there Her Grace was crowned. Thence, the Ceremony ended, the Queen and her Retinue went to Westminster Hall to Dinner; and every Officer took his office at Service upon their Lands; and so did the Lord Mayor of London and Aldermen.

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—from *Elizabeth I, A Biography*, by Paul Johnson, Holt Reinhart and Winston, New York, 1974, at pp 68-69; [in note 22, he refers to the following articles as sources: N Williams, 'The Coronation of Queen Elizabeth', *Quarterly Review*, Vol. 597, 1953, pp. 397-411; and to A L Rowse, 'The Coronation of Queen Elizabeth I', *History Today*, Vol. 3, 1953, pp. 301-310]:



'The coronation itself was a magnificent and lengthy ceremony, for Elizabeth was determined to have the full political and symbolic benefit of the sacring, [68] and to be crowned in the sight of all the assembled authorities of the realm. Virtually all the nobility was present, and the knights of the senior orders; the entire government; the judicial profession and the sergeants and councillors at law; the barons of the Cinque Ports and other provincial dignitaries, as well as the London corporation; and, not least, the bench of bishops, with the one notable and deliberate exception of Bonner. But on Elizabeth's instructions, the bishops performed their homage after the temporal peers, thus indicating her anger at those who refused to crown her, but her considered opinion of their true status in the realm. Moreover, although this was essentially a coronation of the ancien régime there were significant departures from the rubrics. When Oglethorpe<sup>1</sup> administered the coronation oath, he did so from an English Bible, held up to him to read by Cecil. The Bishop, who felt he was stretching his conscience as far as he was able. Had adamantly declined to conduct the ceremony in English throughout. Indeed, after the crowning and homage, he insisted on saying a Latin Mass. But both the epistle and gospel were read out in English as well as Latin, and after the Offertory, which the Queen performed, kissing the paten, she withdrew to a pew, concealed by a curtain, in St Edward's chapel, while the bread and wine were being consecrated and the host elevated. Thus the service was in some respects a muddle - one might call it a characteristic English compromise - pending the resolution of England's liturgical problems, but it was carried out with great aplomb and spirit and there could be no doubt of its validity in the eyes of all.' [69]

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[Note: Pole, archbishop of Canterbury under Mary died not long after Mary, and the position was vacant at the time of Elizabeth's coronation]

'By this time the catholics were becoming thoroughly alarmed: so that it was difficult to find a cleric to officiate at the coronation ceremony on 15 January. Eventually Oglethorpe<sup>2</sup> [Bishop of Carlisle]...consented, and the queen took the oath in the traditional manner, being proclaimed "Defender of the True, Ancient, Catholic Faith". But at the subsequent service in the Abbey she repeated her tactics of Christmas, left before the elevation of the host, and refused to receive communion which was given in one kind, according to the old rite.'

—From *The Reign of Elizabeth 1558-1603*, by J B Black, Clarendon Press, Oxford, 1936, at p. 9

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—From Ann Somerset, *Elizabeth I*, Weidenfeld and Nicolson, London, 1991, at p. 72:

'... she was four times proclaimed Queen, and four times the congregation in unison roared their approval. Having taken her coronation oath, in which she swore to uphold the laws, defend the Church, and to use justice, discretion and mercy in her judgements, she was anointed...' [no source]

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Other sources relating to the coronation of Elizabeth I, but not specifically relating to the oath are:

A F Pollard, 'The Coronation of Queen Elizabeth', Vol. xxi, *EHR*, Jan. 1910, 125-126.

H A Wilson, 'The Coronation of Queen Elizabeth', Vol. xxiii, *EHR*, 87-89

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<sup>1</sup> There is some doubt that Oglethorpe conducted the coronation. —C G Bayne, in 'The Coronation of Queen Elizabeth', Vol. xxii, *EHR*, October 1907, 650-673, originally made a strong case for Oglethorpe's being the celebrant. But later evidence suggested to him that instead it was the dean of the Chapel Royal, George Carew, who conducted the coronation and the mass— C G Bayne, 'The Coronation of Queen Elizabeth', xxiv *EHR*, pp. 322-323. [cf. see Bayne, xxii *EHR*, p. 659] On the other hand, A F Pollard clearly thought that it was Oglethorpe who had presided at the coronation—see A F Pollard, 'The Coronation of Queen Elizabeth', Vol. xxi, *EHR*, Jan. 1910, 125-126.

<sup>2</sup> see previous footnote on Oglethorpe.

**1601 Elizabeth I Speech**

[to the commons, while they knelt]

... I do assure you that there is no prince loveth his subjects better, or whose love can countervail our love. There is no jewel, be it of never so rich a prize, which I prefer before this jewel; I mean your love. For I do more esteem it than any treasure or riches; for that we know how to prize, but love and thanks I count inestimable. And though God hath raised me high, yet this I count the glory of my crown, that I have reigned with your loves. .... And as I am that person that still, yet under God, hath delivered you, so I trust, by the almighty power of God, that I shall be his instrument to preserve you from envy, peril, dishonour, shame, tyranny, and oppression; partly by means of your intended helps, which we take very acceptably, because it manifesteth the largeness of your loves and loyalties unto your sovereign.<sup>1</sup> Of myself I must say this: I was never any greedy, scraping grasper, nor a strait fast-holding prince, nor yet a waster. My heart was never set on worldly goods, but only for my subjects' good. What you do bestow on me, I will not hoard it up, but receive it to bestow on you again. Yea my own properties I count yours to be expended for your good. ...[and she requested them to stand, for she wished to speak a while longer]

... I know the title of a king is a glorious title; but assure yourself that the shining glory of princely authority hath not so dazzled the eyes of our understanding but that we will know and remember that we also are to yield an account of our actions before the Great Judge. To be a king and to wear a crown is more glorious to them that see it, than it is pleasure to them that bear it. For Myself, I was never so much enticed with the glorious name of a king, or royal authority of a queen, as delighted that God hath made me his instrument to maintain his truth and glory, and to defend this kingdom, as I said, from peril, dishonour, tyranny, and oppression. There will never be a queen sit in my seat with more zeal to my country, care of my subjects, and that will sooner with willingness yield and venture her life for your good and safety than myself. And though you have had and may have yet many princes more mighty and wise sitting in this seat, yet you never had or shall have any that will be more careful and loving....<sup>2</sup>

**MARY OF SCOTLAND AND FRANCE****1559 Mary Queen of Scots Queen of France**

King of France dies, July, 1559. Mary Queen of Scots and her husband, the dauphin, become king and queen of France.

**1560 King of France dies. Mary Queen of Scots dowager Queen of France at 18.****1565 Mary Queen of Scots marries Henry Stewart, Lord Darnley, grandson of Margaret Tudor, sister to Henry VIII, by her second husband, according to the Roman catholic rites.****1566 James (VI) of Scotland born 19 June, 1566**

christened according to Roman catholic rites—see David M Walker, *A Legal History of Scotland*, Volume III, The Sixteenth Century, T & T Clark Ltd., Edinburgh, 1995, p. 82 and n. 140, sourced to Keith, I, xcvi.

<sup>1</sup> Cf. St Thomas Aquinas, *On Kingship, to the King of Cyprus, De Regno, Ad Regem Cypri*, (c. 1260), Book 1, Chapter X, 78, 79, Gerald B Phelan, (trans.), revised with introduction and notes by I Th. Eschmann, Pontifical Institute of Medieval Studies, Toronto, 1949, reprinted 1967, 1978, 1982, *loc. cit.*, at p. 45. —'Good kings, on the contrary, are loved by many when they show that they love their subjects and are studiously intent on the common welfare...'

<sup>2</sup> See Elizabeth I, 30 November, 1601; speech in parliament; S&M1, pp. 375-76; D'Ewes *Journal*, 659 ff.