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# The Failure of Counsel: Curial Corruption in Book VI of the *Vox Clamantis*

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### **The Failure of Counsel: Curial Corruption in Book VI of the *Vox Clamantis*<sup>1</sup>**

The seventh chapter of Book VI of the *Vox Clamantis* (VI, 469–580) is the final element in Gower’s analysis of England’s legal guardians before he comes specifically to the king himself, fountainhead of the law and subject of the *speculum principis* that comprises Chapters 8–18 and the climax of Book VI. Having begun his discussion with the lawyers (Chapters 1–3) and moved through the judiciary (Chapters 4–5) and such administrative figures as sheriffs, jurors, and bailiffs (Chapter 6), the poet now takes on the subject of the *curia* as the political structure that surrounds and advises the king. In the process he continues the poetic development of his ideas about the nature of the state and the ruler who surmounts its various physical and philosophical structures.

Gower’s conception of the court is traditional. The king must have access to the best thinking available and to that end should surround himself with those who can guide him to conclusions of greatest benefit to the people entrusted to his care. The court in its various manifestations—not just the king’s companions but also those major attendants who guide the Exchequer, Chancery, Household, continual, great and privy councils, even parliament—is the

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1. This is the fourth in a series of articles explicating the *Vox*’s sixth book as a critique of the law’s custodians in Ricardian England. My intent is to explicate each chapter and component of the argument element by element as it develops in order to clarify its terminology and imagery, often drawn from law and presumably referencing contemporary or near-contemporary events. Readers are invited to consult my “*Semper Venalis: Gower’s Avaricious Lawyers*,” *Accessus* 1, no. 2 (2013): 1–64. <http://scholarworks.wmich.edu/accessus/vol1/iss2/2>; “*Gower’s Speculum Iudicis: Judicial Corruption in Book VI of the Vox Clamantis*,” in *John Gower: Others and the Self*, ed. R.F. Yeager and Russell A. Peck (Rochester, NY: Boydell and Brewer, forthcoming); and “*Nuisance and Trespass in the Vox Clamantis: Sheriffs, Jurors and Bailiffs*,” *Interdisciplinary Journal for Germanic Linguistics and Semiotic Analysis* 20, no. 2 (Fall 2015): 181–213.

final essential, institutional component in Gower's overview of England's failing legal (and political) system. Perhaps the major image available to a late fourteenth-century analyst is the body politic surmounted by the king as its head, developed most notably by John of Salisbury in the *Policraticus*, and Gower does avail himself of it, as we shall see. However, the most important images he develops in this sixth book are the ship and house that represent a kingdom. They offer convenient ways for the poet to express his ideas about the role of counsel, represented as the rudder the pilot uses to guide his ship and the mitered cuts (*acuta*) of the beams that the builder uses to make solid the house's structure. These two images are developed in four passages (475–80, 481–82, 523–26, and 529–32) set off from the rest of the text by their interrogative manner and deployed in the course of a loosely contextualized account of young Richard's problematic early years. Developed through a process of theme and variation that allows Gower to reiterate and explicate his theme non-repetitively, they comprise the core of the poet's analysis, the point of which is to show that the ship has lost its course and the kingdom's structure is tottering because the court has failed to provide the counsel a king needs to perform his function, which is to guide and form the state.

Chapter 7 comprises eight stanzas in the revised B-Text but only six in the original A-Text.<sup>2</sup> In the headnote at the chapter's beginning, Gower presents a theory of proper government that, however, is not being practiced by the keepers of the law. Yet the king, at least initially, is not at fault for the errors and mistakes of the present. After discussing and illustrating

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2. Latin text in vol. 4 of G. C. Macaulay, ed. *The Complete Works of John Gower*, 4 vols. (Oxford: Clarendon Press, 1899–1902); English prose translation by Eric Stockton, *The Major Latin Works of John Gower* (Seattle, WA: University of Washington Press, 1962); English verse translation of Book VI by Robert J. Meindl in The Gower Project Translations at <http://gowertranslation.pbworks.com/w/page/53715438/Vox%20Clamantis%20Translations>.

imagistically the nature of the state, the chapter will conclude by assigning responsibility for the current unsatisfactory situation to the king's advisers because of their failure to provide proper counsel. The chapter's ending, however, exists in two versions that see the sources of Richard's improper counsel differently. The earlier version absolves the king and places the blame on the mature courtiers who attend him and are responsible for his guidance. The later eliminates the statements that declare Richard not responsible and finds fault with both the youthful and mature counsellors. Blame is assigned to a *concio iuvenilis* and a circle of elders—comprising a court called both *curia maior* and *curia regis*—whom the king is all too willing to follow into serious mischief on the one hand and serious corruption on the other. The riotous juvenile entourage is actively led in the second version by a young king likewise eager to take the indulgent advice of his senior advisers. In the A-Text, all England apparently has to do is wait for the king to grow up and things will set themselves aright. By the time the B-Text is composed (no earlier than 1390, some nine years later), however, when the king is at least twenty-three years old, that hope is proving illusory. At the same time, the prefatory prose summary (with the same wording in both A- and B-Texts)<sup>3</sup> indicates that Gower had already come to a preliminary decision about the boy king's inadequacies in the earlier version. At the time the A-Text of Book VI was completed, probably sometime late in 1380 or early in 1381, Richard was given a subtle warning that Gower may have felt sufficient enough that he left it unchanged when he revised the chapter's ending. Let us begin with the prose headnote to the chapter. I ask the advanced reader's

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3. Wickert's terms for the earlier and later versions of the *Vox Clamantis*. The variations in the poem are analyzed in the first chapter of her foundational study. See Maria Wickert, *Studies in John Gower*, trans. Robert J. Meindl (Washington, D.C.: University Press of America, 1982), 1–26. A second, revised edition of the translation is forthcoming from ACMRS.

indulgence as I proceed through Gower's text, for some of what I say will seem obvious to the experienced medievalist. Some, I think, will not.

## Chapter 7

### The Prose Headnote

*Hic loquitur quod sicut homines esse super terram necessario expedit, ita leges ad eorum regimen institui oportet, dummodo tamen legis custodes verum a falso discernentes unicuique quod suum est equo pondere distribuunt. De erroribus tamen et iniuriis modo contingentibus innocenciam Regis nostri, minoris etatis causa, quantum ad presens excusat.*

It says here that, just as it is suited by necessity that men exist on the earth, thus it is fit that laws be instituted for their governance, provided however that the keepers of the law, discerning the true from the false, should distribute in equal weight to each man what is his. However, concerning the mistakes and wrongdoings lately occurring, it alleges in excuse the innocence of our king, because of his minor age, as far as the present time.

The first sentence of the chapter's brief prose summation provides a skeleton outline for Gower's theory of governance and law, development of which will occupy the first five stanzas and remain unaffected by the changes in the latter part of the chapter. The poet will begin by expanding upon the notion of a government tasked with distribution to each according to merit (Gower's definition of the *Rechtstaat*) and then present two conventional metaphors to illustrate by analogy how the structures responsible for that distribution might be considered. The second sentence of the prose headnote will be expanded into one stanza in the A-Text but three in the B-Text (both versions of thirty-six lines) in order to investigate the nature of the king's court and the manner in which it is failing to fulfill its responsibility to provide the king legitimate counsel. The A-Text faults the senior advisers, but the later analysis will share the blame between the youthful and the mature companions of the king and hold them both responsible for the kingdom's present troubles.<sup>4</sup> Richard will be absolved in the early version because of his age, but

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4. Wickert saw the transference of responsibility from the old men to the youthful comrades as a main issue of the revision, but the second version more accurately expands the scope of conciliar accountability. See Wickert, *Studies in John Gower*, 8.

held to some extent culpable in the later text, which continues, however, to stress his youth. At the time Gower initially was working on Book VI, probably in the winter of 1380 / 81, the king would have been thirteen or fourteen years old, having ascended the throne in 1377 at age ten.<sup>5</sup>

When Richard's adulthood will begin can be considered in a number of respects, depending upon whether physical or intellectual functions are at issue. The only age related designation Gower has used to this point in Book VI is *adultus* (l. 249), established in Chapter 5 as one of the prerequisites for a judge. According to Gratian, one kind of candidate, the Civil Law advocate, reaches this threshold at age seventeen.<sup>6</sup> Such a concept of adulthood does not have any bearing on the text at this point, however, and the seasons of a lifetime Gower will consider in what follows are along the lines of a traditional division of human life into developmental categories that suggest why he can continue to speak of the king's puerility even when Richard is in his twenties. While there seems to be no agreed upon ancient or medieval system for designating precisely the ages of human progression, there is a general consensus that

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5. My estimate of the date of composition assumes that Gower wrote the books of the poem sequentially and was accordingly approaching the completion he had structured prior to the Rising of 1381 and that event's consequent effect on the final form. Richard's accession in June 1377 is almost certainly the spur to the composition of the *Vox Clamantis* and also the reason for the use of Latin. Having addressed the court of the elderly Edward III in the French *Mirour de l'Omme*, Gower changes to Latin in order to replicate a fair amount of the same material for the grandson, now from the perspective of a mature thinker addressing an inexperienced student in the manner of Aristotle to Alexander. Latin would have been the natural choice for such an endeavor, "the language 'indigenous' to . . . literacy" for both Gower and Richard, despite the latter's affectation of Parisian French. See Christopher Cannon, "Vernacular Latin," 641–53, in Christopher Baswell, Christopher Cannon, Jocelyn Wogan-Browne and Kathryn Kerby-Fulton, "Competing Archives, Competing Histories: French and Its Cultural Locations in Late-Medieval England," *Speculum* 90, no. 3 (July 2015): 653–700. The quote is on 653.

6. See James A. Brundage, *The Medieval Origins of the Legal Profession: Canonists, Civilians, and Courts* (Chicago, IL: University of Chicago Press, 2008), 173.



development occurs in stages that allow people in their twenties and even thirties to be considered as less than mature.

A likely source of Gower's thinking about the seasons of life is Isidore of Seville, who provides the following categories in the *Origins*: *infantia* (birth to seven), *pueritia* (eight to fourteen), *adolescencia* (fifteen to twenty-eight), *iuventus* (twenty-nine to fifty), *gravitas* (fifty to seventy), and *senectus* (seventy-one to death). Various distributions, with minor variations, are suggested in antiquity. In Roman law *minor* gives way to *maior aetas* at twenty-five. Nigel Saul claims that "a symbolic entry was made into adulthood" when Richard reached fourteen (January 6, 1381), but I think he simplifies the complexity of ancient and medieval thinking about adulthood and the stages by which it is reached. Maturity comes at different ages for different categories of function. As Richard approaches *adolescencia*, the main concern of his mother and counselors is to find him a bride, indicating that puberty's onset is the main transitional event between *pueritia* and *adolescencia*. Richard's marriage to Anne occurs January 20, 1382, just two weeks after his fifteenth birthday and rational maturity is still in the future. Saul then wonders why Richard, despite his brave showing in the Rising, continues to play little part in governance after passing out of *pueritia*. Gower certainly considers Richard less than an adult far past age fourteen. The A-Text of the concluding thirty-six lines of Chapter 7 uses *puer*, *puerilis*, *iuvenis*, and *iuvenilis* five times, but the later B-Text, written after 1390 when Richard is in his early twenties, uses the same designations twelve times. The king is still *puer indoctus* as far as the poet is concerned. Richard himself declares his maturity when at age twenty-one he claims his crown without the impediment of imposed councils.<sup>7</sup>

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7. For Isidore see Christian Laes, *Children in the Roman Empire: Outsiders Within* (Cambridge, UK: Cambridge University Press, 2011), 94. Laes provides a useful overview of

The headnote's final phrase, *quantum ad presens* (as far as the present), hints at the poet's exasperation with his boy king and suggests that a limit has been reached beyond which Gower would be reluctant to continue his forgiving ways. He is willing to forego criticism of all that has transpired in Richard's reign *ab initio usque ad presens*, but no farther. Although Gower later removes from the B-Text statements that absolve the king of responsibility and tinkers with the redistribution of blame, he leaves intact the prose headnote's excuse for the king by virtue of the innocence associated with his age. It seems strange that someone who edited his works as frequently as Gower would have overlooked the prefatory statement, but that would be the only explanation unless he considered the text of the headnote appropriate to both versions.<sup>8</sup>

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various classical / early medieval definitions of childhood. The relevant passage in Isidore is *Origins* II, 2, 2). For Richard's marriage, see Nigel Saul, *Richard II* (Oxford: Oxford University Press, 1997), 108. For Gower's use of age designations at this point, see Wickert, *Studies in John Gower*, 8. Fletcher, who sees the ongoing emphasis on Richard's youth as a code for his perceived lack of manliness, suggests that "as the king reached an age at which his status as a man was becoming difficult to deny, it became paradoxically more and more necessary for his subjects to insist upon his youth as a means of containing his assertiveness." Christopher Fletcher, *Richard II: Manhood, Youth, and Politics, 1377–99* (Oxford, UK: Oxford University Press, 2008), 127.

8. Wickert regards the unchanged headnote as a simple oversight and proof of the redactor's carelessness. See Wickert, *Studies in John Gower*, 6. Gower is generally considered to have exercised considerable oversight concerning his manuscripts, and Wickert's is not an inevitable conclusion.

## Stanza 1

*Pro transgressore fuerant leges situate,*  
*Quilibet vt merita posset habere sua.* 470  
*Nunc tamen iste bonus punitur, et alter iniquus,*  
*Dum viget ex auro, iustificatur eo.*  
*Omnia tempus habent et habet sua tempora tempus,*  
*Causaque sic causas debet habere suas.*  
*Quid mare conferret, altis dum fluctuat undis,*  
*Sit nisi nauis ei quam vehit vnda fluens?*  
*Set quid fert nauis nisi nauta regens sit in illa?*  
*Quid valet aut nauta, si sibi remus abest?*  
*Quid mare, quid nauis, quid nauta, vel est sibi remus,*  
*Sit nisi portus aquis ventus et aptus eis?* 480

The laws have been established for the trespasser,  
 That every man should have his just deserts. 470  
 Yet now this good man's punished, and that wicked one,  
 Who thrives by gold, is justified by it.  
 All things have their time and each time has its seasons.  
 And thus its causes ought a cause<sup>9</sup> to have.  
 What does the sea bring when it swells with lofty waves,  
 If not a ship borne by the flowing surge?  
 How fares a ship without a guiding mariner?  
 Without an oar, what good's a mariner?  
 Why sea and ship and mariner, with oar or not,  
 Without a port and wind apt for the seas? 480

In the prose headnote as well as in the opening couplet of stanza 1, Gower echoes and varies the definition of justice from Justinian's *Institutes: Iusticia est constans et perpetua voluntas ius suum cuique tribuens* (Justice is the set and constant purpose which gives to every

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9. *Causa* also designates a case at law. Gower employs a sophisticated pun on a legal term as a pivot point to take his subject matter from law to Aristotelian / Thomistic philosophy and theology.

man his *ius*).<sup>10</sup> The headnote has put the responsibility on the *legis custodes* to separate *verum a falso* and use the scales of justice so that they *equo pondere distribuant* (allot with equal weight). The opening couplet, however, spins the thought just a bit differently, adding that *leges*, not *iusticia*, have been established not just to ensure equity but also to define and counter the wrongdoer (*transgressor*, considered as a trespasser in the word's several senses). The second couplet then extends the image of the scales of justice, in traditional imagery typically weighted improperly with the addition of gold to one of the pans, when it introduces the rich man who prospers from gold and is accordingly justified by it. The terminology employed, *ex auro justificatur*, is a play on ecclesiastical phrasing (*ex fide justificatur*, *baptismate justificatur*, etc.)

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10. Ulpian's famous definition is the opening sentence of the *Institutes*; see also *Digest* 1.1, which has likewise influenced Gower's thinking: *nomen iuris . . . est . . . a iusticia appellatum: nam . . . ius est ars boni et aequi* (the name of *ius* is so-called from justice: for *ius* is the art of goodness and fairness). *Ius* defies translation into English but is generally rendered "due" for Ulpian's definition. The word covers the mass of rights and privileges covered under the general heading of law and justice as well as the right of a given individual in a specific legal circumstance with another. It is also commonly used for law in a higher sense as opposed to *lex* considered as positive law. Gower substitutes *leges* for *ius* and uses *suum* (literally "one's own," but "natural rights" in law and philosophy) for *ius* in the prose headnote and *merita* (things earned) in l. 470, where one would perhaps expect *dominium*. More typically, not *leges* but *iura*, the plural of *ius*, is broken down in scholastic thought into *suum* (natural rights), *dominium* (property), and *pactum* (contracts). Gower's position in general seems to be in keeping with the gradual medieval tendency to define *ius* as *dominium*. See Hiroshi Matsuo, "Historical and Theoretical Intimacy Between the Concepts of Rights and Property," in *Rights: Proceedings of the International Association for Philosophy of Law and Social Philosophy. Archiv für Rechts- und Sozialphilosophie* 67 (Stuttgart, DE: Franz Steiner Verlag, 1997): 72–80. The idea of *ius* is moving from the Thomistic proposition that it is something that exists when a circumstance is in accordance with Law to the modern notion that it is something a person has, i.e. rights. See Knud Haakonssen, "Hugo Grotius and the History of Political Thought," *Political Theory* 13, no. 2 (May 1985): 239–65. For a discussion of Gower's distinction between *lex* and *ius*, between law and justice, see R. F. Yeager, "John Gower's Poetry and the 'Lawyerly Habit of Mind,'" in *Theorizing Legal Personhood in Late Medieval England*, ed. Andreea D. Boboc (Leiden, NL: Brill, 2015), 71–93.

that clarifies Gower's ironic perspective and once again shows his shading of expression specifically to include other familiar frames of reference.

Gower's law is essentially property law, which becomes clear in an otherwise murky couplet at 473–4. Everything has its allotted span of time, its lifetime, and that lifetime is divided into seasons.<sup>11</sup> Typically for humans it would be broken down into such stages as infancy, adolescence, young adulthood, maturity and old age, and Gower most certainly has such categories in mind throughout the chapter. However, because all things have their lifetime and each lifetime has its seasons, it follows that every cause should have its causes (474). To clarify what the poet means by this curious connection, I wish to look at what a later author makes of *omnia tempus habent et habet sua tempora tempus* and work backward. While such a methodology is unorthodox, it nevertheless yields results.

In the course of an elaborate discussion of a bequest to his sons by a man named Leonard Lovies, the eminent Elizabethan jurist Edward Coke distinguishes five “branches” of such an action. “And out of these several branches,” he then remarks, “six times were observed; for . . . *judicis officium est, ut res, ita tempora rerum quaerere, quaesito tempore tutus eris* and [sic] *omnia tempus habent et habet sua tempora tempus*”<sup>12</sup> The first part of the quotation is from

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11. Reminiscent of but also different from Ecclesiastes 3:1: *Omnia tempus habent et suis spatiis transeunt universa sub caelo*. Gower (473) uses only the first three words of Ecclesiastes and then takes the idea in a different direction.

12. Sir Edward Coke, J. H. Thomas, and John Farquhar Fraser, *The Reports of Sir Edward Coke, Knt [1572–1617]: In Thirteen Parts*. 6 vols. (London, UK: J. Butterworth & Sons, 1826; repr. Clark, N.J.: Lawbook Exchange, 2008), 5:395 (emphasis added). See especially the discussion and definition of the six seasons that occurs from 395–99. Online at <https://books.google.com/books?id=PSdEAAAAYAAJ>.

Ovid, the second, as far as I can ascertain, from Gower although I suspect Coke and Gower are drawing upon a common source.

In the first elegy of the first *Tristia* (one of Gower's favorite sources), the exiled Roman poet sends his volume forth with trepidation, expecting it to be severely judged because he has been so unsettled by his exile that he fears his work is not up to its usual high standards, which leads him to address his book directly and remark, in Wheeler's translation, "'Tis a judge's [i.e. the reader's] duty to investigate both the circumstances and the time of an act. If they [the readers] ask the time you [i.e. the book] will be secure."<sup>13</sup> Ovid then goes on to note his state of mind at the time of composition, which accorded not well with the peaceful requirements necessary to the writing of good poetry, in the expectation that the reader will therefore judge him gently. The remark, whatever its source for Ovid, has become a legal maxim by Coke's day, taken as advice to a judge, and accordingly translated somewhat differently: "It is the duty of a judge to inquire the times of things as well as into things; by inquiring into the time you [i.e. the judge] will be safe."<sup>14</sup> If Ovid's comment, an author's wry hope for understanding from his readers, does not have its source in Roman law, it has been appropriated by Coke's day as guiding counsel to judges to protect themselves by inquiring into the temporal contexts of the cases that come before them before rendering decisions.

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13. Arthur Leslie Wheeler, *Ovid, with an English Translation, Tristia and Ex Ponto* (Cambridge, MA: Harvard University Press, 1965), 5: *Iudicis officium est ut res, ita tempora rerum / quaerere. Quaesito tempore tutus eris.*

14. The phrase is so translated in Walter A. Shumaker and George Foster Longsdorf, *The Cyclopedic Law Dictionary* (St. Paul, MN: Keefe-Davidson Law Book Co., 1901), 510. Coke takes it the same way.

Coke goes on to explain the second part of his comment, the same one we find in Gower, with specific reference to statutes 32 and 34 H. 8., remarking that there are six *tempora* to a *tempus*, which he lists as *habendi*, *tenendi*, *disponendi*, *appretiandi seu aestimandi*, *providendi*, and *continuandi seu continuum*. Taken in order they comprise a rough sequence of property concerns for landholders. Not only has Ovid's remark been taken out of context and reapplied to different circumstances (unless, of course, Ovid is playing with a principle from Roman law), but it has become the lead-in to the idea of landholding as a figure for representing the course of a life for a member of the aristocracy or gentry. Coke's first three *tempora* concern the acquisition of property by having through purchase (*habendi*), holding from a superior, i.e. "holden of the King" (*tenendi*), and alienating (*disponendi*). The fourth season (*appretiandi seu aestimandi*) concerns valuation of property (for purposes of estimating income and taxation). The fifth season (*providendi*) concerns descent in fee simple and fee tail in matters of bequest and, accordingly, disposition of property to heirs. The sixth (*continuandi*) is the continuation of rights beyond death that affect issues of bequest. Taken together, Coke's six seasons (*tempora*) see a lifetime (*tempus*) viewed sequentially from the specific perspective of property ownership, rights, and obligations.

*Lovies' Case*, argued some two centuries after Gower, is an involved affair concerning the disposition made of lands held from the king *in capite* and lands acquired at a later date and held in socage. At question is whether Lovies had the right to dispose of his holdings in the manner he attempted and the king's rights not only concerning reseising of lands assigned Lovies but also to a part of Lovies' other holdings. Coke's explication of the case throws valuable light on Gower's line and the Elizabethan jurist's six *tempora* of a *tempus* help explain the fourteenth-century poet's thought. If we can take Ovid's line as the precursor as well to Gower's thought,

the poet as the judge of Richard's kingship is noting that the king is in his first season as his land's possessor and, it would follow, should be judged accordingly. He points out, for instance, in 559\* (A-Text) that England would not be in its present pickle *tempora matura si rex etatis haberet*, if the king were through his dangerous childhood, the time of life when he acquired his kingdom, and safely in his maturity managing his holdings appropriately.<sup>15</sup> A fair judgment about Richard's use of his "property" should be considered with reference to the defendant's "season."<sup>16</sup>

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15. Richard would have become *iuventus* (twenty-nine) on his birthday in 1396 and, if Gower is lumping Isidore's first three categories (*infantia, pueritia, adolescentia*) together as youth, that would account for the B-Text's insistence on Richard's childishness in the variant lines at the end of Chapter 7. The king's mature years would begin per Isidore with *iuventus*. Accordingly, the king, thirteen at the time of the A-Text, is still immature (even though at least twenty-three) at the time of the B-Text. January 6, 1396, Richard's twenty-ninth birthday, would accordingly be the latest the B-Text of Chapter 7 could be dated. If Gower has in mind the point of distinction between *minor* and *maior aetas* in the *Ius Civile* (twenty-five), the date would be 1392.

16. It would make sense that his concern with property rights reflects in some way Gower's involvement in the "Septvauns affair," the legal event of his economic life about which we have the most, if not the most satisfying, information and which had to do with his part in the sale of lands by a minor claiming rights in his land as an adult. For a discussion of the circumstances of this case, see Conrad van Dijk, *John Gower and the Limits of the Law*, (Cambridge: D.S. Brewer, 2013), 1–2; Matthew Giancarlo, *Parliament and Literature in Late Medieval England* (Cambridge, UK: Cambridge University Press, 2007), 94–105; and Andrew Galloway, "The Common Voice in Theory and Practice," in *Law, Governance and Justice: New Views on Medieval Constitutionalism* (Leiden, NL: Brill, 2013), 268–69. Giancarlo concludes, after a very thorough discussion of the affair, that no definite conclusions about Gower's role can be derived from the available evidence although he locates several passages in the *Mirour* that could be referential. Galloway provides a valuable corrective to Fisher's reading. W. Mark Ormrod considers the Septvans (a variant spelling) affair from the perspective of the involvement of Sir John atte Lee in "Parliamentary Scrutiny of Royal Ministers and Courtiers," in *Law, Governance, and Justice: New Views on Medieval Constitutionalism*, ed. Richard W. Kaeuper with the assistance of Paul Dingman and Peter Sposato (Leiden, NL: Brill, 2013), 161–88.



What concerns us now, however, is what follows from *omnia tempus habent et habet sua tempora tempus*, which statement is used to establish the dependent proposition that accordingly *causaque sic causas debet habere suas*, keeping the thought firmly anchored in the property issues that are the main concern of early common law and then moving it toward another frame of reference in Aristotelian / Thomistic causation, the thought pivoting on *causa*. The word takes on the general meaning of “situation” or “construct” from this point forward, for causes will now become the exemplary parallels which are, in scholastic terminology, *causae exemplares*.<sup>17</sup> The causes of a cause then become the formal, efficient, material, and final causes that comprise in Aristotelian and Thomistic thought the Doctrine of the Four Causes. They are means of explaining and defining by structuring a sort of *disputatio* in which the four essential questions concerning agency, material, purpose, and form are asked and answered, leading specifically to a definition by analogy of intrinsic proportion (as distinguished from definition by logic, description, construction, or instance). The answers to the four questions will constitute a complete essential definition of the *definiendum*, the topic of the definition.<sup>18</sup> It is, accordingly, of the utmost importance that the *definienda* of the poet’s *causae exemplares* be clarified.

The first of two such exemplary causes occurs in lines 475-80, where Gower develops the familiar image of human life as a voyage upon uncertain seas, the ship guided by a *gubernator*. Mankind sails upon a surging and dangerous ocean (in medieval thought often comprised of the

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17. The term *causa exemplaris* is also used specifically as a name for the extrinsic formal cause.

18. See Thomas Aquinas, *Saint Thomas Aquinas: The Treatise on Law [Being Summa Theologiae, I-II, QQ. 90 Through 97]*, ed. and trans. R. J. Henle (Notre Dame, IN: University of Notre Dame Press, 1993), 36. I am indebted throughout my discussion to Father Henle’s Introduction (3-116).

salt tears of bitter experience) in a ship that must be captained by an experienced mariner who employs an oar (i.e. rudder) to guide the ship safely into port at journey's end. In Gower's anthropocentric view the very purpose of the sea is to bear the ship, which requires the expert skills of the mariner, who in turn needs a rudder. Only with an experienced captain skillfully employing this rudder will the ship be enabled to use the winds and currents appropriately to traverse the waters and reach a safe haven. The voyage of the ship is the formal cause, the mariner the efficient cause, the rudder the material cause, and the port of destination the final cause. The figure will be varied later in the chapter with an image of domestic construction and finally clarified in an account of the state that will explain all.

The correlation of nation and ruler to ship and rudder occurs elsewhere in Gower, for example in the *Confessio Amantis*, VIII. 2114–18, where it is a figure for every man's obligation to rule his own microcosmic world:

If he misreule that kingdom,  
He lest himself, and that is more  
Than if he loste Schip and Ore  
And al the worlds good withal.

The image is widely employed in ancient and medieval thought, but the most likely source for Gower's use of it in the *Vox* is Horace's ship of state (*Odes* 1.14), perhaps its most famous expression.<sup>19</sup>

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19. See the discussion of Gower's use of the ship metaphor in Wickert, *Studies in John Gower*, 41–6. The Ship Vision of Book I of the *Vox* develops the image at length, presenting the king and his followers surrounded by the rebels in the Tower of London as a "ship of tower" in a storm-tossed sea. In a variation on the theme, "Seldom Seen is Soon Forgot," a poem on the death of Edward III from the Vernon MS, presents the dead king as the rudder that kept the ship of state on course. See F. J. Furnivall, *The Minor Poems of the Vernon MS. EETS*, os 117 (London, UK: Kegan Paul, Trench, Trübner & Co., 1901), 715-18.

## Stanza 2

*Gens sine lege quid est, aut lex sine iudice quid nam,  
 Aut quid si iudex sit sine iusticia?  
 In patria nostra si quis circumspicit acta,  
 Hec tria cernet ibi sepe timenda michi.  
 Omnia dampna grauant, set nulla tamen grauiora,  
 Quam cum iusticiam iustus habere nequit.  
 Ex iniusticia discordia crescit, et inde  
 Cessat amor solitus, murmurat atque domus.  
 Murmur si veniat, venit et diuisio secum,  
 Terraque diuisa non bene stabit ea; 490  
 Et quodcumque sit hoc per se quod stare nequibit,  
 Ve sibi, nam subito corruet absque modo.*

What is a nation without law, or law without  
 A judge,<sup>20</sup> or what's a judge without justice?  
 If anyone surveys the doings in our land,  
 He'll oft see those three things that give me fear.  
 All trespasses are serious, but none more grave  
 Than when a just man cannot have justice.  
 From injustice waxes discord, and thence ceases  
 Accustomed love, and so the house murmurs.  
 If murmur comes, division comes also with it,  
 And that land divided will not stand firm; 490  
 And woe to whatever cannot stand by itself,  
 For sudden and complete it will crash down.

The second stanza is based upon the notions that a nation must be lawful and governed by a judge / king<sup>21</sup> who employs law in order to distribute justice. If such is not the case, then justice

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20. Note that Gower here uses *iudex* for judge, not the contemptuous *iusticiarius* that he uses dismissively for the false judges of the *speculum iudicis* in Chapter 5 (see VI, 413–18). Roman law typically pertains to the power of the judges who administer it as the representatives of imperial authority and medieval discussions of law take those magistrates as figures for central authorities of various kinds. Gower's presentation in Book VI stresses the judicial function of royal authority and presents the king as the nation's judge.

21. Kings, judges, and even high priests can be overlapping categories in a medieval Christian world steeped in Old Testament narratives. While Gower's king has largely, but not entirely, divested himself of priestly responsibilities, he is still the nation's chief judge, theoretically presiding over a court whose judicial functions have been largely but not entirely delegated to a legal system that takes its authority directly from him. All justice emanates from

is unavailable to the just man and discord overwhelms love to the detriment of the nation, which will be like a house divided against itself. This stanza's opening is an explanation of the ship / mariner analogy that concluded the previous stanza. The nation (the voyaging ship) is the formal cause, the judge (the mariner) the efficient cause, the law (the rudder) the material cause, and justice (the port) the final cause. The stanza's ending prepares for the building analogy to come, which will present the ruler as a builder employing his skills to form shaped beams into a solid structure that will endure. The ship and building metaphors together comprise an all-encompassing vision of the ruler required by the nation to guide the ship of state and at the same time to build the house that represents England in general and perhaps even parliament specifically.

Circumstances seem to the poet inauspicious. Looking about his own world Gower sees a land that is in effect a ship adrift, lacking law and judge and, accordingly, justice. *In patria nostra*, in our community, basic principles are routinely violated and the biblical house that the nation now comprises is accordingly tottering near collapse because divided.<sup>22</sup> The lawlessness

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the king and judges sit their benches in his stead, as *Bracton* makes clear. See Samuel E. Thorne, *Bracton on the Laws and Customs of England* (Cambridge, MA: Belknap Press, 1968), 2:20 for a compelling account of the judge as the king's stand-in.

22. *Patria* can mean community in a variety of senses: the largest meaning is nation, an intermediate sense occurs as "county" in English legal documents, and the narrowest designates one's home town. The word's basic meaning in classical usage is birthplace. The modern sense of fatherland is not yet present in *patria*, although patriotic sentiment is beginning to attach to the term. See, for instance, the discussion in Ernst H. Kantorowicz, *The King's Two Bodies: A Study in Medieval Political Theology* (Princeton, NJ: Princeton University Press, 1957), 232–72. Gower's discussions of government involve a variety of *communitates*, ranging from the *universitas* to the *patria* to the *urbs*, comprised of individuals bound by love. His account of the problems caused within England's various communities by the king's policies suggests Richard Jones's conclusion that Richard's "blunders in statecraft were of less significance as causes of his fall than was the incapacity of kingship in his generation at once to command and to serve

of the present denies justice to the just and destabilizes the nation. *Amor solitus* (*fratris amor solitus?*) disappears under such circumstances and the community comes to disaster. Without the bonding love expected in a Christian *patria*, without *caritas*, the structure will collapse. The opening lines of Stanza 3 will connect the thought specifically to kingdoms.<sup>23</sup>

The *dampna* complained about in the stanza are meant specifically in a legal sense. All *dampna* are grave, but none more so than the loss of justice to the just man, that is, what is his due or what he has earned. I translate *dampna* as “trespasses,” but some explanation is in order. The word has the general sense of loss. Profit and loss, for instance, would be *lucrum et damnum* (the classical spelling). In a legal context, however, *dampna* are damages, crimes against property, typically handled as trespass, a tort unless it could be argued that the offense had occurred *vi et armis* (hendiadys for “by armed force”) and shown to be *contra pacem regis* (against the king’s peace), which elevated the action to the status of a criminal transgression and allowed for more serious consequences even without alleging *injuria*, a crime against a person’s body or reputation. The way in which such enhancement was argued often defied common sense and had become already before Gower’s day so egregious that a reaction set in against *vi et*

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community.” Richard H. Jones, *The Royal Policy of Richard II: Absolutism in the Later Middle Ages* (Oxford, UK: Basil Blackwell, 1968), 185.

23. *Amor solitus* is a slightly puzzling expression. It suggests a set phrase but, as far as I can ascertain, is not. It occurs in the sense of “habitual love” sometimes in Roman erotic poetry but seems not to have any particular standing either in secular or religious writings. It could conceivably point to ethics (the “law of love”), which has been separated over time from the idea of law. Perhaps it simply attests to the prevalence of the common notion that brotherly love is sufficient to solve human problems. The Digby poet remarks, in “Dede is Working,” that “to stand with the commons in justice / Is the highest form of love.” See J. Kail, ed. *Twenty-six Political and Other Poems from the Oxford Mss. Digby 102 and Douce 322, EETS* os 124 (London, UK: K. Paul, Trench, Trübner and Co., 1904), 56.

*armis* trespass suits. Crimes against property, with or without accompanying violence, are in any case what Gower most fears will result from the failure of law and order.

## Stanza 3

*Testis enim deus est, dicens quod regna peribunt  
 In se diuisa, credoque dicta sua.  
 Ergo videre queunt quotquot qui regna gubernant,  
 Nostre pars sortis maxima spectat eis.  
 Quicquid delirant reges, plectuntur Achiui,  
 Nam caput infirmum membra dolere facit.  
 Dux si perdat iter, errant de plebe sequentes,  
 Et via qua redient est dubitanda magis. 500  
 Propter peccatum regis populi perierunt,  
 Quicquid et econtra litera raro docet;  
 Regia set bonitas fert plebe gaudia pacis,  
 Nam deus ad sancti regis agenda fauet.  
 Si viciosus enim sit rex, quia lex nequit, ipsum  
 Vult punire deus, qui super omne potest.  
 Expediens populo foret vt bene viueret omnis  
 Rex, iacet in manibus sors quia bina suis.  
 Vna salus populi rex qui bene viuit habetur,  
 Plebis et in pestem rex malus acta parit. 510  
 Eius enim scelera constat magis esse nociua,  
 Cuius habent populi condita iura sequi.*

For God is my witness, who says kingdoms perish  
 Divided against themselves, which I believe.  
 Therefore they can see, all those who govern kingdoms,  
 The greatest part of our fate looks to them.  
 Whatever kings rave, the Achaeans are beaten,  
 For an unsound head makes the limbs suffer.<sup>24</sup>

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24. Gower in all likelihood derives the explanation of the state in terms of the body, by his day a commonplace component in a theoretical discussion of the state's corporate nature, from John of Salisbury, for instance, *Policraticus* VIII, 17: "A tyrant as head corrupts all parts of the body." See Richard H. Rouse and Mary A. Rouse, "John of Salisbury and the Doctrine of Tyrannicide," *Speculum* 42, no. 4 (October 1967): 693-709 (703): "A 'sane head' is the *sine qua non* to the viability of John's concept of commonwealth as macrocosm." The figure will continue to occur, with variations, in later thinkers. For Hugo Grotius, two centuries later, the eye is the *subiectum proprium* (the special agent) that represents the ruler and the limbs are the *subiectum commune* (the common agent) representing the people in a figure designed to explain the nature of sovereignty as a power that rulers exercise on behalf of the corporate body. See F. W. Kelsey, trans. *De Jure Belli ac Pacis Libri Tres* (Oxford, UK: Clarendon Press, 1925; repr. New York, NY: Oceana Publications, 1964), 1.3.7.1. Gower's version shows the ruler as the rational component governing the physical and his use of the interworkings of the body as a figure for the state buttresses his use of ship and structure as commonplace figures of human political organization.

If the leader loses course, his plebs, too, wander,  
 The way by which they will return unsure. **500**  
 Peoples have passed away because of their king's sin,  
 And records rarely teach the contrary.  
 But royal goodness brings the plebs the joys of peace,  
 For God favors a pious king's doings.  
 But if a king's corrupt, because the law cannot,  
 God, who rules everything, will punish him.  
 It profits the people that each king live rightly,  
 For either of two fates lies in his hands:  
 The people's sole salvation is the good king held,  
 The evil king births deeds to his plebs' ruin. **510**  
 For much more harmful are the wicked deeds of him  
 Whose enacted law peoples must obey.

The third stanza picks up the concluding theme of the second, present in all the synoptic gospels, of the fate inevitably suffered by lands divided against themselves (Matt. 12:25; Mark 3:24; Luke 11:17). The witness of God with which Gower begins the stanza would stand in marked counterpoint to the unreliable and false testimony of human witnesses and point to the source of his thought in divine law. This stanza is central to Gower's understanding of the extent of royal power and stands as a point of departure for his upcoming instruction of Richard in the details of monarchic conduct. It provides the theoretical underpinnings in the image of the body politic surmounted by the king whose every thought impacts his people for better or for worse. Moving toward the subject matter of the *speculum principis*, Gower establishes the king's primary responsibility for maintaining unity and sanity in the nation, for the people, especially the plebs, must pay for the madness of kings,<sup>25</sup> even perishing if the king's misconduct is sufficient, as the histories teach. But the king who conducts himself righteously ensures that his people will live happily in peace, for God's grace will shower upon him and his land.

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25. Horace, *Epistles* I. ii. 14.



Just as the well-being of the body depends on the decisions made by the head, so a nation ruled by a good king who makes proper choices will prosper and one guided by a wicked king will not. Everything that touches the people, whether for good or ill, follows from the behavior of the king. God, however, is not averse to chastising a wicked king, since the law cannot restrain him. Gower is referencing here the commonplace medieval doctrine of *summa / prima potestas*, the notion that a king is the highest power in his land and accordingly not obligated to another's laws. It does not follow, however, that he is not obligated to his own law. When Gower occasionally says that the king is "above the law" (*super iura* at VI, 613 for instance), he means first of all that he is literally atop the law (as its fountainhead), not above it in the sense that he is automatically absolved from its requirements. Just as he is not accountable to the laws of others, however, he cannot be punished by those subject to his rule. God will distribute whatever punishments the bad king merits. Gower's position on the king's relation to the law accords with the conclusions of the most important legal authorities, including Accursius's in the *Glossa Ordinaria* of the *Code* and *Bracton's*, which Tierney summarizes as follows: "No person in the realm was the equal or superior of the king, and so no judge could dispute his acts. No writ ran against the king. He was indeed *sub lege* in that he had a duty to live according to the laws; nothing in his position licensed him to disobey them; but his observance of the law could be ensured only by his own good will, not by judicial coercion."<sup>26</sup> Tierney notes that Aquinas

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26. Brian Tierney, "Bracton on Government," *Speculum* 37, no. 2 (April 1963): 295–317 (303). See Kenneth Pennington, *The Prince and the Law, 1200–1600: Sovereignty and Rights in the Western Legal Tradition* (Berkeley, CA: University of California Press, 1993), especially the discussion of the prince's power in the thirteenth and fourteenth centuries on 76–118 (Accursius' position is noted on 83); For a wide ranging discussion of "Law-Centered Kingship," see Ernst Kantorowicz, *The King's Two Bodies: A Study in Medieval Political Theology* (Princeton, NJ: Princeton University Press, 1957), especially the discussion of the king's relation to the law at

comes to the same conclusion in *Summa Theologica* 1.2.96.5 with an interpretation grounded in the *Glossa Ordinaria* of the Psalms. Gower's position accordingly agrees with those laid out by the best authorities in civil, canon, and common law. His words do not make him a spokesperson for royal absolutism and indicate that the positions he took at the end of his life were likely logical developments of those he had adopted earlier and conform to general conclusions reached and widely adopted already in the thirteenth century.

#### Stanza 4

*Cum sit maior homo, sunt plus sua crimina tanto;  
Dum cadit ex altis, leditur inde magis.  
Plures cerno reos, magis attamen omnibus ipsos,  
Legiferi qui sunt et sine lege manent.  
Cum sine lege furit regni viciata potestas,  
Esse nichil toto tristius orbe potest.  
Sanccius esse pecus animoque capacius ipso  
Estimo, qui iura dat neque servat ea.  
Imperium Regis non solum bella triumphis  
Ornant, set leges seruet vbique bonas.  
Nonne domus poterit componere se sine lignis;  
Set sibi quid ligna, si nec acuta foret?  
Set quid acuta valet, nisi persistens operantis  
Vnitis causis sit manus artificis?  
Hec sibi si fuerint coniuncta, per omne iuuabunt,  
Et si diuisa, pars sibi nulla iuuat.*

520

When a man is greater, his sins are all the more,  
Then when he falls from high, more is he harmed.  
I see many men guilty, but those more than all  
Who carry out the law and lawless stay.  
When lawlessly the realm's corrupt power rages,  
Nothing can be sadder in the whole world.<sup>27</sup>

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87–192. The king is both *lex animata* and *lex digna*, the embodiment of the law given life and worth.

27. This line is taken entire from Ovid, *Tristia* V.vii.44 (*esse nihil toto tristius orbe potest*), where it is embedded in a poem to the exile's wife that laments the quality of life at the Danube's mouth. Among Ovid's complaints is an account of the animal-like inhabitants of the provincial center in which he finds himself. Gower probably would have been working on this

I think a beast more pious, large in heart than he  
 That gives the *iura* and yet keeps it not. 520  
 Not only wars of triumph adorn a king's rule,<sup>28</sup>  
 But let it keep the good laws everywhere.  
 A house cannot build itself without beams, can it?  
 But if they've not been shaped, what good are beams?  
 What good's the shaping lest the artificer's hand  
 Is steady at the times he puts them up?  
 If all together these have come, they'll help the whole;  
 And divided no part aids another.

The fourth stanza pursues the theme of the king's responsibility for the overall well-being of the nation. The higher the position one enjoys in the world, the farther one falls when given to misconduct. So it is in England today, where the keepers of the law are guilty of lawlessness and, in a familiar figure, have degraded themselves beneath the status of the farm animal, which, ruled by natural law, knows its place and duty. Kings especially should know that keeping the law works to the benefit of all. To make this point, Gower resorts to his second *causa exemplaris*, the house that must be built correctly upon a stable framework, once again stressing the unity of the whole and the importance of contextuality as he did earlier in the chapter with the ship example. In this case, a house cannot be built without timber, which must first be *acuta* (pointed, sharpened) with miter cuts to form right angles at the corners, shaped into the beams that form the stable structure that can support the exterior of the building.<sup>29</sup> Unless the beams

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section of the *Vox* in the winter of 1380–81, on the very eve of the Rising that he will portray as a rebellion of the beasts.

28. *Imperium*, which I here translate as “rule,” has in Roman law a wide range of meanings from a legal norm (*imperium legis*, i.e. a statute) to the territory of the state to the magisterial right to exercise coercive power in the enforcement of the law. See Adolf Berger, *Encyclopedic Dictionary of Roman Law. Transactions of the American Philosophical Society*, New Series, 43, no. 2 (1953).

29. *Acutus* as a term of praise to humans has the sense of keen-sighted and capable, that is, acute, effective. When applied in praise of orators it means highly effective.

have been skillfully shaped and joined together, however, they will not make a tight fit. If properly joined, they will create a strong structure for the house. The artificer / king must have the assistance of skilled workmen to shape and refine his materials so that they may be used to the best advantage of the national structure.

The house image is likewise driven by Aristotelian / Thomistic causation. In this case the material cause is the properly cut beams that provide the basis of the structure. The efficient cause is the skilled hand of the artificer, who takes the beams and joins them together. The formal cause is the resultant stable framework and the final cause the house that can stand secure upon that framework. It is entirely possible that Gower means the building to represent parliament—according to Matthew Giancarlo first called a house in 1376—the increasingly significant other component of government responsible, along with the various courts judicial and administrative, for counsel.<sup>30</sup> The ship's stable voyage of the first image is now the stable framework of the second. The mariner who guides the voyage is the builder who guides construction. The rudder with which the mariner controls the ship's voyage becomes the angled beams that stabilize the building's frame. The safe haven at voyage end is the strong building that stands unified and solid.

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30. Matthew Giancarlo, *Parliament and Literature in Late Medieval England* (Cambridge, UK: Cambridge University Press, 2007), 12.

## Stanza 5

*Terra quid est sola, populus nisi sistat in illa?*  
*Quid populus ve sibi, rex nisi regnet ibi?* 530  
*Est quid rex, nisi consilium fuerit sibi sanum?*  
*Sunt quid consilia, rex nisi credit ea?*  
*Attamen in nostra sic stat diuisio terra,*  
*Quod sibi quisque suam iam legit ire viam.*  
*Conciues hodie discordia vexat in vrbe,*  
*Extinguit quod ius quilibet alterius;*  
*Nec lex campestris est iam memorata magistris,*  
*Set qui plus poterit, ipse magister erit.*  
*Nunc clerus populum, populus culpat quoque clerum,*  
*Et tamen in culpa perstat vterque sua.* 540  
*Invidus alterius nunc culpat quemlibet alter,*  
*Parsque suum proprium nulla reformat iter.*  
*Si videas vtrumque statum, dices quia certe*  
*In magnis lesi rebus vterque sumus.*

What use a land alone, if in it no folk lives?  
 What use a folk, if there no king should reign? 530  
 What use a king, if counsel sound he doesn't have?  
 What use counsels if a king trusts them not?  
 But in our land is nonetheless divisiveness,  
 Since each elects now to go his own way.  
 The city's strife torments our fellow citizens,  
 That each the other's *ius* extinguishes.  
 The *lex* by rural masters is not now observed,  
 But he who'll have more might will master be.  
 Clergy the laity blame; laymen, the clergy then,  
 And yet each one persists in his own fault. 540  
 Jealous of another, each blames whomever now,  
 And no faction reforms its own pathway.  
 If you look at either grouping, you'd surely say  
 We have each other injured in great ways.

Stanza 5 begins with the image of the people ruled by a king who should receive and accept the counsel of his trusted advisers. It is the culmination of the series of images and speaks retrospectively in explanation of all. The ship's stable voyage and the sound framework of the house now become the land and the people (the formal cause) who must be guided and structured. The mariner and the builder are revealed as the king (the efficient cause), the rudder

and the knowledgeably cut beams of the frame are the counsels of the king's court (the material cause), and the port at journey's end and the solidly built house are the just state (the final cause). The images illustrate how voyage, building, and realm should be guided and shaped by rudder, frame, and counsel. Everything points to the importance of the king's court as the main source of that counsel and the resultant unsteadiness in national policy that will result from its absence. For John of Salisbury, a king's willingness to accept counsel that guides him to rule for the common good is ultimately what sets him apart from a tyrant, and Gower would surely agree with such a view.<sup>31</sup> His royal advisers, in any case, are the last rung in the ladder of jurisprudence that began in Chapter 1 with the men of law and progressed steadily upward through the judges and sheriffs (with their jurors and bailiffs) and has now reached the court that accompanies the king. Before examining the court, however, Gower first notes the consequences that ensue when the state is at odds with itself, when the ship has lost its course and the house is tottering.

The situation in England is at present dire. Each faction goes its own way and declines to play its cooperative part in a healthy *communitas* that lives by the law. London is shaken by discord that results in each faction's seeking power at the expense of others, for which each is willing to suppress justice. The contention of political and economic factions at the time Gower writes is so well known I hardly need to comment. A brief look at any of a number of standard and recent studies of London in the late fourteenth century will provide the details.<sup>32</sup> The

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31. John provides a lengthy discussion in Book VI, chapter 24 of the *Policraticus*. See John Dickinson, trans. *The Statesman's Book of John of Salisbury* (New York, NY: Alfred A. Knopf, 1927), 258-63.

32. Ruth Bird's *The Turbulent London of Richard II* (London UK: Longman, Greens, 1949) still rewards reading. See also Pamela Nightengale, *A Medieval Mercantile Community: the Grocers' Company and the Politics and Trade of London 1000-1485* (New Haven, CT: Yale University Press, 1995), esp. Chapters 9-12; Caroline M. Barron, *London in the Later Middle*

situation in the countryside is no better, where the landed aristocracy and gentry contend for power with which to establish mastery over each other. The clergy, as well, are in conflict with laypeople, both sides insisting the other is at fault and declining to practice self-correction. Gower likely has in mind the contentions of John of Gaunt and Bishop William Courtenay of London (later Archbishop of Canterbury after the murder of Sudbury and also Chancellor until dismissed by the November 1381 parliament in favor of Scrope), who engaged in a series of bitter disputes beginning in 1376 and continuing for several years, characterized by Gaunt's support of Wycliffe against the ecclesiastical establishment. The bitterness of church and state contention at this time is highlighted by the Hawley-Shakell affair, which led to the continuous council's violation of sanctuary in Westminster Abbey in August 1378 and Hawley's murder on the steps of the high altar.<sup>33</sup> The consequence has been that both clergy and laity have suffered *in magnis rebus*. The guiding and shaping hand, the wise counsel necessary to a king's proper rule, is wanting in this land. The poet urges reconciliation, but he doesn't see it anywhere in view. From Gower's perspective, his is a society in need of mediation, which presumably should grow out of the counsels of the king's advisers for the body politic and out of the counsels of his poem for the reader.

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*Ages: Government and People 1200–1500* (Oxford, UK: Oxford University Press, 2004), passim; Frank Rexroth, *Deviance and Power in Late Medieval London* (Cambridge, UK: Cambridge University Press, 2007), esp. Chapter 4; David Rollison, *A Commonwealth of the People: Popular Politics and England's Long Social Revolution, 1066–1649* (Cambridge, UK: Cambridge University Press, 2010), esp. 205–35; Craig E. Bertolet, "'The slyeste of all': The Lombard Problem in John Gower's London," in *John Gower: Manuscripts, Readers, Contexts*, ed. Malte Urban (Turnhout, BE: Brepols, 2009), 197–218, and *Chaucer, Gower, Hoccleve and the Commercial Practices of Late Fourteenth-Century London* (London, UK: Ashgate, 2013), 17–60.

33. See Nigel Saul, *Richard II* (New Haven, CT: Yale University Press, 1997), 36–8.

The path has now been prepared for an evaluation of the court, which, however, given the manner in which events have continually overtaken Gower's analysis, survives in two versions: the first (the A-Text) reflects the situation in the winter of 1380 / 81, the other (the B-Text) concerns events of the mid- and late-1380s and was composed sometime between 1390 and 1396. The variants differ significantly in their judgment of the king, the revised text reflecting the author's loss of confidence in a youthful ruler who has been unable to overcome the character traits that had already given observers of his early reign sufficient cause for concern.



## A-Text

## Stanza 6

*Nunc magis ecce refert verbi clamantis ad aures  
 Vox, et in hoc dicit tempore plura grauant.  
 Crimen et, vt clamat, fert maius curia maior,  
 Que foret instructor, legibus extat egens.  
 Ad commune bonum non est modo lingua locuta,  
 Immo petit proprii commoda quisque lucri. 550\*  
 Agmen adulantum media procedit in aula,  
 Quodque iubet fieri, curia cedit eis.  
 Set qui vera loqui presumunt, curia tales  
 Pellit, et ad regis non sinit esse latus.  
 Stat puer immunis culpe, set qui puerile  
 Instruerent regimen, non sine labe manent.  
 Sic non rex set consilium sunt causa doloris,  
 Quo quasi communi murmure plangit humus.  
 Tempora matura si rex etatis haberet,  
 Equaret libram que modo iure caret. 560\*  
 Regis namque modus alios moderatur, et omnis  
 Iuris ad officium dicitur esse caput.  
 Si bonus esse velit rex, hii qui sunt bonitatis  
 Sunt magis edocti condicione bona.  
 Si malus esse velit, simili rex sorte clientes,  
 Vt sibi complaciant, eligit, ornat, amat.  
 Hoc set eum tangit discretum quem probat etas,  
 Non puerum, quia tunc fit sibi culpa minor,  
 Non est nature lex nec racionis, vt illud  
 Quod mundum ledit sit puerile malum; 570\*  
 Non dolus, immo iocus, non fraus set gloria ludi,  
 Sunt pueris, nec ibi restat origo mali.  
 Dixit enim Daniel, quod de senioribus orta  
 Exiit impietas, quam furor orbis habet.  
 Omne quod est mundi vicium plantant veterani,  
 Et quasi de peste spersa venena serunt.  
 Horum namque scelus fertur maculare figuras  
 Tocius mundi, quo furit ira dei.  
 Iamque supercrevit dolus et deficit honestas,  
 Sentit et opprobrium quod fuit ante decus. 580\**

Now to our ears, behold! the *vox clamantis* brings  
 More news, says these days much weighs heavily.

Cries that the greater court<sup>34</sup> permits the greatest crimes,  
 Who should be instructor<sup>35</sup> ignores the laws.  
 There's no voice raised in these days for the common good,<sup>36</sup>  
 Each one seeks favors for his own profit. **550\***  
 Amidst the hall proceeds a throng of flatterers,  
 Whatever it desires, the court concedes.  
 The court expels those who presume to speak the truth,  
 Allows them not to be at the king's side.  
 The boy stands exempt from blame, but those who should guide  
 His childish reign are not without blemish.

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34. *Curia maior* is not a specific designator, such as *coram rege* or *magnum concilium*. Gower uses it at this point for the sake of ironic interplay with *maius crimen* in l. 547.\* The distinction between *curia minor* (*domus providentiae*) and *curia maior* (*domus magnificentiae*) is a feature of later European courts.

35. A synonym for *instructor* is *auditor*, the official in an ecclesiastical court, often himself a judge, who guides the *iudex praeses*. I think Gower intends by *instructor* the *curia* considered as those who should guide the king, perhaps also targeting the *magistri* (tutors) entrusted with his education and general upbringing. In 555\* these curial instructors / auditors *instruerent* the *puerile regimen*. Terms from canon law should not surprise us when they occur in Gower in a political context. The various legal systems in operation in England do not exist in isolation from each other, often interchanging personnel and the major players in each no doubt aware of the overall legal situation at any given time. Gower commonly employs materials from both canon and common law “to articulate his vision of a reformed legal system in which the laws of the state and the laws of the church work alongside each other to protect rights, prosecute wrongs, and shepherd Christian souls from the lures of sin,” as Candace Barrington puts it in “The Spectral Advocate in John Gower’s Trentham Manuscript,” in *Theorizing Legal Personhood in Late Medieval England*, ed. Andreea Boboc (Leiden, NL: Brill, 2015), 114. *Que* at the head of 548\* is not enclitic “and” standing alone but the nom. sing. fem. relative pronoun/adjective *quae* (in its ML spelling) generated by *curia*. It is the *curia* which should be the instructor/auditor and instead is destitute of the laws.

36. The common good, or the good of the commons, is not a simple designation. “Common” in various uses plays a crucial role in political and constitutional conflicts in the English late Middle Ages. See John Watts, “Public or Plebs: The Changing Meaning of the Commons, 1381–1549,” in *Power and Identity in the Middle Ages: Essays in Memory of Rees Davies*, ed. Huw Pryce and John Watts (Oxford, UK: Oxford University Press, 2007), 242–60. The common profit and the common utility occur as well in the fourteenth century but, after 1381, the common weal becomes conventional usage. All such terms are essentially English equivalents for the *res publica*, with which Gower has no quarrel until it turns into the *res plebeia*. See Rollison, *A Commonwealth of the People*, 91–100 and 236–52.

Not king but council<sup>37</sup> thus cause grief, so that the soil  
 Murmurs, as if with the commons' complaint.  
 If our king were in his lifetime's mature seasons,  
 The scales that now lack *ius* he'd balance out. **560\***  
 For a king's mode will others moderate, and head  
 Of all the *ius* his duty's said to be.  
 If a king wishes to be good, those who are good  
 Are more apprised by his good condition.  
 If bad, the king selects, rewards, esteems flunkies  
 Of like lot so that they cater to him.<sup>38</sup>  
 But this pertains to him whom age has proved discreet,  
 Not to a boy, because his fault is less.  
 It is not nature's law nor reason's that childish  
 Bad behavior is what injures the world. **570\***  
 Not guile but rather jest, not fraud but glorious play  
 Such are to boys; not there is evil's source.  
 For Daniel says<sup>39</sup> that given birth by seniors comes  
 The wickedness<sup>40</sup> that the world's madness has:

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37. Gower has a variety of objects for his scorn of councils, including the three continual councils of July 1377–January 1380, the great councils that were sessions of continual councils called from time to time to sample opinion and attended by additional lords and prelates, the small councils comprised of various government officials and advisors depending on the issue, and the privy councils of the king's close circle that could be summoned ad hoc at any time. In the run-up to the Rising, it is an article of faith among the commons that the king is being misled by his ministers and counsellors.

38. When nobility complained that Richard's inner circle was too narrowly comprised and told him only what he wanted to hear, the author of the *Westminster Chronicle* reports he told them he was happy with the advice of his council and would take it from whomsoever he wished. See Saul, *Richard II*, 129.

39. *Daniel 13:5: Et constituti sunt duo senes iudices in anno illo de quibus locutus est Dominus quia egressa est iniquitas de Babylone a senibus iudicibus qui videbantur regere populum.* (And there were two of the ancients of the people appointed judges that year, of whom the Lord said: Iniquity came out from Babylon from the ancient judges, that seemed to govern the people.)

40. Gower changes *iniquitas egressa de Babylone* in the Vulgate text to *impietas quam furor orbis habet*. *Impietas*, in medieval usage a general term for impiety or wickedness, in classical use means treason against an emperor, that is, disrespect or irreverence carried to the extreme of disloyalty. It is the negative of *pietas*, the loyalty that Aeneas shows the gods in the *Aeneid*, a work revered in the later Middle Ages and clearly familiar to Gower. Compare, for instance, the storm in Gower's first book with that in Virgil's third, as noted by Wickert, 44. See

Veterans plant all the evil that's in the world,<sup>41</sup>  
 And they sow venoms as if strewn by plague.<sup>42</sup>  
 For their wickedness is held to stain the fashions  
 Of the whole world, for which God's wrath rages.  
 Now guile has multiplied and righteousness has failed,  
 And what was honor once is reckoned shame. **580\***

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also Christopher Baswell, *Virgil in Medieval England: Figuring the Aeneid from the Twelfth Century to Chaucer* (Cambridge, UK: Cambridge University Press, 1995), for the *Aeneid* in England, including a discussion (143–45) of London, BL Additional 27304, a manuscript that contains a marginal note explaining a passage in the Roman poem with a reference to the Uprising of 1381 and the role played by London alderman John Horn. See also Michael P. Kuczynski, “Gower's Virgil,” in R. J. Yeager, *On John Gower: Essays at the Millennium*, *Studies in Medieval Culture* 46 (Kalamazoo, MI: Medieval Institute, 2007), 163–87 and the discussion of *pietas* in Ernst Kantorowicz, *The King's Two Bodies: A Study in Medieval Political Theology* (Princeton, NJ: Princeton University Press, 1957), 243. The fourteenth century's intense concern with the definition of treason is illustrated by J. G. Bellamy, *The Law of Treason in England in the Later Middle Ages* (Cambridge, UK: Cambridge University Press, 1970).

41. *Veterani* suggests those former lieutenants of the Black Prince who now advise Richard, Simon Burley and Michael de la Pole, two of the most prominent and most hated by the commons. The word designates one experienced in warfare as well as someone simply experienced in general and accordingly old. In 573\* the offenders (presumably the same) were designated *seniores*, men typically between 45–60 and younger than *senes* (although there is overlap between the terms). Of course, both *veterani* and *seniores* can be *senes*. My point is that they don't have to be, can refer simply to the age and experience of the group that surrounds and advises the king. They aren't simply the lascivious old men from Daniel, and Gower is being cautiously specific. His account of the king's court and counselors is filled with rich nuance for a seasoned London observer and the *crimen* charged against the *curia maior* in the stanza's opening at line 548 is now specified at stanza's end in line 574, in the context of a biblical narrative, as *impietas*, suggesting treason, a topic already introduced in Chapter 6 by a discussion of Judas (446–62).

42. Walsingham records the outbreak of plague (the fourth since the Black Death) in northern England in the summer of 1379. The *Anonimale Chronicle*, often unreliable in details, dates it in 1375. See David Preest, *The Chronica Maiora of Thomas Walsingham 1376–1422*, with Introduction and Notes by James G. Clark (Woodbridge, UK: Boydell, 2005), 91 and V. H. Galbraith, *The Anonimale Chronicle 1333 to 1381* (Manchester, UK: Manchester University Press, 1927; repr. 1970), 79.

The *vox clamantis* places the blame for the present state of affairs entirely on the court that should advise the king and keep him on the path of virtuous behavior. This *curia* is not only failing its responsibility to guide the king, but is itself committing the worst crimes, its senior members strewing poison across the land. Fisher translates *curia maior* as “high court” and takes it as “presumably the ‘continual council’ of twelve appointed to carry on the government after 1377 [for the earlier A-Text], or the two guardians, Arundel and Suffolk, and their great council which succeeded the continual council after 1381” [for the revised B-Text].<sup>43</sup> The parliament that sits in London from 16 January to 3 March, 1380 makes clear by its actions the widespread discontent with the continual council. Chancellor Scrope acknowledges its failure in his opening appeal for financial aid for the French campaigns, which had been going badly, and the commons thereupon called for an end to the continual council, a demand that was accepted.<sup>44</sup> Despite his efforts to assign the blame elsewhere, Scrope, too, is driven from office by this parliament, to be replaced by the ill-fated Simon Sudbury. These events are before Gower’s eyes as he writes.

Some members of Gower’s *curia* are designated by the renewed *vox clamantis* as *instructores*, which also suggests the *magistri* (tutors) appointed as custodians and guardians to Richard, a group that included, prior to his coronation, such important members of the nobility as Nicholas Bond, Simon Burley, Richard Abberbury, and Giuchard d’Angle, men whose loyalty to the king was steadfast and would generally prove fatal. Their prominence is illustrated by

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43. Fisher, 112.

44. Preest, *Chronica Maiora*, 102. See Walsingham for an account of this parliament (*RP*, iii.71).

Walsingham's account of the roles they play and the awards they receive at Richard's accession.<sup>45</sup> After the coronation such other prominent figures are added as Bishop William Courtenay of London and Edmund Mortimer, the earl of March, who were highly regarded, as well as the bishop of Salisbury and Lord Latimer, who were not.<sup>46</sup> However, *instructor* designates not simply a guardian or teacher, but also, in ecclesiastical law, "a person, often a judge, who gathers proofs, summons and hears witnesses, and draws up the record of a judicial case but does not actually decide it."<sup>47</sup> He is the legal authority who keeps the proceedings on track during their course and compiles the narrative record upon completion, the ecclesiastical judge's guiding presence that ensures everything will be done by the book. A synonym is *auditor*. According to the *Vox Clamantis*, the *instructores* at the king's court are not auditing (in both the modern and medieval senses of the word) the boyish reign but rather working to profit from it, in the process committing high crimes against the state. With the use of *instructores*, Gower succeeds in casting blame far and wide among the court circle of intimates and counselors, whose misbehavior has already for some time been a theme of political commentary.

On the day after the king's coronation, for instance, Walsingham reports that Thomas Brinton, the bishop of Rochester, preached at length to the assembled royals, nobles, and commoners, urging the lords to stop asking for large taxes with which to support questionable enterprises and all on behalf of their innocent new king to give up their quarrels and fornications.

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45. Ibid., 34.

46. Ibid., 44.

47. Leo F. Stelton, *Dictionary of Ecclesiastical Latin* (Peabody, MA: Hendrickson, 1995), 295.

As Walsingham reports, “he said . . . that it was all too easy for the king to stray from the right path and for kingdom and country to be in peril, if those who were constantly in attendance on the king with their advice were such evil livers.”<sup>48</sup> Criticism of the king’s advisers toward the end of Edward III’s reign had already become a major topic that in effect prepared the way for a constant and pervasive continuation of the theme with Richard that starts with his inauguration and never ceases.

Gower has not given up on the king at this early stage of his reign, however, and yet hopes that he will find his way upon reaching maturity to fulfilling the people’s hopes for him. Such was not to be the case in the event and the A-Text’s misgivings about the king’s conduct will be reaffirmed and strengthened in the B-Text. The A-Text sees the good of the commons lost in a press of opportunistic yea-sayers who have mobbed the court and found favor there with the council of elders, which at the same time drives away all who would tell the king the truth. The king is absolved of blame and the council specified as the source of all the court’s problems. When the boy reaches his maturity, he will realize that he must adjust his behavior, and then he will enjoy the good standing that his position requires for the well-being of the people and the state. A bad king, which by implication Richard already is despite Gower’s affected absolution, will attract *clientes* to himself that tell him what he wants to hear and try to use him for their own purposes. But since he is a boy, and since he came into his inheritance in childhood, the king cannot be blamed for the present state of the court and the land, for boys are not the sources of evil. Their misbehavior is the consequence of high spirits that lead to misjudgments and pranks, that is, boyish mischief. By implication, moreover, the king’s rowdy young companions are also

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48. Preest, *Chronica Maiora*, 44.

absolved. Gower's view of Richard will prove to be mere wishful thinking in the course of time, but his loyalty to the king, while tense at the time of the A-Text and strained to the limit by the time of the B-Text, will remain technically intact until later events leading to the king's deposition will convince the poet to make a complete break.

The biblical reference to *Daniel* 13:5 (and the story to which it is the springboard) at the end of the stanza provides the clarifying authority of the Bible to buttress the poet's conclusion: iniquity came out from Babylon from the ancient judges that seemed to govern the people. The elders of Richard's court are like the old men who lusted after Susanna, the daughter of Joachim, and committed perjury to cover up their misconduct, only to be revealed by Daniel for what they were. In a biblically suggestive agrarian image, they have planted wickedness, sowed venom, and stained every component of the entire world. They have multiplied deceit and erased righteousness until distinction at the king's court has become a sign of moral disgrace. The dreadful harvest of their sowing will be treason. Gower's charges are very carefully phrased, and buttressed by biblical authority, to diffuse and defuse them within a generalized context of suggestive ethical and moral commentary.



### B-Text

The B-Text is the replacement of thirty-six lines (545\*–580\*) of text at this point, the purpose of which is to reevaluate the court's, and the king's, performance. In its first stanza it charges the *curia* with failing its responsibility to provide the king with good counsel and in the second and third breaks the *curia* down into its constituent components of youthful and elderly advisers for further criticisms. Whereas the equivalent lines in the earlier A-Text had absolved the boy king of responsibility and placed the entire blame on the elders who were tasked with guiding him, the second version faults both young companions and old advisors and no longer spares the king, who has now become the leader of his mischievous companions and even the enabler of the corrupt senior advisors. There is no *te absolvo*. Wickert argues convincingly from the variant wording in the two colophons that the B-Text could not have originated prior to 1390, when Richard was twenty-three.<sup>49</sup> If we consider the B-Text's continued emphasis on Richard's youthfulness with reference to the onset of *aetas maior* at twenty-five according to the *ius civile*, it could have been written no later than 1392, with reference to Isidore's categories, no later than prior to the king's twenty-ninth birthday in 1396. Of course, it reflects backward upon earlier events.

### Stanza 6

*Nunc magis in specie vox plebis clamat vbique  
Pectore sub timido que metuenda fero.  
Curia que maior defendere iura tenetur,  
Nunc magis iniustas ambulat ipsa vias.  
Infirmo capite priuantur membra salute,  
Non tamen est medicus qui modo curat opus.                   550  
Est ita magnificus viciorum morbus abortus,  
Quod valet excessus tollere nulla manus.*

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49. Wickert, *Studies in John Gower*, 3–17.

*Sic oritur pestis, per quam iacet obruta virtus.  
Surgit et in vicium qui regit omne forum.*

More public now the people's voice shouts everywhere  
The fearful things I bear 'neath timid breast.  
Tasked to defend the law, the *curia maior*  
Itself strolls now along unjust pathways.  
The head infirm, the members are deprived sound health,  
Yet for their need no doctor cares today.<sup>50</sup> **550**  
Untimely is the vices' august ailment<sup>51</sup> born,  
Because no hand prevails to pare excess.  
Thus plague's sprung up by which virtue's cast down o'erwhelmed.  
Who rules each forum grows in every vice.<sup>52</sup>

The sixth stanza is an attack on the king's court and, by implication, the ministers of the government who comprise it. The alarm is still sounded by the voice of the people, whose cries of outrage and lamentation cause the poet to tremble with fear, but this version reflects conditions later in the 1380s, perhaps 1386 as Fisher speculates,<sup>53</sup> perhaps right up to the

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50. Scorn for physicians, seen in their pursuit of fees to be no better than lawyers, is widespread. Gower has already indicated his low opinion of the medical profession at VI. 121–2 when he asserts that doctors actually delight in their patients' suffering because it brings them profit. John of Gaunt's personal physician, William Appleton, was killed by the rebels in London during the Rising in a vivid instance of popular resentment directed against doctors.

51. *Magnificus morbus* could be translated "noble disease," suggesting the gout, a disease associated with opulent living referenced already at VI. 309. See Stephen Lock, John M. Last, and George Dunea, *The Oxford Illustrated Companion to Medicine*, 3<sup>rd</sup> ed. (Oxford, UK: Oxford University Press, 2001), 361. Perhaps the connection is that the plague has returned because the king has been living extravagantly and indulgently. Speaking figuratively of the importance of the commons as the foot of the body politic "headed" by the king, John of Salisbury says (*Policraticus* VI, 20, 67) that the people's affliction demonstrates irrefutably the prince's gout.

52. Stockton translates (232): "Thus a pestilence is rising by which virtue lies overwhelmed, and it springs up into vice, which governs all affairs." *Vitium*, however, as a neuter noun would take *quae* (spelled *que* in ML) for a relative pronoun / adjective, which means *qui* must be the subject of *regit* and *surgit*. *Surgo* with *in* or *ad* plus the accusative allows a variety of meanings. *Omne* modifies both *vicium* and *forum*. It is the boy king who grows in vice.

53. Fisher, 108.

Merciless Parliament of 1388. Gower directs his criticism yet to the *curia*, which in the subsequent two stanzas will be broken down into two elements, a band of young wastrels and a circle of corrupt old counselors. Richard's court has forgotten its responsibility to act in accordance with the law and consequently strayed from the way of justice. Shifting to a favorite figure, the poet then sees a body politic afflicted by disease that emanates from unsound leadership and lacks an attending physician who can cure the affliction. The infirm head is, of course, Richard. The disease is ultimately the plague, which has claimed virtue as its victim and accordingly freed the young king to indulge his sinful instincts. The badly flawed court over which he presides is designated at stanza's end a *forum*, a term with legal and commercial values but also employed in ecclesiastical administration, defined as "a sphere in which jurisdiction or authority is exercised."<sup>54</sup> The use of both *curia* and *forum* for Richard's court indicates that multiple forms of corruption—legal, ecclesiastical, and commercial—are present with the king.

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54. Stelten, 307. See also 301 for an ecclesiastical definition of *curia* as a "group of administrative officials who assist in carrying out the duties and responsibilities of an office and who act in the authority of the one appointing them." The Latin ancestor of modern English "court," *cohors* (basically an enclosure in its simplest meaning), occurs in the classical period in the sense of a governor's retinue and is available, but ecclesiastical *curia* is preferred in the Middle Ages.

## Stanza 7

*Rex, puer indoctus, morales negligit actus,  
 In quibus a puero crescere possit homo.  
 Sic etenim puerum iuuenilis concio ducit,  
 Quod nichil expediens, sit nisi velle, sapit.  
 Que vult ille, volunt iuuenes sibi consociati,  
 Ille subintrat iter, hiique sequuntur eum. 560  
 Vanus honor vanos iuuenes facit esse sodales,  
 Vnde magis vane regia tecta colunt.  
 Hii puerum regem puerile more subornant,  
 Pondera virtutum quo minus ipse gerit.*

The king, an untaught boy, neglects the moral deeds  
 By which a man can grow up from a boy.  
 Indeed, a youthful council guides the boy, so that  
 Naught useful heeds he, lest it should please him.  
 The things he wants, his youthful entourage want with him,  
 He goes upon a road; they follow him. 560  
 Vainglory makes these young comrades idle, whereby  
 They idle dwell beneath the royal roofs,  
 Abet the boy king in his childish way, wherefore  
 The burdens of the virtues he bears less.

The seventh stanza is an open attack upon the youthful companions of the king. The behavior of the flamboyant young lords in his circle, especially Richard de Vere, the Earl of Oxford, has tarnished the king's reputation even more, perhaps beyond repair, by the time of the B-Text, and Gower sees the *concio iuuenilis* as a major source of the king's failures to govern England properly. They follow him eagerly in whatever direction his desires take him, spend their time in idle misconduct with the king in the royal residences, and constantly encourage him to avoid virtuous pursuits. The plot they foment, headed by the earls of Oxford and Nottingham, in common with the king against John of Gaunt in 1385, resolved only by the personal

intervention of Richard's mother, is just the sort of event Gower has in mind.<sup>55</sup> The murder of Richard's close friend Ralph Stafford by his half-brother John Holland (his mother's son by her first marriage) later in 1385, an act that followed upon a dispute between members of the two young men's retinues, is an instance of the careless way in which such young aristocrats could behave. In a sequence of events worthy of classical tragedy, the king feels obligated to take action against his brother on behalf of his murdered friend, to the extreme distress of his mother, who can only sit by while one son thinks to destroy another in the name of friendship. Broken-hearted, she dies soon afterward. With the death of Stafford, by all accounts a promising young man, Richard turns increasingly to de Vere, who provides companionship of a less edifying sort, as does the opportunistic Thomas Mowbray. Rounding out the high born trio of Stafford, de Vere, and Mowbray (earls of Stafford, Oxford, and Nottingham, respectively) was a group of youthful knights, prominent among them Thomas Clifford and James Berners, who joined in for hunting and other youthful activities.

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55. See Saul, *Richard II*, 134 for an account of the plot. Saul provides a full discussion of "The King and His Friends, 1381–6," and "The King and His Court," in *Richard II*, 108–34 and 327–65.

## Stanza 8

*Sunt eciam veteres cupidi, qui lucra sequentes*  
*Ad pueri placitum plura nephanda sinunt.*  
*Cedunt morigeri, veniunt qui sunt viciosi,*  
*Quicquid et est vicii Curia Regis habet.*  
*Error ad omne latus pueri consurgit, et ille,*  
*Qui satis est docilis, concipit omne malum. 570*  
*Non dolus immo iocus, non fraus set gloria ludi*  
*Sunt pueris, set ei sors stat aborta doli.*  
*Sunt tamen occulte cause, quas nullus in orbe*  
*Scire potest, set eas scit magis ipse deus.*  
*Nescit enim mater nato que fata parantur,*  
*Fine set occultum clarius omne patet.*  
*Talia vox populi conclamat vbique moderni*  
*In dubio positi pre grauitate mali.*  
*Sic ego condoleo super hiis que tedia cerno,*  
*Quo Regi puero scripta sequenda fero. 580*

There are, too, greedy veterans, who seeking profits  
 Allow much wickedness to suit the boy.<sup>56</sup>  
 Compliant men first yield, then sinful men arrive,  
 And every vice there is the King's Court has.  
 On all sides of the boy sin rises up, and he,  
 Who's quick to learn, conceives every evil. 570  
 Not guile but jest to boys, not fraud but splendid sport  
 These are, yet fate for him is born of guile.  
 There are, moreover, hidden causes that no one  
 On earth can know, but God Himself knows well.  
 A mother knows not what the fates ordain her child,  
 But in the end each secret is made clear.  
 The people's voice today on all sides such things shouts,  
 Before the weight of evil put in doubt.  
 I grieve the loathsome things that I discern in them,

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56. The *veteres cupidi* are such major advisors as Chancellor Michael de la Pole (Earl of Suffolk), Chief Justice Robert Tresilian, Archbishop of York Alexander Neville, and London Mayor Nicholas Brembre, all condemned in 1388 along with Simon Burley, John Beauchamp, John Salisbury, and James Burney, four of Richard's chamber knights. Of the thirty-nine articles presented to parliament by the appellants, thirteen (1–4, 5–10, 22, 23, 36) dealt with the exercise of undue influence over the king and "taking advantage of the king's tender years." See Saul, *Richard II*, 191.

Whereby I bring the boy king what ensues.<sup>57</sup>

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The eighth stanza directs its criticism against the council of elders, the *veteres cupidi* (literally the greedy veterans), who have the task of advising the young king. In order to advance themselves they have indulged Richard in all his sinful inclinations and turned the court into a nest of sinners, of whom the boy has proved to be an apt pupil. Fisher thinks Gower intends to reference “the actions of the Parliament of 1386 in dismissing Suffolk as chancellor and John Fordham, Bishop of Durham, as treasurer.”<sup>58</sup> About the revision of line 565 he remarks, “this has the ring of Oxford, Suffolk, and Simon Burley again, but viewed from the perspective of 1397 rather than from the perspective of 1381.”<sup>59</sup> The main thrust of the parliament in 1386 is to establish an advisory council, comprised largely of the king’s critics, who will take charge of the realm’s finances and reverse the profligacy generally encouraged by Richard’s circle. The role shaped for Richard Medford, the king’s secretary, especially in regard to the expanded use of the signet in order to move the great seal, was also an issue in the mid-80s, and Medford’s expansion of his office under Richard’s sponsorship was contested and, ultimately, reversed.

Nevertheless, Gower still presents the sinful misadventures of the king and his youthful circle as the products of boyish excess, although their misconduct does have implications for the

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57. I take *tedia* as the object of *super* in 579 and the *veteres cupidi* of 565 as the referent of *hiis* in 579. The *scripta sequenda* would be the *speculum principis*, which begins with the next chapter. The use of *conclamat* in 577 suggests that the people’s voice is raised in a clamor, which, as Ormrod points out, can be either a written petition to parliament or a series of charges levied by the Commons itself. See W. Mark Ormrod, “Murmur, Clamour and Noise: Voicing Complaint and Remedy in Petitions to the English Crown, c. 1300–c. 1460,” in *Medieval Petitions: Grace and Grievance* (York, UK: York Medieval Press, 2009), 135–55, esp. 149–50.

58. Fisher, 108.

59. *Ibid.*, 113.

future. The king's destiny will be different because of his conduct, beyond which Gower hints at dark troubles that will be made clear in the course of time. The mother who thankfully doesn't know what fate has in store for her child is Joan of Kent, the mother of Richard who has spent much of her married life apart from her husband, the warrior son of Edward III known to later generations as the Black Prince. His campaigns kept him in the field, and his fatal illness likely prevented him from being much of a factor in the rearing of Richard, to whom he probably had preferred in any case his first son and namesake Edward, who died young. Fisher thinks Gower's remark "suggests the one sentence preserved from the lecture Joan of Kent gave her son in January 1385" after he had quarreled with John of Gaunt.<sup>60</sup> According to Adam Usk, the queen said, "At thy coronation, my son, I rejoiced that it had fallen to my lot to be the mother of an anointed king; but now I grieve for I foresee the fall which threatens thee, the work of accursed flatterers."<sup>61</sup>

To the people the behavior of the king's counsellors is not simple misconduct but grievous evil, and the *communis opinio* is united in its condemnation, joined by the poet, who takes his text to the king under its aegis. The overall tenor of this stanza is consistent with the political scene in the mid-1380s, although it was written at least two years after the revolt of the Appellant Lords. The dismissal of Michael de la Pole, the Earl of Suffolk, as chancellor by the Wonderful Parliament of November 1386 and his replacement by Bishop Arundel would

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60. *Ibid.*, 113.

61. Quoted in Fisher, 113–14. Usk is, of course, an avowed Lancastrian. A recent commentator sees the queen's sorrow as part of a pattern of Usk's lamentations for the world's "invariant drive toward ruin." Stephen Justice, *Adam Usk's Secret* (Philadelphia, PA: University of Pennsylvania Press, 2015), 82.



certainly have met with Gower's approval. The wholesale cleansing of the king's advisers brought about by the Merciless Parliament of 1388 was exactly what he had called for, and surely he must have rejoiced that his work had shown consequence. That the Appellants' reforms didn't work, largely because their foreign program fizzled out unsuccessfully, must have frustrated him immensely. With a helpless feeling he could only watch Richard reassert himself and resume his self-destructive march to deposition.

Regardless of the changes made in these last thirty-six lines of Chapter 7, the preparatory illustrations of the first five stanzas remain unaffected. The lack of good counsel has left England a ship adrift, a teetering structure, and a land without justice. The *vox clamantis* has been certified in its conclusions and Gower's examples clarified generally within the context of Richard's reign. The poet's extensive analysis of the legal system that functions on the king's behalf is finished and the time has come to look at the king himself. The *speculum principis*, the climax and *raison d'être* of Book VI, has been introduced.

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