

Clarence still perjur'd

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BY ALL means let justice be done to Clarence, but not at the expense of truth and impartiality. I have not had the pleasure of reading Dr. Michael Hicks's book *False, Fleeting, Perjur'd Clarence*, but his article in *Ricardian* No. 72 does not seem to add very much to our knowledge of him or understanding of his character. The article also omits some facts which are, or could be, of importance in a study of the subject.

The first omission is the fact that in the readeption of Henry VI, Clarence was named as next heir to the throne in the case of the death of Prince Edward of Lancaster without issue. Assuming that there was no significance in the story that at the battle of Tewkesbury Prince Edward cried vainly for succour to his brother-in-law the Duke of Clarence,¹ nevertheless after the Prince's death and that of Henry VI, Clarence *might* have been king if he had not been persuaded to re-ally himself with his brother Edward IV. This must inevitably have rankled with him. Dr. Hicks considers that Clarence was 'neither as unreliable and inconsistent, false and fleeting as Shakespeare supposed', that he had lost his freedom of decision after the first coup, and 'was driven onward by events into ever more desperate expedients.' He was indeed perfectly consistent all his life in his desire for the Crown, though it may have been that great manipulator the Kingmaker who first awakened his hopes of it, and who drove him onward as he was himself driven by events. It would have been very difficult for a 'teenager in a hurry' to forget those hopes, especially in view of Edward's unworthy and unpopular marriage, so it was ultimately the Kingmaker who was responsible for the rupture of the 'threefold cord' of York. It was however Clarence's own choice to throw in his lot with Warwick when the more reliable Richard, whose calibre Edward early assessed, remained loyal, and it is difficult to see how Dr. Hicks can contend that Clarence was anything but utterly false to his brothers and the House of York, and then to Warwick, whose defeat and death could be attributed directly to Clarence's defection.

The next omission, and one glaring to all Ricardians, was of course that Clarence concealed his sister-in-law Anne Neville on purpose so that Richard, who wanted to marry her, should be unable to find her. 'Gloucester started it by abducting Anne, doubtless with her consent', he writes, omitting also to say that Richard merely took Anne to the sanctuary of St. Martin's-le-Grand where Clarence could have no authority over her, until such time as he, Richard, could obtain the King's consent to marry her. Kendall considered 'It was the only refuge which would protect her from her brother-in-law without placing her under obligation to himself. If any motive besides a delicate and honourable consideration for her feelings prompted him to this solution, it is not evident.'² As to Clarence being the loser in the division of the Warwick estates, Richard agreed to share the Northern estates which had previously been granted to him alone,

and to allow to Clarence the whole of the rest of Warwick's lands and property, including the manors belonging to the Countess. He also surrendered to Clarence the office of Great Chamberlain of England, and agreed that he should have the earldoms of both Warwick and Salisbury.³ For a younger brother who had led armed rebellion against his sovereign, had married Isabel Neville against Edward's direct prohibition, and even attempted to have himself declared King, Clarence had not done too badly.

Undoubtedly the violent quarrels between Clarence and Gloucester over the Warwick inheritance were an unedifying spectacle, but it is well known that the division of a deceased relative's property brings out the worst in most people, and in any case Richard, who was certainly not by nature greedy, was no doubt thinking of his wife and possible children.

Dr. Hicks makes a cogent point, however, when he says that Richard and Anne were never legally married. Certainly a papal dispensation was necessary in such a case of consanguinity, and the possibility of legal trouble without it was foreshadowed in the wording of the Act of Parliament which contained the final partition of the Warwick estates between the brothers: 'that yf the seid Richard Duke of Gloucester and Anne bee hereafter devorced and after the same be lawfully married that yet this present Acte be to theym as good and vailable as yf no such devorce had been had but as yf the same Anne had contynued wyfe to the seid Duke of Gloucester'.⁴ It is odd that no contemporary seems to have objected at the time that the marriage was invalid without the dispensation, of which apparently no record exists, but as most of the nobility were related to each other, there must have been other cases of marriages entered into without dispensation, or before it had been received.

Edward was far too shrewd a politician to have had merely 'imaginary' fears that marriage with Mary of Burgundy would have made Clarence more dangerous. With control over the Netherlands, he could have launched an invasion of England as easily as Edward and Richard had themselves done after their exile in 1470/71, though of course it was always possible that Clarence would have had his attention fully occupied in being Duke of Burgundy. When the Lancastrian Earl of Oxford had landed at St. Michael's Mount in 1473, however, Clarence showed signs of gathering his followers, giving out that he wanted to revenge himself on Richard (for the partition of the Warwick inheritance)—but Edward was not deceived. Allied with a Lancastrian in a successful coup, Clarence could still have been the Lancastrian King.

Coming now to Clarence's trial and attainder, although it is not now fashionable to see any significance in the fact that Bishop Stillington, who knew Clarence well and who afterwards revealed the invalidity of the Woodville marriage because of Edward's pre-contract with Lady Eleanor Butler, was imprisoned at the same time as the Duke of Clarence, this could well be the key to the packed parliament and the trial rigged by the Woodvilles. Clarence had lost no opportunity of inveighing against Edward's marriage with Elizabeth Woodville, eventually resorting to the old story about Edward himself being a bastard. As Mancini writes: 'Thus she [the Queen] concluded that her offspring by the king would never come to the throne unless the duke of Clarence were removed; and of this she easily persuaded the king.'⁵ If Clarence had now heard from Bishop Stillington of a genuine legal objection to the Woodville marriage, it

would explain why he had to be silenced if Edward's son was to succeed. It is relevant to quote here Kendall's note 16 on p.476:

'That the story of the pre-contract is true is supported by an inference drawn from the circumstances of Clarence's execution and from the inevitable inference that springs from Henry VII's attempt to suppress all knowledge of such a pre-contract. The supposition that Edward did enter into an engagement with Lady Eleanor Butler explains why Edward IV in 1477-78 was persuaded by the Woodvilles that Clarence posed an intolerable threat to Edward's heir. Clarence having been informed of the secret by his friend the Bishop of Bath (see above, p.217); it also explains why Henry VII, needing to secure his title on the lineal descent of his wife, who was Edward's daughter, went to such lengths to eradicate all knowledge of the pre-contract by commanding the destruction of the roll of Richard's Parliament; and why both Henry VII and Henry VIII were so dangerously sensitive to criticisms of their royal claims. It seems to be more than coincidence that both Edward IV and Henry VII charged Stillington with offences against themselves but refrained from stating on what grounds the charges were made...'

However that may be, Dr. Hicks states that the trial could not have gone ahead if Richard had objected—'he needed only say the word to save Clarence, but he did not do so'. He continues 'There is no need to pay attention to the suggestions of More and Mancini that he regretted Clarence's death, though he certainly *said* he did later.' Why need no attention be paid to this evidence? Because it does not fit in with Dr. Hicks's idea of Richard? It seems a very extraordinary statement for an historian to make without supporting arguments. More in fact says that Richard *did* resist Edward's condemnation of Clarence,⁶ and though both are unreliable witnesses, surely some credence should be attached to them. Indeed Mancini's amplification that 'Richard duke of Gloucester was so overcome with grief for his brother that he could not dissimulate so well but that he was overheard to say that he would one day avenge his brother's death'⁷ seems highly probable, not so much from grief for Clarence perhaps, as indignation at the Woodville machinations, and against a Plantagenet. It is possible that he had this still in mind when he arrested Rivers and Grey in 1483.

Dr. Hicks sounds resentful that Richard was innocent of Clarence's death, and this leads him to make the totally unfounded allegation that he 'backed up the Wydevilles, selling his support to them at a very high price', which is all the more untenable in view of Mancini's evidence above even though we are advised to pay no attention to it. What evidence is there for saying that Richard 'secured all his gains before parliament was dissolved'? Does he imply that these 'gains' could only be secured by Woodville influence? In view of Edward's lavish generosity to Richard from a very early age, the idea is laughable. Of the list of nine items he gives as Richard's gains:

1. George Neville, Duke of Bedford, was the son of John Neville, Marquis of Montagu, who had died a rebel, and therefore his son would very likely expect to lose his title. Richard took him into his household, which was consistent with other kindnesses to members of the defeated Neville family.⁸ It is possible that some sort of estate would have come to George if he had lived longer.

4. Did Clarence need to die, for Richard to obtain a licence to found colleges at Barnard Castle and Middleham? The priests at Middleham were expressly bidden to pray for the souls of Clarence and his wife, so it might be termed an

act of piety, though no doubt Dr. Hicks would call it hypocrisy.

5. His appointment as Great Chamberlain in Clarence's stead. As mentioned above, he had surrendered this office to Clarence voluntarily when he married Anne.

8. A pardon for a Welsh supporter. Is it really implied that this was something Richard could only have procured by his brother's death? And finally

9. 'His unmolested seizure of lands in Lincolnshire assigned to Clarence in 1474-5'. I am at a loss to know what Dr. Hicks means by 'unmolested seizure' if Richard was granted these lands. It seems to betray not only bias but somewhat muddled thinking.

Finally, Dr. Hicks is of the opinion that if Clarence had lived and become Protector of Edward V, he 'could certainly not have commanded the committed support of a whole region in a drive for the throne and consequently could not have usurped the crown.' This conclusion is surely to say the least naive. As Clarence had had his eye on the Crown for so long, and had always resented the Woodville marriage, can it be doubted that he would have made full use of Stillington's revelation of Edward's pre-contract? No doubt it would be said of him that he 'was no longer his own master and had lost his freedom of decision' and that 'he was driven onward by events'. Or would it? Richard, who did not make 'a drive for the throne', has not found it so, but then he foresaw what would be said of him ('For if I should accept the crown and take the kingdom into my possession and into my own hands, it would distaste and disgust those foreign nations where the truth and certain proceedings herein are not known, that it may be my plot and politic device to procure the rejecting and deposing of the young prince, King Edward, and to the end to take the crown unto myself.⁹⁾

Perhaps Clarence was more sinned against than sinning, but that his ultimate disgrace was undeserved is hard to accept.

NOTES AND REFERENCES

1. John Warkworth, *A Chronicle of the First Thirteen Years of the Reign of King Edward the Fourth* (Camden Society 1839), p.18.
2. Paul Murray Kendall, *Richard the Third* (Allen & Unwin 1955), p.108.
3. *Ibid.* p.109.
4. *Rolls of Parliament* VI pp.100-101, given in *Edward of Middleham, Prince of Wales* by P. W. Hammond.
5. Dominic Mancini, *The Usurpation of Richard the Third*, translated C. A. J. Armstrong (Clarendon Press 1969—second edition), p.63.
6. Thomas More, *The History of King Richard III*, ed. Richard S. Sylvester, *The Complete Works of St. Thomas More*, vol. II (New Haven 1963), p.8.
7. Mancini, p.63.
8. Kendall, p.112.
9. Sir George Buck, Master of the Revels, *The History of King Richard the Third*, ed. Arthur Noel Kincaid (Alan Sutton 1979), p.41.