ROYAL STUDIES JOURNAL

2021 VIII

Treason and Masculinity in Medieval England: Gender, Law and Political Culture

E. Amanda McVitty

Woodbridge: The Boydell Press, 2020

Review by: Elizabeth Biggs

WINCHESTER UNIVERSITY PRESS

Treason and Masculinity in Medieval England: Gender, Law and Political Culture. By E. Amanda McVitty. Woodbridge: The Boydell Press, 2020. ISBN 978-1-78327-555-7. xii + 246. £70.

E. Amanda McVitty's monograph focuses on England during the politically volatile years between 1386 and 1422, beginning with the formation of the Continual Council and ending with the transition between Henry V's reign and the start of Henry VI's minority. She argues that there was a significant shift in the definition of treason during this period, as three kings and the beginnings of one regency council attempted to deal with political opposition. McVitty charts a considerable change from a narrower definition of actions opposing the king to something more expansive, which included speech, for example spreading rumours or speaking ill of the monarch. Additionally, she shows that the person of the king became more tightly identified with the body politic and the kingdom. More broadly, McVitty uses this period as a case study to argue for the gendered nature of treason and its close connection with masculinity and chivalry in the later Middle Ages in England. McVitty convincingly explores how ideas around masculinity were used, both in decisions around defining and prosecuting treason, and in defence against such charges.

Using case records from the Court of King's Bench alongside the well-known chronicle material and the Parliament Rolls, McVitty examines how the prosecution and defence discussed the concept of treason, and how their definitions changed during this period. She also makes excellent use of individuals' testimony to the courts, as recorded in English, to reflect veracity in contrast to the Latin and Law French of the rest of the court record. The downside to using the court records is that it is not always clear whether the wording used reflected deliberate policy shifts and from where such wording might have originated. The weight of the evidence and the way it clusters suggests a co-ordinated policy originating from the royal council or even specific royal justices, and I would have liked to see further discussion of who precisely was doing the work of creating the new legal theory as well as the new statute of treason enacted in 1417.

Through its six chapters, McVitty's book works broadly chronologically. The introduction sets up the theoretical underpinnings, particularly around the existing historiographies of the study of medieval gender and the performativity of the law courts, where English, Latin, and French were each used for slightly different purposes. Chapters 1 and 2 deal in turn with the major political crises of Richard II's reign in 1386–1388 and 1397–1398, involving accusations of treason against members of the nobility. The remaining chapters are thematic but still largely chronological. Chapter 3 deals with the events and aftermath of 1399 as Richard II and his supporters were delegitimised, while Chapter 4 examines the crux of McVitty's argument: that there was a shift in the definition of treason between 1400 to 1405 from a charge brought against actions alone to one that could include words and intent. Chapter 5 moves the discussion to defences against treason prosecutions using ideas around true civic manhood. It also extends the narrative to the end of the 1410s, when there were a series of major cases in the Court of King's Bench.

Chapter 6 returns to elite opposition to the king, examining the major rebellions under Henry IV and the responses of Henry V to the political situation he inherited.

By exploring women's notable absence from treason prosecutions, McVitty demonstrates how intertwined treason and the idea of male honour were during this period. In two separate treason cases, the unnamed tailor's wife, whose words John Sperhauk repeated, and the deeds of Maud de Vere, were overlooked in favour of charging men who had repeated their words or joined in their conspiracies. The argument that the courts were unable to fit these women into their legal frameworks is intriguing. This is an approach that will shed new light on two very well-known cases that McVitty does not discuss because they do not fall into the scope of this monograph: the trials of Joan of Navarre in 1419 and Eleanor Cobham in 1441 for treasonable necromancy. Both cases had political resonances, and both were centred around women who did not pay as heavy a price for their alleged actions as their male co-defendants. By linking together treason and witchcraft, those who brought the cases perhaps opened space for women to be prosecuted in situations where treason alone might not have seemed a suitable charge.

Another theme that emerges as key to this study is that of place. Treason was not usually a private crime, or rather it might start off as a private matter—speech between friends, family, or neighbours—but when it moved into a public environment, it became a matter for the authorities because it was there that it came to their attention. Equally, the prosecution and punishment of treason were public matters, whether in the trial by combat with which McVitty opens the book or in the law-courts at Westminster. This comes to the fore in Chapter 5 when she discusses the ways in which Lollard and urban civic networks used the legally permissive rules of sanctuary in London to spread ideas around political opposition and to target Parliamentary opinion. Consulting the urban records of London would have added further clarity to our understanding of the social networks that made possible the political activity that led to treason prosecutions, and which linked together religious and political dissent.

This study explores treason and its changing definitions as a way of understanding the limits of kingship and the shape of the political community. Scholars in royal studies will likely find this book a spur to further work on how treason was understood by a range of social groupings, as well as how it was used in practice in the courts. I found the sections on strategies used to defend against treason accusations particularly fascinating. By combining a rich theoretical perspective and a series of focused case studies based on the court records, McVitty succeeds in opening up a much-needed discussion about late medieval treason in relation to changing ideas around kingship and gender in this period.

ELIZABETH BIGGS
Trinity College Dublin