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SIR THOMAS MORE AND THE NUN OF KENT

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The story of the Nun (or Holy Maid) of Kent has been told many times (1), and the views held about her and her male associates' probity have varied (2). In view of her and their confessions both before the King's servants commissioned to enquire into her impostures (3) and in public subsequently (4) it is idle to waste sympathy upon her or them. Neither she nor they were martyrs (5), and the best that can be said in their favour is that they (as often occurs in religio-political contexts) gilded a good cause with bad paint, and so discredited in some measure the side to which they lent their dubious aid. But the fact that they were hanged (and beheaded) does not end the matter so far as lovers of Thomas More are concerned.

More's dealings with the Nun are peculiar. In Miss Rogers' *Correspondence* there are two letters which supply all the really useful information we have on the subject. No.192 is More's unctuous letter to the Nun herself (6). No.197 is the letter to Thomas Cromwell, the King's Secretary, in which More quotes his letter to the Nun -- he had cautiously kept a copy of it for (it would seem) just such an occasion (7). No.198, More's letter to the King himself (8), tells us little more, except that the author was prepared to call the Nun "the wykked woman of Canterbury" (9). Both the last letters are redolent with what may be called conscious innocence, i.e. a spirit of self-justification which defies attempts at inculcation. This is always an irritating tone, and was one which More probably adopted deliberately. Bishop Fisher did exactly the same in his correspondence on the same subject (10), namely his own (much less cautious) dealings with the same Nun.

But when we see from this correspondence what care More took to dissuade the Nun from speaking to him of the "King's matter" (11), which of course was the underlying motif of the whole affair, and to prevent third parties'

telling him what the Nun had foretold on the same subject (12), it is difficult to understand More's behaviour, and here the biographers are not helpful to us. The principal modern biographies, those of R.W. Chambers (13) and E.E. Reynolds (14), are committed to a pro-More and an anti-governmental approach to the great problem of the period. In 1535 More and Fisher, now Saints of the Roman Catholic church, were put to death (or "martyred" according to the viewpoint) as a result of their refusal, from conscientious motives, to comply with the requirements of the government as then constituted. This is not the place to debate the rights and wrongs of their position, and few will now worry on that score, when it is obvious that More, Fisher, the monks of the Charterhouse and others that perished then or subsequently for the sake of similar causes, did so because they believed that honesty of action, consistency of conduct with faith, were worth more than life itself -- a belief which is bound to exact respect from any critic of whatever persuasion on the disputed matters themselves. But the hagiographical approach has had the effect of slurring over the episode of the Nun, with which it is fitting to deal in some intensity. For if More's conduct at that time was unsatisfactory we should reappraise his character, whether we admire his self-sacrifice or not, whether or not we agree that Henry VIII's marriage with Queen Catherine was capable of being annulled by an English ecclesiastical tribunal, whether or not Anne Boleyn was really capable of being called Queen after her so-called marriage with Henry (which was subsequently itself annulled). Even if we take the view that More and Fisher were right in objecting to the "divorce" and that More was right in objecting to the King's title as Head (on Earth) of the Church of England, we are not bound to accept that his apparently equivocal dealings with the Nun did him credit.

To turn first to letter No. 192, it is apparent that when he wrote it, soon after seeing the woman in person, he was under the impression that she was worth extremely respectful language. He compares her to Moses and himself to Jethro, the first in receiving and the second in giving advice (15); and he apologises for giving her advice unasked. Why did he not give her that advice when he saw her? Or did he do so? Perhaps this is merely documentary proof of his having warned her not to speak publicly (as she had constantly done) of the King's matter. It is a common practice to this day to send memoranda of meetings to people we have met and with whom we have discussed an important subject, that is to say if no minutes or other records of the meeting have been provided for. What actually passed at the meeting we can return to presently.

At any rate More asks the woman to pray for him. This he could hardly have done unless he had believed her to be a worthy person, and this would have been impossible unless at the time of meeting her and thereafter he had obtained the impression that the wonders told of her were true in substance or in fact, or that, if their truth were not certain, inferences drawn from her teachings and her life remained in her favour. In sum, when he wrote that letter More believed that a very respectful approach to her was justified. There are two possible explanations: (a) that he felt sure from his own observation and from what he had learnt from other qualified people (16); or (b) that if he did not feel sure he felt it politic to appear to be so.

Before proceeding it is desirable to consider which of these is correct. More, an extremely clever lawyer, whose shrewdness had been utilised on behalf of wealthy clients and on behalf of his country, was no fool, and was most unlikely to have been deceived like any country bumpkin. Nor was he in the habit of being bound by other people's consciences, or accepting other people's ideas out of deference (whatever he might appear to say to the contrary). Absolute independence is the key to his behaviour in all the critical stages in his prematurely shortened life. The follies of Warham and of Fisher, who were quite certainly duped (17), would not predetermine More's opinions on the Nun. Would More have feigned respect for the Nun which he did not feel? This is possible if a powerful party had stood behind her, and if disrespect for her would have injured More himself in fame, fortune, or expectation. But on the contrary Elizabeth Barton and her associates were weak people, given importance only because the commonalty were inclined to give credence to her fabrications. More could have neglected her without loss to himself; he could simply have kept quiet. Yet he chooses to "stick his neck out" (as the telling cant phrase of today goes) and writes respectfully to a woman of dubious worth. Thus it is extremely unlikely that he wrote to her in that vein because he thought it politic: it is much more likely that he believed her to be genuine. Her doggerel verses (18) might be crude stuff, and might be no proof of sanctity, still less inspiration (19), but she might still be inspired.

But how did More come to visit her at all? When we look into his own account of his meeting with her we find some points emphasised. The first is important, and consistent with a lawyer's behaviour. More gives a report of his own words to the "fathers" of Sion after the meeting: "how be it... she is never the nerer tryed by that (i.e. More's liking her very well in her talk), for I

assure you she were likelie to be veye bad, if she seamed good, erre I should thinke her other, tyll she happed to be proved noughte" (20). In other words, More presumed her good until she was proved bad, and the conversation had not proved her bad. The presumption had been raised by the good reports of her, and by the interest shown in her by people not unable to form opinions about possible charlatans (21). Once a presumption is raised it stands good until rebutted : and no rebuttal had emerged.

The next fact is that More did not see the Nun except as a result of the "fathers" of Sion asking him to do so. The exact words are important (22) :

"... they shewed me that she had bene with them, and shewed me dyvers thinges that some of them misliked in her and in this talking, they wished that I had spoken with her and saide they woulde fayne see how I shoulde like her ; whervvpon, afterwarde, when I harde that she was there ageine, I came thither to see her and to speake with her myselfe. At which communication had, in a litle chapel, there were non present but we too..."

Was More's behaviour incautious ? Looking at it from our present knowledge it is all too tempting to suppose it was. And Roper, his son-in-law, does not help us to obtain a correct perspective. More knew that the Nun had a reputation for talking of the King's matrimonial projects ; he also knew that Edward Stafford, third Duke of Buckingham, had been executed for treason on trumped up grounds, one of which was a conversation with a supposed holy monk about the succession to the throne. More refers to this event in his letter to the Nun (23). The inference which we are to draw from it was not merely that the Nun was in danger in talking openly of the wrath of God impending upon the King for his matrimonial improprieties, but that all those that consorted with her were in a like case. And this of course included More himself. This is too easily overlooked if we pursue, as Roper begins to do the law of treason. First of all we must notice that every subject was in danger of misprision of treason (if it could be proved) (24) for talking of treasonable designs; secondly we must note that the law relating to High Treason as it was in the 1530's has been open to a grave misunderstanding, for reasons which will be explained (25). Lastly we must observe that More, who was still a member of the Privy Council though he had ceased to be Chancellor, was under a cloud through his reluctance to accept that same matrimonial project, that he jeopardised his safety ultimately by declining, or failing, to attend Anne Boleyn's coronation, and, because of his former especial closeness to the King, was the more open to spiteful reproaches from that quarter if he associated himself,

or lent his countenance, to someone who was a kind of ring-leader of anti-governmental agitation. Let us now look at what Roper says (26) :

"In Continewans, when the king sawe that he could by no manner of benefittes winne him to his side, Then, loe, went he aboute by terrors and threatoes to drive him thereunto. The beginninge of which trouble grewe by occasion of a certaine Nonne dwelling in centerbury, for her vertue and holiness among the people not a litle esteemed ; vnto whom, for that cause, many religious persons, doctors of Divynity, and divers others of good worshippe of the laity vved to resorte..."

"And in shorte space after, she, making a voiage to the Nonnes of Sion, by means of one master Raynolds, a father of the same house, there fortunede concerninge such secretes as had bine revealed vnto her (some parte wherof seemed to touche the matter of the kings supremacie and marriage, whiche shortly therevpon folowed) to enter into talke with Sir Thomas Moore ; who, notwithstanding he might well, at that tyme, without daunger of any lawe (thoughe after, as himself had prognosticated before, (those) matters were established by statutes and confirmed (by) othes) freely and safly haue talked with her therein; Neuertheles, in all the comunication betweene them (as in proces it appeared) had alwaye so discreetely demeaned himself that he deserved not to be blamed, but contrary wise to be comended and praised."

This aspect of More's dealing with the Nun is handled by Thomas More, greatgrandson of Sir Thomas, who sometimes has useful additions to make, in words showing that he was fully aware of some inaccuracies that had crept into Stapleton's *Vita*, but that he had no means of correcting Roper's account (27). Yet both were in error, if Sir More's own account of the matter in the letters referred to above is to be believed. And as to that, we need have no doubt. True More omitted to name the unfortunate Dr. Richard Reynolds (who subsequently was to lose his life for failure to accept the Supremacy) as the "father" of Sion who arranged his meeting with the Nun ; but in all other respects he must have kept very close to the truth, because he knew that the government's armoury when it came to espionage and interrogation could not be evaded, and that if his account did not tally substantially with those which could be wrung or wheedled out of weaker vessels he stood to lose upon the much graver ground of deliberately concealing the truth. This leaves us in the position that Roper was quite wrong in attributing to Sir Thomas and the Nun a conversation about the King's matters.

We now come to the question of the law. Roper (writing about 1557) evidently thought that his father-in-law was

fully entitled to talk of the King's affairs with this Nun, because there was no law at that time to prohibit it -- a shallow view, and not unlike that which a lawyer (such as Roper was) might take. Its origin is this. The statute on treasons (23 Ed.III, c.2 of 1352) did not in so many words create the crime of High Treason by uttering words hostile to the King's rights and interests, but in course of time words were taken up, and one of two results could happen : either they were construed with conduct so as to amount to an overt act (per overt fait within the statute of 1352) ; or they were instances of disaffection which could move the King's council to apply to the offender punishment such as imprisonment, fine, or both, irrespective of the statute. By the statute 26 Hen. VIII., c.13 (1534), passed shortly after the Nun of Kent and her accomplices were hanged, the law of treason was statutorily enlarged (27a) ; at the same time by a process natural to English law the common law and what we may call the conciliar law (applied de facto in the Star Chamber and elsewhere) was indirectly restricted. An implication which might quite naturally be drawn from the statute of 1534 was that acts there detailed were not treasonable previously. But on the contrary the wording of the Act of Attainder of the Nun of Kent (25 Hen.VIII, c.12) confirms (28) that even at common law her conduct and that of her accomplices, construed as the council deliberately construed it, was treasonable in character. This aspect was obliterated by the efforts of lawyers to construe the Act of the following session as if conduct not included within it were not treason unless it also came within the plain words of 23 Ed.III, c.2. In the reign of Mary the Henrician treason statutes were repealed (1553), and the air was thoroughly cleared. It was necessary for her successor, Elizabeth I, to commence again. The misunderstanding as to the law operative before the Act of Attainder of Elizabeth Barton, etc., may have been laudable as well as natural : it was shared by Coke (see his *Third Part of the Institutes*, cap.1, p. 14, margin), who was nothing if not a legal historian. Yet Roper and Coke, and those who followed them appear to have overlooked the case of the Duke of Buckingham (which neither More nor Cromwell did). A debate continues as to why an Act of Attainder was necessary, if the common law would have sufficed to punish the guilty parties. Coke thought that the statute was necessary because the Nun and her associates had not committed overt acts, but only stirred up the people and abused the Cardinal and the King in words. This is unrealistic because we now know that the conspirators' association with the Pope's envoys and attempts to print and circulate books containing the Nun's prophecies and comminations were unquestionable overt

acts within the statute of Ed. III as construed in Tudor times ; where then lay the need for the attainder ? The question is complicated by Chapuys', the Emperor's ambassador's, letters to his master in which he twice refers to Henry VIII's attempts to persuade the judges to action other than that actually taken (29). Since the Nun had actually told her prophecies to the King's face it could hardly be held that she had concealed, or that her associates had concealed, these things from him if they were treasonable. Thus a charge even of misprision of treason, under which, Coke says, treasonable words may well come, would fail. Moreover it may be urged that the statute, passed by what is frequently (and unjustly ?) called a compliant Parliament, was more useful as it established at one blow the principle for which Cromwell and the other servants of the King were contending, created anti-Nun propaganda, countered her own anti-governmental propaganda, and decisively punished enemies of the royal policies as an example to others. Yet this does not entirely satisfy us. Writers have repeated, though less frequently in this half-century than earlier, that the Nun and her associates were unjustly condemned, without a chance to defend themselves, without a chance even to be heard, and by a travesty of justice (30). A defence of the proceedings of Thomas Cromwell is not popular in these days any more than it was at the beginning of this century, and perhaps it need not be attempted here. But it is fair to attempt to find out what exactly were the difficulties which the judges will have raised if the King consulted them as Chapuys says he did.

Was it that they feared that no jury would convict the Nun because of her extreme popularity ? That is a point which is bound to have been raised. But a much more likely suggestion is the following. In order that they should be put to death (for that was what was wanted--other lesser penalties could have been imposed by the council without fuss) their conduct must be brought within the statute of Ed.III, and it must be treasonable. The question between the prosecution and a learned and artful man like Dr. Bocking would then have been whether to proclaim openly that the King is to be damned for putting away his "old wife" and taking to himself a new one is treason, if the law of God, as many suspected, upheld the first marriage and so refused to countenance the second. The open trial of the offenders would therefore provide them singly or collectively with a platform on which they could ventilate (much as More did later) questions of fundamental law. How can it be said to be treason openly to advise the King for his spiritual good to refrain from an act of doubtful validity ? Opposition to the King might

be within the council's jurisdiction, but for the accused to lose their heads they must be surely within the statute. And this kind of debate was what the King wanted to avoid. Whether or not a jury could be brought to convict a woman reputed to be a Holy Maid was one thing; whether they should in effect have committed to them the question of the honesty of the King's second marriage was another: and on both counts the question of treason should be committed to the High Court of Parliament for them to determine on grounds of policy as well as law. And they did. And they found the accused guilty. Was the "rule of law" (as we now call this concept) violated? It is extremely difficult to determine this, since such high matters must lie between the topmost executive and the legislature, and it is altogether unfair to expect judges to sort such questions out on the basis of precedent.

To return to our point: even without the Act of Attainder the Nun and her fellow conspirators, after their confessions before the Archbishop and before the council, and after the case against them had been fully prepared from the depositions of other people implicated in their deceptions, could have been deprived of their property (such as it was) and confined indefinitely in the Tower or elsewhere. Had the charges of heresy against them been pursued (as the bishop-elect of Bangor seems to have wanted) instead of the crown's charges of treason, they would have been very severely handled by the Church itself. So there cannot be any doubt but that even prior to the exposures which began in July 1533, Sir Thomas More placed himself in very great danger by talking, or even by being suspected of talking, with the Nun on the King's matter.

The opinion of the governmental party after it was all over was that Fisher was too pious to distinguish the Nun's hypocrisy, but that More was too clever to allow the Nun to besmirch him (Morison: *Morus ingeniosior habitus est quam ut monacha illi os oblinere posset*). More and Fisher were trusted not to conceal a treason, but they urged her to keep quiet, though (it was supposed) they believed her revelations. So much for subsequent opinion.

It was not the case that More might safely talk with her as the law of treason did not then make such talking treasonable -- a position which is far from the objective truth in fact -- but that rather provided his motives for communing with her were legal he could, if sufficiently adroit, evade the implications which might be placed upon his talking. It is quite certain that he took a risk, and, knowing him, we may safely presume that he took it knowingly.

Roper does not tell us that More was closeted with the Nun in private, though he must have known that More's letter revealed this. Why does he omit this incriminating fact? Evidently because to his readers as to us, and surely to Cromwell and the other members of Henry's council, the fact that two people take care to converse alone invites a suspicion that what passes is not fit for other ears.

More's real motive for having a conversation alone with this notorious lady can be surmised, and it will become evident before this short paper is concluded: he seems to have wanted to do his particular duty by the persons concerned and could do this best if he had the suspect to himself. But he took the risk that those who might afterwards be aggrieved by her propaganda would assume that he was taking a hand in advising her. A secret conversation opens the door to suspicion that what will be spoken of is not above board, especially when the parties have in common an interest which others are already seeking to regard as treasonable.

Moreover Sir Thomas had gone out of his way to commune with her. It did not "fortune", as Roper would have it. They did not "happen" to converse. It was engineered. Sir Thomas could have been glad to avoid meeting this dubious person; but on the contrary he comes back again to the monastery and is closeted with her.

More explains in letter No. 197 what passed between them. His account of it is especially interesting as it tells why he thought well of her. Her objectivity and modesty, her awareness of the existence of false "inspiration" and bogus visions, and her failure to betray signs of discomposure when examined by a lawyer experienced in smooth but lethal questioning of suspected persons, one, too, known for his ability to cope with heretics and persons of suspected "honesty" in matters of religion (31), these left him with the presumption so far unrebuted that he acknowledged it by the ancient and decisive testimony of paying her to pray for him: "I gave her a dubble ducate, and prayed her to praye for me and myne, and so departed from her and never spake with her after." (32). By the gift of the money he proved his belief that she was a person through whose prayers he might benefit. And this though tales told of her and by her were fantastic (33), and many of her doings as unedifying as her prophesyings were crude and dangerous.

Why did More not tell Cromwell whether he warned her at that meeting not to speak to him or others of the King's affairs? Was it because if he told him that he would have admitted (34) that he spoke of the King's matter secretly with the Nun? Or was it rather because

she had the good sense not to raise that subject, and he was concentrating on the question of her probity ?

Conjecture will not solve these problems for us, but a suggestion may be given which would tend to explain his behaviour, and which takes into account all the evidence. The King's Secretary and other prominent members of the government were more or less certain that More was implicated, if only on the fringes, in this conspiracy to denigrate the King's matrimonial programme by pseudo-superstitious means (35). The fact that he went out of his way to meet the Nun and thus to give her the satisfaction of saying that she had communed with More privately told heavily against him. This was obviously a risk he was prepared to take. Why did he take it ? The brutal and unscrupulous Cromwell and the pliable and unstable Cranmer were between them a match for the Nun. But until they began to work upon her and her confederates she had the upper hand. She and her advisers were crafty people. She was as bold as she was fraudulent. She strode into the King's presence and all but pulled his beard. At that very time Fisher was the most conscientious and independent Bishop and More was the greatest scholar as well as the most talented layman in the country. If she could get these natural leaders on her side, her "mission" might well be accomplished. She had access to Fisher without difficulty. More eluded her. Clerics who were conscious or unconscious emissaries of hers attempted without success to draw him into admitting interest in her attacks on the King's second marriage (36). But she would keep on trying. The "fathers" of Sion were her allies in this, and they were also friends of More's.

While Elizabeth Barton was reputed to be a messenger of the Holy Spirit and was reputed to have messages from God in her trances, she was relying not on St. Catherine of Sienna or other faraway saints as her model, but on the holy women which England herself had produced. Mother Julian of Norwich (37) and Margery Kempe (38) at once come to mind. A tree is to be known by its fruit, and our Nun's sayings were, until the marriage question preoccupied her, pious if reactionary (39). She reproved sin and exhorted people to fasting (whether or not she showed an example herself). But when, relying upon her reputation as a holy nun, she, with her spiritual adviser's connivance, began to espouse Queen Catherine's cause with violence and immoderation she was likely to lead astray people whose adherence had been won by what seemed genuinely saintly behaviour according to the standards of the time. This was a dangerous development, irrespective of the treasonable implications of her propaganda.

Without discussing the merits of Elizabeth's prognos-

tications regarding the King, More could tell that she was a phenomenon the nature of which deserved to be tested, irrespective of the enquiries instituted in her less adventurous days. More, as a man with ample judicial and other inquisitorial experience, was an obvious person to take a quiet interest in the woman, not in order to trap her or to dismantle her pose, as such, but in order to satisfy his friends the monks whether their sympathy towards her was unfounded, whether (in short) they had been duped (40). They had their suspicions, and it would cost him little to see for himself whether these had any foundation.

After a careful discussion, during which More will have kept at least one sharp eye upon her, she emerged victorious, and he was unable to detect her in her fraud. In other words, the basic conformity of the woman to the "holy maid" rôle was adequately maintained. She deserves to be congratulated on this, seeing that she was unquestionably an adventuress. More remained under a moral obligation to approve of her, as he did with his "dubbe ducate", but only so far as to assert (as we have seen) that the presumption in her favour had remained unshaken. Thus he could not satisfy the "fathers'" doubts. But as for herself he knew her peril, and, presuming her innocent, he warned her, in the well-battered letter first alluded to above, to leave the matters of princes alone and to confine herself to "suche maner thinges as maye to the soule be profitable for you to shew and for them (persons high or low) to know" (41).

What emerges from this ? Was More imprudent to meddle with the Nun ? No, provided his conscience was clear, as it seems to have been. It was his duty to take the initiative and to try to help his friends at Sion out of their cleft stick. They had been giving hospitality and aid to the Nun under the impression that she was a "holy maid", and had thus fallen victims to her attractive propaganda against the King. If she could be detected in fraud they would at once be freed from their predicament. This proved impossible, and therefore it remained only for him to beg her to abandon her interference with those high questions, and so (one infers) to exempt her patrons from suspicion of treason, which soon, alas !, fell violently upon them. More "stuck his neck out" for the sake of his clerical friends and of the silly Nun herself. When this view of his conduct is taken it is not difficult to understand why Parliament could not be expected to pass the Act of Attainder (42) with his name in it. His old comrades and members of Parliament who knew his abilities and his methods could not suspect him of communing with the Nun in order to concoct an anti-governmental plot (43), and

could only imagine his dealing with the woman on some such carefully planned basis as that suggested here.

On the whole the bizarre episode does not so much tell against More's prudence (as some have thought) as indicate his certainty as to the correct line of conduct. Whether a correct line of conduct could keep him alive, when he did not approve the King's fundamental policies, he himself doubted, as we know from later correspondence (44). And we know his cast of mind. If by doing the right thing he could not remain alive, life itself was of relatively little value to him (45). If the reconstruction given above is sound More's courage and independence emerges a little more clearly from his dealings with the Nun of Kent.

N O T E S

1) - The earliest connected account to be printed is Sir Richard Morison's *Apomaxis Calumniarum* (London, 1537: B.M. 851 i. 11), fols. 73r-76r. Morison was a creature of Cromwell's. ; G. Burnet, *The History of the Reformation of the Church of England* (London, 1850), I, pp.113-116 ; J. Strype, *Ecclesiastical Memorials... Religion and its Reformation* (London, 1816) I, pp.277, 280-290 ; Jeremy Collier, *An Ecclesiastical History of Great Britain* (London, 1714) II, pp. 86-88 ; J.A. Froude, *History of England...* I (London, 1870), pp. 312-326 ; II, pp. 51-58, 64-6, 89-96 ; E.E. Reynolds, *Saint John Fisher* (London, 1955), ch. 21 ; Jasper Ridley, *Thomas Cranmer* (Oxford, 1962), pp.68-70 ; J.D. Mackie, *The Earlier Tudors* (Oxford, 1957), pp.361-3. G.R. Elton is wrong (*England under the Tudors*, London and New York, 1962, p.138) in saying that "Thomas More... had always judged the Nun rightly". K. Pickthorn, *Early Tudor Government* (Cambridge, 1934), II, pp.217-222, gives a good account. For an interesting account of the background of one of the Nun's principal accomplices and fellow-sufferers see G. R. Elton, *Star Chamber Stories* (London, 1958), pp. 174 ff.

2) - Froude and others took too favourable a view on the footing that law was violated in the crown's favour (which is doubtful). E.J. Devereux, "Elizabeth Barton and Tudor Censorship", *Bull. J. Rylands Lib.* 49 (1966), pp. 91-106 believes that the most balanced judgment is not L.W. Whatmore's "The sermon against the Holy Maid of Kent," *E.H.R.* 58 (1954), pp. 463-475 (which contains J. Capon alias Salcott, bishop-elect of Bangor's, sermon at Paul's Cross, 23 Nov. 1533, summarizing the story of the Nun) but rather A. Denton Cheney, "The Holy Maid of Kent", *Trans. R. Hist. Soc.*, N.S. 18 (1904), 107-129. In the present

writer's view the element of fraud, embellished and bolstered up with an illusion of serving God, so predominates in the Nun's story as to make her and her accomplices worthy of the severest punishment, an opinion which no amount of exaggeration, brutality or malice on the part of the "prosecution" can as yet weaken.

3) - See Gairdner, *Letters and Papers of the Reign of Henry VIII*, vi, No.1438, p.574; vii, No. 72, p.29. The progress of the business is shown in *L. & P.* vi. Nos.869. 887, 967, 1333, 1519 (July-December 1533).

4) - Her confessions are available at *L. & P.* vi, No. 1468 (she said she showed her revelations to Sir Thomas More "divers times", p.588) and at *L. & P.* vi, No.1460 (Paul's Cross, 23 Nov. 1533), also Burnet, I, p.115 (taken from Hall), prior to her execution (20 April 1534). An evaluation of her confession favourable to the accused as a whole is made by Gasquet (cit. inf.).

5) - As would be suggested (to Burnet's disgust) by Nicholas Sanders, *Rise and Growth of the Anglican Schism* (London, 1877), pp.111-112. - See also F.A. Gasquet, *Henry VIII and the English Monasteries*, I (London, 1888), ch. iv. (Please see n. 5 bis at end of these notes).

6) - E.F. Rogers, *The Correspondence of Sir Thomas More* (Princeton, 1947), pp. 464 ff. The letter appears in modern spelling as No.47 in E.F. Rogers' *St. Thomas More: Selected Letters* (New Haven and London, 1961), pp.184 ff.

7) - *Corr.*, pp.480 ff ; *Selected Letters*, No.51, pp. 193 ff. In that letter he calls her (p.480, line 14) "huswife" (= hussy).

8) - *Corr.*, pp.488 ff ; *Selected Letters*, No. 52, pp. 202 ff.

9) - Lines 27-28.

10) - Reynolds, *Fisher* (cit. sup.), pp. 200-208; See *L. & P.*, vii, Nos. 136, 239, 240. Cromwell's letter to Fisher (see R.B. Merriman, *Life and Letters of Thomas Cromwell*, I, Oxford, 1902, pp.373 ff., in modernised spelling at Burnet, op. cit., II, pp.lv-lvii (Records, No. 49)) deserves to be read in its entirety. It is impossible to fail to agree with Cromwell's point that if the Nun's "revelations" had been "for the confirmation of the King's grace's marriage" the Bishop would not have given them so much credence. Fisher's behaviour lacked balance, and his

excuses are feeble--whether or not Cromwell's arguments are simply pro forma, the latter carry conviction (the letter was probably for circulation in Parliament).

- 11) - No. 192, lines 19-23.
- 12) - No. 197, lines 40-90. The period was Christmas 1532.
- 13) - *Thomas More* (London, 1935), pp.294-299.
- 14) - *Saint Thomas More* (London, 1953), pp.282-289.
- 15) - No.192, lines 12-15.
- 16) - Morison expatiates on her deception of papal legates. Archbishop Warham had been impressed. Cardinal Wolsey, an unscrupulous and cynical man, had left her alone. Bishop Fisher had been impressed by the woman. No. 197, lines 15ff. The summary of her career given by Cranmer in *L. & P.* vi, No. 1546 (20 Dec. 1533) (also at J. Strype, *Memorials of Archbishop Cranmer I* (Oxford, 1848), pp.332-336) and in the apocryphal *Confirmation of Unwritten Verities* (J.E. Cox, ed., *The Works of Thomas Cranmer*, Cambridge, 1846, II, pp.65-6 : see pp. 271 and ff. for Cranmer's correspondence on the subject) emphasises the Nun's success with the hierarchy. This of course does not exculpate her, though it may inculcate them.
- 17) - As emerges from the confessions. See *L. & P.* vi, No. 1433 (Capon/Salcott to Lady Lisle, 16 Nov. 1533).
- 18) - For a specimen see *E.H.R.* 58 (1943), p.472, cited by Devereux (ubi cit.) ; Strype (1816), I, 288.
- 19) - More at No. 197, lines 21-26, "a right simple woman might, in my mynde, speake it of her owne witt well ynoughe".
- 20) - No.197, lines 200-205. Also the same idea at line 225, "tyll she was proved noughte". The principle is put in Latin in a letter from Christopher Warener (another duped person) to Cromwell (*L. & P.* vi, No. 1336, 24 Oct. 1533) : *dubia in meliorem partem interpretari debent*.
- 21) - See n. 16 above. Rather uncharitably More points out that the Proctor of the Charterhouse was unable to believe in the Nun's imposture even after she had confessed it (supposing the confession had been wrung out of her by Cromwell ?) : No. 197, lines 216-220.

22) - No. 197, lines 121-128. Syon, as they then wrote the name, was a place in Middlesex, the seat of a convent of male and female Bridgettines, founded in 1414/1415. See Dom David Knowles, *Religious Houses of Mediaeval England* (London, 1940), pp.123, 142. It was the only Bridgettine foundation in England. The Nun's chief supporters were (not accidentally) the (anti-governmental) Observant Friars. More's keeping company with them too required some courage.

23) - No. 192, lines 30-36. Miss Rogers explains the leading facts at p.466, n.33. More knew the risk, and not he alone ! The man Gold, who was one of the Nun's accomplices, was said by an anonymous collaborator of Cromwell's (*L. & P.*, No. 1467, p.586) to have been advised by him, and the Nun was also advised, to keep More's letter "for More's discharge", i.e. as proof of his intentions when in contact with her. Queen Catharine's anxiety for those who communed with the Nun was entirely justified (Chapuys to the Emperor, *Spanish Calendar* iv, No. 1149, p.857, also No. 1153, p.864, dated 12th and 20th November, 1533 ; Reynolds, *Fisher*, cit. sup., p.197).

24) - E. Coke, *Third Part of the Institutes* (various edns.), pp.14, 36.

25) - Valuable information is given at G.R. Elton, *The Tudor Constitution* (Cambridge, 1960), pp.59-61. Note the words of the preamble and the first section of 1 Ed. VI, c.12 (1547) (Elton, p.65) and the preamble to 1 Mary, st. 1, c.1 (1553) (Elton, p.69). But Elton may have obscured the uneasy relationship between treason by words at common law and by statute with the law enforced in the King's councils which was much more loose, if more effective. Elton, at his *Star Chamber Stories* (cit. sup.), pp.34-5, takes us nearer the heart of the matter. The writ of privy seal issued by the Council to notables at Oxford to examine the abbots of Eynsham and Osney (in January 1537) refers to allegations of "speaking words against us (the King) and Our dignity, contrary to the allegiance they ought to bear unto Us." If a prima facie case were reported to the Star Chamber a trial would have been arranged before a special commission of oyer and terminer. On treason by words as an offence cognizable by the Council (with imprisonment as the penalty) see Pickthorn, op.cit., II, p.223.

26) - W. Roper, *The Lyfe of Sir Thomas More, knyghte*, ed., E.V. Hitchcock (*E.E.T.S.*, No.197) (London, etc., 1935, 1958), pp.59-61.

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27) - Thomas More, *The Life of Sir Thomas More*, Kt. (London, 1726), pp. 205-7.

27a) - Treason by words speedily got out of hand : see 37 Hen. VIII, c.10.

28) - 25 Hen. VIII, c.12 (see John Lewis, *Life of Dr John Fisher*, II, London, 1855, pp. 339-352, and the *Statutes of the Realm*, III, for the full text) : "... all which conspiracies and confederacies of the said Elizabeth, and other hir complices, aboue mentioned, was traitorously and maliciously deuised and practised by the said Elizabeth..., to the intent traitorously to destroie our sovereign lord, and to deprive him and his lawful succession from the Crowne and dignitie roiale of this realme, which matter hath beene practised and imagined amongst them for the space of manie years : wherof the whole circumstance were verie long to be written in this act..."

29) - Discussed by Cheney, op. cit., pp.113, 118-119;

30) - Cheney, ubi cit.

31) - More to Margaret Roper, reporting Cromwell's words to himself, *Corr.*, No.216, lines 74-80. More's attitude while Chancellor does not agree with his statement (at No. 213, p. 549) "As for other mennes consciences I will be no iudge of...", which in any case referred to the Supremacy question.

32) - No. 197, lines 172-3.

33) - More comically relates how she told him of the Devil "in likenes of a bird, was fleeinge and flickeringe about her in a chambre" (No.197, lines 163-4). Her follower risked a charge of heresy: Chapuys to the Emperor, 20 Nov. 1533, *Span. Cal.*, iv, No. 1153, p.863. So emphatically Capon alias Salcott, bishop-elect of Bangor : *L. & P.* vi, No. 1433 (16 Nov. 1533), p.573. Her fantastic prophecies are summarised by the anonymous informant at T. Wright, *Three Chapters of Letters...* (London, 1843), pp. 14 ff., also *L. & P.* vi, No. 1466 ; and in Strype, *Ecol. Mem.*, ubi cit.

34) - "We talked no worde of the Kinges Grace or anye greate personage ells" (No. 197, lines 168-9) implies that he did not actually warn her.

35) - See letter No. 200, lines 133-136. And note that

the Act of Attainder of the Nun and her accomplices was introduced in January and received the royal assent on the 21 March 1534 ; they were executed in April 1534. More knew he was in danger of his life already before the 25 March 1534 (see Derrett, "More's conveyance of his lands and the law of 'fraud'", *Moreana*, 5, (1965), pp.19ff).

36) - No.197, lines 70-98.

37) - Whose *Revelations of Divine Love* was first printed in 1670, but must have enjoyed fame in the fifteenth and sixteenth centuries.

38) - W. Butler-Bowdon, ed. *The Book of Margery Kempe* (London, 1940). Extracts had been published by Wynkyn de Worde in 1501.

39) - She pretended to have been told by an angel to order a monk to burn his New Testament in English (Strype, *Ecol. Mem.*, p.282 ; see n. 33 above). Dr. Bocking, her "ghostly father", received testimonials from those who found her sayings of great spiritual value.

40) - He was conscious that the duty of a person not commissioned to investigate differed from that of one so commissioned : No.197, lines 205-211 : "... allthoughe I nothing suspected the person my selfe, yet no lesse then if I suspected hyme sore, I woulde as farre as my witte wolde serue me, serche to fynde oute the trothe, as your selfe hathe done very prudentlie in this matter..."

41) - No. 192, lines 42-3.

42) - Roper, op. cit., pp.64-71 (esp. p.70). More to Cromwell, No. 195 (*Selected Letters*, No.50) ; No. 198, lines 68-70, 84.

43) - Roper, p.70, lines 10-12 : the members of the Upper House wanted to hear More in his own defence: which the Bill had aimed to avoid.

44) - No. 195, line 18: "... whatsoever should happen me therein".

45) - Letter No. 214, lines 90-92 "... I say none harme, I thynk none harme, but wysh euerie bodye good. And yf thys be not ynough to kepe a man alyue in good fayth I long not to lyue". Also No. 216, lines 132-3.

5 bis) - In *Theatrum Crudelitatis Haereticorum Nostris* *Temporis*, Antwerp, 1587 (attributed to Richard Rowlands : Gibson, *Prelim. Bibliography*, No.490) at p.30 of the English section in both Latin and French editions there appear the names of Edward Bocking and Henry Gold amongst those *defensione Primatus Romanae Ecclesiae per martyrium consumpti*. J. Strype, *Annals of the Reformation*, III (London, 1728), p.198, adds the necessary *caveant lectores*.



Postscript. Viewing More's situation and behaviour in 1533-5 the present writer feels some doubt as to whether a closer study of I Peter II. 13-17 (explained recently by C. Spicq, O.P., at *Studia Theologica* 20, 1966, pp.37-61, in the light of Christ's own example at Matt.XVII.24-27) would not have urged More to closer cooperation with the government, and to less reliance upon a negative and cautious attitude, careless of his own safety.

There is a moral duty incumbent upon all men, and especially those occupying influential positions and serving as examples to the less prominently placed, not to provoke their opponents to sin, or to a course which will bring the latter into sin. One can sin in ignorance. It is the Christian's privilege not to insist upon his legal rights if thereby his fellow-creatures will be forced (in their ignorance) to injure him. In refusing to insist he is not betraying his faith, but following Christ's own example-- which was not to object and to defy, but, whilst maintaining the truth clearly and constantly, to submit to men (Rom. XV. I-3). These latter must answer for their faults, and the individual's duty is to inform, exhort, and warn-- but always in love and cooperatively. For a Tudor lawyer this could be extremely hard. *Videant quorum interest.*

James H. Denst.