

## INTRODUCTION

### *Pour ce que plusieurs*

During the fifteenth century, a series of French administrators and officials prepared polemical treatises defending the Valois monarchy against the rival claims of the kings of England.<sup>1</sup> The *notaire et secrétaire du roi*, Jean de Montreuil, composed two major works, *Regali ex progenie* (1406–1413) and the *Traité contre les Anglais* (1413–1416), that served as models for a series of texts that developed a coherent historical and legal defence of the Valois succession, prerogatives, and rights.<sup>2</sup> Jean Juvénal des Ursins drew heavily upon Montreuil's work for *Audite celi* (1435); he further developed his arguments in *Tres crestien, tres hault, tres puissant roy* (1446), written in response to a royal request that 'je me transportasse en vos Chambres des comptes, du Tresor de vos chartres, et ailleurs, pour veoir les lettres et chartres' and thereby compose a treatise for 'la convention que devés avoir avec tres hault et puissant Prince Henry vostre nepveu et adversaire, soy disant roy d'Angleterre'.<sup>3</sup> Another *notaire et secrétaire*, Noël de Fribois, prepared two chronicles, the *Mirouer historial* (1451) and the *Abregé des chroniques* (1453–1461), while his colleague, Louis Le Blanc, was almost certainly the author of a short treatise, *Pour vraye congnoissance avoir* (1471).<sup>4</sup>

Yet the most successful and widely circulated French polemical treatise of the late middle ages was *Pour ce que plusieurs*, which survives in twenty manuscripts and was printed at least eleven times between the 1480s and 1558, most frequently under the title *La Loy Salicque, première loy des françois*.<sup>5</sup> This treatise must have been completed between 1461

<sup>1</sup> Peter S. Lewis, 'War, propaganda and historiography in fifteenth-century France and England', in *Essays in Later Medieval History* (London, 1985), pp. 193–213, and Craig Taylor, 'War, propaganda and diplomacy in fifteenth-century France and England', in Christopher T. Allmand (ed.), *War, Government and Power in Late Medieval France* (Liverpool, 2000), pp. 70–91.

<sup>2</sup> Montreuil, II.

<sup>3</sup> Jean Juvénal, II, pp. 13–14 and, in general, I, pp. 145–281 and II, pp. 1–177.

<sup>4</sup> Noël de Fribois, *Abregé des croniques de France*, ed. Kathleen Daly (Paris, 2006), and Kathleen Daly, 'Pour vraye congnoissance avoir: historical culture and polemic in the French royal *Chambre des comptes* in Paris in the fifteenth century', *Nottingham Medieval Studies*, 49 (2005), pp. 142–189.

<sup>5</sup> It has also been published under the titles *Discussion des differendz entre les roys de France & d'Angleterre* and *Pretensions des Anglois à la couronne de France*, while the copies in post-medieval

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978-0-521-87390-1 — Debating the Hundred Years War: *Pour ce que plusieurs* (La Loy Salicque)

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and 1467 because manuscript K is listed in a 1467 inventory of the library of Philippe le Bon, duke of Burgundy, while Louis XI (1461–1483) and Edward IV (1461–1483) are frequently cited in the text as being the reigning kings of France and England.<sup>6</sup> Two references in the first section of *Pour ce que plusieurs* may provide a more accurate date for the completion of the treatise. The author declared that the papacy, the church, and all the Christian princes had accepted Philippe VI and his five successors as the true kings of France for 134 years, suggesting that the current date was 1462 or 1463. A few pages later, the author reported that Philippe VI and his heirs up to 'le Roy Loys qui a present est ou V<sup>e</sup> degré', had possessed the crown 'l'espace de VI<sup>XX</sup> et XVI ans, c'estassavoir depuis l'an mil III<sup>C</sup> XXVIII jusques a l'heure presente que l'en comte mil III<sup>C</sup> LXIII'.<sup>7</sup> Thus it is almost certain that *Pour ce que plusieurs* was written in 1464, that is to say between Easter 1464 and Easter 1465 according to the new style of dating.

The author explained that he was composing the treatise in order to ensure that 'chascun clerement et sans aucune ambiguité ou doubte puisse congnoistre et estre deuement informé du droit que les parties en chascune desdictes matieres puet avoir et reclaimer l'une a l'encontre de l'autre et les solutions aussi et justifications dont elles se puent deffendre'.<sup>8</sup> Such statements were common in the polemical treatises written by royal officials, even though such works were primarily intended for a more closed audience of fellow diplomats and administrators.<sup>9</sup> Indeed it seems most likely that *Pour ce que plusieurs* was written to provide information for French diplomats attending negotiations at Saint-Omer in 1464. On 8 October 1463,

manuscripts have been catalogued as the *Traicté des différends entre les roys de France et d'Angleterre, dédié au roy Louis XI* and the *Traité contre les prétentions des Anglais à la couronne de France* (see pp. 289–290). Colette Beaune has referred to the treatise as both *La grand traité sur la Loi Salicque* and *La grand traité de 1450*, in *The Birth of an Ideology: myths and symbols of nationhood in later medieval France* (Berkeley, 1992), pp. 254–264 and 349–350.

<sup>6</sup> See pp. 73, 78, 83, 111, 132, and 282 below. When citing the descendants of Edward III, the author referred to the 'conte de Stafford derrainement mort le quel avoit esté fait duc de Boguinquum', that is to say Humphrey, duke of Buckingham, who had died in 1460 (see page 75). Also see Appendix III, pp. 291–292.

<sup>7</sup> See pp. 78 and 83. The date 1464 has been accepted by most scholars: Georges Doutrepoint, *La Littérature française à la cour des ducs de Bourgogne* (Paris, 1909), pp. 411–412; Joseph Calmette and Georges Périnelle, *Louis XI et Angleterre, 1461–1483* (Paris, 1930), p. 59; Lewis, 'War, propaganda and historiography', p. 204; Kathleen Daly, 'The *Vraie cronique d'Escoce* and Franco-Scottish diplomacy: an historical work by John Ireland?', *Nottingham Medieval Studies*, 35 (1991), p. 122. Colette Beaune has confusingly stated that the treatise was written both in 1450 and between 1450 and 1464, without citing any supporting evidence, in *The Birth of an Ideology*, pp. 255–256 and 349.

<sup>8</sup> See p. 53.

<sup>9</sup> Taylor, 'War, propaganda and diplomacy', pp. 73–79.

Louis XI had signed the truce of Hesdin with Edward IV, and a second meeting was scheduled to be held at Saint-Omer in April 1464 in order to arrange a marriage between the English king and a French princess. That summit was subsequently delayed until 1 July and then 1 October, because domestic problems made it impossible for Edward IV to keep the appointment, at least according to the English ambassadors.<sup>10</sup> *Pour ce que plusieurs* may have served as a briefing paper for the French diplomats, or possibly even Louis XI himself; the king had certainly taken an active role in the previous negotiations at Saint-Omer in autumn 1463, as well as in July 1464.<sup>11</sup> The value of such detailed information was clear given the continued debate over English claims in France. The Yorkist Edward IV may have been keen to ensure that Louis XI did not support the Lancastrians, but that did not mean that he was willing to renounce ancient English claims. John Wenlock and the embassy sent to the continent in 1462 had been instructed to cite the rights of the kings of England to the crown of France, and to seek the return of the duchies of Normandy and Guyenne, together with the counties of Maine and Anjou.<sup>12</sup> Faced by such demands, French diplomats might have turned to Jean Juvénal's *Tres crestien, tres hault, tres puissant roy*, but that treatise had implicitly supported the Yorkist claim to the French throne and, more relevantly, said nothing about the French reconquest of Normandy and Guyenne between 1449 and 1453. Indeed, Charles VII had written to Jean Juvénal himself, in the aftermath of the English attack on Fougères in 1449, calling for a written justification for the renewal of the war against the English.<sup>13</sup> Thus *Pour ce que plusieurs* updated and replaced *Tres crestien, tres hault, tres puissant roy*, providing a unique counter to Edward IV's title to not only the French but also the English crown, as well as a lengthy discussion of the breach of the Anglo-French truce in 1449.

There was another reason why an official French account of the events leading up to the recovery of Normandy would have been useful in 1464, namely the debate about French sovereignty over the duchy of Brittany. At that time, Louis XI's strategy was to circumscribe the duke's freedom to conduct an independent foreign policy by asserting that Brittany was part of the French kingdom and hence automatically subject to any alliance or treaty contracted by the king. Thus Duke François II was not explicitly named in the truce of Hesdin in 1463 and,

<sup>10</sup> Calmette and Périnelle, *Louis XI et Angleterre*, pp. 50–63, and also see Cora L. Scofield, *The Life and Reign of Edward the Fourth* (2 vols, London, 1923), I, pp. 305–307, 321–326 and 344–347.

<sup>11</sup> Scofield, *Edward the Fourth*, I, pp. 305–307 and 344–347.

<sup>12</sup> Calmette and Périnelle, *Louis XI et Angleterre*, pp. 14–15.

<sup>13</sup> Jean Juvénal, III, p. 79.

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despite the protests of the duke, there was again no direct mention of Brittany or its duke when the truce was extended to maritime affairs on 12 April 1464.<sup>14</sup> There were clear echoes of the debates surrounding the allegiance of Brittany during the final years of the English possession of Normandy. The new account of these events presented in *Pour ce que plusieurs* argued that Brittany had rightly been included on the French side in the prorogations of the truce of Tours from 1444 and 1449, despite the devious efforts of the English to claim the overlordship of the duchy for their king. This dramatic story served to emphasise the ‘natural’ loyalty owed by Brittany to the French crown.<sup>15</sup> Of course, in practice Louis XI’s strategy failed when Edward IV negotiated an alliance with both François II of Brittany and Charles, count of Charolais, son of Philippe of Burgundy. Moreover, Edward’s secret marriage to Elizabeth Woodville pre-empted any chance of a French marriage to cement an alliance with Louis.<sup>16</sup>

There is additional evidence to connect *Pour ce que plusieurs* with the diplomatic sphere. Firstly, the text appears in three manuscripts with another work that was almost certainly written for diplomats, the *Vraie cronique d’Escoce*. This was a short treatise in French recounting the history of the Scots from their legendary origins up to December 1463. It was almost certainly written by John Ireland, a Scotsman who served as ‘counsailoure, oratoire and familiare’ to Louis XI. It outlined the history of Anglo-Scottish relations, highlighting the main points of dissension, and thus provided French diplomats with background knowledge and material to use when negotiating with either side.<sup>17</sup> Secondly, two of the surviving manuscripts of *Pour ce que plusieurs* were almost certainly commissioned by Louis de Bruges, who presented one to Philippe le Bon before 1467, when it first appeared in the inventory of the ducal library, and kept one for himself.<sup>18</sup> The lord of Gruthuyse was a councillor and chamberlain to the duke of Burgundy and had been closely involved in the complex diplomacy of the early 1460s. This may explain how he managed to acquire *Pour ce que plusieurs*. Certainly the world of the diplomat appears to have been imagined in the miniatures prepared by the workshop of Guillaume Vrelant in Bruges

<sup>14</sup> Barthélemy-Admée Pocquet du Haut-Jussé, *François II duc de Bretagne et l’Angleterre* (1458–1488) (Paris, 1929), p. 84 and *idem*, ‘Une idée politique de Louis XI: la sujétion éclipse la vassalité’, *Revue historique*, 226 (1961), pp. 386–389.

<sup>15</sup> See pp. 116–134.

<sup>16</sup> Scofield, *Edward the Fourth*, I, pp. 350–353 and Mark H.A. Ballard, ‘Anglo-Burgundian relations 1464–1472’ (DPhil thesis, Oxford, 1992), pp. 26–27.

<sup>17</sup> Daly, ‘The *Vraie cronique d’Escoce*’, pp. 130–133 and see pp. 23–24 below. *Pour ce que plusieurs* and the *Vraie cronique d’Escoce* appear together in three manuscripts: F, H, and K.

<sup>18</sup> Manuscripts B and K, and see Joseph Basile Bernard van Praet, *Recherches sur Louis de Bruges, seigneur de la Gruthuyse* (Paris, 1831), pp. 5–10 and 252–253.

that decorate the frontispieces of these two sumptuous manuscripts. These images depict two officials engaged in debate while courtiers look on. There is no indication that this is a representation of the fictional debate between Edward III and Philippe VI described in the text, or even that the two sides are French and English. Rather this appears to be an acknowledgement of the connection between *Pour ce que plusieurs* and the world of diplomacy.<sup>19</sup>

The author of *Pour ce que plusieurs* was not identified in any of the surviving manuscripts.<sup>20</sup> Nevertheless, a strong circumstantial case may be made for Guillaume Cousinot II de Montreuil (c.1400–1484).<sup>21</sup> On 16 August 1464, Louis XI wrote to Charles de Melun, his lieutenant in Paris, authorizing Cousinot and Jean Dauvet to carry out archival research in the *Trésor des chartes*, the *Chambre des Comptes*, the Parlement of Paris, and the abbey of Saint-Denis:

Nostre amé et feal, pour ce que nous desirons que à la journée qui se doit tenir entre nous et nostre très cher neveu le duc de Bretagne, ou noz commis et deputez d'une part et d'autre, les droiz que nous pretendons audit pays de Bretagne soient clerement monstrez de nostre part, à ce que chascun puisse connoistre le bon droit que avons en ceste partie, pour ces causes nous vous avons ordonné faire voir et visiter en plusieurs lieux de nostre royaume tout ce qui se pourra trouver touchant ladicte matiere. Et entre autres avons ordonné que en nostre ville de Paris, tant ès registres de nostre cour de Parlement que au Tresor et en la Chambre des comptes, semblablement en l'abbaye de Saint Denis et partout ailleurs ès marches de par delà soit veu et regardé tout ce qui nous pourra servir touchant lesdictes matieres; et à ceste cause envoyons de present par delà nostre amé et feal Guillaume Cousinot, chevalier, lequel avons chargé avec vous de besogner et vaquer esdictes matieres. Si voulons et vous mandons bien expressement que vous et lui ensemble besognez esdictes

<sup>19</sup> It is possible that manuscript F also contained a miniature on the missing first folio; certainly the text is very close to that offered in manuscript B. A fourth manuscript, H, has a miniature which does represent a meeting between the kings and was probably prepared by Jean Roland III in the Loire valley. See figures 1–3, together with p. 282, n. 27 below.

<sup>20</sup> The treatise has been variously attributed to Claude de Seyssel, Jean Juvénal des Ursins, Jean Rogier of Rouen, and John Ireland, generally because of its association with their writings in manuscripts or printed editions. See, for example, Jacques Lelong, *Bibliothèque historique de la France, contenant le catalogue de tous les ouvrages, tant imprimés que manuscrits, qui traitent de l'histoire de ce royaume* (Paris, 1719), numbers 7426\* and 11760–11762; Pocquet du Haut-Jussé, 'Une idée politique de Louis XI', p. 388; Bernard Bousmanne, *Item a Guillaume Wyelant aussi enlumineur. William Vrelant, un aspect de l'enluminure dans les Pays-Bas méridionaux sous le mécénat des ducs de Bourgogne Philippe le Bon et Charles le Téméraire* (Turnhout, 1997), p. 230.

<sup>21</sup> Cousinot was created lord of Montreuil, near Vincennes, in around 1450. He should not be confused with his uncle, Guillaume Cousinot I, chancellor of the duke of Orléans from 1416 to 1438, who died shortly after 1442; see Auguste Vallet de Viriville, 'Essais critiques sur les historiens originaux du règne de Charles VII', *Bibliothèque de l'Ecole des Chartes*, 3 (1857), pp. 1–20 and 105–126, reprinted in *Chronique de la Pucelle*, pp. 15–33.

matieres en la plus grande diligence qu'il sera possible; et tout ce que vous trouverez faictes le mettre en forme deue et authentique, telle qu'on y puisse adjouster foi quand temps et lieu sera.<sup>22</sup>

This request echoed the instructions given to Jean Juvénal des Ursins in 1446, when he was asked by the king to go to the 'Chambres des comptes, du Tresor de vos Chartres, et ailleurs, pour veoir les lettres et chartres' in order to research and write *Tres crestien, tres hault, tres puissant roy* for the meeting with Henry VI.<sup>23</sup> The immediate context for Cousinot's research in 1464 was a dispute over regalian rights in Brittany, and the meeting referred to in the letter was probably the conference with the ambassadors of Duke François II, originally scheduled to take place at Chinon on 8 September 1464 and then put off until 15 October.<sup>24</sup> Nevertheless, research into 'les droits que pretendons au dit pays de Bretagne' would also have supported the impending negotiations with the English at the Diet of Saint-Omer, and provided Cousinot with the information necessary to write the crucial new section of *Pour ce que plusieurs* regarding the events between 1444 and 1449.<sup>25</sup>

There were few men with greater experience and understanding of the events and diplomatic negotiations that had preceded the recapture of Normandy. Cousinot had been 'l'agent principal des relations diplomatiques qui eurent lieu, pendant le cours des trêves, entra la France et l'Angleterre'.<sup>26</sup> He had travelled to England with two embassies in 1445, and represented Charles VII in the negotiations leading up to the handover of Maine and the subsequent discussions of infractions of truce, including the seizure of Fougères.<sup>27</sup> Indeed, Cousinot frequently acted as spokesman for Charles VII, including at the negotiations at Louviers in August 1448 and the conferences at Saint-Ouen and Vaudreuil three months later.<sup>28</sup> The extent of

<sup>22</sup> *Lettres de Louis XI*, X, pp. 218–219. On 29 September 1464, Louis XI issued a similar letter of credence for Cousinot, addressed to Dreux Budé, keeper of the *Tresor des chartes*. The king stated that Cousinot was carrying out 'aucuns matieres qui fort nous touchent, et pour lesquelles puet estre sera besoing de veoir au Tresor de noz chartres', and therefore asked Budé to provide him with all necessary assistance (*ibid.*, II, p. 219).

<sup>23</sup> Jean Juvénal, II, pp. 13–14.

<sup>24</sup> Philippe Contamine, 'Méthodes et instruments de travail de la diplomatie française. Louis XI et la régle des évêchés bretons (1462–5)', in *Des pouvoirs en France, 1300–1500* (Paris, 1992), pp. 147–167; *Lettres de Louis XI*, X, pp. 204–206.

<sup>25</sup> See pp. 116–134.

<sup>26</sup> *Chronique de la Pucelle*, p. 25. Cousinot also took part in missions to Scotland, Mantua, Savoy, Milan, and Rome. See *ibid.*, pp. 25, 29, 31, and 76–80; *Lettres de Louis XI*, III, pp. 116–118, IV, pp. 22–23, 100–101, and 155–156, X, pp. 288–289; Calmette and Périnelle, *Louis XI et Angleterre*, pp. 306–308; Beaucourt, VI, pp. 254–256 and 299.

<sup>27</sup> Beaucourt, IV, pp. 103, 163–165, 285, and 290.

<sup>28</sup> Morice, II, col. 1430 and BNF MS français 4054, fos 101r–110v.

his personal involvement in these events is amply illustrated by a manuscript that was completed after 1531, but which contains a remarkable number of documents relating to Cousinot and may represent a dossier that he himself had collected.<sup>29</sup> Included in this manuscript are documents concerning the embassy sent to London in June 1445 and the conferences at Evreux and Louviers in April and May 1446, all of which were attended by Cousinot, as well as two documents relating to the meeting of 31 July 1449 when Charles VII informed the English that the truce was at an end.<sup>30</sup> Even more significantly, the manuscript also included thirteen documents relating to François de Surienne, which may well be the ‘deposicion’ cited in *Pour ce que plusieurs*.<sup>31</sup> Although a direct connection between Cousinot and the dossier contained in the manuscript cannot be proved for certain, his personal involvement in these complex diplomatic relations, and his deep familiarity with the thorny debates, would have made him a natural choice to write a polemical treatise like *Pour ce que plusieurs*. After all, he had written a letter to the count of Foix on 25 September 1449, foreshadowing the material in the treatise.<sup>32</sup>

At the same time, Cousinot certainly had the detailed knowledge of English and Scottish affairs demonstrated by the author of *Pour ce que plusieurs*.<sup>33</sup> He had visited London in person in 1445, and spent another three years in captivity in England after being taken prisoner while returning from an embassy to Scotland in 1451.<sup>34</sup> In 1457, Cousinot was a member of an expedition led by Pierre de Brézé that raided Sandwich on 28 August.<sup>35</sup> Soon after March 1463, he was dispatched as an emissary to the exiled Lancastrian court in Scotland by Louis XI and returned to France via the Hanse, appealing for support for Henry VI against Edward IV, with whom the merchants had recently

<sup>29</sup> BNF MS français 4054, and see p. 17 below.

<sup>30</sup> BNF MS français 4054, fos 39r–v, 86r–91v, and 153r–157r. The record of the official inquiry into the attack on Fougères appears in Thomas Basin, *Histoire des règnes de Charles VII et de Louis XI*, ed. Jules Quicherat (4 vols, Paris, 1855–1859), IV, pp. 290–347.

<sup>31</sup> BNF MS français 4054, fos 111r–131r. *Pour ce que plusieurs* referred to the ‘deposicion de Messire François de Surienne dit l’Arragonnois, executeur de laditte enterprise et de pluseurs autres qui aidierent a icelle conduire’, as well as the records of the negotiations of June and July 1449, which were prepared by apostolic and imperial notaries. See pp. 119 and 130 below.

<sup>32</sup> Beaucourt, V, pp. 437–444.

<sup>33</sup> See pp. 23–27.

<sup>34</sup> *Chronique de la Pucelle*, pp. 27–28 and 76–80, and Beaucourt, VI, pp. 132–133. On 7 April 1464, the cathedral chapter of Rouen recorded the thanks offered by Cousinot for prayers in support of him during his captivity in England. It seems most likely that this was a reference to the events a decade earlier, though Scofield has suggested that Cousinot was pretending to have been a prisoner at Bamburgh in order to protect Louis XI, who had promised in the truce of Hesdin not to support the Lancastrians: Scofield, *Edward the Fourth*, I, p. 324.

<sup>35</sup> Beaucourt, VI, pp. 145–146.



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quarrelled. The next year, Cousinot rejoined Henry VI at Bamburgh, returning to France in February carrying detailed instructions from the Lancastrian king to his wife.<sup>36</sup> Indeed, Cousinot was certainly partial to the Lancastrian cause, as a member of the circle of René of Anjou and Pierre de Brézé, who led and organized most of the direct French support for Henry VI and Margaret of Anjou during the 1460s. This would certainly accord with the use in *Pour ce que plusieurs* of anti-Yorkist arguments similar to those employed by Sir John Fortescue, not to mention the strong assertion of the Lancastrian claim to the English throne and the silence regarding the murder of Richard II, a crime that had been strongly denounced by all previous polemical writers.<sup>37</sup>

Cousinot also had the appropriate skills to compose a defence of the rights of the French crown. Though little is known of his education, he had been appointed as a *notaire et secrétaire du roi* by 1438 and shortly afterwards became a *maître des requêtes*, the first president of the *Conseil delphinal* (later to become the *Parlement* of the Dauphiné at Grenoble), and, in May 1445, a member of the royal council.<sup>38</sup> Though it does not now seem likely that he was the author of the *Chronique de la Pucelle*, he did write the *Réponse à Robertet sur le départ de la belle Etiennette* (1469), a work in verse and prose that survives in one of the manuscripts of *Pour ce que plusieurs*, alongside a short history of the conquest of Normandy by Henry V. If the manuscript was prepared for Cousinot, as seems likely, then it is possible that he was not only the author of the *Réponse*, but also *Pour ce que plusieurs*.<sup>39</sup>

Cousinot was without doubt one of the most prominent figures in a remarkable effort by Valois administrators and diplomats to define and extend the prerogatives and rights of the crown under Louis XI.<sup>40</sup> He had certainly played an important role in the efforts regarding Brittany

<sup>36</sup> Scofield, *Edward the Fourth*, I, pp. 291 and 315–318, together with the instructions given to Cousinot in Jean de Wavrin, *Anchiennes chroniques d'Engleterre*, ed. Emilie Dupont (3 vols, Paris, 1858–1863), III, pp. 178–181.

<sup>37</sup> On the use of arguments from Fortescue, see pp. 24–26. The story of the murder of Richard II was widely known in fifteenth-century France: Craig Taylor, ‘Weep thou for me in France’: French views of the deposition of Richard II, in W. Mark Ormrod (ed.), *Fourteenth-century England*, III (Woodbridge, 2004), pp. 207–222.

<sup>38</sup> *Chronique de la Pucelle*, pp. 23–24 and Beaucourt, IV, p. 411. There is no evidence that Cousinot continued to serve as a royal secretary during the reign of Louis XI: André Lapeyre and Rémy Scheurer, *Les Notaires et secrétaires du roi sous les règnes de Louis XI, Charles VIII et Louis XII (1461–1515): notices personnelles et généalogiques* (Paris, 1978), p. 104.

<sup>39</sup> René Planchenault, ‘La Chronique de la Pucelle’, *Bibliothèque de l’Ecole des Chartes*, 93 (1932), pp. 55–104, and Jean Robertet, *Oeuvres*, ed. Margaret Zsuppán (Geneva, 1970), p. 33. The manuscript in question is C.

<sup>40</sup> I intend to examine this in a forthcoming monograph but see, for example, Contamine, ‘Méthodes et instruments de travail’, and *idem*, ‘La mémoire de l’état: les archives de la



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[More Information](#)

## INTRODUCTION

9

in 1464.<sup>41</sup> He subsequently spoke alongside other royal councillors at the Estates General at Tours in 1468, attacking the duke of Brittany and Charles of France, and also setting out the legal issues surrounding the status of Normandy, which Louis XI had been forced to cede to his brother during the War of the Public Weal.<sup>42</sup> Cousinot was also a key figure in the defence of Louis XI against the treasonous actions of certain of his subjects in the late 1460s and early 1470s. He served as one of the commissioners who condemned Charles d'Albret to death on 7 April 1473 for his involvement in the uprising led by Jean V d'Armagnac, and was one of the interrogators of Jean d'Alençon later that year, following the duke's arrest for plotting with Edward IV and the duke of Brittany.<sup>43</sup> In addition, in 1469, Cousinot served on the commission for the prosecution of Cardinal Jean Balue of Angers, who was charged with conspiring to form a league against the king. Because Louis XI wanted Pope Paul II to condemn Balue and Guillaume de Haraucourt, bishop of Verdun, Cousinot appeared before the curia in Rome in December 1469, where he successfully argued the case with the support of Pierre Gruel, president of the Parlement of Grenoble, and Guillaume Lefranc, doctor of laws.<sup>44</sup> An anonymous memoir presented the evidence for Balue and Haraucourt's guilt and also argued for royal authority over all traitors, even if they were clerics, supposedly subject only to the authority of their true sovereign, the pope. It certainly seems possible that Cousinot had had a hand in the writing of this important briefing memoir.<sup>45</sup>

Remarkably, Cousinot was still involved in the defence of the French crown as he approached his eightieth birthday. His expertise in the legal debates of the Hundred Years War was highlighted when Louis XI wrote to him in 1478. The king asked him to join Bishop

Chambre des Comptes du roi de France à Paris au XVe siècle', in *Des pouvoirs en France, 1300–1500* (Paris, 1992), pp. 147–167 and 237–250.

<sup>41</sup> See pp. 3–4.

<sup>42</sup> Summaries of the speeches survive in Archives Communales, Rodez, BB 3, fos 61v–66r; Archives Communales, Poitiers, carton 98, reg. 5, fos 115r–119r.

<sup>43</sup> In 1456, Cousinot went to Charles VII with news that Jean II, duke of Alençon, was conspiring with the English, and was then sent by the royal council to comission Dunois to arrest Alençon at Paris on 27 May, during the Nullification trial of Joan of Arc. He also attended the *lit de justice* convened to try Alençon in August 1458: *Chronique de la Pucelle*, pp. 83–86; Beaucourt, VI, pp. 59–61 and 188; and Simon Cuttler, *The Law of Treason and Treason Trials in Later Medieval France* (Cambridge, 1981), pp. 210 and 222–223.

<sup>44</sup> Henri Forgeot, *Jean Balue, cardinal d'Angers, 1421?–1491* (Paris, 1895), pp. 66–84 and 185–188, and Cuttler, *The Law of Treason*, pp. 64 and 74–77. For Cousinot's arguments before the pope on 15 December 1469, see BNF MS 10237, fos 126ff, MS français 10238, fos 202ff, and MS français 10971, fos 295r and 315r–345r.

<sup>45</sup> BNF MS nouvelle acquisition française 1001, fos 76r–82r.

Louis Raguier of Troyes, Bishop Pierre de Ranchicourt of Arras, Guillaume de Corbie, Jean de Popaincourt, and Jean Havart in drafting materials very much in the vein of *Pour ce que plusieurs* for the impending negotiations with the English:

Par quoy est besoing de faire dresser beaux, notables, grans et emples memoires et instructions pour bien fonder mes drois, mais respondre a tout ce que les Anglois voudront pretendre, tant en la couronne de France, comme es pays et duchiez de Normandie et de Guyenne, et generalement a toutes les autres choses qu'ilz pourroient demander et alleguer, et commectre notables et grans personnaiges saiges, preudens et cognoissans en telles matieres, seurs et feables pour besoigner. Et pour ce que entre autres vous estes l'un de ceuls qui plus en avez veu, jay vous y ay espiciallement ordonné et commis. Aussi y ay commis [the other five men]. Et a semblé le myeulx de vous faire tous assembler a Paris, que pour ce des choses qu'il sera besoing de veoir, tant en la court de Parlement, comme ou Tresor des Chartres, en la Chambre des comptes et croniques de Saint Denis et aillieurs, l'ou on pourra illecq plus aisement servir que autre part. S'y vous pry, Monseigneur de Monstereul, que le plus tost que vous pourrez, vous rendiez a Paris pour besoigner avecques les dessusdiz, pour besoigner en ladicte matiere le myeulx et plus meurement que faire se pourra, et en maniere que se soit au bien et honneur de moy, du royaume, de la couronne, et me y servez comme je en ay vers la conscience.<sup>46</sup>

Shortly afterwards, Cousinot was called upon to assist in an even more pressing matter. Following the death of Duke Charles of Burgundy at the battle of Nancy in January 1477, Louis XI had tried to seize the duchy by force, despite the claim of Charles's daughter, Marie. The failure of these military efforts led to the opening of diplomatic negotiations in the summer of 1477. On 13 July, Louis XI informed the Parlement of Paris that he was commissioning agents to examine the archives in the *Chambre des Comptes*, the *Trésor des chartes*, and the Parlement itself in order to investigate the legal aspects of the case.<sup>47</sup> A month later, Cousinot responded to a request by the royal council for advice on the legal status of the Burgundian territories in a rushed letter written on 12 August 1478.<sup>48</sup> Later that winter, Cousinot led a group of royal officials in the preparation of a memorandum supporting Louis XI's pretensions to Burgundy and the county of Mâcon, responding to the defence of Marie's claim prepared by Jean

<sup>46</sup> The letter was written at Arras on 22 April 1478: BNF MS français 4054, fo. 240r, edited in *Lettres de Louis XI*, VII, pp. 31–33.

<sup>47</sup> *Lettres de Louis XI*, VII, pp. 112–114.

<sup>48</sup> BNF MS français 5041, fos 78r–79v, in Philippe de Commynes, *Mémoires de Philippe de Commynes*, ed. M. Dupont (3 vols, Paris, 1840–1847), III, pp. 315–320.