

Cambridge University Press

978-1-107-45269-5 - The Tree of Commonwealth: A Treatise Written by Edmund Dudley

D. M. Brodie

Frontmatter

[More information](#)

THE
TREE OF COMMONWEALTH

Cambridge University Press
978-1-107-45269-5 - The Tree of Commonwealth: A Treatise Written by Edmund Dudley
D. M. Brodie
Frontmatter
[More information](#)

Cambridge University Press

978-1-107-45269-5 - The Tree of Commonwealth: A Treatise Written by Edmund Dudley

D. M. Brodie

Frontmatter

[More information](#)

THE TREE
OF
COMMONWEALTH

A TREATISE
WRITTEN BY EDMUND DUDLEY

Edited, with an introduction
by

D. M. BRODIE
Ph.D. (Camb.), F.R.Hist.S.
*Sometime Research Fellow of
Newnham College*



CAMBRIDGE
AT THE UNIVERSITY PRESS
1948

Cambridge University Press

978-1-107-45269-5 - The Tree of Commonwealth: A Treatise Written by Edmund Dudley

D. M. Brodie

Frontmatter

[More information](#)

CAMBRIDGE
UNIVERSITY PRESS

University Printing House, Cambridge CB2 8BS, United Kingdom

Cambridge University Press is part of the University of Cambridge.

It furthers the University's mission by disseminating knowledge in the pursuit of education, learning and research at the highest international levels of excellence.

www.cambridge.org

Information on this title: www.cambridge.org/9781107452695

© Cambridge University Press 1948

This publication is in copyright. Subject to statutory exception and to the provisions of relevant collective licensing agreements, no reproduction of any part may take place without the written permission of Cambridge University Press.

First published 1948

First paperback edition 2014

A catalogue record for this publication is available from the British Library

ISBN 978-1-107-45269-5 Paperback

Cambridge University Press has no responsibility for the persistence or accuracy of URLs for external or third-party internet websites referred to in this publication, and does not guarantee that any content on such websites is, or will remain, accurate or appropriate.

CONTENTS

<i>Preface</i>	<i>page vii</i>
INTRODUCTION	
I. Edmund Dudley’s Career	I
II. The Tree of Commonwealth	II
THE TREE OF COMMONWEALTH	
Explanatory Note	19
TEXT	21

Cambridge University Press
978-1-107-45269-5 - The Tree of Commonwealth: A Treatise Written by Edmund Dudley
D. M. Brodie
Frontmatter
[More information](#)

Cambridge University Press

978-1-107-45269-5 - The Tree of Commonwealth: A Treatise Written by Edmund Dudley

D. M. Brodie

Frontmatter

[More information](#)

P R E F A C E

This edition of *The Tree of Commonwealth* is offered especially to those who wish to understand the political ideas current among ordinary men of the late fifteenth century rather than to those anxious for a philosopher's guidance in interpreting the constitution of that age. Edmund Dudley, whose career began in the Inns of Court and ended in the king's service, was certainly fitted to express many of the conflicting ideals of his contemporaries. He was a student of the law and twice lecturer at Gray's Inn at a time when a remarkable group of Readers, of whom the most notable was Frowyk, were lecturing during vacations in an endeavour to elucidate the principles and rationalise the usages of legal procedure. To do this they called in the assistance of "common reason" more frequently than older generations of Readers had done and defended both age-established customs and the newer forms of action by appeals to the needs of the "Common weal" or "wealth". The "commonwealth" envisaged by these Readers seems to be "society" rather than "state" and it is in this sense that Edmund Dudley uses the word both in his French Reading on Quo Warranto and in the title of his English treatise. Perhaps it was because there was so little recognition of any serious conflict of interest between "government" and "governed" that these Readers could express both their conviction of the greatness of the law and their willingness to exalt the king's powers and prerogatives, an attitude also found in *The Tree of Commonwealth*.

It is impossible to acknowledge adequately all the help and kindness I have received over many years. I owe much to the valuable advice and criticism which I received from Mr C. J. B. Gaskoin, the late Mr R. H. Brodie, the late Dr H. Hall, Dr K. Pickthorn and Professor Putnam. To the last I owe a special obligation, for she directed my attention to Dudley's *Law Readings* and constantly helped me from

Cambridge University Press

978-1-107-45269-5 - The Tree of Commonwealth: A Treatise Written by Edmund Dudley

D. M. Brodie

Frontmatter

[More information](#)

viii

PREFACE

the stores of her unrivalled knowledge of this type of document. To these, and to many other scholars, I am deeply grateful, but for any errors or misinterpretations I alone must be held responsible.

I must also express my warm thanks to the Hon. Lady Anstruther Gough Calthorpe, to the trustees of the British Museum, to the Librarians of the Chetham Library, Manchester, and of the University Library, Cambridge, and to the Keeper of the Muniments of Westminster Abbey for giving me permission to use manuscripts in their possession or custody. I owe much too, to the kind and efficient help of many officials of these libraries and of the Public Record Office.

Without the very great help which Newnham College has given me, the task of preparing Edmund Dudley's treatises for publication could never have been undertaken. The publishing of this edition of *The Tree of Commonwealth*, put aside when the war brought other duties, is but a recognition of a debt which I can never hope to repay.

D. M. BRODIE

CAMBRIDGE

JUNE 1947