

The Bishops and the Deposition of Edward II

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The deposition of Edward II was a watershed in the legal history of later medieval England. However, the significance of the church in its accomplishment has remained controversial. This article offers a reassessment by providing a brief narrative of the episcopate's involvement in events; analysing the importance of their contribution, with particular reference to the quasi-legal aspect of proceedings; considering whether this participation reflected their own initiative or was something about which they had no choice; and questioning why so many bishops turned to oppose Edward II. It becomes evident that prelates played a key part in Edward II's downfall, and that they became involved as a consequence of the oppressive treatment which he had meted out to them, to their families and to political society more broadly.

The deposition of Edward II in January 1327 was a landmark event in the legal, political and constitutional history of later medieval England. Previous kings had certainly encountered difficulties: Stephen had fought a civil war with Matilda which saw the realm descend into chaos; John's relations with his baronage were so poor that he was forced to accede to the Magna Carta and witness the French invade with the support of many of his own subjects; and Henry III had endured a long conflict with Simon de Montfort in which he had at times been the earl's prisoner. However, all had died as kings of England.¹ The overthrow of Edward II, in which, following a successful invasion by Isabella (his queen) and Roger Mortimer (her ally and possible lover), he surrendered his authority to his fourteen-year-old son, who was then crowned Edward III, was thus an unprecedented episode in English history in the period after

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¹ May McKisack, 'Edward III and the Historians', *History* 45 (1960), 1–15, at 5–6.

the Norman Conquest.² It was also an episode which lacked clear legality or established process, for there was no explicit guidance in English or canon law about the means by which a king might be deposed.³ Correspondingly, the deposition spawned a novel legal procedure and a new legal principle: that through some combination of parliamentary decision and royal resignation, a king of England might be removed. Subsequently this was exploited as a precedent in the reign of Richard II, when the duke of Gloucester and the bishop of Ely threatened the king in 1386 by showing him an official record of Edward's deposition,⁴ and doubtless set the legal backdrop for Richard's own deposition, as well as for other dramatic events of the fifteenth century, when successive parliaments declared the regimes of Henry VI, Edward IV and Richard III illegitimate.⁵

What was the role of the episcopate in this defining episode of English legal history? On the one hand, scholars such as Kathleen Edwards, Michael Prestwich and Roy Martin Haines have claimed that bishops were a major force behind Edward's downfall, with William Stubbs going so far as to call Adam Orleton, bishop of Hereford, 'the guiding spirit of the queen's party'.⁶ On the other

² The question of whether Isabella and Mortimer were lovers as well as political allies at the time of their invasion and Edward's deposition remains vexed. What is more certain is that they exercised extensive royal authority on Edward III's behalf until the latter's 'coup' against Mortimer in October 1330, in an effective regency, with the consequence that the apparently direct transfer of power from Edward II to his son has been dubbed a 'legal fiction': Seymour Phillips, *Edward II* (London, 2010), 488–91, 520–1, 571–2, 611; Andrew M. Spencer, 'Dealing with Inadequate Kingship: Uncertain Responses from Magna Carta to Deposition, 1199–1327', in idem and Carl Watkins, eds, *Thirteenth-Century England XVI: Proceedings of the Cambridge Conference, 2015* (Woodbridge, 2017), 71–88, at 85.

³ Anthony Tuck, *Crown and Nobility, 1272–1461* (London, 1985), 93.

⁴ *Knighon's Chronicle, 1337–1396*, ed. G. H. Martin, OMT (Oxford, 1995), 360–1; see also Claire Valente, 'The Deposition and Abdication of Edward II', *EHR* 113 (1998), 852–81, at 857 n. 4.

⁵ Gerard Caspary, 'The Deposition of Richard II and the Canon Law', in Stephan Kuttner and J. Joseph Ryan, eds, *Proceedings of the Second International Congress of Medieval Canon Law* (Vatican City, 1965), 189–201, at 198–200; Valente, 'Deposition and Abdication', 874–6; Spencer, 'Inadequate Kingship', 86–7.

⁶ William Stubbs, *The Constitutional History of England*, 3 vols (Oxford, 1874–8), 2: 361; Kathleen Edwards, 'The Political Importance of the English Bishops during the Reign of Edward II', *EHR* 59 (1944), 311–47, at 339; Michael Prestwich, *Plantagenet England, 1225–1360* (Oxford, 2005), 217; Roy Martin Haines, *King Edward II, 1283–1330* (London, 2003), 187–8; idem, 'The Episcopate during the Reign of Edward II and the Regency of Mortimer and Isabella', *JEH* 56 (2005), 657–709, at 687–92.

hand, historians such as Ian Mortimer, Paul Doherty and Seymour Phillips, whilst acknowledging that prelates played a part in developments, have suggested that they lacked real agency and influence and were instead directed and masterminded by Isabella and Mortimer.⁷ This line was advanced furthest by Peter Heath, who remarked:

Vital as was the role of prelates in Edward's deposition – so delicate a novelty could hardly have been accomplished without them – their participation was more ceremonial than formative. There is little evidence to support a view that Isabella or Mortimer embarked on invasion, conquest and dethronement under the influence, or by the counsel, of any bishop ... [T]he sermons of Orleton, Stratford and finally of Reynolds were not the spontaneous initiatives of these prelates, but clearly part of an opportunist programme coordinated by Mortimer and his allies. In short, the deposition only serves to underline the limitations of ecclesiastical initiative and power in politics.⁸

This article offers a reassessment of this debate, by providing a brief account of the role of members of the episcopate in Edward's dethronement; by assessing the importance of this contribution, and whether it reflected the bishops' own initiative or was carefully extracted from them by Isabella and her cronies; and by analysing further reasons for the bishops' participation. It will become apparent that the English bishops played a crucial part in Edward's downfall, and that they did so in consequence of the legal, personal and financial oppression experienced by them, their families and political society more broadly.

The events of Edward II's deposition are well known and consequently do not require detailed rehearsal here.⁹ The invasion of

⁷ Ian Mortimer, *The Greatest Traitor: The Life of Sir Roger Mortimer* (London, 2003), 168, 170; idem, *The Perfect King: The Life of Edward III* (London, 2006), 52–6; Paul Doherty, *Isabella and the Strange Death of Edward II* (London, 2003), 108–13; Phillips, *Edward II*, 536–7; see also Natalie Fryde, *The Tyranny and Fall of Edward II, 1321–6* (Cambridge, 1979), 197.

⁸ Peter Heath, *Church and Realm, 1272–1461* (London, 1988), 79.

⁹ For a detailed narrative of Edward II's deposition, and a full bibliography of works on his reign, see Phillips, *Edward II*, 502–40, 614–42. For discussion of the composition of the episcopal bench in Edward II's reign, see Haines, 'Episcopate', 658–71. In January 1327, there were sixteen consecrated English bishops (the bishop-elect of Exeter, James Berkeley, only being consecrated in March 1327, after the murder of his predecessor in October 1326) and four Welsh bishops (of which only the bishop of Llandaff, John Eaglescliffe, appears to have had any involvement in events, by attending Edward III's

Isabella and Mortimer on 24 September 1326 was staggeringly successful and supported at every stage by prelates. By November, Isabella had taken control of the central administration, electing Prince Edward (the future Edward III) as keeper of the realm, with the connivance of six bishops and other earls, barons and knights; appointing John Stratford, bishop of Winchester, as acting treasurer; and making William Airmyn, bishop of Norwich, keeper of the Great Seal.¹⁰ By December, Edward II's political defeat had been confirmed. His favourites, the Despensers, had been brutally executed; he himself had been captured and moved into custody in Kenilworth Castle; and at Christmas Isabella agreed with Walter Reynolds, archbishop of Canterbury, Airmyn, Stratford and Orleton that Edward's cruelty made it impossible for her to return to him.¹¹ By January 1327, the stage was set for Edward's deposition. Two bishops were sent to Kenilworth to invite him to come to parliament, but he refused.¹² On 12 January, Orleton asked parliament whether Edward should remain as king or be replaced by his son, and postponed the assembly until the next morning to allow further time for thought, deliberation and persuasion.¹³ When parliament reconvened on 13 January, Orleton, Stratford and Reynolds delivered politically charged sermons which castigated Edward's kingship and invited his removal, culminating, according to the *Forma Depositionis*, in

coronation). Only one Irish bishop, Alexander Bicknor, archbishop of Dublin, was to play any significant role in Edward's deposition: Haines, 'Episcopate', 692, 706; Nicholas Orme, 'Berkeley, James (c.1275–1327)', *ODNB*, 24 May 2008, online at: <<https://www.oxforddnb.com/view/10.1093/ref:odnb/9780198614128.001.0001/odnb-9780198614128-e-95144>>, last accessed 12 September 2019.

¹⁰ *CCR 1323–7*, 655; R. E. Latham, ed., *Calendar of Memoranda Rolls (Exchequer), 1326–27* (London, 1968), 110–11.

¹¹ Haines, 'Episcopate', 688; Phillips, *Edward II*, 521.

¹² Precisely which two bishops journeyed to Kenilworth is unclear: the *Lanercost Chronicle* states it was Adam Orleton, bishop of Hereford, and John Stratford (*The Chronicle of Lanercost, 1272–1346*, ed. Herbert Maxwell [Glasgow, 1913], 254), while the *Pipewell Chronicle* prefers Orleton and Stephen Gravesend, bishop of London: Harry Rothwell, ed., *English Historical Documents, 1189–1327* (London, 1975), 278. That a delegation of two bishops was sent to Edward II at this point is confirmed by a letter from Henry Eastry, prior of Christ Church, Canterbury, to Walter Reynolds, archbishop of Canterbury, but unfortunately this does not name the bishops in question: *Litterae Cantuarienses: The Letter Books of the Monastery of Christ Church, Canterbury*, ed. Joseph Brigstocke Sheppard, 3 vols, RS 85 (London, 1887–9), 2: 204–5.

¹³ *Anglia Sacra*, ed. Henry Wharton, 2 vols (London, 1691), 1: 367; Phillips, *Edward II*, 525–6.

Reynolds exclaiming that ‘by the unanimous consent of all the magnates the lord King Edward has been deprived of the government of the kingdom and his son put in his place, if you consent unanimously’, to which the people replied ‘Let it be done! Let it be done! Amen’.¹⁴

Thereafter, on 15 or 16 January, a delegation headed by either two or three bishops was dispatched to Kenilworth, where they arrived on 20 January.¹⁵ According to Geoffrey le Baker, by a mixture of threats – ‘that, unless he resigned the crown, the people would cease to pay royal homage to himself, would reject his sons as well and instead exalt to the kingship another who was not of the royal blood’ – and promises – ‘that it would be greatly to the king’s credit with God if he were to reject his temporal kingdom for the peace of his subjects’ – the bishops tried to induce Edward ‘to resign the crown in favour of his firstborn son’. Eventually, Edward accepted their proposals, and on 21 January Sir William Trussell withdrew homage from Edward on behalf of the kingdom, and Sir Thomas Blount broke Edward’s rod of office.¹⁶ Throughout this period, a series of oaths in support of Queen Isabella and Prince Edward were sworn at the Guildhall in London by numerous influential figures, including the majority of the English bishops.¹⁷ Finally, Edward II’s removal was confirmed on 1 February 1327, with the coronation of his son. Edward III was crowned and anointed by Reynolds, assisted by Stratford and Stephen Gravesend, bishop of London, while Airmyn and Hamo Hethe, bishop of Rochester, chanted the litany.¹⁸

The involvement of the bishops is especially evident with regard to the legal basis for Edward’s deposition. This was encapsulated in six

¹⁴ Fryde, *Tyranny and Fall*, Appendix 2, 233–4.

¹⁵ The precise composition of this embassy is unclear. The *Lanercost Chronicle* states that Adam Orleton and John Stratford headed the delegation (*Lanercost Chronicle*, ed. Maxwell, 255); the *Pipewell Chronicle* has Orleton, Stratford and Stephen Gravesend (Rothwell, ed., *English Historical Documents, 1189–1327*, 279); and Geoffrey le Baker gives Stratford, Orleton and Henry Burghersh, bishop of Lincoln: *The Chronicle of Geoffrey le Baker of Swinbrook*, ed. Richard Barber and David Preest (Woodbridge, 2012), 25–6. The *Brut*, however, suggests that only one bishop was involved in the delegation, namely John Hotham, bishop of Ely: *The Brut, or the Chronicles of England*, ed. F. W. D. Brie, 2 vols, Early English Text Society original series 131, 136 (London, 1906–8), 1: 242.

¹⁶ *Geoffrey le Baker*, ed. Barber and Preest, 26–7.

¹⁷ A. H. Thomas and P. E. Jones, eds, *Calendar of the Plea and Memoranda Rolls of the City of London*, 6 vols (Cambridge, 1926–61), 1: 11–13.

¹⁸ *Chronicles of the Reigns of Edward I and Edward II*, ed. William Stubbs, 2 vols, RS 76 (London, 1882–3), 1: 324–5; Haines, ‘Episcopate’, 691–2.

articles of accusation, which alleged that Edward had committed a variety of heinous abuses, from breaching his coronation oath to executing members of the nobility, and resolved that in consequence ‘the eldest son of the king shall have the government of the realm and shall be crowned king’.¹⁹ According to the *French Chronicle of London*, Walter Reynolds pronounced these articles before parliament on 13 January, ‘by reason whereof all the people agreed, and cried aloud, that he ought no longer to reign’.²⁰

There are a number of reasons to believe that members of the episcopate were influential in the composition of this text. Firstly, there are some striking parallels between this document and the justifications for thirteenth-century depositions and abdications on the continent, namely the depositions of Emperor Frederick II and King Sancho II of Portugal by Pope Innocent IV in 1245, the abdication of Pope Celestine V in 1294, and the deposition of Adolf of Nassau by the electors of the Holy Roman Empire in 1298. Like their continental precursors, the English articles were couched in terms of the canon law theory of the *rex inutilis* (‘useless king’), to the extent that Helmut Walther remarked that they ‘read almost like a list of arguments from the canonistic doctrine of inutility’.²¹ Just as Frederick II had been condemned for being unwilling to reform, so Edward II was accused of refusing to ‘make amendment ... or to allow amendment to be made’, and of having ‘shown himself incorrigible without hope of amendment’.²² Just as Sancho II of Portugal was charged with being idle and negligent, succumbing to evil counsel and failing to defend his land against Saracen incursions, so Edward II was found

¹⁹ George Burton Adams and H. Morse Stephens, eds, *Select Documents of English Constitutional History* (London, 1901), 99. For the original French, see Valente, ‘Deposition and Abdication’, 879–81.

²⁰ *Chronicles of the Mayors and Sheriffs of London, A.D. 1188 to A.D. 1274 ... and The French Chronicle of London, A.D. 1259 to A.D. 1343*, ed. H. T. Riley (London, 1863), 266.

²¹ Edward Peters, *The Shadow King: Rex Inutilis in Medieval Law and Literature, 751–1327* (London, 1970), 237–41; Helmut Walther, ‘Depositions of Rulers in the Later Middle Ages: On Theory of the “Useless Ruler” and its Practical Utilization’, *Revista da Faculdade de Ciências Sociais e Humanas* 1 (1994), 157–68, at 162; see also J. S. Roskell, *Parliament and Politics in Late Medieval England*, 3 vols (London, 1981–3), 1: 3; Valente, ‘Deposition and Abdication’, 878–9.

²² Peters, *Shadow King*, 241; David Abulafia, *Frederick II* (London, 1988), 372–3; Adams and Stephens, eds, *Select Documents*, 99.

to have 'given himself up to unseemly occupations, neglecting to satisfy the needs of his realm', to have been 'governed by others who have given him evil counsel' and to have 'lost the realm of Scotland, and other territories and lordships in Gascony and Ireland'.²³ Just as Celestine V admitted 'personal shortcomings', so Edward was found to be 'incompetent to govern in person'.²⁴ And just as Adolf of Nassau was alleged to have 'rejected the counsels of the wise' and permitted the mistreatment of laymen and clergymen alike, so Edward II was accused of having been unwilling 'to listen to good counsel', having imprisoned prelates and having 'put to a shameful death, imprisoned, exiled, and disinherited ... many great and noble men of his land'.²⁵ While there is no direct evidence that Edward's opponents drew upon the depositions of the previous century, and while there is an undeniable congruence between their allegations and Edward's own conduct, the number and nature of these similarities renders it likely that the drafters of the English articles took at least some inspiration from the precedents of Frederick, Sancho, Celestine and Adolf in establishing their legal justification for Edward's deposition.²⁶ If this is the case, members of the episcopate probably played a key role in drafting the articles of accusation, for as churchmen versed in canon law they were the English magnates most likely to have been aware of these precedents.²⁷

Secondly, and rather less speculatively, episcopal influence in the crafting of the articles of accusation is implied by the prominence which they gave to clerical grievances: the first article complained that the king's actions had led 'to the destruction of Holy Church', and the fourth that he had 'imprisoned some of the persons of Holy Church and brought distress upon others'.²⁸

Thirdly, the involvement of bishops is suggested by the context in which the articles were compiled, with the Forma recording that they were drawn up at a meeting of 'the prelates and nobles', probably in the evening of 12 January, when Jean le Bel recorded that

²³ Peters, *Shadow King*, 138–9; Adams and Stephens, eds, *Select Documents*, 99.

²⁴ Peters, *Shadow King*, 218, 240; Adams and Stephens, eds, *Select Documents*, 99.

²⁵ Stubbs, *Constitutional History*, 2: 364–6; Peters, *Shadow King*, 234–5; Adams and Stephens, eds, *Select Documents*, 99.

²⁶ Peters, *Shadow King*, 241.

²⁷ *Ibid.* 237; Haines, *Edward II*, 193; Prestwich, *Plantagenet England*, 218.

²⁸ Adams and Stephens, eds, *Select Documents*, 99.

[I]t was decreed that ... a record should be made of all the ill-advised deeds and actions the king had committed, and of his conduct and behaviour, and how he'd ruled the country, so that it could be read in open court and the wisest in the land could debate how and by whom the kingdom should thenceforth be governed ...²⁹

Finally, the prelates' role in drafting the articles is revealed in Adam Orleton's remark that, while they emanated from 'the common counsel and assent of all the prelates, earls, and barons, and of the whole community of the realm', the articles were 'conceived and dictated in the presence of John [Stratford], then bishop of Winchester, now archbishop of Canterbury', before being incorporated into a public instrument by his secretary, William Mees.³⁰ From Isabella's invasion and initial seizure of power to the coronation of her son as king of England, and particularly with regard to the quasi-legal justification of events, it is therefore evident that members of the episcopate took a prominent part in the proceedings.

While the bishops were undoubtedly conspicuous, the question nonetheless arises of how important their role actually was. Their ceremonial role was vital, as has been conceded even by those who consider the episcopate to have lacked any practical influence behind events.³¹ The bishops' place at the peak of political society is beyond doubt, and is reflected in the affirmation by John Grandisson, bishop of Exeter, in 1336 that 'the substance of the nature of the crown is principally in the person of the king as head, and in the peers of the realm as members, who hold of him by a certain homage, and especially the prelates, such that one thing cannot be severed from the crown without dividing the kingdom'.³² Accordingly, it is perhaps unsurprising that their position in parliament, where at least some elements of Edward's deposition were effected,³³ was also widely

²⁹ *The True Chronicles of Jean le Bel, 1290–1360*, ed. Nigel Bryant (Woodbridge, 2011), 33; Fryde, *Tyranny*, 233 (Appendix 2).

³⁰ Valente, 'Deposition and Abdication', 857.

³¹ For example, Heath, *Church and Realm*, 79.

³² *The Register of John de Grandisson, Bishop of Exeter (A.D. 1327–1369), with some Account of the Episcopate of James de Berkeley (A.D. 1327)*, ed. F. C. Hingeston-Randolph, 3 vols (London, 1894–9), 2: 840; S. L. Waugh, 'England: Kingship and the Political Community, 1272–1377', in S. H. Rigby, ed., *A Companion to Britain in the Later Middle Ages* (Oxford, 2003), 208–23, at 216.

³³ For discussion of the parliament of January 1330, its questionable legality and its importance in Edward's deposition, see *The Parliament Rolls of Medieval England, 1275–1504*, ed. Chris Given-Wilson et al., 16 vols (Woodbridge, 2005), 4: 8.

recognized: in the parliament of 1341, John Stratford, by then archbishop of Canterbury, proclaimed that he ought to have ‘the first voice after the king’ in parliamentary assemblies,³⁴ and the *Modus Tendendi Parliamentorum*, written towards the end of Edward II’s reign, explained that ‘archbishops, bishops, abbots, and priors who hold by barony’ constituted the second grade in parliament, after the king himself and before the ‘earls, barons, and other magnates and nobility’.³⁵ Correspondingly, their lack of assent to major political decisions inevitably undermined these, especially if they had been taken in parliament, as in 1322, when the younger Despenser argued that his banishment by parliamentary award the previous year was invalid, because ‘the award was made without the assent of the prelates, who are peers in parliament’.³⁶ The formal backing of the prelates for parliamentary acts which were not only important but unprecedented was thus essential.

However, the episcopate’s role was not merely ceremonial. Bishops also wielded considerable moral and sacral authority as the leaders of the English church. This added weight to their decision to oppose Edward and to their criticisms of his rule, for there was an expectation that they spoke with sincerity. According to the *Historia Roffensis*, Hamo de Hethe, bishop of Rochester, told Edward II in June 1326 that it was a bishop’s duty to ‘tell the truth about everyone, great and small’, whether in the confessional or in preaching.³⁷ Moreover, their involvement, with its connotation of conferring divine approval, may well have helped to legitimize an otherwise brutal *coup d’état*. This was especially so because it would have been scandalous to remove an anointed king without ecclesiastical participation, as is suggested by the significant clerical involvement in the previous depositions and abdications of the thirteenth century: Pope Innocent IV had promulgated the depositions of Frederick II and Sancho II; Pope Celestine renounced the papacy under his own legal authority; and, while the deposition of Adolf of Nassau did not involve any appeal to the pontiff, Archbishop Gerhard of Mainz was prominent in events and eventually declared Adolf deposed.³⁸ Similarly, only a clergyman could

³⁴ *Anglia Sacra*, ed. Wharton, 1: 39–40.

³⁵ Nicholas Pronay and John Taylor, eds, *Parliamentary Texts of the Later Middle Ages* (Oxford, 1980), 91.

³⁶ *CCR 1318–23*, 543.

³⁷ *Anglia Sacra*, ed. Wharton, 1: 365.

³⁸ Peters, *Shadow King*, 218–19; 232–7; Prestwich, *Plantagenet England*, 218.

crown Edward III as the new king. Since the ‘legal fiction’ of passing the crown directly to Edward III, signifying that the process of legitimate succession was merely being accelerated, was at the heart of Isabella’s plans, episcopal willingness to crown Edward was key.³⁹

The important role played by members of the episcopate is once again particularly apparent with regard to the legal aspects of Edward II’s deposition. Naturally enough for a French princess and a magnate from the Welsh Marches, neither Isabella nor Mortimer had any formal legal training, and neither appears particularly well placed to have contrived novel legal justifications or procedures for deposing an English king.⁴⁰ It thus seems likely that they would have turned to the legal experts in their circle: men such as Henry Burghersh, bishop of Lincoln, a cousin of Mortimer’s daughter-in-law, who had studied civil and canon law at the school of Angers;⁴¹ Bishop Orleton of Hereford, whom Edward accused of being Mortimer’s friend and adherent and who had acquired a doctorate in canon law by 1310;⁴² and Bishop Stratford of Winchester, who had accompanied Edward and Isabella to Amiens in 1320 and who was a doctor of civil law by 1312.⁴³ All were early allegiants to Isabella’s cause when she invaded late in September 1326, and by 26 October were with her at Bristol, giving them plenty of time to discuss, consider and plan the legal basis for Edward’s downfall.⁴⁴ Indeed, Orleton and Stratford were both present at Wallingford with the queen at Christmas 1326, where it has been postulated that the decision to depose Edward was made and that the initial drafting of the justification

³⁹ Spencer, ‘Inadequate Kingship’, 85.

⁴⁰ R. R. Davies, ‘Mortimer, Roger (1287–1330)’, *ODNB*, 3 January 2008, online at: <<https://www.oxforddnb.com/view/10.1093/refodnb/9780198614128.001.0001/odnb-9780198614128-e-19354>>, last accessed 12 September 2019; John C. Parsons, ‘Isabella [of France] (1295–1358)’, *ODNB*, 3 January 2008, online at: <<https://www.oxforddnb.com/view/10.1093/refodnb/9780198614128.001.0001/odnb-9780198614128-e-14484>>, last accessed 12 September 2019.

⁴¹ Nicholas Bennett, ‘Burghersh, Henry (c.1290–1340)’, *ODNB*, 23 September 2004, online at: <<https://www.oxforddnb.com/view/10.1093/refodnb/9780198614128.001.0001/odnb-9780198614128-e-4007>>, last accessed 12 September 2019; Mortimer, *Greatest Traitor*, 70.

⁴² Roy Martin Haines, *The Church and Politics in Fourteenth-Century England: The Career of Adam Orleton, c.1275–1345* (Cambridge, 1978), 3, 135–6.

⁴³ Roy Martin Haines, ‘Stratford, John (c.1275–1348)’, *ODNB*, 28 September 2006, online at: <<https://www.oxforddnb.com/view/10.1093/refodnb/9780198614128.001.0001/odnb-9780198614128-e-26645>>, last accessed 12 September 2019.

⁴⁴ *CCR 1323–27*, 655.

for so doing was undertaken.⁴⁵ All in all, it is clear that Isabella had backing from several key bishops, and that Edward II's downfall could not have proceeded in the manner it did without episcopal support.

Did the bishops who became involved have any choice but to offer this help? Was their symbolic, practical and legal assistance willingly given? Or was it forced from them by Isabella and Mortimer? The answer to this last question appears to be emphatically not. This is suggested by Isabella's decision to reward the loyalty of supportive prelates, as is clear with regard to Stratford, Orleton and Burghersh, the three bishops whom Geoffrey le Baker thought led the embassy to Kenilworth which procured Edward's final abdication.⁴⁶ Stratford soon reaped rewards for his support of the new regime, securing on 5 February 1327 the grant of the bailiwick of Bassetlaw in Nottinghamshire to his friend Edmund de Shireford; receiving on 9 February the cancellation of the recognizances which had been demanded from him by Edward II; and gaining on 6 April a favourable response to his petition that royal custodians should not 'intermeddle' with the churches of East Meon and Hambleton in his diocese during episcopal vacancies.⁴⁷ Likewise, Orleton was given the Despenser manor of Beaumes about 9 November 1326; granted custody of the manor of Temple Guiting on 8 December; made treasurer on 28 January 1327; reimbursed for the costs associated with his diplomatic missions to the papacy (which Edward II had left unpaid) on 13 February; and granted restitution on 16 February of those of his lands, goods and chattels which had been seized by the former king.⁴⁸ Similarly Henry Burghersh was acquitted of various amercements on 10 March 1327 as 'special favour in consideration of his good service'; made treasurer of the realm (replacing Orleton) on 25 March; and given a royal licence on 12 September for receiving a message and two advowsons in Oxford from the convent of St Frideswide's.⁴⁹ Far from implying that episcopal support could be taken for granted, Isabella's need to show sympathetic

⁴⁵ Haines, *Edward II*, 187; Phillips, *Edward II*, 522–4.

⁴⁶ *Geoffrey le Baker*, ed. Barber and Preest, 25–6.

⁴⁷ *CCR 1327–30*, 24; *Calendar of Patent Rolls Preserved in the Public Record Office, 1216–1509*, 54 vols (London, 1891–1916; hereafter: *CPR*), 1327–30, 6, 65; Roy Martin Haines, *Archbishop John Stratford* (Toronto, ON, 1986), 42, 104, 188–9.

⁴⁸ *CPR 1327–30*, 103; *CCR 1327–30*, 4, 44–5; Haines, *Church and Politics*, 167, 177.

⁴⁹ *CPR 1327–30*, 58, 166; *CCR 1327–30*, 33–4, 171–2, 188.

prelates ‘special favour’, and reward them handsomely at the crown’s expense for their assistance, suggests that it may have been the individual bishops themselves who had decided whether they would help her, and indeed may have set the price for their services.

Still more compelling evidence that members of the episcopate acted of their own volition comes from a comparison of the events of 1326–7 with the parliamentary banishment of the Despensers in 1321. Just as Isabella’s forces held military sway in the capital in 1327, so had the opposition Marcher barons who opposed the Despensers in 1321: the younger Despenser complained that they ‘came in undue manner with horses and arms and all their power’; the *Anonimale Chronicle* observed that they ‘came with great forces; and they came to London completely armed’; and the *Vita Edwardi Secundi* reported that they ‘came to parliament ... with a very great crowd of men-at-arms’, to the extent that even the royalist earl of Pembroke thought that Edward might lose his kingdom if he did not consent to their demands.⁵⁰ On both occasions Edward’s opponents proved capable of forcing their chosen initiatives through parliament, the deposing of Edward II and the exile of the Despensers respectively, with the *Lanercost Chronicle* remarking that Edward’s opponents in 1321 ‘compelled the king to hold a parliament in London and to yield to their will in all things ... [so that] Sir Hugh Despenser the younger was banished for ever, with his father and son, and all their property confiscated’.⁵¹ Although the majority of English prelates would eventually back Isabella in 1327, their support was not a given, for the episcopate as a whole had refused to support Edward II’s antagonists in 1321: the *Historia Roffensis* recorded that the bishops remained outside ‘in the large chamber’ while the earls and barons ‘sought the exile of the aforementioned Hugh and Hugh’ in Westminster Hall on 14 August, before declaring the following day ‘that they in no way agreed to his [Despenser’s] exile’.⁵² That the bishops had refused en masse to accede to procedures against Edward just six years prior to the events of 1327, in ostensibly similar

⁵⁰ *CCR 1318–23*, 543; *The Anonimale Chronicle, 1307 to 1334: From Brotherton Collection MS 29*, ed. Wendy Childs and John Taylor, Yorkshire Archaeological Society Record Series 147 (Leeds, 1991), 100–1; *Vita Edwardi Secundi: The Life of Edward the Second*, ed. Wendy R. Childs, OMT (Oxford, 2005), 192–3.

⁵¹ *Lanercost Chronicle*, ed. Maxwell, 230.

⁵² Pronay and Taylor, eds, *Parliamentary Texts*, 168–9.

circumstances, suggests that those prelates who did acquiesce to Edward's deposition chose to do so.

This is confirmed by an examination of how individual bishops declined to back measures against Edward in the winter of 1326–7. At every stage of Isabella's invasion and seizure of control, certain prelates refused to support her. When she landed in September 1326, the St Paul's annalist described how Archbishop Reynolds and Bishops Stratford and Gravesend solemnly republished a seven-year-old papal bull, originally aimed against the Scots, excommunicating all invaders of the realm.⁵³ Initially, only a minority of prelates came to Isabella at Bristol, helped her to secure England's internal administration, or openly preached in support of her.⁵⁴ At the Westminster parliament, the *Historia Roffensis* recorded that the other magnates and bishops present swore an oath of fealty to the future Edward III, but that Archbishop Melton of York and Bishops Gravesend of London and Ross of Carlisle withheld their consent, and noted that Bishop Hethe of Rochester refused to take the oath himself, but asked Archbishop Reynolds to make his excuses.⁵⁵ Melton, Gravesend and Ross all maintained their opposition to developments as events progressed, and the *Historia Roffensis* adds that they subsequently refused to take the Guildhall oath in support of Isabella and Edward, in spite of the fact that fourteen other bishops did so.⁵⁶ Even at Edward III's coronation, although Gravesend had by then accepted his role, Melton was conspicuous by his absence.⁵⁷

⁵³ *Chronicles*, ed. Stubbs, 1: 315.

⁵⁴ Haines, 'Episcopate', 687–8, 705–6.

⁵⁵ *Anglia Sacra*, ed. Wharton, 1: 367; Haines, 'Episcopate', 689.

⁵⁶ *Anglia Sacra*, ed. Wharton, 1: 367. The fourteen bishops were those of Dublin, Llandaff and every English see apart from Exeter (whose bishop-elect, as noted above, had not yet been consecrated) and Durham (whose bishop, Lewis Beaumont, was presumably occupied in the north): Thomas and Jones, eds, *Calendar of Plea and Memoranda Rolls*, 1: 12–13.

⁵⁷ *Anglia Sacra*, ed. Wharton, 1: 367–8; *Chronicles*, ed. Stubbs, 1: 324–5; *CCR 1327–30*, 100. Whether Ross was present at Edward III's coronation is unclear. Many historians suggest that he was absent (e.g. Phillips, *Edward II*, 539 n. 108), because he is not mentioned in the official record of the coronation or the chronicle accounts. However, R. K. Rose has suggested that he was probably present, for he is recorded as being in Westminster on 1 February to consecrate Simon Wedale as bishop of Whithorn: 'The Bishops and Diocese of Carlisle: Church and Society on the Anglo-Scottish Border, 1292–1395' (PhD thesis, University of Edinburgh, 1983), 59.

Quite why these prelates remained steadfast in their support for Edward II is unclear. Their reasons were probably various; they could have included Edward's influence in their own advancement, for Edward had been Melton's principal patron in the early stages of his ecclesiastical career;⁵⁸ a personal antipathy towards Isabella, for she had vigorously opposed Hethe's promotion to the see of Rochester in favour of her own almoner between 1317 and 1319;⁵⁹ legal objections, for Ross had many years' experience of canon law, notably as an auditor of causes in the papal palace at Avignon from 1317 to 1325, and may have had qualms about taking such a step without the approval of the pontiff;⁶⁰ and their own participation in government, for Melton had served Edward II from at least 1297, culminating in his service as treasurer between July 1325 and November 1326, which may have left him feeling some personal responsibility for the acts of the regime.⁶¹

It is evident, however, that while Edward II had rebuked certain of these bishops, as in April 1322, when he reprimanded Melton for inducing his clergy to grant two thousand marks to the earl of Lancaster, they had never felt the fullness of his wrath.⁶² On the contrary, Edward appears to have continued to trust and respect them, as in June 1326, when he ordered Gravesend and Melton to advise those arraying troops to ward off Isabella's prospective invasion.⁶³ In any event, that several bishops failed to support Isabella and Mortimer, even as Edward II's fate became increasingly certain, confirms that those who opted to do so acted of their own volition. Episcopal support for the new regime was thus of both practical and symbolic significance in the deposition of Edward II, and it appears to have been the individual bishops who chose whether to offer it.

If episcopal assistance was not forcibly procured from them by Isabella and Mortimer, why did these bishops connive in the king's

⁵⁸ Rosalind Hill, 'Melton, William (d. 1340)', *ODNB*, 23 September 2004, online at: <<https://www.oxforddnb.com/view/10.1093/ref:odnb/9780198614128.001.0001/odnb-9780198614128-e-18538>>, last accessed 12 September 2019.

⁵⁹ Roy Martin Haines, 'Bishops and Politics in the Reign of Edward II: Hamo de Hethe, Henry Wharton, and the "Historia Roffensis"', *JEH* 44 (1993), 586–609, at 598.

⁶⁰ Rose, 'Bishops and Diocese', 11.

⁶¹ Hill, 'Melton, William'.

⁶² Kathleen Edwards, 'The Personnel and Political Activities of the English Episcopate during the Reign of Edward II' (MA thesis, University of London, 1937), 331.

⁶³ *CPR 1324–27*, 302–3; see also Haines, *Archbishop Stratford*, 166–70.

downfall? In particular, what had changed between 1321, when the episcopate unanimously refused to back the king's opponents, and 1327, when the majority of English bishops eventually conspired with Edward II's enemies to bring about his removal? The answer appears to lie in Edward's own response to the crisis of 1321–2. He did not meekly accept the Despensers' banishment, but instead went on the offensive. His campaigns against his domestic foes culminated his victory at the Battle of Boroughbridge on 16 March 1322, when he routed his enemies (the 'Contrarians') and captured the earl of Lancaster, whom he subsequently had executed.⁶⁴ Yet rather than taking this opportunity to conciliate his remaining opponents and rule responsibly, Edward ruthlessly exploited his newfound authority. The Statute of York of May 1322 abolished the Ordinances of 1311, a previous attempt to restrict royal abuses, and laid down that any future attempt to limit the power of the king 'shall be null and of no sort of validity or force'.⁶⁵ Thereafter, he embraced with renewed vigour the counsels of the Despensers, prompting Froissart's remark that 'Sir Hugh the younger had gained so much influence over the king, and had so moulded his opinions, that nothing was done without him, and everything was done by him'; he failed to defend English lands in France, with Sir Thomas Gray observing that the royal army in the War of St Sards (1324) 'scarcely achieved anything, but lost much territory, for it was a disastrous period for the English'; and he acted with wanton cruelty, which underlay the comment by the author of the *Vita Edwardi Secundi* that 'the king's harshness has indeed increased so much today that no one, however great and wise, dares to cross the king's will ... for whatever pleases the king, though lacking in reason, has the force of law'.⁶⁶ The government was particularly harsh in its treatment of Edward's former adversaries. In addition to Lancaster, a further twenty-six barons, knights and esquires were condemned to death without trial after Boroughbridge, with around a hundred more imprisoned.⁶⁷ Even their families were sometimes terrorized: for instance, the judgment against the younger Despenser alleged

⁶⁴ Christopher Given-Wilson, *Edward II* (London, 2016), 67–75.

⁶⁵ Rothwell, ed., *English Historical Documents, 1189–1327*, 547–8.

⁶⁶ *Froissart's Chronicles*, ed. John Jolliffe (London, 1967), 7; *Scalachronica*, ed. Hebert Maxwell (Glasgow, 1907), 70; *Vita Edwardi Secundi*, ed. Childs, 230–1.

⁶⁷ Given-Wilson, *Edward II*, 76–7.

that one Lady Baret, the widow of Stephen Baret (a Contrarian hanged at Swansea), ‘shamefully had her arms and legs broken against the order of Chivalry and contrary to law and reason’, until she was driven mad.⁶⁸ In short, as the author of the *Flores Historiarum* remarked, Edward fell into ‘insane tyranny’.⁶⁹

This had three principal ramifications. Firstly, Edward’s appalling behaviour aroused discontent throughout political society, which stirred resentment of his rule, sapped his own support and spurred demands for change. Whereas bishops might well have been able to overlook Edward’s unpleasant conduct in the past, even when it was directed against members of the episcopal bench, his behaviour had now deteriorated to such an extent, and affected such a considerable portion of the population, that it could no longer be ignored. Secondly, Edward’s actions after 1321–2 substantially justified the charges against him in the articles of accusation, and therefore the legal basis for his deposition. Whereas prelates may earlier have balked at opposing their monarch, or at proceeding with such a radical step as deposition, Edward had now acted in such a way that he fulfilled almost every quality of the *rex inutilis* in contemporary thought.⁷⁰ Thirdly, and perhaps most importantly, both through the text of the Statute of York, which outlawed any attempts to restrict monarchical power, and the bloody revenge he wreaked on his opponents, which made clear that anyone who spoke out against him would be at risk while he remained king, Edward had effectively precluded attempts to reform the exercise of royal authority that stopped short of deposition.⁷¹ Whereas the prelates had previously lent their support only to more moderate schemes of reform which sought to limit royal abuses, such as the Ordinances of 1311, Edward’s response to the crisis of 1321–2 essentially ruled out such initiatives. Edward’s deeds after 1321 thus provoked demands for reform while ruling out any practical alternatives to his deposition and providing ideological justification for his removal. As the articles

⁶⁸ G. A. Holmes, ‘Judgement on the Younger Despenser, 1326’, *EHR* 70 (1955), 261–7, at 265; see also Fryde, *Tyranny*, 110–18. However, some doubt has been cast on this tale: Kathryn Warner, *Edward II: The Unconventional King* (Stroud, 2014), 161–2.

⁶⁹ *Flores Historiarum*, ed. H. R. Luard, 3 vols, RS 95 (London, 1890), 3: 214. For historiographical comment on Edward’s ‘tyranny’, see, for example, Phillips, *Edward II*, 530–1; Warner, *Unconventional King*, 161; Spencer, ‘Inadequate Kingship’, 95.

⁷⁰ Peters, *Shadow King*, 241.

⁷¹ Spencer, ‘Inadequate Kingship’, 85.

of accusation recorded, his behaviour threatened both lay society and the church, both of which prelates had a duty to defend. The sermon of Thomas Brinton, bishop of Rochester, during the Good Parliament of 1376, emphasized that it was the bishops' responsibility not only to 'stand up against or castigate' political abuses, but also to 'support the Church on their shoulders like columns and lay down their lives in defence of its liberties'.⁷² Consequently, whilst the majority of bishops did not rush to join Isabella when she first landed, but waited to observe in whose direction the winds of political fortune would blow, it is hardly surprising that many prelates proved prepared to act in defence of the English church and the English realm when the time arose and Isabella's success made a change of monarch feasible.⁷³

Isabella's episcopal supporters included several whom Edward had treated intolerably badly. These included the four bishops named by both Adam Murimuth and Geoffrey le Baker as Isabella's earliest adherents from the episcopal bench: Alexander Bicknor, archbishop of Dublin; Henry Burghersh, bishop of Lincoln; John Hotham, bishop of Ely; and Adam Orleton, bishop of Hereford.⁷⁴ Archbishop Bicknor had been a committed servant to both Edward I and Edward II, serving as the treasurer of the Dublin exchequer from June 1307 to April 1314, as the *custos* and justiciar of Ireland from August 1318 to March 1319, and as a diplomat, sent to Aragon in October 1324 to negotiate a marriage between Prince Edward and the king of Aragon's daughter. Yet in May 1325 Edward II turned on him, asking the pope to remove Bicknor from office on the grounds that he had accused the younger Despenser of treachery, that he had wasted the revenues of Ireland, and that as one of the diplomats present in the St Sardos War he had been responsible

⁷² Siegfried Wenzel, ed., *Preaching in the Age of Chaucer: Selected Sermons in Translation*, Medieval Texts in Translation (London, 2008), 245.

⁷³ Haines, 'Episcopate', 697.

⁷⁴ *Adae Murimuth Continuatio Chronicarum*, ed. Edward Maunde Thompson, RS 93 (London, 1889), 46; *Geoffrey le Baker*, ed. Barber and Preest, 21. They were certainly all with Isabella in Bristol by October 1326, to witness the election of Prince Edward as *custos* of the realm: *CCR 1323–27*, 655. These were by no means the only prelates whom Edward had treated poorly who turned to support Isabella; for instance, see also J. L. Grassi, 'William Airmyn and the Bishopric of Norwich', *EHR* 70 (1955), 550–61, at 558–61 (for Airmyn, bishop of Norwich); Edwards, 'Political Importance', 340–1 (for Archbishop Reynolds); Haines, *Archbishop Stratford*, 147–9, 164.

for the loss of La Reole in September 1324.⁷⁵ Thereafter Edward pursued Bicknor through the legal system, laying criminal charges against him for errors in his accounts while he was treasurer of Ireland. This culminated in December 1325, when Bicknor was convicted of forgery. Although he escaped gaol, Edward nonetheless ordered the Dublin government to seize all Bicknor's lands and property (including those of his archbishopric) in Ireland, and the sheriffs of Gloucestershire, Shropshire and Staffordshire to do likewise in their counties in England.⁷⁶ Bicknor later complained that he had 'suffered great damages at the hands of Hugh Despenser and others in England and Ireland'.⁷⁷ Deprived of his lands and honour, it is unsurprising that Bicknor sought to ally himself with those who offered the prospect of political change. Indeed, in February 1327 the new regime pardoned him and ordered the restoration of all his confiscated property 'because of the good service' he had rendered.⁷⁸

Edward II's ruthlessness was also exhibited against Bishop Hotham of Ely. While Hotham seems initially to have ridden high in Edward's favour, being promoted to Ely by royal request, and being appointed treasurer in 1317 and chancellor in 1318,⁷⁹ he appears to have incurred Edward's wrath following the debacle of the battle of Myton on 20 September 1319, when an English force under his joint leadership was routed by a Scottish army.⁸⁰ On 26 October 1319, Edward ordered him 'not to make execution of any mandate under the king's great seal' without the king's express consent, and in January 1320 Hotham was replaced as chancellor.⁸¹ Thereafter, Edward's antipathy became increasingly pernicious: late in 1321,

⁷⁵ J. R. S. Phillips, 'Bicknor, Alexander (d. 1349)', *ODNB*, 23 September 2004, online at: <<https://www.oxforddnb.com/view/10.1093/ref:odnb/9780198614128.001.0001/odnb-9780198614128-e-2359>>, last accessed 12 September 2019.

⁷⁶ James F. Lydon, 'The Case against Alexander Bicknor, Archbishop and Peculator', in Brendan Smith, ed., *Ireland and the English World in the Late Middle Ages* (Basingstoke, 2009), 103–11, at 103–7.

⁷⁷ Philomena Connolly, 'Irish Material in the Class of Chancery Warrants Series I (C 81) in the Public Record Office, London', *Analecta Hibernica* 36 (1995), 135–61, at 145–6.

⁷⁸ Lydon, 'Bicknor', 107.

⁷⁹ M. C. Buck, 'Hotham, John (d. 1337)', *ODNB*, 3 January 2008, online at: <<https://www.oxforddnb.com/view/10.1093/ref:odnb/9780198614128.001.0001/odnb-9780198614128-e-13851>>, last accessed 12 September 2019.

⁸⁰ *Anonimale Chronicle*, ed. Childs and Taylor, 98–9; Benjamin Thompson, 'The Fourteenth Century', in Peter Meadows, ed., *Ely: Bishops and Diocese, 1109–2009* (Woodbridge, 2010), 70–121, at 114.

⁸¹ *CCR 1318–21*, 211; Buck, 'Hotham, John'.

the Bridlington chronicler records that Hotham was summoned to London and fined for an unknown offence; in April 1324, he was pressed for debts of more than £1,000; and in November 1324, he was forced to enter into a bond of £2,000 with the younger Despenser.⁸² Yet there was also a legal element to Hotham's plight: the judgment against the younger Despenser records that he had been one of the prelates whose 'lands and possessions' the favourite had seized 'by force, against law and reason'.⁸³

The fall from grace of Bishop Burghersh was even more pronounced and bloody than that of Hotham. Although Edward II appears to have been instrumental in Burghersh's elevation to the episcopate, his stock fell in June 1321 when his uncle, Bartholomew Badlesmere, joined the king's opponents.⁸⁴ After the surrender of Leeds Castle in October 1321, the bishop's brother and sister-in-law were imprisoned in the Tower of London, and following the Battle of Boroughbridge Badlesmere was taken at the bishop's manor of Stowe Park and subsequently executed at Canterbury.⁸⁵ Edward then turned against Burghersh himself, accusing him of complicity in the baronial rebellion of 1321–2; writing to the pope to demand his removal from office; confiscating his temporalities between 1322 and 1324; and permitting royal officers to encroach upon the bishop's lands. All this prompted the pope to write to the king several times in 1325 and 1326, requesting that he heed the 'bishop's demands' regarding the 'goods of the bishop and church of Lincoln detained by his [the king's] officers'.⁸⁶ It was therefore with justice that John de Schalby, the diocesan registrar of Lincoln, wrote that Burghersh had suffered 'very many persecutions' at Edward's hands.⁸⁷ With Edward's behaviour at the root of both family tragedies and personal harassment, it is hardly surprising that Burghersh chose to act against him in 1326.

The same sorry narrative of early loyalty to Edward being shattered in the face of the king's ferocity describes the career of Bishop Orleton. Orleton's initial allegiance to Edward is amply attested by his assisting

⁸² *Chronicles*, ed. Stubbs, 2: 73; *CCR 1323–27*, 325; Buck, 'Hotham, John'.

⁸³ Holmes, 'Younger Despenser', 265.

⁸⁴ *Vita Edwardi Secundi*, ed. Childs, 178–181; Phillips, *Edward II*, 385.

⁸⁵ *Chronicles*, ed. Stubbs, 1: 299; *Brut*, ed. Brie, 1: 221, 224.

⁸⁶ Haines, *Church and Politics*, 137–8; Bennett, 'Burghersh, Henry'; *CPrege*, 2: 468–75.

⁸⁷ *Giraldi Cambrensis Opera*, ed. J. S. Brewer, J. F. Dimock and G. F. Warner, 8 vols (London, 1861–91), 7: 215.

the king with some of his most personal embassies to the papacy, including that of 1317, which probably aimed to absolve him from the observance of the Ordinances of 1311.⁸⁸ However, Edward's reaction to Orleton's alleged involvement in the rebellions of 1321–2 was harsh: the *Vita Edwardi Secundi* described how early in 1322 Edward 'confiscated many of his goods in revenge'; Henry de Blaneforde told of how the king allowed Orleton's goods to be ransacked, looted and thrown into the street by laymen; and the sentence against the younger Despenser alleged that the king's favourite had despoiled Orleton of his goods, horses and plate.⁸⁹ Edward's legal persecution of his bishops was particularly marked with Orleton, whom he accused of meeting with Mortimer during the latter's rebellion in the Welsh Marches in 1321–2, and of sending Mortimer reinforcements. Notwithstanding his protestations that he was a churchman, and thus could not to answer to such matters in a lay court 'without offence to God and holy church', Orleton was accused before an assize court in Hereford in January 1324, and the next month appeared before the king himself in Westminster, where he was claimed for the church by Archbishop Reynolds, but nonetheless found guilty by twelve lay jurymen, at which the sheriff of Herefordshire was instructed to seize his goods, chattels and lands.⁹⁰ The whole process was riddled with legal flaws: Orleton's indictment contained basic factual errors, and the justices held the inquisition at Westminster in his absence. In consequence, Orleton complained bitterly to the pope of 'this unjust judgment', and the parliament of 1327 annulled the decision, describing 'the record and process' as 'wholly erroneous'.⁹¹ It is thus perhaps small wonder that Orleton referred to Edward's 'Herod-like cruelty'.⁹²

While the precise punishments preferred by Edward varied, including extortion, the seizure of goods or lands and legal machinations, the bishops who first expressed their support for Isabella were united by one fact: they had all suffered enormously at the king's hands between 1322 and 1326. As John Stratford pointedly wrote

⁸⁸ Haines, *Church and Politics*, 16; John Maddicott, *Thomas of Lancaster, 1307–1322: A Study in the Reign of Edward II* (Oxford, 1970), 199.

⁸⁹ *Vita Edwardi Secundi*, ed. Childs, 202–3; *Jobannis de Trokelowe et Henrici de Blaneforde, Chronica et Annales*, ed. H. T. Riley, RS 28/3 (London, 1866), 140–2; Holmes, 'Younger Despenser', 265.

⁹⁰ *Henrici de Blaneforde*, ed. Riley, 141–2; Haines, *Church and Politics*, 144–50.

⁹¹ *CCR 1327–30*, 44–5; Haines, *Church and Politics*, 144–6.

⁹² Haines, *Church and Politics*, 51.

to Edward III in January 1341, when he appeared to be in danger of following in his father's footsteps, Edward II had

... caused to be taken, against the law of the land and of the great charter, the peers and other people of the land, and put some to shameful death, and of others he caused their goods to be seized and all that they had ... and what happened to him for that cause you, sire, know well ...⁹³

This mattered enormously to bishops, for as Stratford warned Edward III, it was not simply a matter of personal grievances for those affected, but also a matter of spiritual concern, since such behaviour 'may be to the peril of your [the king's] soul', especially as monarchs were 'bound to keep and maintain' both 'the law of the land and ... the great charter' by their coronation oaths. Indeed, as Stratford went on to advise, such conduct was also capable of reverberating throughout English society more broadly, leading to 'the impoverishing of your land and of your estate'.⁹⁴

Therefore, just as the deposition of Edward II was a defining moment in the history of later medieval England, so members of the episcopate were a defining influence behind his overthrow. Prelates conspired with Isabella and Mortimer at every stage of Edward's downfall: when Isabella initially seized control of the royal administration, when parliament denounced him, when embassies were dispatched to Kenilworth, and when Edward III was crowned king. They appear to have particularly shaped the quasi-legal aspect of proceedings: providing legal expertise, helping to draft the articles of accusation, and ensuring that the articles depicted Edward as a *rex inutilis*. Nonetheless, while the episcopal contribution to Edward's downfall was undoubtedly important, it was by no means obligatory. Bishops did not need compulsion from Isabella and Mortimer to conspire in the king's overthrow, for they had sufficient motivations of their own, borne not only of the violence, cruelty and legal oppression which they and members of their families had suffered at Edward's hands, but also of their duty to defend political society and the church from royal abuses.

⁹³ A. R. Myers, ed., *English Historical Documents, 1327–1485* (London, 1996), 71–2.

⁹⁴ *Ibid.*