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The Treatment of Natural Law in *Richard the Redeless* and *Mum and the Sothsegger*

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Natural law is one of the most important themes in the related poems *Richard the Redeless* and *Mum and the Sothsegger*.¹ It has never been fully discussed. Attention was drawn to the idea of natural law in the poems by Ruth Mohl in an article written shortly after the publication of *Mum*.² But the full implications of her comments were not pursued. Nor have they been addressed since. According to J. A. W. Bennett, both poems are 'jaundiced and lacking a coherent social or political philosophy'.³ I contend, however, that ideas of natural law provide both poems with exactly the coherent social and political philosophy which Bennett claimed they lack. In both poems, natural law is contrasted with positive laws and behaviour in order to demonstrate how much contemporary society has betrayed the principles on which it ought to rest its foundation.

I

Natural law is a complex concept⁴ but at the root of all theories concerned with it is a definition formulated by the Roman jurist Ulpian:

ius naturale est quod natura omnia animalia docuit.

[natural law is what nature has taught animals.]

This was placed by the compilers of Justinian's Institutes right at the head of Civil Law, and acquired a variety of glosses and interpretations throughout the Middle Ages.⁵ The statement also caused a certain amount of confusion in ideas. What Ulpian originally meant by 'what nature has taught animals' was the universal

natural instinct to procreate. But when his quotation was placed at the head of Civil Law, the definition of natural law as natural instinct became identified with the *ius gentium*, or law of nations. This was because the continuation of Ulpian's remark, which pointed out the difference between the *ius naturale* and the *ius gentium*, was omitted. Instead, a definition of the *ius gentium* formulated by the jurist Gaius was inserted and, as a result, Ulpian's distinction between the law of natural sex instinct and the natural rational order, was lost.⁶

Isidore of Seville, influenced by the Civil Law definition, produced in his *Etymologiae*, one of the most important legal maxims in the Middle Ages:

Ius naturale est commune omnium nationum, et quod ubique instinctu naturae, non constitutione aliqua habetur.⁷

[natural law is common to all nations and is held everywhere by the instinct of nature, not by some written constitution.]

He associated the instinct of nature, which is not regulated or controlled by written laws, with the law common to all nations.⁸ His definition was incorporated into the *Decretum*⁹ and was glossed copiously and often divergently.¹⁰

Gratian's gloss took Isidore's definition one stage further by identifying the law of nature with the law of God:

Humanum genus duobus regitur, naturali uidelicet iure et moribus. Ius naturae est quod in lege et in euangelio continetur, quo quisque iubetur alii facere, quod sibi uult fieri, et prohibetur alii inferre, quod sibi nolit fieri.¹¹

[Humankind is ruled by two things, that is, natural law and custom. Natural law is what is contained in the law and the Gospels, by which each person is commanded to do to another what he would wish done to himself, and is prohibited from doing to another what he would not wish done to himself.]

Further, Gratian asserted that natural law prevailed in antiquity and dignity over all other laws because it has its origin in the rational faculty of creatures and does not alter with time:

Naturale ius inter omnia primatum obtinet et tempore et dignitate.

Cepit enim ab exordio rationalis creaturae, nec variatur tempore sed immutabile permanet.¹²

[Natural law is foremost among other laws in antiquity and dignity. For it has its primary source in the reason of creatures, and does not alter with time but remains immutable.]

He condemned any kind of positive law opposed to this superior law:

Quecunque enim uel moribus recepta sunt, uel scriptis comprehensa, si naturali iure fuerint aduersa, uana et irrita sunt habenda.¹³

[For whatever things are admitted by custom or form part of written laws, if they will have been contrary to natural law, they are to be held null and void.]

Rufinus, an influential twelfth-century glossator on the *Decretum Gratiani*, asserted that natural law is a force planted by nature which propels man to do good and to avoid evil:

Est itaque naturale ius vis quaedam humanae creature a natura insita ad faciendum bonum cavendumque contrarium.¹⁴

[Natural law is therefore a certain force planted by nature in human beings so that they work towards good and avoid its opposite.]

This important gloss on Ulpian's original dictum makes a distinction between human and animal law. Rufinus altered the emphasis of the idea of 'nature' by taking it to mean 'innate in man' and thus the idea of 'human nature'. The identification of natural law with the rational faculty innate in man forged an association which prevailed.¹⁵

Attempts to clear the confusion, originally engendered by the truncation of Ulpian's definition at the beginning of Civil Law, perpetuated discussion which considered the instinct of nature and the laws of animals in evaluations of how human reason and morality related to natural law. New formulations tried to reconcile what seemed to many of the theologians of the twelfth century, irreconcilable ideas.¹⁶ For example, Etienne de Tournai proposed five definitions

which begin with the idea of natural law common to men and animals, and conclude with its propensity to direct man towards good and to flee evil.¹⁷

It was Gratian who first identified natural law with the law of God and political theorists and theologians throughout the Middle Ages saw in a passage from St Paul's Letter to the Romans an ancient authority for the idea of man's possessing innately a law which directed him to do good:¹⁸

For whosoever have sinned without the law shall perish without the law; and whosoever have sinned in the law will be judged by the law. For not the hearers of the law are just before God; but the doers of the law shall be justified. For when the Gentiles, who have not the law, do by nature those things that are of the law; these, having not the law, are a law to themselves. Who shew the work of the law written in their hearts, their conscience bearing witness to them. (Romans 2.12-16)

Glossing these verses, Nicholas of Lyra interprets the law written in man's heart as natural reason because the divine law of the Scriptures or human written law is derived from the law of nature:

*ratio naturalis est eis lex, quia lex scripta divina vel humana est a lege naturali deriuata.*¹⁹

[natural reason . . . is law to them, because written law, divine or human, is derived from natural law.]

Lyra's interpretation is a common one in the Middle Ages and part of an established tradition which used the image of writing in man's heart to describe the source of natural law.²⁰

As the concept developed, the notion of natural law received different emphases. But certain key tenets can be identified. Most fundamentally, there existed the concept of an order or disposition which, by virtue of human nature, human reason could discover. This order or law was unwritten; its principle was a natural knowledge in man which informed him how to discern good and evil. The location of natural law in man's heart suggested that it was a God-given innate faculty in man and tracing its source in the Scriptures forged a link between natural and divine law. Natural law was considered to be the justification for every kind of

positive law and action. Alongside these moral, political and psychological interpretations existed the ancient idea that the law of nature was associated with animals and with the created order.²¹

In the writings of Aquinas, the link between nature and natural law which had so troubled earlier writers, was forged anew. Aquinas views natural law as being nothing other than that which human nature expresses rationally.²² He sees man to be part of the rational principle inherent in the created order through his innate faculty of reason. Thus natural law is not contrary to the natural world but an integral part of the rational ordering of the universe. Equity and justice are rooted in the idea of natural law. Aquinas comments that a thing is said to be just when it accords with the rule of reason, adding that the first rule of reason is the natural law. If human law is at variance in any particular with natural law, he states that it is no longer legal but a corruption of the law.²³

In his treatise *De Regimine Principum*, Aquinas argues that since art is but an imitation of nature, from which we come to learn how to act according to reason, it would seem best to deduce the duties of a king from the examples of government in nature. He draws an analogy between God's providential government of the universe and man's government of his soul and body through the power of reason.²⁴ Aquinas urges a king to establish his kingdom by imitation of the divine order seen in the created world.²⁵ He chooses as an illustrative analogy the social harmony which exists in a hive of bees to show how the order which exists in nature through instinct should be the rule which man must achieve through the exercise of his reason.²⁶ Natural instinct derives from God, the Providential architect of the universe. Therefore it is decorous that this instinct should be seen as analogous to the process of natural law, an innate faculty in man, discoverable through the exercise of rational control.

Since the authors of both *Richard* and *Mum* show a keen interest in legal practice and legal theory²⁷ they might have been familiar with some of the discussion of natural law which is recorded in Canon Law. But it is unlikely that Aquinas' *De Regimine* could have been a source of inspiration to them, although John Fortescue knew it sixty years later,²⁸ because there is no record of any manuscript of it reaching England.²⁹ On the other hand, Giles of Rome's *De Regimine Principum*, written originally for the future Philip the Fair, was widely read, disseminated and translated throughout the Middle Ages.³⁰ Many people in England owned private copies.³¹ It was translated into English, probably by John Trevisa, at the end of the fourteenth century.³² There is a marked similarity between

some of the ideas in Giles' treatise and those in *Richard* and *Mum*.

Like Aquinas, Giles traces the development of the state by analogy with the natural order, using nature as a kind of exemplar which man ought to follow. Quoting Ulpian's dictum that 'kynde riȝt' is 'þat kynde techēþ alle bestes' (fol. 151b), he argues in Book III that this is not to be understood only of mankind, but 'of alle bestes þat bređen in heuene, oþer in erthe oþer in þe see' (fol. 151b). Through the law of nature man accords with all natural things and so man's rules, deeds and behaviour ought to be grounded in what he 'desireþ kyndeliche' (fol. 152a).

Following Aquinas and Gratian, Giles argues that any kind of positive law which is opposed to natural law is null and void: 'for no þyng is riȝtfulliche i-ordeyned of man but it springe in som wise of lawe of kynde and but if kynde resoun wol þat it be i-ordeyned' (fol. 152b). Monarchy is seen to be the best form of government because it is sanctioned by nature. It is a 'kynde reuleyng þat we seen in kynde' (fol. 132b) and particularly in the habits of bees (fol. 132b-33a). Giles uses the example of bees to prove a point about a particular form of government and to demonstrate that there is a right ordering discernible in the natural rule of the universe, one which man should imitate. If a king or prince, he says, wishes to rule his people properly, he should study 'kyndeliche thinges'. All 'kynde' is derived from God, chief prince and king of kings. Since He governs the world and nature righteously according to the rules we see in natural things:

of þat rewelynge sholde springe þe rewlyng þat scholde be itauȝt
in art of rewelyng of kynges. For art folweþ kynde and in
kynde we see þat first kynde ȝeueþ to þynges wherby þei mowe
come to here ende. (fol. 136b)

No man is rightfully a prince unless he work according to the 'riȝt of kynde þat springeþ of riȝtful resoun'. So long as a king holds 'þe lawe of kynde, he reweleþ riȝtfulliche' (fol. 155a).

In distinguishing between natural law and positive law, Giles turns to the authority of St Paul:

it is iseid þat kynde riȝt and kynde lawe is iwrete in owre hertes
for men þat hauen no lawe doþ kyndeliche dedes of lawes and
scheweþ þe work of lawe þat is iwrete in here hertes. And for

positif riȝt and lawe is not so iwrete in herte it mot be iwrete in
som outward substance for to kepe it in mynde. (fol. 151a)

He continues, echoing Rufinus, to comment that each man's capacity to know good from evil is derived from the natural law planted by God in our hearts (fol. 153b). Thus natural law should be the basis of the behaviour not just of kings but of all members of a political community.

II

As we turn to examine this theme in *Richard* and *Mum*, it should be made clear that at no point do the poets set out explicitly a systematic exposition of political theory. The theme of natural law is articulated implicitly rather than explicitly through the cumulative importance of recurrent imagery, analogies, proverbial references and loaded diction. An analysis of the techniques of the poems reveals how this theme finds expression.

Sporadic in both fragments are comments on the need for all members of the political community to follow the dictates of their reason rather than the promptings of their will in order to ensure that the law is kept. In *Richard*, for instance, it is Richard's 'willfull werkis', which are responsible for the lawlessness of his realm (I.1-5).³³ and in *Mum*, the labourers are urged to rule themselves by 'reson and right lawe' (1479).³⁴ The opposition of will and reason is a commonplace of medieval psychology and is often cited as a source of misrule in other political poems.³⁵

In *Richard* and *Mum*, references to reason allude to the part played by man's rational faculty in the workings of natural law. This conclusion is based on the fact that behaviour contrary to reason is shown also, in both poems, to be contrary to nature. In Middle English, nature is usually expressed by the word 'kynde'; a word with a complex semantic range.³⁶ Almost always in *Richard* and *Mum*, 'kynde', whether as a noun or an adjective, refers to the natural order or to properties innate in a species of nature.³⁷ The noun is also used to mean 'gratitude' in *Richard*,³⁸ and the adjective to mean 'proper'.³⁹ In *Mum*, 'kynde' as a noun means a creative principle⁴⁰ and as an adjective 'generous'.⁴¹

There are a number of ways in which political behaviour is measured against natural ordinance in the poems. One of the most important is by figurative speech.

Imagery concerning health and disease signals whether certain actions contribute to the efficient workings of nature or cause it to malfunction. For example, the purpose of parliament in *Mum* is described as an assembly whose function is to 'schewe þe sores of þe royaulme' (M.1120) and by speaking out freely in a law-abiding fashion to:

... berste oute alle þe boicchis and blaynes of þe hert
And lete þe rancune renne oute a-russhe al at oones
Leste þe fals felon festre with-ynne. (M.1122-4)

This thematic strain informs the use of the Body Politic image⁴² in both poems and numerous other images or proverbial asseverations.⁴³

Also common is imagery concerned with natural growth or its premature stunting and the natural course of the created order or its inversion. In *Richard* for example, the encouragement of young counsellors at court in preference to stalwart sages, is likened to a cow hopping in a cage (R.III.262) and in *Mum*, the image of birds which have been plucked and caged is used as a vehicle to condemn the suppression of truth-telling:

But piez with a papegeay parlid of oones,
And were y-plumed and y-pullid and put into a cage.
Sith þe briddes were y-bete þe beke is vndre whinge
But yf þay parle priuily to þaire owen peeris. (M.152-55)⁴⁴

In *Richard*, this strain of imagery underwrites criticism of the mindless and extravagant dress of the king and his courtiers. In other contemporary poetry, the cause of such sartorial abuse is assigned to sinfulness, usually Pride.⁴⁵ At R.III.176, the poet does state that the courtiers' outrageous dress is 'for to queme Sir Pride' but there is also an implicit contrast to the dress of Wit, who is:

Well homelich yhelid in an holsum gyse,
Not ouerelonge, but ordeyned in þe olde schappe,
With grette browis y-bente and a berde eke,
And y-wounde in his wedis as þe wedir axith. (III.213-15)

That Wit dresses in a fashion complementary to nature suggests that the courtiers'

finery is not just a symptom of Pride but an offence against natural order.⁴⁶ This unnaturalness is capped by the impertinence with which the porter, in defiance of his estate, wears piked shoes (III.232).⁴⁷ Both poems are riddled with extended vignettes, axiomatic phrases or analogies which similarly provide an ethical running commentary on the main action described.⁴⁸

On a larger scale, the poets show how men's actions flout the natural order of the created world by drawing analogies between topical events and the natural properties of beasts found in bestiaries. This takes a slightly different form in each fragment. In *Richard*, the material concerned with the downfall of the Lords Appellant is recounted in a type of narrative close in tenor to beast fable. The vehicle for this narration is created by animating the heraldic signs of the persons involved. All the relevant charges are animals.⁴⁹ Richard II and his supporters are designated by Richard's badge of the white hart, Henry Bolingbroke by the eagle, the duke of Gloucester by the swan and the earls of Arundel and Warwick by the horse and bear respectively. Ruth Mohl's description of this narrative as 'an occasional bit of bird or beast allegory, all pretty obvious to those at court'⁵⁰ overlooks the crucial function of this coding in providing an ethical political commentary on the topical events it summarises.

Deer, the poet tells us, renew their hide and bones when they reach a hundred years of age by catching adders and feeding on their venom. This image suggests that Richard and his supporters ought to have concerned themselves with ridding the country of poisonous elements (R.III.13-25). Instead, contrary to the properties with which they have been naturally endowed, the deer chose to attack a horse, swan and bear. The use of beast lore indicates that Richard's treatment of the Lords Appellant was iniquitous because it was unnatural and that he and his supporters brought destruction and disease upon themselves because they strove to renew their strength in a way contrary to nature.⁵¹

This was ageins kynde as clerkis me tolde;
And þer-for þe hertis here hele so myssid
And myzte nat passe þe poynte of her prime age. (III.32-34)

Certain political events are shown to be inevitable if justice were to triumph. The poet recounts the desertion of Richard's supporters by describing the frozen astonishment displayed by deer before an object which frightens them, in this case, the return of Henry Bolingbroke (II.8-9). The details of the deer's reaction are

drawn directly from beast lore and used to suggest that it is natural for these deer, that is the supporters of Richard, to be frightened of Henry.⁵² Furthermore, the poet states that it was part of the natural cycle that these deer should become powerless:

And also in sothe þe seson was paste
For hertis yheedid so hy and so noble
To make ony myrthe for mowtynge þat nyghed.
That bawtid zoure bestis of here bolde chere;
Þey seuerid and sondrid for somere hem faylid,
And flowen in-to forest and feldis abouzte. (II.10-14)

This 'mowtynge' refers to the seasonal renewal of the deer's horns. Bartholomaeus describes how deer change their horns annually in spring and then, because they are defenceless, hide themselves until their horns have re-grown.⁵³ Richard's supporters deserted him at the end of the summer⁵⁴ and the poet uses the beast-lore account to suggest that the course of recent political events was the result of the compulsion of natural change. The downfall of Richard and his supporters was as inevitable as the relentless course of nature.

The return of Henry Bolingbroke is related in terms which suggest that he began to put right the distortion of nature which the country had endured under Richard. Richard afflicted his people (described in the poem as poor, lean deer) with unseasonal frost in summer and plucked them bare (II.124-32). Henry, as the eagle:

. . . . brodid his wyngis
To couere hem from colde as his kynde wolde. (II.141-42)⁵⁵

But Henry's regeneration of nature is not confined to acts of maternal kindness to those who have been afflicted. To those who have been the cause of suffering, he shows the other side of his nature. The routing of Richard's followers is described in terms of the eagle going after his prey:

3it was not þe fawcon full fed at his likyng,
For it cam him not of kynde kytes to loue (II.160-61)

The natural antipathy between kites and falcons is attested in beast lore. It is used by

the poet to stress how Henry's actions conformed to the laws which govern the natural world and to show that Henry's return was profitable for the country.⁵⁶ To justify Henry's suppression of Richard's followers, the poet resorts to the characteristically high flight of the eagle and its ability to see all that is happening beneath it:

And euere houed þe egle on hie on þe skyes,
And kened clerliche as his kynde axith. (II.190-91)⁵⁷

In the section describing the partridge, where the poet comes close to tripping himself up over his own analogy,⁵⁸ the poet tries to suggest that Richard was an unnatural mother of his children, usurping the place of their natural parent. Richard is called the 'lurker', III.57 and the 'schrewe', III.58, whilst Henry is 'hir owen kynde dame', III.55 who returns to alleviate the subjects' misery.

'Kynde' is used by the poet as a normative moral principle. The topical events which most vex him are those which violate 'kynde' order. He explicitly states that the worst disaster on earth is the crime committed against the ordinances of nature:

Sauynge souereynes and sages advise,
þat þe moste myscheff vppon molde on
Is demed þe dede ydo azeins kynde. (III.8-10)

The poet makes an unequivocal defence of Henry's right to the crown by saying that it was his by 'kynde' (III.92-93)⁵⁹ and this, alongside those other references which we have considered, establishes a sharp contrast between Henry's actions and those of Richard, who refused the rule of 'realles kynde' (I.91). The pervasiveness of this theme can be seen from the way that even the Ship of State analogy in Passus IV culminates in describing its crew as being unable to control the vessel in inclement weather; they 'knewe not þe kynde cours þat to þe crafte longid' (IV.76).⁶⁰

In *Mum*, the idea of the natural world as an exemplification of men's political behaviour sustains a more ambitious ethical vision.⁶¹ At line 870, the vision of Middle Earth which the narrator sees in his dream is inspired by Passus XI of *Piers*, where Will is shown a vision of 'Middeltherthe' where all created things, except man, obey Reason.⁶² Day and Steele completely miss the political application of this episode. They comment on the piece as a kind of extended nature appreciation and actually contrast it with the episode in *Piers*.⁶³

The political significance of the sequence is crucial to an understanding of the poem. For the first time, the narrator sees something which lifts his spirits and gladdens his heart (879). The catalogue of flowers, crops and animals is characterised by freshness and abundance; a rushing river 'ful of fysshe and of frie' (897), for instance, and briars groaning under the weight of berries and honeysuckle (898-900). These details present a picture of the plenitude of nature.⁶⁴ The created order is shown to be gloriously harmonious, vigorously healthy and self-generating. Nature provides a moral speculum drawn to instruct man in the art of government. The poet says simply:

A swete sight for souurayns, so me God helpe. (931)

We recall the injunctions in the works of Aquinas and Giles to learn the art of government from examples seen in nature.

Even closer to the political ideas of Aquinas and Giles is the beekeeper's account of the hive of bees which he tends:⁶⁵

The bee of alle bestz beste is y-gouuerned
Yn lowlynes and labour and in lawe eeke.
Thay haue a king by kinde þat þe coroune bereth,
Whom þay doo sue and serue as souurayn to þaym alle.
(997-1000)

The bee-king rules his community by 'reason and by right-ful domes' (1036) and all the bees are busy 'aboutte commune profit' (1078). Their work is in harmony with the dictates of the natural world. They gather honey if 'hit be temperate tyme' (1025) and they are able to detect the wiles of wastrels, the drones, 'as kindly as clerc doeth his bokes' (1016).⁶⁶ Indeed, their conduct is entirely the result of natural ordinance:

For of alle þe bestes þat bredden vppon erthe
The bee in his bisynes beste is allowed,
And prouyd in his propiete passing alle oþer
And pretiest in his wirching to profite of þe people. (987-991)

As in *Richard*, the poet states that the properties of animals in the natural world

are a normative principle to which man's political behaviour ought to conform.⁶⁷ Kings, and subjects too, must follow the dictates of their reason so that they harmonise themselves with the rational principle which ensures the common good of the natural order. Thus when the poet evaluates recent political action in light of whether it is 'kynde' or whether, like the labourers' unwarranted criticism of the king, it has no 'kindely cause' (1458), he is using the word 'kynde' to mean natural law.⁶⁸

The second half of the beekeeper's speech in *Mum* provides an allegorical explanation of the source of natural law in man. The narrator asks the beekeeper where he can find a truth-teller. Speaking the truth is an activity constantly associated in the poem with moral rectitude.⁶⁹ And here, in the beekeeper's reply, it is associated with eternal Truth:

Yn man-is herte his hovsing is, as hooley writte techet,
And mynde is his mansion þat made all þestres.
There feoffed hym his fadre freely for to dwelle,
And put hym in possession in paradise terrestre
Yn Adam oure auncetre and al his issue after.
He spirith hym with his spirite þat sprange of hymself
To holde þat habitacion and heuene afterwarde. (1224-30)

Man's psychology is explained by an argument dependent on the procedures of land law. Truth has been 'enfeoffed' by God with an estate where he is entitled to two dwelling places, man's heart and man's mind.⁷⁰ The first estate God gave Truth was Adam and he has since gained hereditary possession of mankind.⁷¹ Because the capacity for moral good is located in the heart and described in legal terminology, this allegorical sequence is suggestive of St Paul's teaching that natural law is written in our hearts. Writing is not mentioned explicitly in the passage but a gift of estate by enfeoffment could be accompanied by a legal charter.⁷² 'Mynde' can be interpreted as man's rational capacity which ensures that he conducts himself in accordance with the natural faculty for good with which he has been invested by God at birth.

Because this sequence in *Mum* appears to be influenced by *Piers*, and the account of man's psychology, which relies heavily on legal terminology, is embedded in the political exemplum of the hive of bees, I would argue that here the *Mum*-poet investigates the source of the political and moral principles which ought

to be the foundation for his contemporary society. And the ideas of natural law which inform the sequence have much in common with the writings of Gratian, Rufinus and the Thomist tradition.

The continuation of this allegorical sequence outlines why, despite the fact that man has naturally been endowed with a rational principle which ought to direct him to good, he behaves in a contrary manner:

For Mvm hath a man þere þat is a muche shrewe,
Antecrist-is angel þat eche day vs ennoyeth.
He dwellith faste by þe dore and droppeth many wiles
Yf he might wynne ouer þe walle with a wron
He debateth eche day with Do-welle withynne,
And þe maistrie among and þe mote wynneth,
And shoueth þe sothe-sigger into a syde-herne,
And taketh couetise þe keye to come ynne when hym liketh.
Thenne dreede with a dore barre dryueth oute þe beste,
And maketh þe sothe-sigger seche a newe place,
And to walke where he wol withoute on þe grene
Til sorowe for his synnes seese hym agaynes
And þe tenaunt a-tourne to treuthe al his life. (1254-66)

Whilst the sequence is clearly influenced by the closing stages of *Piers*, the Barn of Unity scene is translated into a struggle between good and evil within man's heart. Once again, the argument depends on details of land law. Man does not always behave in accordance with the truth that sits in his heart, that is, follow natural law, because sin commits a crime against God's act of tenancy. The truth-teller is dispossessed from his rightful territory because Mum's follower commits an act of breaking and entering, covetousness gains the key by fraud, and dread unlawfully evicts the rightful tenant. The *Mum*-poet uses the words 'seese' and 'tenaunt' as particularly as he used 'feoffed' and 'possessioun' earlier.⁷³ Penitence can restore Truth to his possession of man's heart and ensure that his tenant, man, behaves in accordance with Truth 'al his life'; a phrase which suggests legal life tenancy.⁷⁴

The recourse to legal formulae produces a witty variation on the traditional idea of a battle between vice and virtue in man's heart and also demonstrates a moral point in terminology which fuses the social and spiritual aspects of man's behaviour. An analogy is drawn between the breaking of God's law through sin and the

breaking of the law of the land by criminals and thus the poet makes the point that the non-observance of natural law results in the breaking of positive law.⁷⁵ In contrast to the moral paradigms of contemporary poems (*Piers* apart), the political outlook in *Mum* and *Richard* highlights man's innate and natural capacity to behave rationally.⁷⁶ And since natural law binds together all creation, the poets emphasise that man is a communal animal whose behaviour has political repercussions, and not just an individual beset with an internal struggle of vice against virtue.⁷⁷

Both poets capitalise upon the once-fortuitous association of natural instinct with the moral faculty of natural law to furnish them with material for an ethical commentary on recent events and trends in society. The laws or principles of nature discernible in all natural organisms and in the created order, are used as analogies for the more abstract concept of natural law in its moral and political interpretations. Natural instinct is held to be a normative principle both politically and morally. Man's actions will follow the workings of the rational principle discernible in creation if he follows his reason rather than his will. The workings of the hive of bees and their beekeeper provide an ideal model but this apart, both poems catalogue the many more examples of individuals, institutions and recent events which are not of 'kynde' but against it. The reason for this is spelt out in the Prologue to *Richard*: 'þe wickyð will and þe werkis after' (Prol.87). It is an explanation pertinent to both poems.

III

Compared with near contemporary writings, such unqualified belief in nature as a principle which, if followed, ensures moral rectitude and political harmony, is interesting. Sermons and religious tracts often use small scale exempla from the natural world to illustrate a particular virtue demonstrated there which man ought to follow, but the occasional character of this exegetical treatment of nature is of a different order from the ethical blueprint for society which is seen in *Mum* and even in *Richard*.⁷⁸

There are other closely contemporary poems which privilege nature as an example of rational and moral rectitude, for example, *Cleanness* and *Death and Liffe*. In the former, those impure acts which offend God are also contrary to 'kynde', not just in the obvious example of the deviant sexuality practised in Sodom and Gomorrah, where man's impurity transgresses against the law of nature in its

strictly Ulpianic sense⁷⁹ but also in episodes such as the description of the fall of Lucifer. Lucifer was created the fairest of the 'athel' angels, yet in his rebellion against God, 'he *unkyndely* as a karle kydde a reward' (208).⁸⁰ One sense of 'unkyndely' here is 'ungratefully'⁸¹ but the opposition between God having created Lucifer 'athel' and his subsequent behaviour as 'karle' suggests that 'kynde' also means 'contrary to created order'. References to 'kynde' in this poem all associate the concept with behaviour ordained by God. But in contrast to *Richard* and *Mum*, man's natural capacity for good is always seen as subordinate to God's ultimate rôle in the behaviour of individuals and societies.⁸²

In *Death and Liffe*, Dame Liffe resembles the personification of Nature seen in the works of Alain of Lille and Chaucer.⁸³ She ensures the regeneration and fulness of the natural world and in the theological crux of the poem, where Death plays into Liffe's hands by admitting her failure to joust conclusively with Christ, the offices of Nature are associated with God's redemption of man.⁸⁴ As in *Cleanness*, nonetheless, whilst the description of the main disputants and the course of their subsequent debate elevates the concept of Nature because it is seen to be a normative moral principle, there is no stress on man's innate capacity for good unaided by God's intervention.⁸⁵ The theme of *Death and Liffe* is not an exploration of human behaviour but an exposition of God's redemption.

The poets of *Richard* and *Mum* share with Alain of Lille a conviction that man's refusal to follow the principles of nature has resulted in the collapse of law and justice.⁸⁶ Alain's profound respect for Nature in *The Plaint* can be seen from his personification of her as the vicegerent of God and from his indication that her ordinances are profitable to man (p. 117). But she is not identified wholly with Reason; a limitation which is emphasised more fully in the *Anticlaudianus*.⁸⁷ This sets up a conflict between natural instinct and rational behaviour wholly foreign to their unquestioned synthesis in *Richard* and *Mum*. This limitation of Nature, in defining its role as distinct from Reason, is a common one. For instance, in *Roman de la Rose*, the narrator suggests that Reason was made in paradise because Nature would not have known how to have made a work of such regularity.⁸⁸ Nature denies her capacity to endow man with Reason and explicitly states that she is not responsible for man's 'entendement' (19055-19076).

In Chaucer's *Parlement of Foules*, it is clear that Nature's capacity to instruct man in the workings of common profit is limited. Here, as in the *Physician's Tale*, Chaucer describes Nature as the vicegerent of God,⁸⁹ but she has only limited jurisdiction in the parliament over which she presides. Chaucer too, seems to effect

a disjunction between Nature and Reason. Nature cannot counsel the formel to accept the first tercel's proposal because she is *not* Reason (631-32). Her reluctance to circumscribe the 'free will' of the birds means that, at least in one respect, her ordinances have been frustrated. The formel's refusal to mate will ensure that there are no eaglets produced the following year, thus dramatising the way in which the will is free to thwart the workings of Nature and damage common profit.⁹⁰ The idea of common profit is important in both *Richard* and *Mum* but in both, it is suggested that rational behaviour, implanted naturally, is sufficient for its promotion.

Gower's treatment of nature is interesting in this context, as in some respects, it is close to that seen in *Richard* and *Mum*. The ways in which natural law influences man's behaviour is an important theme in his poetry.⁹¹ Nature is often seen as a normative moral principle. In *Vox*, the behaviour of the rebels in 1381 is described using beast fable to show how far the revolt offended against the ordinances of Nature.⁹² Gower's conservative belief in the natural, hierarchical ordering of society and his means of expressing that trust here is similar to that in *Richard* and *Mum*. This vision is not sustained over the whole book, however, and certainly not throughout *Vox* in its entirety.

In *Confessio*, the treatment of natural law is subjected to more complex analysis.⁹³ Gower often uses the natural world as an example of the 'kynde' course which ought to be a lesson to man. He shows, for instance, that on account of the 'lawe which is naturel', no beast preys on his own kind and marvels that man, 'which kynde hath and resoun can' should behave worse than a beast in contravening the 'weie of kinde'.⁹⁴ In Book II, Gower quotes Gratian's dictum that natural law propels man to do unto others as he would have done unto himself and this is important in the story of Constantine and Sylvester. Constantine is 'overcome/With Charite' while still a pagan because of the workings of natural law.⁹⁵ Such is Gower's reverence for the law of nature that Tiresias' sexual transformation is seen to be a punishment for his disturbing the law of nature when he separates two snakes who are in the act of coupling (III.373-75).

But this equation of natural law with sex instinct causes problems for Gower. However positively he views 'kynde' as a morally normative principle, natural instinct, especially in matters of love can result not in virtue but in vice. It is 'kinde loue', for instance which incites Machaire to incest with his sister Canace (III.154-60). The instinct to love, (as demonstrated by Amans)⁹⁶ may often spare no condition of reason, but 'takth what thing comth next to honde' (VIII.163). Gower gives Nature responsibility for creating man's body, not his soul (VII.490-94) and

contends that when God assigned laws to reason and to nature, he bound the beasts to the law of nature only:

Bot to the mannes creature
God yaf him reson forth withal
Wherof that he nature schal
Upon the causes modefie . . .

'And yit', says Gower, 'ben the lawes bothe save' (VII.5372-82). As these lines show, whilst Gower recognises the complications inherent in taking the natural world as a blueprint for man's behaviour, he also sees nature as a force which may direct man to good.⁹⁷ These opposing views of 'kynde' are reconciled through his treatment of marriage, or 'honeste love'. Marriage imposes a law of its own and regulates the potentially wayward prompting of natural instinct by channelling it to rightful ends.⁹⁸ When married to Sara, for instance, Tobias leads 'so goodly his lust' that 'bothe lawe and kinde is served' (VII.5362-63).

In contrast to the poets of *Richard* and *Mum* then, Gower recognises the difficulties caused by the association of Ulpian's definition of animal instinct with law as a moral force. But whilst there is undoubtedly a simplification of the 'natural' in the concept of natural law in *Richard* and *Mum*, it is interesting that the emphasis on the power of a natural principle to direct men to good, in both poems, but particularly in *Mum*, bears similarities to an important idea in *Piers Plowman*.

Beyond question, the writer of *Mum* was influenced by *Piers*.⁹⁹ There are clear verbal echoes in *Mum* of Langlandian collocations involving 'kynde' and 'knowyng',¹⁰⁰ the panoramic landscape description in *Mum* recalls the vision of Middeltherhe in *Piers*¹⁰¹ and in contrast to the other poems we have considered, both *Mum* and *Piers* (though the latter not exclusively) apply concepts of natural law to an extended examination of kingship and government.¹⁰²

In *Piers*, not least because of the uncertain progress of the poem and the possibilities for wordplay, the meanings of the word 'kynde' are difficult to pin down.¹⁰³ Still less is there established critical consensus on what 'kynde' means in its various collocations with the words 'wit' and 'knowyng'.¹⁰⁴ The first of these collocations does not appear in *Mum*, but the second does so four times.¹⁰⁵ In particular, *Piers*' claim to know Truth 'as kindly as clerik doeth his bokes' is used at 109 and 1016. Critics have disagreed over the meaning of this statement in *Piers*.¹⁰⁶ In *Mum*, as we have seen, 'kynde' is used with semantic consistency and

clarity. In discussing the behaviour of the bees (and that the poet is considering a species of nature as a model for man to follow is important) the poet writes that they are cognizant of the threat to their society posed by the drones:

For þay knowen as kindely as clerik doeth his bokes
Wastours þat wyrchen not but wombes forto fille. (1016-17)

Acquired knowledge, either from books or from experience, is not in question here.¹⁰⁷ The simile in the b-verse draws a parallel between the innate, natural property of bees to recognise the lazy drones and the natural propensity of a cleric to possess a discerning knowledge of books. 'Kynde knowing' or 'knowledge' in *Mum* is used to suggest an innate, natural principle in created animals (including man) which directs them to work in accordance with the principles which regulate the harmony of the whole created order.

When the narrator at M.1065 asks to 'knowe kindely' about the activities of the drones, behind the echo of Will's request to Holy Church,¹⁰⁸ we may see the narrator's desire to attune himself to this natural order which he has been shown. He wishes to learn how to discover within himself the principle of nature which orders the rational creation to good so that he can recognize those forces which seek to frustrate its harmony and thus be able to attempt to correct them through criticism.

We have noted that the description of the harmonious realm of Nature (M.876-943) paints an ideal picture of creation behaving in accordance with the rational principle responsible for its regeneration and harmony. Will's interpretation of the vision of Middelertne in *Piers* laments that man alone is not part of this order:

Ac that moost meved me and my mood chaunged –
That Reson rewarded and ruled alle beestes
Save man and his make; many tyme and ofte
No Reson hem folwede. (XI.367-70)

Even if he failed to recognise the limitations of Will's interpretation of the Vision,¹⁰⁹ it is interesting that the *Mum*-poet echoes this panoramic description of the natural world in his own poem and uses it as a picture model to demonstrate how society ought to be ruled. The *Mum*-poet narrows the scope of the episode in *Piers* to a purely political interpretation of the concept of natural law but there are other passages in Langland's poem which might have prompted him to do so.

Of man's ability to win salvation through his 'kynde' faculties, Langland expresses profound uncertainties and grave reservations.¹¹⁰ But of man's innate facility for forming himself into a political community ordered by legal bonds and determined for common good, Langland is, (unless we ought to be reading these episodes simply as debating points) at times, optimistic. And it is to these 'times' that the *Mum*-poet's interest may have been attracted.¹¹¹

In the Prologues of B and C (though not in A),¹¹² the structure of a political community is described¹¹³ in which the personification of Kynde Wit has a key role:

And thanne cam Kynde Wit and clerkes he made,
For to counseillen the Kyng and the Commune save.
The Kyng and Knyghthod and Clergie bothe
Casten that the Commune sholde hem communes fynde.
The Commune contrevod of Kynde Wit craftes,
And for profit of al the peple plowmen ordeyned
To tilie and to travaille as trewe lif asketh.
The Kyng and the Commune and Kynde Wit the thridde
Shopen lawe and leaute – ech lif to knowe his owene.

(Prol.114-22)

Critics have disagreed over the degree of 'natural'ness inherent in the term 'Kynde Wit'¹¹⁴ but this section has been interpreted to show Langland's belief in the importance of a natural faculty in man, which when properly employed in the formation and maintenance of a political community, works for the common good.¹¹⁵ This is a reading compatible with the *Mum*-poet's political ideas. All the functions of Kynde Wit in this passage from *Piers* are important in *Mum* (and in *Richard* too). Kynde Wit is shown to be responsible for creating clerks to counsel the king.¹¹⁶ That he devises crafts for the good of the community lends explicit support for the three estate structure of society led by a monarch¹¹⁷ and he is directly involved in the creation of law and justice between king and community for the benefit of each individual within society.¹¹⁹

Furthermore, we have seen that in contrast to most other contemporary poets, the writer of *Mum* effects no disjunction between nature and reason, but appears to hold to the view that if man behaves rationally, he follows the law of nature inscribed on his heart. This is strikingly similar to another section of *Piers*, especially if it is read in the light of the formulation of the political state in the

Prologue. In Passus IV, the vanquishing of Mede in the political kingdom through the advice of Reason, who is depicted as a counsellor to the Visio-king, is a supremely optimistic moment in *Piers'* depiction of society. Self-interest and corruption are defeated, not by any divine intervention but by advice to the king which stems from man's rational faculty.¹¹⁹ Reason states that if his advice were followed, 'lawe shal ben a laborer and lede afeld donge' (IV.147).¹²⁰ Notably, Kynde Wit commends Reason's words and asserts with the rest of the just men that 'Reson truthe tolde' (IV.157-58).¹²¹ Obviously, this is not Langland's last word on the subject but the treatment of 'kynde' in the opening sections of his poem might well have influenced its handling in *Mum*, especially as there are clear verbal echoes of *Piers* in the later poem. If these episodes in *Piers* be understood to dramatise the good issuing from a society which rests on rational principles of natural law, then here is a parallel, if not a source, for the distinctive bias of the unambiguously high claims which the *Mum*-poet makes for man's political nature.

Ultimately, of course, the location of specific sources for the idea of natural law in *Richard* and *Mum* is a speculative enterprise but an exploration of similar themes in other works assists in evaluating their use of the concept. A close examination of the techniques of *Richard* and *Mum* highlights a coherent political analysis to their topical and ephemeral criticism. Whilst both poems are 'occasional' pieces, perhaps reflected in the fact that each survives in a single copy only,¹²² they do also explore more durable ideas, ideas which inform a large body of writing in the period. There is the heritage of the canon law tradition, the more purely political orientation of these ideas in Giles' treatise and the discussion of nature and the natural in many poems, both major and minor.

In *Mum*, the discussion of natural law is less consistently tied to distinct topical events than in *Richard* and accomplished within more consciously 'literary' boundaries.¹²³ This may be because *Piers Plowman* exerted a greater influence over the writer of this poem. The treatment of 'kynde' in *Richard* is entirely compatible with a reading of *Piers* but a direct connection with the earlier poem is less obvious in the treatment of this theme.¹²⁴ Yet in other respects, the vision of the natural world, both as a political exemplar to man and also as a rational harmony of which man is a part, is strikingly similar in both *Richard* and *Mum*. Both poets, in contrast to other writers that we have looked at, make extensive use of bestiaries for the lore which provides them with their narrative strategies, strategies which produce a consistently political interpretation of society. This distinctiveness in their treatment of natural law highlights an important area in which the poems are closely related to

each other. The ethical vision which underlies both *Richard* and *Mum* is indeed idiosyncratic but it is neither 'jaundiced' nor 'incoherent'.

NOTES

¹ *Richard the Redeless* and *Mum and the Sothsegger* were edited as a single poem under the title of the latter by Mabel Day and Richard Steele, EETS os 199 (London, 1936). Dan Embree has argued that the two fragments could not once have formed a single poem, 'Richard the Redeless and Mum and the Sothsegger: A Case of Mistaken Identity', *Notes and Queries*, ns 22 (1975), 4-12. I am in agreement with Embree's conclusions but think that the two poems may have been written by the same author, 'The Relationship of *Richard the Redeless* and *Mum and the Sothsegger*: some new evidence', *Yearbook of Langland Studies*, 4 (1990), 105-33.

² Ruth Mohl, 'Theories of Monarchy in *Mum and the Sothsegger*', *PMLA*, 54 (1944), 26-44.

³ J. A. W. Bennett, *Middle English Literature*, ed. and completed by Douglas Gray (Oxford, 1986), p. 55.

⁴ The discussion of natural law is principally based on the following: A. J. and R. W. Carlyle, *Medieval Political Theory in the West*, 10 vols (London, 1922), I, 36-110, II, 27-108; A. P. D'Entrèves, *The Medieval Contribution to Political Thought* (Oxford, 1939) and *Natural Law: An Introduction to Legal Philosophy* (London, 1951); E. Lewis, *Medieval Political Ideas*, 2 vols (London, 1954); O. Lottin, *Le Droit Naturel chez Thomas d'Aquin et ses Prédecesseurs* (Bruges, 1931); D. E. Luscombe, 'Natural Morality and Natural Law', in *The Cambridge History of Later Medieval Philosophy*, ed. N. Kratzmann, A. Kenny and J. Pinborg (Cambridge, 1982), 705-21; F. G. Pollock, 'The History of the Law of Nature', *Journal of the Society of Comparative Legislation*, ns. 2 (1900), 418-32; B. Tierney, '"Natura, id est Deus": A Case of Juristic Pantheism', *Journal of the History of Ideas*, 24 (1963), 307-22; *La Filosofia della Natura nel Medioevo*, *Atti del terzo Congresso Internazionale di Filosofia Medioevale*, Società Editrice Vita e Pensiero (Milan, 1966); W. Ullmann, *Principles of Government and Politics in the Middle Ages* (London, 1978) and H. White, *Nature and the Natural Man in some Medieval English Writers* (unpublished Oxford doctoral thesis, 1986), pp. 1-13.

⁵ *The Civil Law*, ed. S. P. Scott, 17 vols (Cincinnati, 1932), II, 5. The Latin is quoted from Lottin, p. 8.

⁶ Lottin, p. 8 prints the whole of Ulpian's statement. For Gaius' definition of the *ius gentium*, see Scott, II, 6.

⁷ *Patrologia Latina*, ed. J-P. Migne, 221 vols (Paris, 1841-), 82.199.

⁸ This is discussed in Carlyle, II, 103.

⁹ *Corpus Iuris Canonici*, ed. E. Friedberg, 2 vols (Leipzig, 1879-81), Dist. 1 c.vii, I, 1-2.

¹⁰ This is discussed in Lewis, I, 31.

¹¹ Dist.1 ante c.1, Friedberg, I, 1.

¹² Dist.5 ante c.1, Friedberg, I, 7.

- ¹³ Dist.8 c.1, II. Pars, Freidberg, I, 13.
- ¹⁴ Rufinus, *Summa Decretum*, ed. H. Singer (Paderborn, 1902), Dict. 1; Dict.Grat. ad. cap.1, p. 6.
- ¹⁵ Lottin, p. 109.
- ¹⁶ Lottin, pp. 27-40.
- ¹⁷ This definition is quoted by Lottin, p. 16.
- ¹⁸ Carlyle, I, 83 and 103 discusses the authority of this text as a basis for the development of ideas of natural law.
- ¹⁹ *Biblia Sacra Cum Glossa Ordinaria* (Antwerp, 1518), VI, 38.
- ²⁰ Luscombe (1982), p. 705; Carlyle, I, 83 and 103.
- ²¹ Luscombe (1982), 707-08.
- ²² 'Unde patet quod lex naturalis nihil aliud est quam participatio legis, aeternae in rationali creatura', cited from Thomas Aquinas, *Selected Political Writings*, ed. A. P. D'Entrèves with a translation by J. G. Dawson (Oxford, 1948), p. 114.
- ²³ Ibid., p. 129.
- ²⁴ Ibid., pp. 66-67.
- ²⁵ Ibid., pp. 68-71.
- ²⁶ Ibid., pp. 66-67.
- ²⁷ The familiarity of the authors with legal practice and legal theory is discussed in Helen Barr, *A Study of Mum and the Sothsegger in its Political and Literary Contexts* (unpublished Oxford D.Phil. thesis, 1989), pp. 121-26.
- ²⁸ John Fortescue, *De Laudibus Legum Anglie*, ed. and trans. S. B. Chrimes (Cambridge, 1942) p. 29 and *The Governauce of England*, ed. C. Plummer (Oxford, 1885), p. 109.
- ²⁹ W. Berges, *Die Fürstenspiegel des Hohen und Späten Mittelalters* (Leipzig, 1938), pp. 317-19 records no English manuscripts of *De Regimine*. It does not appear to have enjoyed the same popularity as some of Aquinas' other works.
- ³⁰ Berges, pp. 320-28 gives a list of the numerous translations, copies and versions.
- ³¹ S. H. Cavanaugh, *A Study of Books Privately Owned in England 1300-1450* (unpublished doctoral thesis, University of Pennsylvania, 1980), pp. 45, 90, 110, 497, 506, 862, 921. Amongst the occupations of owners of the work are university academics (45, 921), members of the nobility, including a chief patron of John Trevisa (90), Eleanor, Duchess of Gloucester, widow of the murdered Lord Appellant (110), a justice of the peace and representative of parliament (862), a former archbishop of Canterbury (495) and an official of the court of Canterbury (505).
- ³² See *Trevisa's Dialogues*, ed. A. J. Perry EETS os 167 (London, 1925), pp. xcvi-c for a discussion of Trevisa's authorship and the manuscript. The manuscript from which the following quotations are taken is Bodleian Library MS Digby 233, the only surviving English copy.

³³ Other examples of the poet's concern that reason is followed rather than will can be seen at Prol.21, 48, 56, 83-87, I.27, II.31, 69ff., III.208-46, 310, IV.70.

³⁴ To this may be compared the comments at 1036, 1183 and 1479.

³⁵ *The Cloud of Unknowing*, ed. Phyllis Hodgson (Analecta Carthusiana 3, Salzburg, 1978), chapters 63 and 64 explains the opposition of reason and will, pp. 64-65. See also Gower, *Confessio Amantis*, ed. G. C. Macaulay EETS es 82 (London, 1901), VII.490-520, 3489-90, 4452-63; Hoccleve, *Regement of Princes*, ed. F. J. Furnivall EETS es 72 (London, 1897), 3833-34, 3893-99, 4761-67, *Twenty-Six Political and other Poems*, ed. J. Kail EETS os 124 (London, 1904), I/57-64; IV/105-12; V; XIII/73-80; *Historical Poems of the XIVth and XVth Centuries*, ed. R. H. Robbins (New York, 1959), 58/1-2; 61/7. This tradition is important too, in *Piers*, not least in the naming of the Dreamer Will.

³⁶ MED cites 15 definitions for 'kynde' as a noun, with many subdivisions. The classifications range from the 'aggregate of inherent qualities or properties of persona, animals, plants, elements, medicines . . . essential character' to 'mankinde; a creature/person'. There are 6 definitions for 'kynde' as an adjective. These range from 'in accordance with the ordinary course of nature' to 'generous, gracious, gentle, noble; and so on. See also White (1986), pp. 44-55.

³⁷ See R. I.91, II.4, 142, 161, 191, III.10, 17, 19, 26, 32, 40, 53, 55, 70, 92. And M.109, 333, 897, 999, 1016, 1063, 1065, 1377, 1458, 1485, 1675.

³⁸ R. III.32. The side-note glosses an act committed against 'kynde' as one of 'ingratitude'. This sense is seen also in the Latin marginal side-note at *Confessio*, V, 4923-31, see White (1986), p. 97. In *Richard*, as in the passage from Gower, ingratitude is condemned precisely because it offends against the course of nature.

³⁹ R. IV.76, though with the sense also of 'natural', given the struggles with the weather.

⁴⁰ M.962, although the line 'as euer kinde wrought' may simply mean 'as was ever naturally made'.

⁴¹ M.422, 'courtoys and kinde of þaire deedes'.

⁴² For analysis of this idea, see A. H. Croust, 'The Corporate Idea and the Body Politic in the Middle Ages', *Review of Politics*, 9 (1947), 423-52.

⁴³ R. Prol.75-77, 113-14, II.62-65, 124-34, III.288-89. M.51-52, 117, 763-64, 770-71, 847, 1130, 1139-40, 1338-40, 1381-82, 1472.

⁴⁴ Other references to natural growth or the natural cycle can be seen at R. III, 206, 343-44. M.62-70, 703, 729-31, 1158-60.

⁴⁵ Hoccleve condemns the fashion for long sleeves in a very witty section of *Regement*. Pride is the motive for this excess (498-500), waste is mentioned at line 498 and viciousness at 540-42. A short political poem printed by T. Wright in *Political Poems and Songs*, 2 vols (London, 1859-61), I, 270-78 includes extravagance in dress as one of the evils of the times, 274-76. The causes

for the contemporary malaise are stated at the beginning of the poem to be lechery, lust and pride, p. 271. Robbins, 52/1 comments that the father of Gallant is Pride. In *Wynne and Wastoure*, ed. I. Gollancz (London, 1930), the 'sleghe slabbande sleeves slegt to the grounde' trimmed with ermine (409-12) are seen to be examples of pomp and pride (422).

⁴⁶ In this respect, the dress of Wit is similar to that of the beekeeper in *Mum*, 956-65.

⁴⁷ Day and Steele gloss 'pikis' as staves, but 'piked shoes' is a more likely explanation. Hoccleve also complains of the disregard of the sumptuary laws so that it is now impossible to determine a lord from a commoner, *Regement*, 442-48 and rebukes those workmen who copy the fashions of the noblemen, 505-11.

⁴⁸ For example, R. I.79, 114, II.70, 82, 124-34. M.152-53, 733-42, 1110, 1185, 1193, 1403, 1651-52.

⁴⁹ *Mum*, p. 95.

⁵⁰ Mohl, p. 27 discusses the use made of bestiary lore by the poet in his narration of these recent topical events, but she does not observe how this classification of acts 'of' or 'ageins kynde' provides a theoretical legal framework to the comments. See also J. Coleman, *English Literature in History 1350-1400: Medieval Writers and their Work* (London, 1981), p. 121.

⁵¹ The contemporary events to which the following passages refer, namely, the quarrels between Richard II and the Lords Appellant are discussed in A. Steel, *Richard II* (Cambridge, 1962), pp. 117-79 and pp. 217-59. A more detailed appraisal of the careers of the three men can be found in A. Goodman, *The Loyal Conspiracy* (London, 1971). For the idea that snakes were the natural enemies of harts, see Bartholomaeus Anglicus, *De Proprietatibus Rerum*, trans. John Trevisa as *On the Properties of Natural Things*, ed. M. C. Seymour et al., 2 vols (Oxford, 1975), II, 1175-77. In *Mum* 1054, the poet quotes the authority of 'Bartholomew þe Bestiary'.

⁵² Bartholomaeus, II, 1176.

⁵³ For the idea of the deer shedding their horns, see Bartholomaeus, II, 1176.

⁵⁴ The poet's treatment of this episode is discussed in Helen Barr, 'The Dates of *Richard the Redeless* and *Mum and the Sothsegger*', *Notes and Queries*, ns 37 (1990), 270-75, at 271-72.

⁵⁵ Gower also uses a maternal image to describe Henry. In his protection of Arundel and his son, he likens him to a hen sheltering its brood under her wings, *Tripartite Chronicle*, III.138-39.

⁵⁶ For the natural antipathy between kites/crows and eagles, see Bartholomaeus, I, 620-21 and 631.

⁵⁷ Bartholomaeus, I, 602. Gower draws on the flight of the eagle in *Vox*, VI.985-86, to symbolise the purity of heart necessary for a king. Thus Gower uses natural characteristics to illustrate moral virtue whilst the *Mum*-poet uses them to illustrate the relationship of a ruler to his subjects.

⁵⁸ Whilst the poet praises the actions of the partridge, elsewhere it is a bird universally

condemned for its fraudulence. See Bartholomeus, I, 637; Bodleian Library MS Bodley 533, fol. 18a-b. Gower uses the partridge as an image to attack the avarice of the lawyers, *Vox*, VI.143-44.

⁵⁹ See Barr (1989), pp. 24-25 for discussion of these lines.

⁶⁰ This interpretation of the Ship of State image differs sharply from that seen in contemporary writings. Gower uses it in *Vox*, I to describe the attack on the Tower of London during the uprising in 1381. *The Song On the Death of Edward III*, Robbins, 39, pp. 102-06 uses the Ship of State for the whole basis of the poem, using the successful sailing of the ship with its various parts such as the tower, sail and mast to applaud the deeds of the Black Prince and Edward III. The point of the poem is captured in its refrain that once good deeds and men are passed from sight, they are soon forgotten. A macaronic sermon which concerns Henry V's departure to France in 1421, uses the Ship of State image as a way of reminding the king of the virtues necessary for his expedition, e.g. 'wynd up þe sail perfecti amoris et caritatis, set on þe bonettes penitencie et elemosine, quod possitis a ful blower of grace', R. M. Haines, 'Our Master Mariner, Our Sovereign Lord: A Contemporary Preacher's View of Henry V', *Medieval Studies*, 38 (1976), 85-96, at 88.

⁶¹ In addition to the sequences to be discussed below, the use of the natural properties of animals is also seen in the lines on the magpie and parrot, 152-54 and in the comparison of rumours with the properties of a swallow, line 1403.

⁶² The significance of this is discussed below, p. 67.

⁶³ Day and Steele, pp. xvii-iii.

⁶⁴ For the idea of the fulness of nature, see Alain of Lille, *Plaint of Nature*, ed. and trans. J. J. Sheridan (Toronto, 1980), pp. 108-12 and J. H. Hanford and J. H. Steadman, 'Death and Liffe: An Alliterative Poem', *Studies in Philology*, 15 (1918), 223-94, at 249-51.

⁶⁵ The significance of the hive of bees as a political exemplum is discussed by Mohl, p. 32 but she does not draw attention to the poet's use of natural 'properties' in the episode, nor the parallel with Giles of Rome. See also V. J. Scattergood, *Politics and poetry in the Fifteenth Century* (London, 1971), pp. 293-95, Coleman, *English Literature in History*, pp. 112-13 and A. C. Spearing, *Medieval Dream Poetry* (Cambridge, 1976), pp. 165-66.

⁶⁶ The significance of this verbal echo of *Piers*, B.V.538 is discussed below, p. 67.

⁶⁷ The description of the bees corresponds closely to Bartholomaeus, I, 609-14 but there are also similarities to the account in Bodleian Library MS Douce 151, a fourteenth century bestiary whose chief source is the *De Bestiis et Aliis Rebus* of Hugh of St Victor, *Patrologia Latina*, 177, pp. 14-163. In the account of the bees (98-99), man is directed to observe their workings because they provide an excellent example of the conduct of kings and subjects which man ought to imitate (fol. 71a). Bees are ruled not by written laws but by 'leges naturae non scriptae' (fol. 70a). Whilst the *Mum*-poet mentions Bartholomaeus at 1028 and 1054, it is clear that he knows the habits of birds not included in *De Proprietatibus Rerum*, such as the talkativeness of the parrot and magpie

(152). The parrot is discussed in Hugh of St Victor's encyclopedia, pp. 94-95. This detail about the bees following the unwritten laws of nature does not appear in Bartholomeus' account but the idea is seminal to the *Mum*-poet's use of the exemplum.

68 The word 'kynde' is used in a similar fashion at 1485 and 1675.

69 This theme has been discussed by Andrew Wawn, 'Truth-telling and the tradition of *Mum and the Sothsegger*', *Yearbook of English Studies*, 13 (1983), 270-87.

70 For the legal procedure of 'feoffment', see W. Holdsworth, *A History of English Law*, 9 vols (London, 1923), III, 250-52.

71 'Possession' is used here in its legal sense of 'seisin', to make an important contribution to the allegory. 'Possession' of the estate by feoffment gives Truth physical occupation of the estate, i.e. man, but not ownership, see L. B. Curson, *English Legal History* (Plymouth, 1979), p. 313. Ownership of the estate rests with God and thus the poet avoids stating that man is self-sufficient for good.

72 Holdsworth, III, 112-14.

73 In line 1265, the EETS editors gloss 'seese' as 'to seize' but it is a verb from 'seisin', 'to put into possession', see F. G. Pollock and F. W. Maitland, *The History of English Law*, 2 vols (Cambridge, 1898), I, 307-08.

74 See A. W. B. Simpson, *An Introduction to Land Law* (London, 1961), pp. 86-89. The phrase 'terme of his life' is used in legal documents to indicate tenancies granted for life. *MED* 'lif 2b) cites examples from Henry Chichele's *Register* and *Lincoln Diocesan Records*. The phrase occurs at *Mum*, 205.

75 The technique (though obviously not the power of its execution) is not dissimilar to Langland's use of legal terminology in Passus XVIII of *Piers*, see W. J. Birnes, 'Christ as Advocate: The Legal Metaphor of *Piers Plowman*', *Annuaire Mediaevale*, 16 (1975), 71-93.

76 For the positive view of the natural as good, see White, pp. 1-8.

77 The poems provide a challenge to G. Kane's view expressed in 'Some Fourteenth Century Political Poems' in *Medieval English Religious and Ethical Literature: Essays in Honour of G. H. Russell*, ed. G. Kratzmann and James Simpson (Cambridge, 1986), pp. 82-91, that the word 'political' with respect to topical poems is a misnomer.

78 On the sermon writers, see White, pp. 55-65. Marsilius of Padua writes a lengthy analogy in which the state that functions according to reason is likened to a healthy animal in harmony with nature, *The Defensor Pacis*, ed. and trans. A. Gewirth, 2 vols (New York, 1965), II, 8. See also *A Treatise of the Three Estates*, ed. A. I. Doyle, *Dominican Studies*, 3 (1950), 351-58 where the lark, dove and eagle are used as political exempla.

79 *Cleanness*, ed. J. J. Anderson (Manchester, 1977), 697, 710, 1024-33.

80 This theme has been analysed by J. A. Glenn, 'Dislocation of "Kynde" in the Middle English

Cleanness', *Chaucer Review*, 18 (1983), 77-91. He interprets the Lucifer's behaviour as an example of Lucifer's misunderstanding of his own 'kynde' and behaving in a way contrary to it, p. 80.

⁸¹ So glossed in the editions by Anderson and by R. J. Menner, *Purity* (Yale, 1920).

⁸² At Christ's nativity, the beasts in the stable are said to worship him because they recognise him to be the king of nature (1087). The description of the purity of the pearl, which, by 'kynde' will become more pure than before if it is washed with wine (1128), synthesises the concept of 'kynde' with an image suggestive of baptism and the Eucharist. Above all, God's intervention in human behaviour is a dominant theme in the poem.

⁸³ On the personification of Nature, see G. D. Economou, *The Goddess Natura in Medieval Literature* (Cambridge, Mass., 1972), E. C. Knowlton, 'Nature in Middle English', *JEGP*, 20 (1921), 186-207 and White, pp. 13-28. For the treatment of Liffe in this tradition, see Hanford and Steadman, p. 251.

⁸⁴ One detail which emphasises the parallelism between Liffe's effect on the natural world and Christ's redemptive action for man is the echo of 'the red rayling roses, the richest of fflowers' (24) at line 376 where Death is described as having buffeted Christ 'till the railinge red blood ran from his sides'.

⁸⁵ For a recent discussion of the poem, see Susanna Fein, 'The Poetic Art of *Death and Liffe*', *Yearbook of Langland Studies*, 2 (1988), 103-23.

⁸⁶ Alain of Lille, *The Plaint of Nature*, ed. and trans. J. J. Sheridan (Toronto, 1980), pp. 167-68.

⁸⁷ Alain of Lille, *Anticlaudianus*, ed. and trans. J. J. Sheridan (Toronto, 1973), p. 68.

⁸⁸ G. Loris and J. de Meun, *Le Roman de la Rose*, ed. D. Poiron (Paris, 1974), 2986-95.

⁸⁹ Chaucer, *The Physician's Tale*, 9-50; *The Parlement of Foules*, 379-81 in *The Riverside Chaucer*, General Editor Larry D. Benson (Oxford, 1988).

⁹⁰ For free will in the poem, see 370, 388, 417, 621-22, 649 and 405-13. Interpretations of the *Parlement* which discuss the role of Nature and the idea of common profit include: J. A. W. Bennett, *The Parlement of Foules: An Interpretation* (Oxford, 1957); B. K. Cowgill, 'The Parlement of Foules and the Body Politic', *JEGP*, 74 (1975), 315-35; J. W. Frank Jr, 'Structure and Meaning in *The Parlement of Foules*', *PMLA*, 71 (1956), 530-39; J. P. McCall, 'The Harmony of Chaucer's *Parlement*', *Chaucer Review*, 5 (1970), 22-31; J. B. Oruch, 'Nature's Limitations and the "Demande D'Amour" of Chaucer's *Parlement*', *Chaucer Review*, 18 (1983), 23-37; V. Rothschild, 'The Parliament of Fowls: Chaucer's Mirror up to Nature?', *RES*, ns 35 (1984), 164-84 and White, pp. 136-93.

⁹¹ J. H. Fisher, *John Gower, Moral Philosopher and Friend of Chaucer* (London, 1965), argues that the concept of natural and human law provides the structure for Gower's three major works, p. 160.

⁹² *Vox*, I.319-20.

⁹³ See in addition to Fisher, pp. 160-75, White, (1986), 81-135 and K. Olsson, 'Natural Law and John Gower's *Confessio Amantis*', *Medievalia et Humanistica*, ns 11 (1982), 229-62.

⁹⁴ *Confessio*, III.2580-98.

⁹⁵ *Ibid.*, II.3187-3496. The lines from Gratian are at 3275-79.

⁹⁶ For discussion of Amans, see J. A. Burrow, 'The Portrayal of Amans in *Confessio Amantis*', in *Gower's Confessio Amantis*, ed. A. J. Minnis (Cambridge, 1983), pp. 5-24, E. Porter, 'Gower's Ethical Microcosm and Political Macrocosm', in Minnis, pp. 135-62 and H. White, 'The Naturalness of Amans' Love in *Confessio Amantis*', *Medium Ævum*, 57 (1987), 316-22.

⁹⁷ See Olsson and White (1986) on this synthesis of ideas.

⁹⁸ J. A. W. Bennett, 'Gower's "Honeste Love"', (1966) reprinted in *The Humane Medievalist and Other Essays*, ed. P. Boitani (Rome, 1982), pp. 49-66.

⁹⁹ There is a list of echoes between the works in Barr, pp. 360-64, cf. above, note 27.

¹⁰⁰ See lines 109, 1016, 1063 and 1065.

¹⁰¹ *Mum*, 876-943 and *Piers*, XI.320-72. All references to *Piers Plowman* are to A. V. C. Schmidt, ed., *The Vision of Piers Plowman: A Complete Edition of the 'B' Text* (London, 1978).

¹⁰² See A. Baldwin, *The Theme of Government in Piers Plowman* (Cambridge, 1981), pp. 21-23, M. Stokes, *Justice and Mercy in Piers Plowman* (London, 1984), pp. 68-69, G. Hort, *Piers Plowman and Contemporary Religious Thought* (London, 1938), pp. 69-87 and Coleman, *Moderni*, pp. 55-69.

¹⁰³ See H. White, *Nature and Salvation in Piers Plowman* (Cambridge, 1988), pp. 1-2 and M. C. Davlin, *A Game of Heuene* (Cambridge, 1989), pp. 37-46, 51-59 and p. 83.

¹⁰⁴ On 'kynde wit', see R. Quirk, 'Langland's Use of "Kind Wit" and "Inwit"', *JEGP*, 52 (1953) 182-88; Hort, pp. 69-72; B. J. Harwood, 'Langland's "Kynde Wit"', *JEGP*, 75 (1976), 330-36; J. Coleman, *Piers Plowman and the Moderni* (Rome, 1981), p. 59; Stokes, pp. 68-69; White (1988), pp. 3-40. On 'kynde knowyng', see M. C. Davlin, "'Kynde Knowynge" as a major theme in *Piers Plowman*', *RES*, ns 22 (1971), 1-19 and "'Kynde Knowynge" as a Middle English Equivalent for "Wisdom" in *Piers Plowman*', *Medium Ævum*, 50 (1981), 5-17; B. J. Harwood, 'Langland's "Kynde Knowyng" and the Quest for Christ', *Modern Philology*, 80 (1983), 242-55; White (1988), pp. 41-59.

¹⁰⁵ M.109, 1016, 1063, 1065.

¹⁰⁶ See White (1988), pp. 45-50, who discusses the various interpretations.

¹⁰⁷ White (1988), arguing against Davlin's interpretation of the phrase as 'sapientia', reaches similar conclusions about the use of the phrase in *Piers*. He notes that, 'as well as claiming proper knowledge, Piers may be suggesting that the knowledge of Truth is as natural to him as the knowledge of books is to scholars', p. 50.

108 *Piers* I.138.

109 J. A. Alford, 'The Idea of Reason in *Piers Plowman*', in *Medieval English Studies Presented to George Kane*, ed. D. Kennedy, R. A. Waldron and J. Wittig (Cambridge, 1988), pp. 199-215, notes that the absurdity of Will's question to Reason after seeing the vision of Middelerthe is shown by the use of a pun, 'Thenne y resonede Resoun' – that is, reasons against reason, p. 213. The point is, not that Reason fails to follow man and only follows the beasts, but that man obeys his will rather than his reason. White (1988), discusses the inadequacies of this vision to lead man to God, pp. 74-78.

110 White (1988), pp. 34-36; 60-92 and Coleman, *Moderni*, pp. 101-34.

111 There is more detailed examination of the *Mum*-poet's reading of *Piers* in Barr, pp. 222-45, cf. above, note 27.

112 The absence of this section of *Piers* from the A text suggests that it was not the version known to the *Mum*-poet.

113 Coleman, *Moderni*, pp. 55-69, argues that in these scenes in the Prologue Langland presents us with a natural society based on natural law, see also Baldwin, pp. 22-23.

114 Harwood (1976), sees Kynde Wit not as innate or instinctual because the knowledge it possesses is something which can be learned, p. 331.

115 Stokes sees the role of Kynde Wit as stressing the need for society to be based on principles of natural law, pp. 69-70. White (1988) suggests that the role of Kynde Wit in this episode is to suggest the naturalness of the good society, to make the point that it is within man's reach through his natural endowment. He notes also that the presence of Kynde Wit seems to indicate that positive law, in order to possess legitimacy, must be in line with natural law, pp. 18-21.

116 The theme of counsel in *Richard and Mum* is discussed by A. B. Ferguson in *The Articulate Citizen and the English Renaissance* (Durham, North Carolina, 1967), pp. 75-85 and 'The Problem of Counsel in *Mum and the Sothsegger*', *Studies in the Renaissance*, 2 (1955), 67-83 and Barr, pp. 48-55.

117 The theme of kingship in *Richard and Mum* is discussed by Mohl and Barr, pp. 126-31.

118 In C, the functions of Kynde Wit are altered. There is no reference to Kynde Wit's creating clerks to counsel the king and there is no reference to the king, community and Kynde Wit creating law and leaute. Instead, Kynde Wit is given a speech in which he advises the king to rule his land in such a way as to earn the allegiance of the people in order to be rewarded in heaven (*Piers Plowman by William Langland: An Edition of the C-Text*, ed. D. Pearsall (London, 1978), C. Prol. 139-50). These changes are discussed by Baldwin, *Moderni*, pp. 15-17 and E. T. Donaldson, *Piers Plowman: The C-Text and its Poet* (New Haven, 1957), pp. 88-111.

119 This optimism is noted by White (1988), but with the caveat that Mede remains abstract and that her defeat is not absolute as long as there are sisours, summoners and sheriff's clerks prepared

to serve her still, p. 21, see also Stokes, pp. 152-56 and Baldwin, pp. 22-23.

120 There is a similar comment at *Richard*, III. 267.

121 Some manuscripts of B record 'And Wit acorded therwith' instead of Kynde Wit. In C, Kynde Wit and Conscience are given a longer speech in which they comment on the truthfulness of Reason's words and the victory over Mede which they heralded, C.V.151-59.

122 *Richard* and *Mum* each survive in a single, incomplete copy; *Richard* in Cambridge University Library MS Ll.iv.14 and *Mum* in British Library MS Add. 41666.

123 The literary techniques of the two poems are discussed in Barr, pp. 186-221, cf. above, note 27.

124 There is a list of resemblances between the two works in Barr, pp. 360-64.